United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, WEDNESDAY, MARCH 17, 1999 No. 42

House of Representatives

The House met at 10 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

''For the beauty of the Earth,
For the glory of the skies,
For the love which from our birth
Over and around us lies;
Lord of all, to Thee we raise
This our prayer of grateful praise.''

We are thankful, O God, for the beauty that surrounds us and for the grace which makes us whole. May our lives never become so cluttered that we fail to see Your divine glory in the world and Your perfect love which is freely given to us and to every person. Bless us, O God, this day and every day, we pray. 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 Wisconsin (Mr. GREEN) come forward and lead the House in the Pledge of Allegiance.

Mr. GREEN of Wisconsin 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.

IMPRISONED CHINESE PASTOR XU YONGZE

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

Mr. DELAY. Mr. Speaker, this week marks the second anniversary of the imprisonment of Pastor Xu Yongze by the Communist authorities in China. Today also marks the fifth time I have come to the floor to urge the Chinese Government to release this decent man of God.

Last week, I met with the Chinese Ambassador to once again raise my disappointment with China's refusal to release Pastor Xu, who is often called the ''Billy Graham'' of China. Unfortunately, the Chinese still cling to the belief that Pastor Xu is a cult leader because he believes in a judgment day. But, Mr. Speaker, the belief in a judgment day is a basic tenet of Christianity, a belief held by billions of Christians around the world, including myself. Now that would be one big cult.

Pastor Xu is a respected and honorable man and one incredibly brave Christian. So once again I ask President Jiang Zemin to release Pastor Xu, as I humbly ask my colleagues and fellow Americans to remember Pastor Xu in their prayers.

ELECTION OF MEMBER TO COMMITTEE ON GOVERNMENT REFORM

Mr. FROST. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 119) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

HOUSE RESOLUTION 119

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

JANICE SCHAKOWSKY, to the Committee on Government Reform.

The resolution was agreed to.

A motion to reconsider was laid on the table.

STRENGTHEN MEDICARE WITH THE SURPLUS

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

Ms. DELAURO. Mr. Speaker, when Medicare was created in 1965, fewer than half of all American seniors had health care coverage. Today 99 percent are covered. Medicare has enabled millions of seniors to live their retirement years with dignity, financial independence, and peace of mind.

Unless we prepare for the baby boom's strain on the system, Medicare will go bankrupt in the year 2008, only 9 years away. The Democratic proposal for the Federal surplus would use 15 percent of that surplus to bolster Medicare, to strengthen Medicare. This plan will extend the life of Medicare by a decade.

In contrast, the Republican plan is to spend that surplus on a one-time, trillion-dollar tax break while Medicare withers on the vine. It is irresponsible. Giving tax breaks while Medicare dissolves is akin to fiddling while Rome burns.

Mr. Speaker, we should use the surplus to strengthen Medicare. This is a responsible plan for our current seniors and for future generations.

VOTE AGAINST UNION-ONLY LABOR CONTRACTS

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

Mr. BALLENGER. Mr. Speaker, the President and the Vice President have worked diligently in the past few years to link Federal projects to union-only construction firms. Unfortunately, the Los Angeles Unified School District is following suit by proposing a new major $2.4 billion school construction initiative, using only unionized contractors.

I say this is unfortunate because union-only contracts increase the cost of construction projects by limiting competition, which results in higher

Printed on recycled paper.

labor costs. It has been estimated by some that the union-only project labor agreement could increase the construction cost by 10 to 15 percent. This means that funds aimed at building and renovating some of Los Angeles' schools would actually be lost to artificially high labor cost.

I am a firm believer that the lowest qualified bidder for these building projects should be able to win the construction job, regardless of union affiliation. Quite frankly, I find it against the American spirit of healthy competition to put rules in place that work otherwise.

I hope that when this project labor agreement is voted upon on the 23rd of this month, the Los Angeles Unified School District will vote for the best interest of their students and against an anti-education project labor agreement.

SCHEDULE GHB AND STOP TEENAGE DEATHS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise again this morning to encourage my colleagues to move swiftly to schedule GHB. GHB is a drug that many of us are not aware of but has killed teenagers across this Nation.

I have legislation called the Hillory J. Farias bill, H.R. 75. I am working with the gentleman from Michigan (Mr. STUPAK) and others to ensure that we move quickly to have this drug scheduled and made illegal. What is the reason?

Hillory J. Farias was a 17-year-old bright teenager who went to a teenage club and drank a soft drink. Unbeknownst to her, the lack of taste, the lack of smell GHB drug was placed in her drink. The next morning, Hillory was found dead in her bed.

This drug has been given a lot of pluses. For example, it is found on the Internet described as a relaxing agent. They liken its effects to alcohol. Some even consider it to be a form of treatment to the effects of alcoholism. One site claimed that the drug was better than alcohol because it did not cause damage to the brain or liver. There are many misconceptions about this drug.

I ask my colleagues to help stop the death of young people. Let us schedule GHB and pass this legislation quickly.

REVITALIZING THE MIAMI RIVER

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, the Miami River project should be a priority in this year's consideration of the Water Resources Development Act. The Miami River Commission and the Miami River Marine Group remind us that it is vitally important that we act to provide the necessary Federal cost share so that the U.S. Army Corps of Engineers' 1990 recommendations for navigational maintenance dredging of the Miami River be implemented as soon as possible.

Congress must clarify the language of the Act so that the intended 75 percent Federal and 25 percent non-Federal cost share formula will be applied in the Miami River project to the cost of navigational maintenance dredging, including disposal costs.

The removal of these toxic sediments will have the added benefit of eliminating a significant pollution threat to Biscayne Bay, one of our most pristine environments.

The Miami River is the fifth largest port in our State of Florida. Any further delay in dredging could endanger one of our Nation's most critical shipping links to the Caribbean and Latin America.

We must maintain this environmental river, as well as restore the environmental quality of a key part of south Florida's ecosystem.

SOCIAL SECURITY REFORM

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

Mr. CUMMINGS. Mr. Speaker, our Nation's Social Security system has traditionally been a safety net for citizens hoping to live long and fruitful lives. However, changes in our society's economic and social conditions warrant reform.

The facts are abundantly clear. The trust fund will be depleted by 2032. As such, the current debate is not about the necessity of reform, but what structural revisions will preserve the system long-term.

I believe that reform should be synonymous with guarantee; that is, guaranteed minimum benefits for decades to come. Reforms that do not ensure system solvency or include pension or private savings plan without such a guarantee, frankly, are indefensible.

Today I urge my colleagues to support reform that, as Franklin Roosevelt said, takes care of human needs throughout the next millennium.

SUPPORT OUR SERVICEMEN AND SERVICEWOMEN BY PROVIDING FUNDING

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

Mr. GIBBONS. Mr. Speaker, today I rise to talk about the state of our Nation's military, because the readiness of our military is in perilous danger.

This Nation cannot continue to turn a blind eye to underfunding of our armed forces while asking our military men and women at the same time to keep doing more and doing more with less and less.

A recently released accident report of the 12 airmen who lost their lives in a tragic accident of their rescue helicopters last September in Nevada is a reminder of the perilous readiness environment that our armed forces are required to operate in.

It is up to this administration and this Congress to provide our service men and women with the right tools, the right training and the resources to accomplish their mission, and nothing less.

For my part as a veteran, I honor these men and their families and the 66th Rescue Squadron for their great service to this country. I believe we must honor their legacy by ensuring our military men and women have the resources to do their jobs. Support our servicemen. Support our servicewomen by providing full funding to our military.

USE SOCIAL SECURITY MONEY FOR SOCIAL SECURITY

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

Mr. TRAFICANT. Mr. Speaker, both parties have a plan to save Social Security. Quite frankly, neither plan is adequate. There is no budget surplus. There is a deficit. The only surplus that exists is in the Social Security account. I say it is time to pass an amendment to the Constitution that says Social Security money can only be used for Social Security and Medicare, and no politician or no administration could reach in and use that money.

It is not Republicans' money, it is not Democrats' money. It is the people's money. If we could, in fact, do it for term limits on presidents, and if we could do it for every other reason that exists, we can protect the most important account of the American people and save Social Security.

Mr. Speaker, I yield back all the IOUs in the wastebaskets of the Social Security center.

SOCIAL SECURITY MONEY BELONGS TO OUR SENIORS

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, we do have to protect Social Security. The President has been saying over and over he wants to save Social Security, but he keeps spending it on foreign giveaways. I would just say, Mr. President, you cannot have it both ways.

Unlike the President, however, this year's budget resolution will set aside fully 100 percent of the Social Security surplus to strengthen that vital program for our seniors. Seniors have paid a lifetime of earnings into Social Security, and we promise to protect it for them. We are committed to that promise, and we cannot allow Social Security money to be frittered away on foreign aid.

The President just wants to use Social Security surplus funds as a slush fund for his failed Social Security policy, for his failed foreign policy as well. Mr. Speaker, that money belongs to our seniors. American seniors need it and deserve it, and we must make sure that they get it. Mr. President, do not spend away our Social Security money.

□ 1015

CONGRESS MUST REMAIN COMMITTED TO BRING PEACE TO ALL OF IRELAND

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

Mr. CROWLEY. Mr. Speaker, I would like to express my condemnation of the brutal March 15 killing of human rights attorney and mother Rosemary Nelson.

Rosemary Nelson died after a bomb ripped apart her car in Lurgan, County Armagh in the north of Ireland. Forty year old Rosemary, mother of three, had previously represented the nationalist Garvaghy Road residents coalition in nearby Portadown over the long-running Drumcree Orange Order Protest. Her death mutes a powerful voice in the quest to bring lasting peace to the north of Ireland.

Congress must remain strongly united in its commitment to the condemnation of bombings and acts of terrorism and continued human rights abuses. We must remain committed to bringing peace and justice and prosperity to all of Ireland.

That is why we must pass my resolution, H. Con. Res. 54, to honor the 1-year anniversary of the Good Friday Peace Accords. I urge my colleagues to stand firm on the United States' support of Irish peace by joining the 77 cosponsors of H. Con. Res 54, and the U.S. Senate is passing that resolution today.

STOLEN NUCLEAR SECRETS

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

Mr. HEFLEY. Mr. Speaker, this New York Times headline says it all: ''China Stole Nuclear Secrets for Bombs, U.S. Aides Say: Espionage Case at New Mexico Lab is Said to be Minimized by the White House.''

Why would a case that intelligence experts consider to be worse than Aldrich Ames be minimized by the White House?

The reason is clear to all those who have followed the campaign finance scandal of 1996. It would also be clear to all those who followed the administration's China policy.

First, when this scandal came to light in 1995, and then more conclusively in April of 1996, the White House was under fire for taking campaign cash from the Communist Chinese army.

Second, this stunning revelation of nuclear espionage would have threatened the administration's policy of what they call engagement with Communist China.

That is why the White House would have a clear incentive to avoid notification of Congress and to reject the clear evidence that our most sensitive nuclear secrets have been stolen.

CONGRATULATIONS TO AMERICAN COLLEGE OF SPORTS MEDICINE ON NEW HEADQUARTERS IN INDIANAPOLIS

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

Ms. CARSON. Mr. Speaker, I rise today to congratulate the American College of Sports Medicine on the completion of a vast new addition to its headquarters building in Indianapolis.

In the early 1980s, Indianapolis' corporate leaders and city officials advanced a visionary plan to make the city the amateur sports capital of the Nation.

We have had immense support from the corporate community in Indianapolis. On December 15, 1983, Mayor William Hudnut broke ground for the ACSM National Center, which has become one of the anchor projects of the Canal area redevelopment. He referred to it as ''A cornerstone in the Amateur Sports Capital.''

Mr. Speaker, I want to congratulate the American College of Sports Medicine on the completion of a vast new addition so that it would be able to advance the immense amount of work that it has done in terms of sports medicine.

CAMPAIGN CASH AND ESPIONAGE SCANDAL

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

Mr. HAYWORTH. Mr. Speaker, the outrage continues to grow over the campaign cash and espionage scandal involving the Chinese and this administration.

Quoting the lead editorial from this morning's Wall Street Journal, ''Bad enough that the Chinese have stolen the technology for a nuclear warhead that will make their own missiles more threatening to U.S. national security; far worse is the casualness with which the White House greeted the news. Sandy Berger says he was briefed on this in April of 1996, which happens to be the same month Al Gore traveled to California for his infamous Buddhist fundraiser.''

And from the lead editorial in this morning's Washington Times. ''It is clear that Sandy Berger has no credibility. Rather than cooperation, he offers blame shifting. Rather than credible explanations, he offers excuses.''

Mr. Speaker, we say to the President, Sandy Berger must go.

BUDGET DETAILS NEGLECT MEDICARE

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

Mr. WEINER. Mr. Speaker, the details of the budget being prepared by the majority are finally beginning to leak out. They include an embracing of the Democratic initiatives on Social Security and $1 trillion in tax cuts. I like tax cuts just as much as the next person, but what was missing from the budget was any mention of Medicare.

While Social Security does reach crisis perhaps in the year 2032, Medicare is lacking today. In fact, seniors pay more out of their own pockets for health care costs than they did when John F. Kennedy declared a health care emergency and initiated a Medicare program.

Now, the Democrats are proposing and the President is supporting the notion of covering prescription drug and using a portion of the surplus to shore up Medicare for seniors today.

Now that the majority has embraced Social Security, perhaps they should embrace Medicare as well.

REPUBLICANS BELIEVE IN TRUTH IN BUDGETING

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

Mr. KINGSTON. Mr. Speaker, obviously, my friend from the other side of the aisle has confused St. Patrick's Day with April fools when he talks about the Republican budget.

Let me talk to my colleagues. There is philosophical and mathematical differences between the way the Republicans and Democrats use numbers. It is best illustrated by this story.

One of the Democrats' leading budget hawks went to go buy some worms. He was going fishing. He walked up to the bait store and said, ''How much are your worms?'' The guy said, ''You can have all you want for $1.'' So the Democrat said, ''I will take $2 worth.''

That is the problem. We almost need national testing when it comes to truth in budgeting with the Democrats.

Let us go through this little quiz on Social Security: Republicans want to preserve 100 percent; Democrats 62 percent.

Fill in the blanks: Which is greater, 62 percent or 100 percent?

True or false, 62 percent does not equal 100 percent.

True or false, 38 percent will be spent on non-Social Security items under the President's budget.

This is true. The President wants to preserve 62 percent, Republicans want

to preserve 100 percent of the Social Security balance. We believe that it is worth fighting for our grandparents to do the right thing and not spend their money on pork.

STEEL IMPORTS AND ILLEGAL DUMPING

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

Mr. WISE. Mr. Speaker, the first chart tells us the story, I guess in black and white, on steel imports and why this Congress must act today to do something about steel imports and illegal dumping.

We can see, from 1997 to 1998, the large increase in steel imports, and particularly because of illegal steel dumping.

This just tells the story in a bar graph and in black and white. Let us tell the story in terms of human suffering. For instance, at Wierton Steel, in which the headlines we have blown up show, ''Wierton Steel layoffs hit 775 workers.'' It is actually more by now. ''Wierton Steel announces more layoffs,'' layoffs that are occurring throughout the Ohio Valley and the Mon Valley.

Mr. Speaker, this House must act today to stop illegal steel dumping. We have the opportunity to send the message not only to the administration but to foreign nations. If others will not act, Congress will.

Let us act today for Wierton and for a whole lot of other steel producing communities in the United States.

RELEASE IMPRISONED CHINESE PASTOR XU YONGZE

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

Mr. GREEN of Wisconsin. Mr. Speaker, I would like to add my voice to that of the House majority whip who spoke earlier calling for the release of Pastor Xu in China.

It is indeed sad that, as we find ourselves just 1 year away from the 21st century, there are still places in this world where a person can be locked away merely for expressing their faith in God. Mr. Speaker, Pastor Xu serves as a reminder to us all of how precious our freedom truly is, especially our freedom to worship as we choose.

The Chinese government claims that Pastor Xu is dangerous merely because he believes in a judgment day. Well, Mr. Speaker, I do not find that crazy or dangerous. A belief in judgment day is a basic belief not just of Christians but of so many religions around the world.

This week Pastor Xu begins his third straight year in prison simply for preaching the gospel. If the Chinese are serious about strengthening the ties between our two countries, they must learn to respect religious freedom.

I urge President Jiang Zemin, please, release Pastor Xu and let him return to his family.

MEDICARE COMMISSION FINISHES WORK WITHOUT RECOMMENDATION

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

Mr. MCDERMOTT. Mr. Speaker, yesterday the Medicare Commission finished its work but did not come out with a recommendation. It did not come out with a recommendation because the thrust of the commission was to privatize; that is, to get rid of Medicare as we have known it and move it into the private sector. Now, the people pushing that idea are the very people in this House who have opposed the Patients' Bill of Rights.

If we are going to take all the senior citizens in this country, and the disabled, 39 million people, and throw them into the private sector, and will not give them the protections of a Patients' Bill of Rights, there is no justice in that kind of system.

The Commission rightly rejected it. The Commission refused to consider the President's addition of 15 percent of the surplus. The Commission refused to consider the President's proposal regarding people between the ages of 55 and 65. This House now has to come to grips with it.

HAPPY ST. PATRICK'S DAY

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

Mr. FOSSELLA. Mr. Speaker, I rise today to wish everyone a happy St. Patrick's Day and celebrate the great accomplishments made by Irish Americans to our republic.

Across America, whether we are Irish American or not, we honor the sacrifices made by so many Irish Americans and really celebrate their accomplishments.

It was not always easy, though, for the Irish who came to our shores. It was not long ago the Irish seeking employment were met with the infamous warnings, ''Irish need not apply.'' But the goodness that is America prevailed, and generations of Irish Americans have made this country the greatest in the history of the world.

With their solid work ethic and belief in personal responsibility, love of our Nation, respect for honor, and a gentleness towards the weak and infirm, I, like millions of Americans, proud of my Irish heritage, understand how lucky we all are to be Americans. I wish everybody a happy St. Patrick's Day.

PRESIDENT'S BUDGET

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

Mr. LINDER. Mr. Speaker, sometime during the year 2013, the funds we pay out to Social Security recipients are going to exceed the funds coming in to finance the system.

Despite the White House war room rhetoric, the Clinton budget does nothing to save Social Security. If my colleagues do not believe me, they should listen to this. In February, David Walker, the Comptroller General of the United States, stated, and I quote, ''The President's proposal does not alter the projected cash flow imbalances in the Social Security program.''

It is true. The President's proposal does not save Social Security. The only way that Clinton's numbers add up is through a faulty double-counting scheme.

This is not a Republican complaint. Some of Social Security's chief defenders, members of the President's party, have said that the President's approach is based largely on imaginative accounting.

We do not need any more shell games and number schemes for Social Security. We just need a system that can ensure tomorrow's seniors that their savings will be there when they retire without government interference. We desperately need the President to be a leader on the tough issues.

We cannot waste this historic opportunity to preserve the Nation's Social Security program. Unfortunately, the President's budget represents his typical rhetoric and sloganeering at its worst.

PRESIDENT'S BUDGET PROPOSAL WILL NOT WIN ANY AWARDS

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

Mr. TANCREDO. Mr. Speaker, it is perhaps the old teacher in me, but whenever I see something like a budget proposal that has been submitted by the President, I want to give it a grade. And I am afraid, Mr. Speaker, that this President's budget proposal will not win any accounting awards.

□ 1030

It will never be used in any economics class unless to show students just how slippery a politician can be with retirement money.

The President's budget proposal for Social Security contains more phoney numbers than a Millie Vanilli soundtrack. $2.4 trillion in double counting. That is even more double counting than the administration's unconstitutional census sampling scheme. And it gets worse from there, Mr. Speaker.

GAO and CBO are both on record stating that the President's proposal for Social Security might actually make the problem worse. The problem, of course, is that the baby-boomers will soon retire and Social Security will

greet that event by going belly up faster than can you say Jeff Gordon.

Seniors deserve better. Instead of reassuring seniors that Social Security will be put on a sounder financial footing, the President's proposal sends a message that the politicians will have to deal with the mess after he is gone. The President's Social Security proposal gets an F.

HOUR OF MEETING ON TOMORROW

Mr. GOSS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon tomorrow.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 820, COAST GUARD AUTHORIZATION ACT OF 1999

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 113 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 113

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. 820) to authorize appropriations for fiscal years 2000 and 2001 for the Coast Guard, and for other purposes. The first reading of the bill shall be dispensed with. 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 Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. 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. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida (Mr. GOSS) is recognized for 1 hour.

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

Mr. Speaker, I notice an outbreak of the wearing of the green around the Hill today, and I want to especially extend a happy congratulations for St. Patrick's Day to my friend, the gentleman from Massachusetts (Mr. MOAKLEY), who has a very strong interest in this subject I am advised.

During consideration of this resolution, all time yielded is for the purpose of debate on this subject only.

Mr. Speaker, I am pleased to present another noncontroversial wide open rule from the Committee on Rules under the benevolent leadership of the chairman, the gentleman from California (Mr. DREIER).

The rule provides 1 hour of general debate equally divided between the chairman and the ranking member of the Committee on Transportation and Infrastructure. The rule makes in order an amendment in the nature of a substitute as an original bill for purposes of amendment. It authorizes the chair to accord priority of recognition to those Members who have preprinted their amendments in the CONGRESSIONAL RECORD. This is an option available to all Members.

Finally, the rule provides one motion to recommit, with or without instructions. It is a good rule and it should not engender any opposition. The subject matter is important.

Mr. Speaker, while the Coast Guard is the smallest of our armed services, its responsibilities are great and vitally important. It is an agency with many missions. We ask the Coast Guard to be responsible for such critical areas as the navigation and safety of our waterways and emergency search and rescue.

As a branch of the Armed Forces, the Coast Guard has also helped defend America in every war since 1790. It has a brave and long tradition. To maintain an effective and ready force, H.R. 820, the Coast Guard Authorization Act of 1998, authorizes 44,000 active duty military personnel by the end of fiscal year 2001.

Most important to today's debate is the evolving role the Coast Guard is playing on the war on drugs. Last year this Congress reached an agreement with the White House to win the war on drugs, not just trim it back a little and settle for a stalemate. We want to win it. We intend to win this war that is so critical to the future of our youngsters, and this particular legislation helps us on that path.

As so often in this city, we have discovered that talk is cheap. The Clinton White House has submitted a budget that is negligent on the war on drugs and abandons the commitment made by the Clinton White House just last fall to help win that war on drugs. In fact, the Clinton budget request does not implement anything within the Western Hemisphere Drug Elimination Act beyond that contained in last year's omnibus bill.

H.R. 820 puts our money where our mouth is. It fully funds the Western Hemisphere effort, with an additional $290 million in operating expenses for the next 2 years. This money will have a direct impact at the source of the drug scourge, including additional coastal patrol boats, the creation of a regional law enforcement center in Puerto Rico, several maritime patrol aircraft, several cutters and vessels to be received from the United States Navy. Americans have a right to demand results, not more talk, but results on the war on drugs and H.R. 820 delivers.

A recent study by the Institute for Defense Analysis examining effectiveness of cocaine interdiction found strong links between supply disruptions and rising street prices in the United States. It also found that, when street prices rise, use falls, especially among casual users. We know that interdiction works and that taking dead aim at the supply side must be a large piece of our effort. That does not diminish from the efforts, of course, on the demand side that we also must make. H.R. 820 makes good on our commitment on the supply side.

Mr. Speaker, this is a fair rule that allows open debate and consideration of all germane amendments. I urge a yes vote on the rule as well as the underlying bill.

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

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

Mr. Speaker, I thank my colleague, the gentleman from Florida (Mr. GOSS), my dear friend, who I hope stays with me in the House for a few more years, for yielding me the customary half-hour.

Mr. Speaker, today is March 17. It is not only a great day for the Irish, but it is a great day for the Coast Guard. Mr. Speaker, during the last 84 years, the United States Coast Guard has been protecting people at sea and enforcing United States law.

This bill for which the rule provides consideration will authorize funding for the Coast Guard for another 2 years, including $380 million for drug interdiction efforts in keeping with last year's Western Hemisphere Drug Elimination Act. It will also provide funding to finish the design work and the replacement for the Great Lakes icebreaker *Mackinaw*.

This bill will authorize 40,000 active duty Coast Guard personnel who perform all kinds of services, including safety inspections of freighters, transporting sick or injured people to medical attention, measuring the catch of a commercial fishing boat, searching for sailors lost at sea, breaking ice in the northeastern rivers, and on and on and on.

The first Coast Guard district in my hometown of Boston oversees 30 cutters, 11 aircraft, and more than 200 small boats to ensure boaters' safety. Mr. Speaker, let me tell my colleagues, these people earn their keep. Every day the Coast Guard saves an average of 12 lives. Each year they save about $2.5 billion in property, which is nearly the entire operating budget.

Earlier this month, a Coast Guard cutter saved an 85-foot tug off the coast of Sakonnet Point in Rhode Island that was taking on water and absolutely would have sunk if the Coast Guard did not come on the scene.

Last month, Coast Guard personnel responded to a 200-gallon gasoline spill in New Haven Harbor; and before allowing the boat to load any new cargo, the Coast Guard ensured that that boat had been properly repaired before it went underway.

Mr. Speaker, earlier this year a Coast Guard helicopter rescued from a New Bedford fishing vessel a fisherman whose arm was hanging off because it was injured in a severe accident by a winch and they flew this injured seaman to a Rhode Island hospital, where he recovered.

In January, the United States Coast Guard crew saved six people on a 72-foot sailing vessel in trouble seven miles south of Glouchester, Massachusetts. And every day the Coast Guard is out there protecting people on American waters. They do us a wonderful service, and this bill would keep them up and running.

I would like to commend the chairman, the gentleman from Pennsylvania (Mr. SHUSTER) and the ranking member, the gentleman from Minnesota (Mr. OBERSTAR) for putting together a truly bipartisan bill which should pass the House with very little opposition.

Mr. Speaker, this bill will enable the Coast Guard to continue its great work, and I urge my colleagues to support it.

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

I join my colleague from the Commonwealth of Massachusetts in heaping praise on the Coast Guard for extraordinary work under extremely difficult conditions. Anybody who has been in New England in the winter knows just what he speaks of when he talks about being out there on the high seas.

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

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. TRAFICANT).

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

This is a great day for the Irish, a great day for the Coast Guard, a great day for the gentleman from Massachusetts (Mr. MOAKLEY), and maybe a great day for America's steel industry and steelworkers. I support the rule on the Coast Guard. But I also plan to speak out of turn on the rule that will follow since it is limited for time.

Ronald Reagan came to my district in 1980. He stood on a flatbed truck. Struggling steelworkers were pleading with the President for help. Ronald Reagan made a pledge. He said, ''I will support the steel industry. I will make significant investments to help retool the steel industry.'' And he said, ''I will also make significant investments to retrain steelworkers so they can deal with the new steel technologies.''

Those steelworkers did not even support Ronald Reagan. Ronald Reagan lived up to every word. From the investment tax credit, to retraining money, Ronald Reagan lived up to his word.

In 1992, a candidate named Bill Clinton came through my district all through the steel Rust Belt and went down through Wierton, West Virginia. He said, ''I will ban illegal trade to protect the steel industry.'' And he even said, ''I will stop and I will ban scab labor.''

In 1993, President Clinton had a Democrat House and a Democrat Senate. There was not one word about scab labor, regardless about how we feel on the issue. And in 1999, Bill Clinton has not done one thing about illegal trade.

Labor unions and working people supported this President by more than 95 percent. Today's legislation is not perfect. Not all of us are totally enamored with all parts of it. But until this moment, the President is saying he may not support it. I say, on the House floor, labor unions have been the suckers. How many more cock-and-bull stories are they going to hear?

Now, the only statement I will make is I want to support this bill. I support this rule even though it is a closed rule. And it is time for Congress to take one other stand. See, I do not believe we should be debating illegal trade. I do not believe we should be legislating illegal trade. I think illegal trade should be banned and we should have taken this opportunity to send a message to the world.

The only thing that bothers me about the bills since I have been in Congress is I keep hearing Members say, ''it is the best we can do.''

□ 1045

What I say is if the best we can do is not the best for America, then it is not the best we can do and we should not do it.

I am going to support this bill. I believe if this President vetoes this bill, his veto should be overridden, and if he vetoes this bill, I think the American worker better take a good look at a lot of promises that have been made over the years by this administration that have not been lived up to.

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

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume. Lest Members might be a little confused, the gentleman who just spoke so passionately and eloquently about the steel matter and talking about a closed rule was not talking about the rule that we have on the floor now. This is a wide open rule, and I urge its strong support by all Members.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 975, REDUCING VOLUME OF STEEL IMPORTS AND ESTABLISHING STEEL IMPORT NOTIFICATION AND MONITORING PROGRAM

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 114 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 114

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 975) to provide for a reduction in the volume of steel imports, and to establish a steel import notification and monitoring program. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) ninety minutes of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

The SPEAKER pro tempore (Mr. EWING). The gentleman from California (Mr. DREIER) is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very good friend from South Boston, MA (Mr. MOAKLEY) who obviously is on a roll here and is wearing a much greener tie than any of us, showing his great, great celebration of St. Patrick's Day. Pending that, Mr. Speaker, I yield myself such time as I may consume. During consideration of this resolution, all time that I will be yielding will be for debate purposes only.

Mr. Speaker, House Resolution 114 is a closed rule providing for consideration of H.R. 975, a bill to reduce the volume of steel imports and establishing a steel import notification and monitoring program. This rule was adopted unanimously by the Committee on Rules yesterday afternoon.

The rule waives all points of order against consideration of the bill. The rule further provides 90 minutes of debate in the House equally divided between the chairman and ranking minority member of the Committee on

Ways and Means. It is the understanding, Mr. Speaker, of the Committee on Rules that both the chairman and the ranking member of the Committee on Ways and Means intend to yield this debate time in a fair manner. This will ensure that Members on both sides of the aisle who are on different sides of this very important issue are provided the opportunity to have their voices heard.

Finally, Mr. Speaker, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, the United States of America has the strongest, most prosperous economy on the face of the earth. There are many reasons for that. We have the world's most skilled workers. We have entrepreneurial investors and inventors in unmatched numbers. We have the largest single market anywhere. And, we are riding on that great wave of the information revolution.

Mr. Speaker, these are all keys to our prosperity and growth, but they are not enough. Right at the heart of our prosperity is the openness and dynamism of our economy. We accept the reality of change and adapt to it better than anyone else. Western Europe and Japan are big and rich with millions of skilled workers, but they suffer from slow growth and massive unemployment. Why? They are not as open and dynamic as we are. They fear inevitable change. And what happens? Their people lose because of that fear of change.

Now, there is no question that an open, dynamic economy offers as many challenges as it does opportunities. International commerce is increasingly a fact of life in our economy. It means new markets and it means very stiff, tough competition. But no question, no question about it at all, Mr. Speaker, we as a Nation are succeeding. U.S. jobs have increased by 6 million in the years since the North American Free Trade Agreement and the Uruguay Round of the General Agreement on Tariffs and Trade were passed. Trade now accounts for 30 percent of our gross domestic product and 25 percent of jobs in this country. We would not enjoy our job and wealth boom if we did not have open trade and competition.

Given our leading role in the global economy, turmoil such as the financial crisis that swept through many developing countries in the past 18 months has a major impact right here at home. Today, we are going to consider legislation that specially selects the U.S. steel industry for special protection to assist them in dealing with the challenges posed by that foreign financial situation. It is clear to me that a majority of Members of this House want to have this debate. It is my hope that as we delve into this issue, the House rejects this special interest legislation.

Mr. Speaker, let us take my State of California. Our State, I am very proud to say, is on the cutting edge of our Nation's 21st century economy. Almost half of every dollar in the largest State of the union of economic activity is connected to trade, a 50 percent greater share than the Nation as a whole. The neighboring ports of Long Beach and Los Angeles combine to be the second largest seaport in the world, second only to Singapore. More than 15 percent of southern California's small businesses export products and services to other countries, many to Asia. This is five times the national rate.

Given our State's stake in exports to Asia and Latin America, California has been challenged more than most by this global economic turmoil. Shipments to Asia account for half of the State's merchandise exports. Asian problems represent a real threat to our State's economy. In California, millions of working families depend on producing computers, electronic components, industrial machinery, communications equipment, aircraft, semiconductors, textiles, apparel, automobiles, glassware, engineering and management services, and a whole range of agriculture interests that have been challenged by the impact of currency devaluations and financial turmoil. They are fighting to meet the challenge by becoming more efficient and diversifying their markets.

The steel industry should do the same. The fact is 40 times more American workers are employed in U.S. industries that use steel than in the industries that actually make steel. When we use protectionism to shield one industry, 40 times more Americans are injured. Remarkably, today, U.S. steel production and demand are at record levels. Let me underscore that again. U.S. steel production and demand are at record levels. Revenue per ton of steel was stable in 1998, not declining. Yes, there were fewer steel jobs at the end of 1998 than at the beginning, but that is a reality of the industry as it modernizes. Since 1993, jobs have fallen by 9,000 per year while production of steel has actually increased.

Mr. Speaker, protectionism is not the answer to the pain caused by economic turmoil overseas. Special interest protectionism will kill the goose that laid the golden egg that is our growing economy. The sponsors of H.R. 975 are asking us to start down a well-worn path to economic despair. Protectionism is fool's gold.

Mr. Speaker, I advocate passage of this rule. We need to engage in a very serious debate to talk about this issue, and then I hope that this House will reject this legislation.

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

Mr. MOAKLEY. Mr. Speaker, I thank my very dear friend from California who has agreed to wear a green tie for sake of harmony today for yielding me the customary half-hour, and I yield myself such time as I may consume.

Mr. Speaker, the United States economy is booming. Economic growth is strong, job creation is at an all-time high, but not every American is sharing in the good times. At the same time the stock market is flirting with the 10,000 mark, 10,000 American steelworkers lost their jobs last year, 10,000 hardworking American families lost their paychecks, and 10,000 steel families face a very uncertain future.

Mr. Speaker, there is only one reason for this. It is the flood of cheap foreign steel being dumped into our markets in violation of the international trade laws, and it is drowning our steel industry.

Mr. Speaker, back in the 1970s, the American steel industry faced another crisis, a crisis of competitiveness. The American steel industry invested $50 billion to modernize plants and equipment. They also downsized, giving up about 200,000 good jobs. They innovated. American steelworkers made themselves more efficient. American steelworkers made themselves more productive. As a consequence, Mr. Speaker, America now produces the highest quality steel at the lowest cost per ton. Let me repeat, Mr. Speaker. American steelworkers produce the highest quality, lowest cost steel in the entire world. But even the most productive workers cannot compete with countries that do not play by the rules. The surge of unfair dumping of cheap foreign steel imports is costing America jobs and costing America money, and it is time that we take some very tough action.

Mr. Speaker, President Clinton has recently taken steps in the right direction. The administration found that Russia, Japan and Brazil had been dumping steel and issued rulings against these countries. The President has virtually stopped imports of hot-rolled steel from Russia and Japan, imports from Brazil are down by 76 percent, but at the same time cheap imports from China, South Africa and Indonesia have skyrocketed.

Mr. Speaker, even though the administration has taken some very good steps, there is much more to be done. This bill directs the President to take the steps to roll back the level of imported steel to the pre-July 1997 crisis levels. This bill leaves it to the President whether these steps involve quotas or tariff surcharges or restraint agreements or any other measures.

This bill also establishes a steel import monitoring program to make sure other countries comply with anti-dumping laws and provides information to help industry, labor and government respond to surges in imports.

Mr. Speaker, I would like to take this opportunity to thank the gentleman from Indiana (Mr. VISCLOSKY) and the other sponsors of this bill for their efforts. And I want to thank my dear friend from California who has granted this rule despite his objections to the legislation.

Mr. Speaker, it is time for action. American steel is much too important and American steelworkers deserve better. I urge my colleagues to support this bill.

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

Mr. DREIER. Mr. Speaker, I am happy to yield 3 minutes to the gentleman from St. Clairsville, OH (Mr. NEY).

Mr. NEY. Mr. Speaker, I want to thank the gentleman for the fact that we have this on the floor today. Although we would differ in opinion, the process is going to work by having us here.

Mr. Speaker, as a coauthor of the Visclosky-Regula steel legislation, I am committed to standing up for steel. This legislation brings back the integrity of our antidumping provisions of the Trade and Tariff Act of 1930.

But this bill is not about free trade versus fair trade versus protectionism. It is about illegal dumping. And that is a big difference. This bill is pro-worker and it is pro-American.

Eleven thousand steelworkers, as we noted before, have lost their jobs. Eleven thousand steelworkers are trying to decide today, and one more per hour, how they feed their families, how they help their communities, how they survive.

□ 1100

Mr. Speaker, we are here today because the President had lack of courage. In a combined effort with my colleagues we introduced legislation to freeze steel imports at pre-July 1997 levels. This legislation would do what President Clinton has not done, and that is to stand up for steelworkers and put America's interests first for a change. In October we had 344 Members on a bipartisan basis in October that urged the end of this. Yes, the administration is now starting to do some things 11,000 steelworkers later, and I cannot trust that if we do not push through this legislation and pass it, that it will not go back to the way it was.

So, Mr. Speaker, this legislation is absolutely critical.

There is a solution; it is a simple one. We must enforce our trade laws. That is it. The U.S. steel industry is not asking for special protection, and, quite frankly, they do not need it. Our working men and women can compete with anyone on this planet. They can and will compete against any steel in the world. But we cannot go against illegally-dumped steel.

But let me conclude, Mr. Speaker, and tell my colleagues why we are here today, how we got to this point.

We are here today because we are going to stand up for Main Street today, not Wall Street. That is why this bill is here. It is here because of leaders like Mark Glyptis, and George Becker, and Chip Antonacci, and Larry Mallas and John Sanders and Dave Gossett stood up and spoke out, and we are here because thousands of steelworkers and citizens would not let this issue go, would not let this issue die. Thousands rallied back home in a multi-state area, and they came here to the streets of Washington, D.C., 7,000 strong. They brought their children. People came here from all walks of life, Republican, Democrat, Independent, the wealthy, the poor, the unemployed, the workers, the students. Students made phone calls. People protested. They stood up for their rights.

That is why we are here today, Mr. Speaker, because people spoke out. The steelworkers, and the citizens, and the students and the people of our communities have said to their government: Stand up for us for a change.

It is very simple in my mind. We are today going to support Japan or we are going to support Weirton, West Virginia. We today are going to support Brazil or we are going to support Steubenville, Ohio. This is a bill about the fact that America today speaks out. The people speak out on the floor, the people win and America wins.

Support the rule and the bill.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I rise today in support of this rule and the underlying bill, H.R. 975.

Mr. Speaker, we are here because of policies which have failed to protect the American steel industry and workers from unfair competition. The administration could have prevented this bill from coming to the floor by initiating its own restrictions on the surge of cheap imported steel, but the administration would not go to such lengths to protect the steel industry. But they have gone the distance and more to protect the banana industry.

Mr. Speaker, does the banana industry employ 160,00 American workers? No. Are foreign bananas crowding out the American banana business? No. This has not stopped the administration from making every effort to protect the banana industry.

Bananas did not build America. Steel did. Steel helped build our automotive industry. Steel helped build our defense. We cannot build a tank with a banana, we cannot build a plane with a banana, we cannot build ships with a banana. We did not build cars with bananas. We did not build bridges with bananas. We did not build America with bananas. We built America with steel. But the administration has ignored the steel industry that employs 160,000 Americans that have suffered the loss of 10,000 jobs since the import crisis began and that has endured the undercutting of its American market. The administration cares more about bananas than about steel. Such a trade policy is, in a word, bananas.

Our approach is different from the administration's. H.R. 975 is the only action that will directly confront the major cause of layoffs in the steel industry. Our bill is America's best hope of averting an economic crisis of our own.

Mr. Speaker, I urge support for the rule, and I urge support for H.R. 975.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to the gentleman from Madison Village, Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. Mr. Speaker, I thank the gentleman for not only giving me the time, but also for bringing this rule to the floor, and, Mr. Speaker, I rise in support of both the rule and also the bill today before us. I want to thank the gentleman from Indiana (Mr. VISCLOSKY), and the gentleman from Ohio (Mr. NEY), and the gentleman from Ohio (Mr. TRAFICANT), and the gentleman from Ohio (Mr. REGULA), and the gentleman from Ohio (Mr. KUCINICH) and everyone else who had a hand in bringing this bill before us today.

I do want to express some concerns about the manner in which H.R. 975 addresses the steel dumping issue. There is no doubt many speakers will talk about the fact that 10,000 steelworkers have lost their jobs as a result of steel dumping, but for every one steelworker in this country there are 40 downstream employees in the metal forming and metal stamping business, and I want to chat about them for just a minute in this 3 minutes.

The U.S. steel industry, even when it is going full guns, is never able to meet all of our steel demands in this country. At current levels the estimates are maybe 75 percent, which leaves us with a shortage of 17 to 24 million tons each and every year. There are some contracts and applications that call for nondumped, but foreign, steel. There is a metal foreman in my district that has a contract that calls for Dutch steel, for instance, and he says that if we put in restrictive quotas in certain situations, well then that company will just have the goods stamped over in the Netherlands, and we will have imported into this country a finished product. If steel is unavailable or a specific kind of steel is unavailable for a given application, our downstream manufacturers will lose contracts, and imports will come into this country on a finished basis.

For that reason, Mr. Speaker, I would like to engage in a brief colloquy with the chief sponsor of this bill, the gentleman from Indiana (Mr. VISCLOSKY), and I would ask the gentleman:

Given the concerns of a short supply, why is it that he looked at in H.R. 975 the quotas, tariffs and other remedies to control the amount of steel coming into this country rather than focusing on dumping margins which are contained in Section 201 of the 1974 trade act?

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

Mr. LATOURETTE. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. Mr. Speaker, I appreciate the gentleman's concern.

The reason we looked at a quantitative and global approach is because, if we look at a product, if we look at a specific country based on a price, we are not going to resolve the crisis.

I would point out, for example, on a country basis steel exports from India suddenly increased to 70 percent in

January of 1990 compared to just December of 1998. Exports from Australia increased 31 percent in that last month. Exports from Korea increased by 25 percent.

So we are going to have to look at shifting within countries of various product lines as well as in people following behind if we do achieve success with one country coming in with new quantities of steel and again would remind the gentleman we are giving the administration 60 days to fashion their initiative, and they have great flexibility as to the design of that final plan.

Mr. LATOURETTE. Mr. Speaker, I thank the gentleman very much for his answer, and I also thank the gentleman very much for his courage in bringing this bill forward.

I would ask as a further courtesy, as this bill proceeds, if we discover that the quotas in place by H.R. 975 have an adverse effect and cause a short supply for our end users in this country, that we be willing across the aisle to work and address that issue, and I am certain that we can do that.

Mr. VISCLOSKY. Absolutely.

Mr. LATOURETTE. I thank the gentleman from Indiana very much.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. LIPINSKI).

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

Mr. LIPINSKI. Mr. Speaker, I thank the gentleman very much for the time, and I rise in support of this rule and also in support of this resolution. In the last 12 months 10,000 American steelworkers have found out firsthand that fair trade is not fair and free trade is not free. The cost of those 10,000 American workers was more than their jobs. It was the loss of a lifestyle, a loss of the retirement savings, a loss of a promising future, and for some the cost was a lose of their home and even their family.

Mr. Speaker, it has not stopped yet. Thousands of more jobs will be lost if we do not act now. Ten thousand, and still counting, steelworkers have lost their jobs, not because of fair competition, but because of unfair competition. Employers and employees worked and sacrificed together to modernize the American steel industry, making it once again the most efficient steel industry in the world. They are willing to compete fairly, but they do not have a chance unless their government once again makes the playing field level. Foreign countries facing recessions and owing interest on American loans have targeted America as a place to raise hard cash. Countries where it takes $400 to make a ton of steel are dumping it here in record amounts for $200 a ton. Stopping that is not protectionism. It is ending an illegal business practice, one we would not allow one American company to do to another.

Mr. Speaker, if this administration will not show the same compassion for American workers as they do for the economies of Japan, Korea and Russia, they would stop this dumping now. They already have that power. I am troubled that we need to legislate an end to the dumping because legislation takes time, and time is something the American steel industry and its workers are running out of. The world tried this once before, and the greatest free trader of all, Ronald Reagan, put a stop to it. Now they are trying it again, and because this administration is more concerned about the world's economy, it is letting them do it.

Mr. Speaker, this administration will not stop this, so it is up to us. Let us act quickly.

This Administration cannot continue to hide behind ''overall'' rosy economic statistics while dismissing certain sectors of the economy as having troubles. Not when it already has the power to help those certain sectors—like the steel industry.

Yes, people are being hired in record numbers. But, for what kind of jobs? Too often, people are being hired at a Wal-Mart so then they have the money to eat at McDonald's—who in turn hire people to serve those Wal-Mart employees—allowing these new McDonald workers to take their salary and spend it at Wal-Mart—who can then hire more low wage employees.

We should not even talk about the low wage jobs being created at Wal-Mart and McDonalds, but we should speak loudly and forcefully about the good high paying, benefit rich jobs these people had before they were laid off.

A 20-dollar an hour jobs with benefits at a steel mill cannot be replaced by a 6-dollar job at Wal-Mart. But that's what's happening.

And don't tell me about the average income of an American worker, when included in that average is a 100 million dollar severance pay to a Hollywood insider, a 20 million dollar bonus for a corporate executive who's rewarded for chopping down his workforce, and a 70 million dollar contract to a professional athlete.

Ten thousand, and still counting, steel workers have lost their jobs, not because of fair competition but because of unfair competition.

Employers and employees worked and sacrificed together to modernize the American steel industry—making it once again the most efficient steel industry in the world.

They are willing to compete fairly but they do not have a chance unless their Government once again makes the playing field level.

Foreign countries facings recessions and owning interest on American loans have targeted America as a place to raise hard cash.

Countries where it takes 400 dollars to make a ton of steel are dumping it here in record amounts for 200 dollars a ton.

Stopping that isn't protectionism—it's ending an illegal business practice—one we wouldn't allow one American company to do to another.

If this Administration would show the same compassion for American steelworkers as they do for the economies of Japan, Korea, and Russia, they would stop this dumping now.

They already have the power.

I'm troubled that we need to legislate an end to this dumping because legislation takes time, and time is something the American steel industry and its workers are running out of.

The world tried this once before, and the greatest free trader of all—Ronald Reagan—took his eyes off the balance sheets and focused them on the American families and he said that's wrong and put a stop to it.

Now, they're trying it again and because this Administration is more concerned about the world's economy, it's letting them do it.

But what if that's not enough? If they're willing to let the steel industry be undercut by foreign competitors acting illegally, what other industries will they allow the same thing to be done to?

The Administration won't stop this—so it is up to us.

Let's do it quickly.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Mapleton, Utah (Mr. CANNON).

Mr. CANNON. Mr. Speaker, I am pleased to rise today in support of our steel industry. The administration, Mr. Speaker, is compromising our national security by failing to enforce our trade laws. Our steel industry is critical to our national security. American steel companies across the Nation are going bust. Yet without American steel companies to supply our Armed Forces, our national defense is useless.

Let me cite some statistics. In the Gulf War the U.S. Army relied on the steel in 5,000 tanks, Bradleys and other armored personnel carriers. At the peak of the conflict in the Persian Gulf, the U.S. Navy deployed 120 ships made almost exclusively of American steel. Because the administration has failed to do its job in implementing import controls, Congress has to step in today to legislate trade policy and safeguard our defense.

A vote in support of this legislation today is a vote to uphold our national security and stop illegal foreign dumping. This will allow our steel industry to rebuild and our workers to go back to work and save our families. I urge a yes vote.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding this time to me.

Mr. Speaker, I rise in support of the rule and the underlying Visclosky legislation, H.R. 975. It is necessary for this Congress to act to bring fairness to the steel industry, fairness in our trade policies.

I support open trade markets, but only fair trade, not free trade.

In the 1980's the steel industry came under heavy assault by countries dumping their steel here in the United States. The United States did nothing. We almost lost our steel industry. In my district, we mine iron ore, and we make iron ore pellets. To make the steel, Mr. Speaker, we need the iron ore pellets. Without our iron mines, there is no steel industry in the United States.

In the 1980's, prior to the illegal dumping, there were over 4500 miners in the Upper Peninsula of Michigan.

Today our mines employ less than 2,200 miners. We cannot absorb any more losses.

That is why Sunday I joined approximately 2,000 of my friends in Negaunee, Michigan, to stand up for steel. I want to see this and other anti-steel dumping legislation come to the floor of this House for a vote.

Now I have heard some Members say that they are reluctant to vote for this bill because they do not want to be perceived as anti-free trade. The question is not about free trade, it is about fair trade.

I say it is time to stand up for fair trade. Join us and stand up for our miners and steelworkers so they can rebuild the financial security they are fighting hard to achieve. Stand up for the steel companies who have worked to be the best steel producers in the world. Stand up for the workers and industries across a broad segment of our economy who need to see us get tough with foreign countries who have betrayed our good-faith efforts to promote open and fair trade.

□ 1115

It is time to stand up for our constituents, stand up for our communities, stand up for the Iron Range, stand up for steel and stand up for America. Vote yes on H.R. 975.

Mr. DREIER. Mr. Speaker, may I inquire of the Chair how much time is remaining on both sides?

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from California (Mr. DREIER) has 16 minutes remaining. The gentleman from Massachusetts (Mr. MOAKLEY) has 20½ minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me this time.

Mr. Speaker, I rise today in support of the closed rule and in support of the legislation before us. Once again, we are here pleading for some action by the Congress and the administration to step in and take care of a problem that has been hurting the hard-working steelworkers of the First Congressional District of Arkansas and across this country for far too long.

We are here today because the legislation we are debating will directly address the surge of unfairly traded imports. We must pass this legislation, and the administration must support it.

I cannot even count how many times we have stood here asking for the same thing, enforce our trade laws, stop illegal foreign dumping of steel in the United States. The administration has stood by for months now with their hands in their pockets doing nothing for the thousands of steelworkers in the First Congressional District of Arkansas and across this country who have lost their jobs, people who have families to feed.

We have been promised action time and time again but have seen nothing. I urge support of this legislation.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Indiana (Ms. CARSON).

Ms. CARSON. Mr. Speaker, I rise in support of the rule on the bipartisan Steel Recovery Act. Over the last several months, we have waged a battle on the issue of illegal dumping of foreign steel on American markets. I firmly believe that no American steelworker should have to sacrifice their job or their livelihood because of a foreign importer that breaks American trade laws. I urge my colleagues on both sides of the aisle to stand firm in support of U.S. steel, U.S. steelworkers and their families as the steel industry confronts an onslaught of unfairly traded steel imports.

Collapse of demand in Asia, Russia and Brazil have resulted in historic global overcapacity. Foreign producers choking on a global steel oversupply are desperate to sell steel and are willing to dump it at whatever price possible, to whatever market is open to them; in other words, the United States. Last year alone, imports from Japan, Korea and Russia soared by nearly 170 percent, 137 percent and 70 percent respectively.

Mr. Speaker, I urge full support of the rule and for the bill.

As a result, the U.S. steel industry is in a fight for its life. Steelworkers in Utah, Pennsylvania, and Alabama have been the hardest hit with each State losing several thousand workers. In Indiana, the Nation's largest steel producer, providing 23 percent of the raw steel made in the United States, up to 3,000 of its 30,000 steel workers—10 percent—have had to accept shortened work weeks, lower-paying job assignments, or early retirement. The Department of Commerce recently reported that 11,000 steel workers have already been laid off. That's 11,000 x's the American families who now face uncertain futures because we did not take action when we could have.

We must take all measures necessary to halt the flood of unfairly traded steel into the United States. Congress and the Administration must work together to enact stronger trade laws to prevent surges of dumped and subsidized foreign steel from devastating our workers and companies again. And, most immediately, Congress must act to slow these imports now before our steel industry is too seriously injured to recover.

America's hard-working families are looking to us to be their voice. Mr. Speaker, I intend to stand up for them and vote for H.R. 975. I urge my colleagues to vote in favor of this rule and in favor of the bill.

Mr. MOAKLEY. Mr. Speaker, I yield 2½ minutes to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member on the Committee on Transportation and Infrastructure.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me this time.

Mr. Speaker, support for the Steel Recovery Act is not protectionism; it is a vote for fair trade in steel, fair trade in the U.S. and international marketplace. 1999, for the steel industry in America is what Yogi Berra once called deja vu all over again. We are seeing 1980 being repeated in 1999.

In 1980, we had produced 120 million tons of steel, the highest steel production in the history of this country. Imports devastated the steel industry down to 80 million tons; 350,000 steelworkers lost their jobs. 10,000 people in my district, 10,000 workers in the iron ore mines of Minnesota, lost their jobs permanently. We went from a $450 million payroll down to less than $100 million in 18 months. We are not going to stand for that again.

Look at what is happening just this year in the iron ore mining company: Eveleth Tachonite Company forced to have layoffs because foreign steel is taking away the market in the domestic United States, subsidized foreign steel.

We have spent $50 billion in the steel industry in this country modernizing America's steel mills. We have the highest productivity, the highest quality steel, the lowest cost per man unit of steel produced in America in the whole world, and yet Russia, Brazil, Japan, Korea, other countries, are dumping steel in this country at $250 a ton less than we produce it right here at home. They are subsidizing and exporting their unemployment, dumping it on our shores. When it hits at home and when it hits your friends and your neighbors, then you have got to stand up for fairness in steel.

We have invested over $2 billion in modernizing the iron ore mining and processing plants on the Mesabi iron range of northern Minnesota, as the gentleman from Michigan (Mr. STUPAK) said about his State. We should not stand for having that investment, that modernization of our industry wiped out by having foreign countries dump their unemployment on our shores, wiping out our American jobs.

Steel is the most important building material in an industrial society. We cannot engage a war, we cannot build our highways, we cannot construct our airports without steel. We are not going to have American bridges, American ports, American airports built with foreign steel subsidized to take away jobs from American workers when we have made the investments to modernize with private venture capital this greatest steel industry in the whole world and this finest iron ore mining industry in this whole world. Vote for the Steel Recovery Act.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. DOYLE).

Mr. DOYLE. Mr. Speaker, I express my appreciation to the members of the Committee on Rules, the Committee on Ways and Means, to the leadership and to the Speaker, the gentleman from Illinois (Mr. HASTERT), for their fair treatment on this issue. I know that the substance of the Visclosky steel bill may be of concern to some of these

Members so I am gratified to see this bill brought to the floor for consideration.

The subject of foreign steel dumping in the American market is simply too important, with an impact on too many areas of this country, for it not to receive consideration by the full membership of this House. This is the kind of bipartisan cooperation we need to see to solve the problems affecting American families, and I was especially gratified that the members of the Committee on Rules accepted our request for more debate time on this bill, as well as a closed rule.

On the substance of the bill, let me just say at this point that the Commerce Department has already issued its determination that illegal dumping and foreign government subsidies have occurred in Japan, Brazil and Russia. This constitutes the best, most informed judgment so far by the U.S. Government that illegal dumping is, in fact, occurring. We are playing by the rules but we are losing jobs to those who are not. Support fair trade. Vote for the rule and vote for final passage of H.R. 975.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me this time.

Mr. Speaker, I rise in strong support of the rule and underlying legislation H.R. 975 which has been brought to us by our diligent colleagues, the gentleman from Indiana (Mr. VISCLOSKY) and the gentleman from Ohio (Mr. REGULA). I wanted to thank our good friend the gentleman from Massachusetts (Mr. MOAKLEY) also for helping move this through the Committee on Rules. It is time to put steel back into the spine of America. 10,000 American steelworkers losing their jobs is beyond belief. The administration's delay to enforce dumping laws in this country, unforgivable. Since 1997, a glut of dumped imports on our shores, Indonesia up 612 percent, Japan 157 percent, Australia 156 percent, South Africa, 107 percent and Korea 105 percent; most of those countries are not covered by the administration's agreement.

If we in this Congress cannot stand up for our own when they are being unfairly dumped on, it is fair to ask, when do we stand up for anyone? Support the rule. Support H.R. 975.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I thank my colleague, the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me this time. Mr. Speaker, I ask that the gentleman from Indiana (Mr. VISCLOSKY) join me in a brief colloquy.

Mr. Speaker, I want Members to know that this is a good bill and I support the bill but I do have some concerns about its impact on the steel producer in my district who has told me about problems in obtaining the types and quantity of steel that they need from domestic producers. In the past, the government has been able to make very specific case-by-case exceptions to the import restrictions to allow manufacturers with legitimate short supply problems to continue producing their products and employing their workforce at full strength.

I believe there are conditions which may warrant further examination along these lines in the bill before us today and I would appreciate the assistance of the gentleman in working to rectify these problems.

Mr. Speaker, I yield to the gentleman from Indiana (Mr. VISCLOSKY) for his response.

Mr. VISCLOSKY. Mr. Speaker, I appreciate, first of all, the support of the gentleman from Washington (Mr. BAIRD) for the legislation, as well as his expression of concern.

The issue of short supply is an issue that we have considered from the inception of the original legislation and do believe that it is covered under the bill itself. The fact is, the administration, following enactment of H.R. 975, will have 60 days in which to fashion a comprehensive program that will still allow one out of every four tons of steel sold in the United States to be exported from another country.

Additionally, the reason we wanted to give the administration that flexibility and to put all of the countries and all of the products on one table is to make sure that companies such as the gentleman's in the State of Washington, earlier we had a gentleman on the other side, the gentleman from Ohio (Mr. LATOURETTE), indicate he had a problem as far as possible short supply, that those can be addressed.

The reason we have looked at quantitative restrictions is, again, to make sure that we do not have people who are trading illegally under our trade laws following in behind someone else who is now obeying the law. That would be the responsibility of the administration, and I do appreciate very much the concerns the gentleman raised.

Mr. BAIRD. Mr. Speaker, I appreciate the consideration of the gentleman from Indiana (Mr. VISCLOSKY) on that. I appreciate, again, his hard work on this bill.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. VISCLOSKY), who is the perfecter of the amendment that will be heard on the floor.

Mr. VISCLOSKY. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MOAKLEY) for the recognition.

Mr. Speaker, I would want to use this time not only to express my support for the rule but to make a number of thank you's in all sincerity. I think the coming together of Members in this case in a very bipartisan fashion, to work together selflessly over a period of nearly 8 months, to engender the support again in a bipartisan fashion of this House, can lead the way to the legislative calendar for the next 2 years and simply want to again thank the Speaker of the House, the gentleman from Illinois (Mr. HASTERT), and the gentleman from Texas (Mr. ARMEY) particularly for their consideration. I know they have reservations about this legislation.

I want to make sure that the gentleman from Michigan (Mr. BONIOR) is thanked and particularly the gentleman from Missouri (Mr. GEPHARDT), the minority leader, for their inestimable help in this matter, and finally the gentleman from Texas (Mr. ARCHER) and the gentleman from Illinois (Mr. CRANE) who I again know have very serious reservations about the legislation, as well as the gentleman from New York (Mr. RANGEL) and the gentleman from Michigan (Mr. LEVIN).

I would finally want to thank the steelworkers everywhere who have worked diligently throughout this crisis to make sure that the voice of workers in this country is heard, and those who have participated in the steel working group.

Mr. MOAKLEY. Mr. Speaker, it gives me great pleasure to yield to the gentleman from Missouri (Mr. GEPHARDT), the minority leader of the House.

Mr. GEPHARDT. Mr. Speaker, I rise in strong support of H.R. 975, a bill which is designed to reduce the flood of steel imports coming into the United States, and I would like to commend the work of especially the gentleman from Indiana (Mr. Visclosky) for all the hard work that he has done in bringing this measure to the floor today.

□ 1130

Today, the House has the opportunity to send a strong message of support for American steel company workers and steel communities across this country.

Mr. Speaker, more than 10,000 high-wage and high-skill Americans in the steel industry have lost their jobs since the onslaught of foreign imported steel began about 2 years ago. H.R. 975 will grant real tangible relief for this industry that is vital to our industrial base and indeed, our national security. It will also aid the efforts of steel workers and companies to bring about stronger action to help the United States steel industry.

Mr. Speaker, an economic collapse has swept the globe, first striking in Asia, but now impacting Latin America and other developing countries as well. During the debate over IMF emergency funding to stabilize these economies, I warned that import surges would result from the Asian economic crisis and that a plan would be needed to combat the unfair imports. Unfortunately, no such plan has been forthcoming.

Between 1997 and 1998, steel imports have risen nearly 100 percent from key countries like Japan and Korea. Thus far, 10,000 jobs have been lost, but thousands more jobs are threatened as an

oversupply of foreign-made steel sits on our docks. Our steel industry is the most productive industry in the world. The U.S. should not be forced to unilaterally take in a massive global import surge.

While the Clinton administration has taken some much-needed steps by expediting relief to the steel industry via traditional U.S. trade laws, I am concerned that the administration has not done enough to promote a global solution to this problem. I believe this bill can help us find that solution.

The bill we are debating today simply limits imports to pre-crisis levels. It promotes a fair and level trading system for the United States steel industry by putting an end to the practice of foreign producers flooding our market with cheap steel that puts our industry and its workers in jeopardy.

Mr. Speaker, I look forward to continuing our ongoing efforts with the gentleman from Indiana (Mr. VISCLOSKY), the Steel Caucus, the Clinton administration, and all interested parties to develop a strong and realistic global solution to this crisis. Today's floor debate reminds us of the magnitude of the crisis in the steel country, and the passage of this bill will hopefully bring about the action which is needed to help reverse this economic calamity for thousands of workers and their families.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Speaker, I also want to commend my friend the gentleman from Indiana (Mr. VISCLOSKY) for all of his outstanding work that he has done on behalf of this particular bill and on behalf of the steel industry.

I rise today in strong support of H.R. 975, the bipartisan Steel Recovery Act. This much-needed legislation will protect the U.S. Steel industry from unfair dumping of foreign steel into the United States market.

Since 1997, I and other Americans have watched Asian, Russian and Latin American countries dump their steel into this Nation. From 1997 to the present, U.S. Steel imports rose to 66 million tons, and it started out at 20 million tons. Over the past year, East Asia, Russia, and Brazil have illegally imported steel into this country at very low prices. Due in principal part to a lingering financial crisis which has devalued their currencies, these countries, East Asia, Russia, Brazil and others, have been getting away with murder.

Today, these unfair acts must come to an end because our Nation's citizens are the losers. In the State of Illinois, Acme Metals has filed for Chapter XI bankruptcy because it could not compete with the surge in steel imports. In my district, many steel companies have slowed down production. Some companies have even laid off workers or shortened their hours. We cannot sit idly by, Mr. Speaker, and let these countries destroy our steel mills. I support H.R. 975.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from West Virginia (Mr. WISE).

Mr. WISE. Mr. Speaker, this chart I think tells the story well. It begins in 1996 and finishes in January of 1999, and it is steel imports. Look at this line and how it suddenly shoots up.

Well, let me tell my colleagues what that line right there means, Mr. Speaker. That line does not tell us about the almost 1,000 Weirton Steel workers that are laid off, and they did exactly what our country asked them to do. They downsized, they invested, they became an ESOP, they played fair and they asked for a level playing field, and now there are 1,000 of them laid off because this government has not kept by its bargain and fought illegal imports.

It is not just Weirton, it is Wheeling Pit, it will be workers in Shinnston and Follansbee, and later it will be in Ravenswood at Century Aluminum and on down the Ohio River.

So, Mr. Speaker, this Congress must act today. It must send a clear, resolute message to this administration and to the world: We will not tolerate this line going any higher. We want those workers back to work, and the Congress will begin that process today.

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

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

Mr. Speaker, the debate has begun, and we have had Members on both sides of the aisle who wanted us to proceed with consideration of this legislation, and so we have done that. We start during this rule, and I am happy to say that in the rule we extended, as I said, by 50 percent the amount of time that would normally be called for, an hour of general debate, we have extended that to an hour and a half, and I think that this discussion will continue. So I am going to urge strong support of the rule.

As those who have been following this debate know, Mr. Speaker, most of the discussion has been over the measure itself, and I have to say that seeing the gentleman from Texas (Mr. ARCHER), the distinguished chairman of the Committee on Ways and Means, come on to the House floor, it is nice to have him here, because it buoys me up in my very strong opposition to this ill-conceived measure.

In fact, today the U.S. steel industry benefits from very vigorous U.S. enforcement of our trade remedies. One-third of the 300 antidumping and countervailing duty orders administered by the Commerce Department address steel products. In addition, we have seen a great reduction in the last 4 months of imports from those countries in question: Japan, Russia, and Brazil. We also have to recognize that overall we have seen this reduction in steel imports, and that decline is one which seems to be continuing, and the numbers are phenomenal. If we go from November of 1998 to January of 1999, they have dropped by 93 percent from Russia, 49 percent from Japan, 30 percent from Brazil, and 8 percent from Korea.

Mr. Speaker, we also have to recognize that 1998 was a banner year for the U.S. steel industry. In fact, 102 million tons of U.S. steel were shipped. Guess what the demand was? It was for 141 million tons. There is a demand out there that is greater than what is actually being produced, and yet, in 1998, this country produced the second highest amount of steel that we have ever produced in our Nation's history.

Mr. Speaker, it is very clear that this country today is economically strong because of our openness and our dynamism. We should not let fear create the kinds of problems that it has throughout the rest of the world.

Mr. Speaker, we look at the fact that there are many skilled workers in Western Europe, and yet their economies are faced with very, very great difficulties. Why? Because of the fear, because of the protectionism that they have imposed, and they do not have the kind of openness and dynamism that we have as a Nation.

Mr. Speaker, let us look at all of those downstream workers, 40 times as many as there are in the actual steel manufacturing industry in this country. The auto manufacturers, they also are in large part, as the Wall Street Journal pointed out in an editorial yesterday, responsible for this. The 54-day strike that took place with General Motors obviously decreased that opportunity for production during last fall's strike. So it seems to me that we need to recognize that consumers would be devastated by going down this slippery slope.

We have other industries, the oil and gas industry. As I said, in our State of California, our economy, because of the cuts in defense and aerospace over the past several years, hinges on our involvement in the international economy. Our State is the gateway to the Pacific Rim and Latin America. If we were to pass, move ahead with this legislation, it could be potentially devastating to the largest State in the Union, and I believe to this entire country.

So let us stand with our Nation's openness, diversity and dynamism, which has, in fact, given us the strongest economic growth that we have seen in many, many years.

With that, I urge support of the rule.

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

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

Mr. MOAKLEY. Mr. Speaker, I want to thank the chairman of the Committee on Rules, the gentleman at the microphone, for his fairness in the presentation of this rule. He did extend the time, and he did allow the bill to come to the floor, even though he personally is opposed to it.

I also thank the gentleman for the timing, because as he knows, in 15 minutes the President of the United States

is going to join all Irishmen, Congressmen of Irish descent in the Rayburn Room for a March 17th dinner. So I thank the gentleman for that too, Mr. Speaker.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution just adopted.

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

There was no objection.

APPOINTMENT OF MEMBERS TO UNITED STATES HOLOCAUST MEMORIAL COUNCIL

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of Public Law 96–388, as amended by Public Law 97–84 (36 U.S.C. 1402(a)), the Chair announces the Speaker's appointment of the following Members of the House to the United States Holocaust Memorial Council:

Mr. GILMAN of New York;

Mr. LATOURETTE of Ohio; and

Mr. CANNON of Utah.

There was no objection.

REDUCING VOLUME OF STEEL IMPORTS AND ESTABLISHING STEEL IMPORT NOTIFICATION AND MONITORING PROGRAM

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 114, I call up the bill (H.R. 975) to provide for a reduction in the volume of steel imports, and to establish a steel import notification and monitoring program, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of H.R. 975 is as follows:

H.R. 975

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

SECTION 1. REDUCTION IN VOLUME OF STEEL IMPORTS.

(a) REDUCTION.—Notwithstanding any other provision of law, within 60 days after the date of the enactment of this Act, the President shall take the necessary steps, by imposing quotas, tariff surcharges, negotiated enforceable voluntary export restraint agreements, or otherwise, to ensure that the volume of steel products imported into the United States during any month does not exceed the average volume of steel products that was imported monthly into the United States during the 36-month period preceding July 1997.

(b) ENFORCEMENT AUTHORITY.—Within 60 days after the date of the enactment of this Act, the Secretary of the Treasury, through the United States Customs Service, and the Secretary of Commerce shall implement a program for administering and enforcing the restraints on imports under subsection (a). The Customs Service is authorized to refuse entry into the customs territory of the United States of any steel products that exceed the allowable levels of imports of such products.

(c) APPLICABILITY.—

(1) CATEGORIES.—This section shall apply to the following categories of steel products: semifinished, plates, sheets and strips, wire rods, wire and wire products, rail type products, bars, structural shapes and units, pipes and tubes, iron ore, and coke products.

(2) VOLUME.—Volume of steel products for purposes of this section shall be determined on the basis of tonnage of such products.

(d) EXPIRATION.—This section shall expire at the end of the 3-year period beginning 60 days after the date of the enactment of this Act.

SEC. 2. STEEL IMPORT NOTIFICATION AND MONITORING PROGRAM.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of the Treasury, shall establish and implement a steel import notification and monitoring program. The program shall include a requirement that any person importing a product classified under chapter 72 or 73 of the Harmonized Tariff Schedule of the United States obtain an import notification certificate before such products are entered into the United States.

(b) STEEL IMPORT NOTIFICATION CERTIFICATES.—

(1) IN GENERAL.—In order to obtain a steel import notification certificate, an importer shall submit to the Secretary of Commerce an application containing—

(A) the importer's name and address;

(B) the name and address of the supplier of the goods to be imported;

(C) the name and address of the producer of the goods to be imported;

(D) the country of origin of the goods;

(E) the country from which the goods are to be imported;

(F) the United States Customs port of entry where the goods will be entered;

(G) the expected date of entry of the goods into the United States;

(H) a description of the goods, including the classification of such goods under the Harmonized Tariff Schedule of the United States;

(I) the quantity (in kilograms and net tons) of the goods to be imported;

(J) the cost insurance freight (CIF) and free alongside ship (FAS) values of the goods to be entered;

(K) whether the goods are being entered for consumption or for entry into a bonded warehouse or foreign trade zone;

(L) a certification that the information furnished in the certificate application is correct; and

(M) any other information the Secretary of Commerce determines to be necessary and appropriate.

(2) ENTRY INTO CUSTOMS TERRITORY.—In the case of merchandise classified under chapter 72 or 73 of the Harmonized Tariff Schedule of the United States that is initially entered into a bonded warehouse or foreign trade zone, a steel import notification certificate shall be required before the merchandise is entered into the customs territory of the United States.

(3) ISSUANCE OF STEEL IMPORT NOTIFICATION CERTIFICATE.—The Secretary of Commerce shall issue a steel import notification certificate to any person who files an application that meets the requirements of this section. Such certificate shall be valid for a period of 30 days from the date of issuance.

(c) STATISTICAL INFORMATION.—

(1) IN GENERAL.—The Secretary of Commerce shall compile and publish on a weekly basis information described in paragraph (2).

(2) INFORMATION DESCRIBED.—Information described in this paragraph means information obtained from steel import notification certificate applications concerning steel imported into the United States and includes with respect to such imports the Harmonized Tariff Schedule of the United States classification (to the tenth digit), the country of origin, the port of entry, quantity, value of steel imported, and whether the imports are entered for consumption or are entered into a bonded warehouse or foreign trade zone. Such information shall also be compiled in aggregate form and made publicly available by the Secretary of Commerce on a weekly basis by public posting through an Internet website. The information provided under this section shall be in addition to any information otherwise required by law.

(d) FEES.—The Secretary of Commerce may prescribe reasonable fees and charges to defray the costs of carrying out the provisions of this section, including a fee for issuing a certificate under this section.

(e) SINGLE PRODUCER AND EXPORTER COUNTRIES.—Notwithstanding any other provision of law, the Secretary of Commerce shall make publicly available all information required to be released pursuant to subsection (c), including information obtained regarding imports from a foreign producer or exporter that is the only producer or exporter of goods subject to this section from a foreign country.

(f) REGULATIONS.—The Secretary of Commerce may prescribe such rules and regulations relating to the steel import notification and monitoring program as may be necessary to carry the provisions of this section.

The SPEAKER pro tempore. Pursuant to House Resolution 114, the gentleman from Texas (Mr. ARCHER) and the gentleman from New York (Mr. RANGEL) each will control 45 minutes.

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

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 975.

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

There was no objection.

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

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

Mr. ARCHER. Mr. Speaker, H.R. 975 directs the President, in effect mandates the President, to establish quotas to limit steel imports into the U.S., and I urge its defeat. This is more than rhetoric, this is a serious matter, and what we do today will have considerable impact not only on our own economy and our leadership in the world, but on the rest of the world.

□ 1145

A Wall Street Journal editorial yesterday called the bill, and I quote, ''the

most radical American protectionist act since Smoot-Hawley.'' Need I remind the Members that Smoot-Hawley passed in the late 1920s, contributed mightily if did not cause the great worldwide depression. That is why I strongly oppose this legislation.

I am pleased that the Clinton administration also opposes this bill. Mr. Podesta, White House Chief of Staff, wrote to me last week saying he would recommend that President Clinton veto this legislation.

Mr. Speaker, I include for the RECORD Mr. Podesta's letter, as follows:

THE WHITE HOUSE,
Washington, DC, Mar. 10, 1999.

Hon. BILL ARCHER,
Chairman, Ways and Means Committee,
U.S. House of Representatives, Washington, DC.

DEAR CHAIRMAN ARCHER: I want to convey to you the Administration's opposition to H.R. 975 and, in particular, its mandate that the President take action to roll back steel imports to the average monthly import levels preceding the current import surge.

The President is determined to maintain the U.S.' strong manufacturing base and the good jobs it provides. The President shares the co-sponsors' deep concern about the impact on our steelworkers, communities and companies of the surge in steel imports. He believes that the best way to address the current steel crisis is by insisting that other countries play by the international trade rules, just as the United States will continue to abide by those rules. The President's commitment to effective, vigorous and timely enforcement of our trade laws is producing results. Imports of carbon hot-rolled steel have fallen 70% between November and January. Imports of these products also have virtually ceased from Russia and Japan (down 98% and 96% respectively) and declined 76% from Brazil. We are committed to sustained implementation of this plan and the expeditious resolution of pending cases.

Quotas imposed outside of the World Trade Organization (WTO) consistent processes contained in our trade laws (section 201 safeguards law or the quota suspension agreement provisions in our antidumping and countervailing duty laws) violate our international trade obligations. These quotas would not be based on a determination of whether the imports are causing or threatening serious injury, or whether unfair trade or subsidization is involved as required by WTO. Moreover, our current trade laws already provide the means for U.S. industry and workers to request an investigation and, if a threat of injury is demonstrated, quotas or other trade remedies can be imposed in a WTO consistent manner. In addition, when the orderly and thorough procedures mandated by our trade laws are followed, we can take into account the full range of U.S. industry and worker concerns and fashion remedies that do not result in additional market distortions, import shortages, excessive price hikes or retaliation that could harm U.S. export industries and customers.

We believe that implementing H.R. 975 constitutes violation of our international obligations under the WTO and is not be in our nation's economic interest. Because of these concerns, the President's senior advisors would recommend that the President veto the bill.

Nonetheless, the steel crisis has demonstrated that there is room for improvements to our trade laws to ensure they deliver strong, effective relief in an expeditious manner, while maintaining their consistency with our international WTO obligations. We believe the legislation proposed by Congressman Levin constitutes a constructive approach, and we stand ready to work with him and other members of Congress to develop a bill that we could recommend the President sign.

Sincerely,

JOHN PODESTA.

Mr. Speaker, likewise, a majority of Members on the Committee on Ways and Means recommended that the House defeat this bill and the committee reported it on a voice vote adversely, unfavorably.

As we will hear today, our steel industry is going through some tough times, and I am sympathetic to that. But the steel industry is not alone. I am from Texas. I know full well of the problems plaguing our oil industry, which has lost many, many more jobs than the steel industry. Likewise, our farmers and ranchers are still recovering from one of the worst periods in a long, long time. So we must be very sensitive to the steel industry's situation also. But there is a right way and a wrong way to address this problem. This bill is the wrong way.

As usual, there is more to the story. There is a matter of steel users and manufacturers, both large and small. American workers in these steel-using industries, transportation equipment, industrial machinery, metal products, and construction, outnumber employment in steel producer companies by 40 to 1. In fact, I am deeply concerned, and I do not say this lightly, that this bill might threaten national security, because quotas will reduce steel products needed for military supply.

While the policy behind this bill is fatally flawed, the specifics break down as well. There are absolutely no exceptions to the quotas in this bill, even if emergencies arise or if a product is simply not made in the United States. This will cripple many American companies and their workers, including, for example, one in my district, Quality Tubing Incorporated.

Quality Tubing Incorporated is the first American company to manufacture steel coil tubing for the oil and gas industry. It buys roughly 70 percent of its hot-rolled steel from Japan. Why? Because U.S. industry simply does not manufacture the very specialized product that QTI needs. QTI pays a premium for the Japanese product because of its specialty nature.

This bill would be a double whammy for QTI. First it tells QTI it cannot go expand its business because it cannot get more of this specialty product than it did in 1997. Second, it would raise operating costs because prices for this steel product will undoubtedly soar.

Why should this company and its workers have to pay this heavy price? It should make absolutely no difference to the domestic producers whether or not QTI can get its product from overseas because U.S. producers do not make the product. This bill works like a sledgehammer, providing no exception for companies like QTI. We will hear more about many, many, many other companies if this legislation becomes law.

Mr. Speaker, at the direction of Congress, President Clinton, Vice-President GORE and their top economic and foreign policy advisors studied the steel situation very closely. After that thorough examination, the President chose not to set unilateral quotas which are in violation of the WTO rules. Yet, this bill mandates that the President do exactly that.

The President's logic is clear. If the U.S. sets up trade barriers in violation of WTO rules to which we agreed to at a time of fragility in the world economy, we could have a much, much bigger problem on our hands that would affect thousands and thousands of American jobs and threaten our economy.

In addition, we would set a terrible example for countries in real economic trouble, countries whose leaders are under tremendous pressure to retaliate against American made products. Brazil is a good example of this. Federal Reserve Chairman Alan Greenspan shared these concerns when he testified before the Committee on Ways and Means in January.

My colleagues, the danger of drifting or, in this case, racing towards protectionist policies are very real. As I mentioned, the Committee on Ways and Means on a voice vote reported this bill unfavorably, adversely. I urge Members to oppose this steel quota bill. There are better ways to address the problem within the WTO rules. This bill will not make anything better. In fact, it will make things much, much worse.

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

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

Mr. Speaker, I rise in support of H.R. 975. I agree with the gentleman from Texas (Chairman ARCHER) that there are problems with this bill. The administration has pointed that out.

I myself would prefer that we be considering legislation today that is consistent with our international trade agreements and that would have more of a chance of being enacted into law. This is especially so if we expect other nations to live up to our obligations.

However, it is abundantly clear that our steelworkers and companies have suffered immense harm, including as many as 10,000 jobs lost, severe production cutbacks, and several companies have gone into bankruptcy as a result of the import surge over the last year.

We as a country should have responded more quickly and more effectively. The administration's response over the last few months has been commendable, applying our trade laws aggressively and effectively within the bounds of the international trade rules. But that response is really too late in coming, and so we have the enormous concern and the frustration that led to the introduction of this legislation that we are considering here today.

We need to find a solution to the steel problem, and I hope we all agree on at least that much. However we vote on this bill today, let us try to work together in the coming weeks also to address in a systematic, sustainable fashion the underlying problems our steel firms and workers and other industries face.

Where our trade provisions like section 201 need to be strengthened and fine-tuned so that we can respond more effectively going forward in this problem and the next time around, let us fix them quickly.

Where our ability to protect and predict this kind of import surge can be improved, we should do that, too.

In short, we should look beyond the vote today to a long-term sustainable effective solution.

Mr. Speaker, I yield the balance of my time to the gentleman from Michigan (Mr. LEVIN), the ranking member of the Subcommittee on Trade, and I ask unanimous consent that he be permitted to yield time.

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

There was no objection.

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

The SPEAKER pro tempore. The gentleman from Michigan has 41½ minutes remaining.

Mr. LEVIN. Mr. Speaker, I yield 22½ minutes of my time to the gentleman from Indiana (Mr. VISCLOSKY), and I ask unanimous consent that he be permitted to allocate time.

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

There was no objection.

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

Mr. Speaker, we are here under somewhat unusual procedure, but it is important that we talk about the substance. First of all, I want to emphasize the facts are clear that there was a surge of steel imports. This first chart shows the imports of hot-rolled steel from all countries. If my colleagues look at 1996 and 1997 and 1998, it becomes clear there was this surge, this is of hot-rolled steel a dramatic increase in imports.

Secondly, this chart shows the import of all steel products. Once again, I think it is very clear from this chart there was a very substantial overall increase; indeed, a surge. It was most dramatic with hot-rolled steel, but overall, the same was true.

Also it should be clear that there was a serious impact from this surge. Ten thousand workers lost their jobs. Three companies went into bankruptcy. So we are talking about American businesses, American workers who suffer because of this surge after the steel industry and its workers together had taken unusual steps to improve the industry, to downsize it, to make it more effective, indeed to make it the most productive in the world.

It is also clear that the government reacted slowly. One reason it did is because our antisurge laws are weak, and I will come back to that.

In September of last year, petitions, antidumping petitions were filed. The administration at that point whipped into quick action, and they invoked a provision of the law, a critical circumstances provision, that has rarely been used. As a result, the whole effort to determine whether or not there was dumping of steel, that whole effort was very much accelerated. The result was, in a short order of time, preliminary antidumping margins were announced.

I want to show everybody what happened. I will turn it this way so we see it on all sides of the aisle. This is when the surge hit its peak right here, November. We can see the spike up. Red is Russia, Green is Japan, and blue is Brazil. We can see this spike upward.

When the antidumping margins became evident, we see the tremendous downturn in imports from those three countries. So our antidumping laws began to work.

I want to emphasize to my colleagues that what happened with the surge was not globalization. That is here to stay. But it was manipulation of the market by those countries selling below their cost. It was not competition. It was distortion.

The gentleman from Indiana (Mr. VISCLOSKY) and the industry and the steelworkers and others here have done a real service to spotlight what the problem is. But here is the problem, and that is what is proposed by the gentleman from Indiana (Mr. VISCLOSKY) in this bill is not a viable solution.

□ 1200

Under WTO, the executive cannot, and we as the Congress cannot, invoke a quota by fiat. We simply cannot do that. Under WTO rules, safeguard measures can be put in place and, as a result of those safeguard procedures, if they are followed, action can be taken, including, in some circumstances, quotas. But it is very clear under our WTO obligations that this cannot be done simply by a bill of this nature or by the executive acting on his own.

Now, the bill of the gentleman from Indiana (Mr. VISCLOSKY) does focus on the problem that the dumping laws can be circumvented. Countries that are subject to them can substitute other products, or other countries can come into the gap. And so what we need, and the gentleman from Texas (Mr. ARCHER) said it, we need to do something better, and the gentleman from New York (Mr. RANGEL) said the same thing.

There is something we can do that is better within the WTO. We need to reform our anti-surge provisions so that they are faster and they are more effective. That option is available to us, and I hope very much, as a result of this debate today, that we will take everybody at their word and move on to see if we can find and implement a solution that is within our WTO obligations. I am convinced that there is.

Indeed, the gentleman from New York (Mr. HOUGHTON) and I have been in dialogue with the administration for over a week now. And yesterday, the gentleman from New York, a Republican, and I introduced legislation that would reform our anti-surge laws so that if there is a major circumvention, a major circumvention, of our dumping laws by other countries, or the countries that are subject to them, there will be something that we can utilize and implement quickly. And it will also take care of the issue of other products in addition to steel if a surge occurs.

Look, the steel surge shows that there is a serious problem, and there remains that. A serious problem needs a viable answer, one within the rule of law governing the trade between nations.

I want to close with a personal comment. I have been working with others in this body over these years to try to craft trade laws that are responsive to international rules and responsive to American needs. It goes back many years, in fact more than a decade, when we were able to pass the 1988 trade bill that strengthened our laws.

I think that the international rules have to be opened up so that they take into account new problems, problems that are happening because of our evolving trade with these evolving economies. The laws have to and the rules of competition have to take into account the competition from countries with very different capital and labor and environmental structures. I am dedicated to continuing that effort.

We need to carry on that battle, and we need to have within our laws a response available to surges like we have seen in steel for the good of this country, its workers and its businesses. But if we move in a way that clearly violates our obligations under WTO, and that is the basis of the administration letter indicating that a veto would be coming, we are going to, I think, undermine these efforts to improve our laws.

In a word, because of the way this has evolved, because of the spotlight that has been turned on our anti-surge laws, we now have an ability in this next few weeks, I hope, if not a few weeks no more than a month or two, to put together a bill that will respond to this problem.

So I echo what the gentleman from New York (Mr. RANGEL) said; and I echo in a sense what the gentleman from Texas (Mr. ARCHER) said at the Ways and Means markup: Let us take this moment, and whatever happens today, and dedicate ourselves in the days ahead to making sure that we have the laws, within the international rules that respond to this kind of a surge problem. I am going to dedicate every moment I have to helping that come about.

Mr. CRANE. Mr. Speaker, I ask unanimous consent that I be allowed to control the time of the gentleman from Texas (Mr. ARCHER).

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

There was no objection.

Mr. CRANE. Mr. Speaker, I yield myself 5 minutes.

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

Mr. CRANE. Mr. Speaker, I want to start out by saying that we all, I think, share the feelings of those who have lost jobs in the steel industry and those businesses that have suffered setbacks.

I cannot personally, though my grandfather grew up near the district of the gentleman from Indiana (Mr. VISCLOSKY) and worked for the steel mills on the south side of Chicago, but my wife's grandfather worked in Gary, Indiana Mills in the gentleman's district. So we in the Chicago area, especially on the south side where I grew up, have a special feeling about the steel industry.

For all of that, though, I think this effort that we are undertaking or considering today is misguided. And I say it is misguided because we have the laws on the books and we have exercised them in a way that has had a very positive effect. Some of that our colleague from Michigan already showed in graphic form.

The fact is, if we take hot rolled steel imports from the three largest exporters that were guilty of dumping in this country, namely Russia, Japan and Brazil, those are now down, from their peak level at the tail end of last year, 96 percent. Ninety-six percent. And if we take the reduction of the hot rolled imports from all countries, and this includes even those that are not subject to investigation, those have dropped since last November by 70 percent. Seventy percent. And that includes countries, as I say, that have never been charged or accused of any irregularity here.

I think that we have the capability of dealing with this sort of a problem, and it is one that we have to recognize. There was a surge, and that surge was in violation of our guidelines and our regulations, but we did address it in a positive way. And so that concern of what happened in the steel industry is basically history at this moment.

The fact is we are on a road to recovery already. If we look frankly at our steel production, the industry recorded last year its second highest level of production in the past 20 years. Second highest in the last 20 years was our steel production. Eleven of the thirteen biggest companies showed profits last year, notwithstanding that surge that occurred at the end of the year.

We must show a concern, an appropriate concern, and I think we all do, for the loss of 10,000 jobs. But we have to recognize how that contrasts with, say, the oil and gas industry and the projected losses that have amounted this past year to almost 50,000. But keep in mind that we are at full employment, and we have now increased the number of jobs nationwide last year by 2.5 million, 2.5 million new jobs, and we are at full employment.

I think it is important to recognize, too, that this can have an impact on those people who are consumers of steel products. I am thinking especially of the people who purchase steel; defense contracts and machinery, cars, construction equipment. They employ 40 times as many U.S. workers as the integrated steel mills do. We will be potentially putting their jobs at risk.

I think also it is important for all of us to recognize the cost. The Congressional Budget Office, as this chart indicates, estimates that this bill will result in higher steel prices that will cost the private sector nearly $1 billion, $1 billion, over the next 3 years.

I have a letter that I will refer to later in closing, but it is from Caterpillar, one of our largest manufacturers and consumers in the State of Illinois, and exporters. It is an insightful letter talking about what the damage, the overwhelming damage, could be to Caterpillar's ability to produce and to export in the world markets if we, sad to say, went along with this well-intentioned but misguided legislation.

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

Mr. VISCLOSKY. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. DINGELL), who has been at the forefront of this effort.

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

Mr. DINGELL. Mr. Speaker, we would not be here debating this bill if we would just enforce our trade laws according to the law. The European Union does, Japan does, why cannot the United States?

Foreign mills are dumping steel on the American market for $200 to $400 a ton less than it costs to produce. Dumping. That is what it is. It is illegal. And if the administration will not stop it, then the Congress must.

America's steel producers and steelworkers played by the rules. They made hard sacrifices in the 1980s to make this the most competitive, efficient and unsubsidized steel industry in the world. It is only because of illegal and unfair trading practices that our industry is being undercut here at home.

The need for action is clear, compelling and convincing. The bill before us, H.R. 975, is common sense and bipartisan. It will reduce steel imports to 25 percent of the U.S. market. That is the level that played in 1997, before the dumping began. It authorizes the U.S. Customs Service to refuse entry to any steel product that exceeds allowable levels.

It also includes Mr. REGULA'S language to establish a steel monitoring system, so that we can avert this situation in the future. This is good legislation and an appropriate response to this crisis.

Finally, I would note that because of the import flux produced by dumping and other illegal trade practices, 11,000 American steel workers have lost their jobs. I would also note that several steel companies have filed for bankruptcy, and more are teetering on the brink.

We must not stand by the wayside and watch the American steel industry exported out of business. This country was built with American steel and this country needs American steel.

We need a global solution to this crisis. H.R. 975 provides that global remedy. I urge all of my colleagues to vote in favor of the Bipartisan Steel Recovery Act.

Mr. VISCLOSKY. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia (Mr. MOLLOHAN), who, again, has been vigorous in this effort from day one.

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

Mr. MOLLOHAN. Mr. Speaker, first let me compliment the gentleman from Indiana (Mr. VISCLOSKY), the distinguished member of the Committee on Appropriations, for his real leadership in fighting for America's steelworkers and for our American steel industry. What a commendable job he has done.

Mr. Speaker, the steelworkers of the Ohio valley are frustrated. They are fed up and they are just about to lose faith in their government's promise to uphold its basic trade laws. Our trading partners have shown a shocking disregard of those laws, and that has created a genuine crisis in this country.

Those of us from steel districts have been working for months to put this issue on the agenda of the administration and the Congress of the United States. We have done so because this is not just a local issue, this is not just a regional issue, this is, in every sense, a national issue.

The distinguished chairman of the Committee on Ways and Means alluded to this legislation as presenting trade barriers. I have high esteem for him, however, I disagree. This legislation is not about setting up trade barriers, it is about fighting unfair trade practices. It is about trying to prevent our trading partners from cheating; about preventing our trading partners from dumping, dumping thousands of tons of steel on our domestic market.

□ 1215

Preventing dumping, Mr. Speaker, the selling of foreign steel in this country at a cost below the cost of producing that steel in the foreign country.

This legislation is about creating a level playing field. We recognize that we are operating in an international economy. We welcome it. We also recognize that, for that international

economy to work for us, our foreign partners must play fair. They are not. We have lost, by conservative estimates, 8,000 steelworker jobs last year and that trend continues because of dumping.

If we do not act, Mr. Speaker, we risk losing our domestic steel industry. And so, I respectfully ask my colleagues to support this legislation.

First, let me compliment Mr. VISCLOSKY, a distinguished member of the Appropriations Committee, for his real leadership in fighting for America's steel workers and for America's steel industry.

Mr. Speaker, the steelworkers of the Ohio Valley are frustrated. They're fed up. And they've just about lost faith in their Government's promise to uphold its basic trade laws.

Our trading partners have shown a shocking disregard for those laws. And that has created a genuine crisis.

Those of us from steel districts have been working for months to put this issue on the agenda of the administration and the Congress.

We've done so because this is not just a local issue. This is not just a regional issue. This is, in every sense, a national issue.

This is not about setting up ''trade barriers'', it's about fighting unfair ''trade practices.''

It's about trying to prevent our trading partners from cheating—about preventing our trading partners from dumping, dumping thousands of tons of steel in our domestic market.

It's about preventing dumping—the selling of foreign steel in this country, at a cost below the cost of producing that steel in that foreign country.

This legislation is about creating a level playing field.

We recognize that we are operating in an international economy. We also recognize that for that international economy to work for us, our foreign partners must play fair. They are not. We have lost, by conservative estimates, 8,000 steel worker jobs last year, and the trend continues because of dumping.

If we don't act, we risk letting foreign nations run American steel out of business. And that would put our Nation in an extremely vulnerable position—economically vulnerable—with massive loss of jobs and widespread bankruptcies—undermining an industry—the steel industry, the health of which is essential to our national security.

So I would say to my colleagues that even if you don't have a single steelworker in your district, it's vitally important that you support this bill.

I would like to compliment Mr. REGULA and Mr. VISCLOSKY for sponsoring this legislation. And I urge my colleagues to do what's fair, to do what's right, and vote for this bill.

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

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from Michigan (Mr. LEVIN) has 10 minutes remaining, the gentleman from Indiana (Mr. VISCLOSKY) has 19½ minutes remaining, and the gentleman from Illinois (Mr. CRANE) has 33 minutes remaining.

Mr. CRANE. Mr. Speaker, I yield 3 minutes to our distinguished colleague, the gentleman from Pennsylvania (Mr. ENGLISH) who is a member of our Committee on Ways and Means, who on this special day just reminded me that he is Irish notwithstanding his surname, which is ''English.''

The SPEAKER pro tempore. Today we are all Irish.

Mr. ENGLISH. Mr. Speaker, I thank the chairman for yielding the time.

I rise today to applaud the House leadership's decision to bring this bill to the full House of Representatives. I believe that the crisis facing the U.S. steel industry and the lack of an effective response by the Clinton-Gore administration has forced Congress today to take action.

I very much regret that circumstances have brought us to the point that Congressional action was necessary. I believe, and I think that many of the parties agree, that it would not be necessary for us to even consider this legislation today if the administration had used all of the tools available to it under current law and consistent with all of our international obligations.

I support this legislation. I urge its passage by the full House of Representatives, and I call on my colleagues to stand up for steel.

I have come to the conclusion that we need firm legislative action. Passage of H.R. 975 meets the test of addressing the current crisis in the short term and the import monitoring language that would help the U.S. steel industry and its workers discern future import surges while there is still time to prevent unnecessary damage to our economy. I believe that there is additional room for further legislative action in the future. This is a good starting point.

Let us be clear on something, Mr. Speaker. This legislation is not protectionism and its opponents are not here truly advocating free trade. The steel market is the most distorted on earth, with our competitors using a welter of preferences and subsidies to wall out their domestic steel producers from competition.

America has the most efficient steel sector on earth. But in the current trade climate, our steel producers are at risk because of the predatory trade practices of our competitors. In the face of naked mercantilism, American steel needs help.

I find it interesting, Mr. Speaker, that at this late date the administration and its representatives are actually threatening a veto of this bill and arguing that we should consider other legislative approaches to deal with this pressing issue.

I was a primary cosponsor of the Trade Fairness Act, which was recently introduced, and we would have been more than pleased to have had the administration's support while we were advocating this legislation and recruiting cosponsors. This approach is entirely WTO compliant and could not be colored as sending any sort of protectionist signal to our trading partners. Yet the administration was silent on our proposal and declined numerous opportunities to support it or work with Members from both the Republican and Democratic sides of the aisle to offer constructive criticism to strengthen and advance the legislation.

What has happened to cause this renewed focus by the administration on the steel crisis? We have put together a bipartisan coalition of over 200 members who are forcing this issue and that is why we are seeing action today.

Mr. VISCLOSKY. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE of Texas. Mr. Speaker, let me say first of all happy St. Patrick's Day to all of us. And let me thank the gentleman from Indiana (Mr. VISCLOSKY) for his leadership on this very important issue.

We would not have been as strong as we were in World War II had it not been for strength of this nation in oil and steel. And so, I truly sympathize with the plight of the steel industry because we are currently seeing similar layoffs in the oil patch. I know how painful it can be, not only for the people who work in plants and mills but also for small businesses.

I am for trade. I am for fair trade. I am for American workers. We have been between 8,000 and 11,000 layoffs. And I would simply say that this is an anti-dumping piece of legislation. H.R. 975 does not violate the WTO because it specifically allows us to prevent any contracting party from taking any action which it considers necessary for the protection of essential security interests.

Let us work together in a bipartisan manner to make our nation strong in oil, in steel, in other industries so that he we can face the world fairly, not to eliminate opportunities for trade but to ensure that this nation engages in fair trade and that we protect American workers and American industries.

Today I rise to speak on behalf of this bill, which would enact various measures to support our steel industry—an industry that has been hard-hit in the wake of the global financial crisis.

My decision to support this bill was an incredibly difficult one. I fully understand why some of my esteemed colleagues, and the Administration, are opposed to this bill. Their arguments are reasoned, and take into account many important issues that I feel should always be a part of the calculus used to determine our policy on trade issues. Those issues include compliance with international law, and potential trade backlash by our neighbors.

However, there is one number that persuaded me to vote in favor of this bill. Since the beginning of this crisis, over 11,000 jobs have been lost in the steel industry. That number of lost jobs can decimate a community, and turn a local economy into an economic wasteland. I can truly sympathize with the plight of the steel industry, because we are currently seeing similar layoffs in the ''Oil Patch''—of which Houston is a part.

I have seen firsthand, because of my experiences with the struggling energy industry

where we have had thousands upon thousands of layoffs, how mass layoffs can affect the psyche of a community. I know how painful it can be, not only for the people who work in the plants and mills, but also for the small business owners around them who depend on these workers for their livelihood.

For those of my colleagues that still doubt the seriousness of this issue, let me bring to light some more, cold, hard numbers. The steel industry lost $23 million last year in the fourth quarter alone. As a result, they had to lay off workers in order to keep a semblance of an industry. The 11,000 layoffs have resulted in over a $16 million loss to steel towns across America. And that number does not include the cost to our Federal Government that will be spent on worker retraining programs and unemployment benefits. We must support this resolution, we simply cannot afford not to.

Furthermore, I believe that H.R. 975 is, contrary to the arguments by the opponents of the bill, not a violation of our World Trade Organization (WTO) agreements. Article 21 of GATT specifically states that ''Nothing in this agreement shall be construed . . . to prevent any contracting party from taking any action which it considers necessary for the protection of its essential security interests . . . and to such traffic in goods and materials as is carried on directly or indirectly for the purpose of supplying a military establishment.'' That means that any industry, which is strongly relied upon by the military establishment, can be protected by trade regulations in the interest of national security! I believe that is the case here today.

For those of you that do not realize how much the steel industry is relied upon by our military, here are some figures. During the War in the Persian Gulf, we deployed 95,000 tons of American steel in the form of battleships, aircraft carriers, tanks, aircraft, and artillery. We could not have been as successful as we were without the benefit of a robust steel industry here in the United States. We could not apply further pressure against Iraq, without the constant and ready supply of steel here in the United States. If we are to lose more mills, we run the risk of losing our ability to replenish our military resources, and therefore, diminish our level of national security.

I hope that all of you will agree with me that something must be done, and urge all of you to vote yes on H.R. 975.

Mr. VISCLOSKY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MASCARA) who has been a leader in enabling us to get H.R. 975 on the floor.

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

Mr. MASCARA. Mr. Speaker, it takes longer than a few minutes to express my outrage for the loss of steelworker jobs in southwestern Pennsylvania, West Virginia, Ohio, and around the country. We have lost, as many have said, over 10,000 jobs. I was there in the 1970s and 1980s when over 250,000 manufacturing jobs were lost in southwestern Pennsylvania.

I come from an area that out produced the world in coal and steel that helped win two world wars. But this steel dumping problem is just the tip of the iceberg. Wait until other industries, including farming, feel the wrath of the unbridled world economy, an economy led by the World Trade Organization.

The WTO either cannot or will not intervene in cases of subsidized industries and the dumping of products of steel. The WTO is a poor excuse for an international arbiter. Let us face it, we have the most efficient steel industry in the world. Our steelworkers are the most productive in the world. All that needs to be done is to enforce our trade laws.

We do not need protection. We need fairness. Our foreign trading partners cannot compete with American workers so they resort to illegal means like subsidizing and dumping.

Stand up, America. Are you not tired of being dumped on? Vote for H.R. 975.

Mr. CRANE. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. DELAY) our distinguished majority whip.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding to me.

I understand why some Members are in support of this bill. But, Mr. Speaker, I respectfully rise today to voice my opposition to this steel quota bill. The choice facing us is clear. Either we want protectionism or we want free markets. Protectionism not only stunts this country's growth but also hurts the very industries it tries to protect. Steel is no exception to that rule.

America's steel industry leads the world in productivity and quality today because of competition, not protection. Since 1982, the amount of man-hours it takes to produce a ton of steel in America has dropped from over 10 hours to less than 4 hours. America's steel companies still supply nearly three-quarters of the steel consumed in America. Even if they produce steel at full capacity, we would still have to import steel in order to meet America's needs.

Will America really be better off by meddling with this market? The United States is the world's largest exporter. We are inescapably linked to markets all around this globe, and most American industries depend on some imported materials.

It is doubtful that the capacity of some American industries could be sustained by American suppliers alone. Setting tariffs on steel only comes at the cost of other sectors of the U.S. economy. There is also a great danger to slapping tariffs on goods when the world economy is already unstable. All nations and all consumers are losers in trade wars.

If we close our markets, the markets of the world are then closed to us. No doubt such anti-trade developments are the real threat to our economy and to thousands of American jobs. Protectionism hurts American workers.

When we limit the ability of our trade partners to access our market, we destroy the very framework that is the foundation of vibrant, dynamic trade and cooperation. Tariffs and quotas only tie the hands of American businesses by limiting our business partners and destroying markets for American products.

Mr. Speaker, we should have no barriers to American ingenuity and no obstacles to American prosperity. Simply put, protectionism is an obstacle to our freedom. We cannot close ourselves off from the world. Trade is not a four-letter word. It is a fact of life.

Mr. Speaker, no nation was ever ruined by free trade, but many nations have collapsed because of failing trade. I urge my colleagues to vote against this anti-trade bill.

Mr. CRANE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON) another distinguished colleague from the Committee on Ways and Means.

Mrs. JOHNSON of Connecticut. Mr. Speaker, while one could say that the administration did not respond promptly enough nor aggressively enough, the administration has taken some tough actions with some impressive results, as my colleague, the gentleman from Illinois (Mr. CRANE) clearly outlined.

It is also true that the industry could have been more aggressive. They could have brought a 201 safeguard action. They are spending a million dollars a month on legal fees and they could have done more to help themselves. But this, my colleagues, what we consider here today, is truly madness.

I fought hard for voluntary restraint agreements for machine tools. I have worked hard on anti-dumping law. I was there when we passed the 301 capability. But this is madness. We pass this and the very next day a steel company in my district closes. Two hundred sixty high-paying UAW jobs will be gone in spite of the fact that this company invested $50 million in the recent past to modernize their equipment because they are dependent on a single source of raw carbon and alloy steel in Europe.

They had even given money to American steel companies to try to get the same quality steel produced in America. They have not succeeded. They have one source. It is foreign.

This bill makes no allowance for the importation of steel for which there is no source in America. How am I to explain to those employees that they are losing their jobs because they need steel from abroad that is not made in America? We are going to close them down, and we have no understanding, and the proponents of this bill cannot tell us, how many other companies there are in America like mine that are significantly dependent on foreign imports because the steel is not made in America.

And furthermore, they cannot tell me how many jobs will go under within 2 weeks after my shop closes because they cannot get the product my shop makes.

□ 1230

This is irrational. Furthermore, this is not about a bill that does not allow

any exception for no American supply and no exception for short supply, that is, American capacity that maybe is 20 percent of what our demand is. This bill makes no exception for those companies and those jobs will go out in a quick nanominute. Not only that but it will, over time, very rapidly reduce the amount of imports allowed, because it does not allow the same imports that were allowed in those years, part of 1994, 1995, 1996 and part of 1997. It cuts those imports. It says no more than the average. Well, that average, Mr. Speaker, was the average between low imports and high imports. If your new ''high imports'' is now the average, your new average import is going to be somewhere between low and average. That is going to cut the supply of steel to American companies so rapidly, you will not know what hit you, and you have no estimates of the job impact of that cut in imports.

This is irresponsible. We are going to undermine American manufacturing with this bill more aggressively than we have with any other action this floor has ever taken.

Mr. CRANE. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York (Mr. HOUGHTON), our colleague on the Committee on Ways and Means.

(Mr. HOUGHTON asked and was given permission to revise and extend his remarks.) Coast Guard

Mr. HOUGHTON. Mr. Speaker, I applaud the gentleman from Indiana for bringing up this issue. It is an important one, we have to get at it, we have got to do something about it.

The issue is not over the hurt. The issue is how to cure the hurt. It seems to me from my experience that this bill has a heart but it does not have a head. What do I mean by that? First of all, it is not going to go anyplace. Even if it did, it is WTO illegal. Furthermore, the most important thing is we have sort of a reverse golden rule. We are doing unto others what we do not want others to do unto us. An example of that, of course, is the banana issue.

I have been in this situation personally. I have been in a company which almost went on its knees because of unfair trading practices, and I relate to that. There are two issues here, though. There is the antidumping issue, and there is the threatening of an industry issue. It is not just antidumping. This is an industry, the steel industry, which is threatened by its very existence, and this is a different part of the trade law and we have got to get at this. But this is not the way to do it, because it is not going to go anyplace. It is not going to be legal. It is going to hurt us long-term.

There is another alternative, and I really point to the gentleman from Michigan (Mr. LEVIN) who has been extraordinarily helpful in this. There is a bill coming up within the next couple of weeks called H.R. 1120. It gets at the issue, it is legal, it is bipartisan, and I think it has the support of the administration. I think the important thing to know is that there is a mine field out there in international trade. It is not exactly clear, and you have to sort of muddle your way through it but you have to do it in consideration of the rest of the world and also our trading partners.

The bill that will be coming up that the gentleman from Michigan (Mr. LEVIN) and I are sponsoring does several things. First of all it shortens the time. If you have a 201 case, many times you will say, ''Why should I apply this, why should I file, because I can't afford it. It takes too long. It's very, very expensive.'' We are going to fix that.

Also, it creates an early warning system which is very, very important and anticipates these surges. The most important thing it does, and I think the gentleman from Michigan (Mr. DINGELL) indicated this earlier, if people work the laws on the books as they are now, then we would not have this problem. The administration for years and years and years has not done that. The last person out of the oval office is usually one of the top secretaries, the Secretary of the Treasury, the Secretary of State and they are talking about the macro issues. In the meantime, the individual industries go under. This tends to put the onus on the President, on the administration to abide by and enact and do the things which are necessary under the laws.

I would encourage people not to vote for H.R. 975 but to wait for a couple of weeks because we have a good bill coming up.

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

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

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in very strong support of this bipartisan resolution.

Mr. VISCLOSKY. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. BROWN).

(Mr. BROWN of Ohio asked and was given permission to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, I rise today in support of H.R. 975 and for America's steelworkers.

Mr. Speaker, I rise today in support of H.R. 975 and in support of the thousands of American workers who have lost their jobs because of our obsession with free trade.

Since the United States joined NAFTA and the WTO, over 200,000 Americans have seen their jobs exported abroad. These jobs have not become obsolete because of some advance in technology, but because we have deliberately pursued a trade policy that sacrifices productive American jobs for cheap foreign imports.

Last year the U.S. trade deficit was a whopping $168 billion, the highest in our history. Nineteen ninety-nine promises us an even larger trade imbalance, especially if we are foolish enough to give China membership in the World Trade Organization or inflict NAFTA-like trade provisions on Sub-Saharan Africa.

Yet the opponents of H.R. 975 are telling us the trade deficit doesn't matter. Just look around, we're told. Our economy is the envy of the world. Wall Street is booming. The stock market topped the 10,000 mark yesterday. And those cheap foreign imports, including hot rolled steel, are sending American shoppers into a buying frenzy.

Well, an unemployed steel or textile worker will tell you the trade deficit does matter. The booming economy is bypassing the American worker. These Americans don't have enough money to put food on the table, much less enough to invest in stocks and bonds.

While H.R. 975 is a good bill and should provide import relief to the steel industry, it does nothing to address the glaring need to regulate the global economy before the next major American industry has to close its doors to unfair competition.

We need trade agreements that act as if people mattered, and have an obligation to put the needs of American workers before corporate profit. We can start today by passing H.R. 975. Then we must reject every trade initiative unless it includes meaningful labor and environmental protection standards. This is the only way we can prevent higher trade deficits and protect American workers from the corporate trade agenda. Support H.R. 975, support a trade bill for Africa that benefits American and African workers, and reject Chinese membership in the WTO.

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

Mr. MCDERMOTT. Mr. Speaker, this is a very curious bill brought out by the Committee on Ways and Means with a recommendation that it do not pass. Now, very seldom does that happen, unless it is a very political bill. And this is nothing but politics. The President has already said he is going to repeal it, and he really does it for several very good reasons.

H.R. 975 would impose quotas on steel imports outside our U.S. trade remedy laws and our U.S. obligations in the World Trade Organization. We would simply be running straight into the world trading rules headfirst, knowing it, and knowing that we are out of bounds. Now, that does not make any sense.

We heard from Members on the other side, the gentlewoman from Connecticut (Mrs. JOHNSON) and others, about the problems created by an absolute quota without knowing anything about what the impacts of that are on those people who use the raw product for finished products.

When we built the trade center in Seattle, we needed a piece of steel to span the freeway to rest the building on. There was no place to buy that steel except Korea. That is where we bought it. Now, if you want to say to whatever construction project or whatever is going on in this country, if they do not make it in the United States, you cannot do it, this is the bill to support. Because you are not taking into account,

and one of the real problems with this debate is, there are lots of questions, none of which are being answered, but what do you do with the supplier or the producer who needs the raw material that is only obtained in another country?

Now, there is an additional problem and that one is a much more philosophic problem. We live in a world trading market. If we start this business of trade wars and we put up our barrier against somebody else and they put theirs up against us, we will soon see what Smoot-Hawley did back in the 1920s. We do not want to go back to that. Vote against this bill.

Mr. VISCLOSKY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. KLINK). He has been very, very active on this issue.

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

Mr. KLINK. Mr. Speaker, I thank the gentleman for yielding me this time. The gentleman from Indiana (Mr. VISCLOSKY) has been a pleasure to work with on this issue as we have people in our district that are really suffering.

I just want to point out something. I saw this chart which I found quite curious. It is the fact that we now have seen a dramatic drop in the amount of imports that we are receiving from Russia, Japan and Brazil. This is all correct. But at the same time, imports from China have increased 552 percent, and imports from Indonesia have increased by 1310 percent.

Mr. Speaker, this is a shell game. We are kidding ourselves. I come from Pittsburgh, Pennsylvania. We used to be the steel city. We are still bleeding from the loss of jobs in the 1970s and the 1980s. It is now an insult that we are not going to stand up against trade that is in fact illegal.

If I can go to the next chart, what I want to show my colleagues is that the trade we are talking about right now, the steel dumping that is occurring here is illegal trade. They are bringing steel over here, hot-rolled steel, cold-rolled steel, they are bringing over specialty steel and they are selling it below cost. They are putting thousands of workers out of jobs. I know some of the hundreds of thousands of workers who were displaced in the late 1970s and 1980s. It has caused a displacement in the communities, in the families, an increase in the level of violence. We are talking about a life-and-death situation. If we had a situation where these were our constituents and someone was breaking in their house and raping and robbing and pillaging them, we would want to send in a policeman to do something. In this instance, they are just coming in and taking their future, they are taking their jobs, they are taking all of their dreams away. There are people standing up saying, ''We're not going to stand up for these workers.''

We must pass H.R. 975. It is not only the 170,000 people who work in steel but the people who mine iron ore, who mine coal, who make coke, who work in transportation of steel products. We must stand up for the people of this Nation. We must stand up with a force of steel and with a backbone of steel.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. REGULA).

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

Mr. REGULA. Mr. Speaker, first of all I want to say thanks to the Committee on Ways and Means and to the leadership for giving us this opportunity to debate this issue. I know that it was not something that the Committee on Ways and Means was supportive as evident by their recommendation, even our leadership, but they said in fairness—in fairness—people should have an opportunity to debate this issue and vote on it. For that, I express my appreciation.

We are here because we have a crisis in this Nation. We have a crisis of unfair trading practices. The issue is not protectionism. That word gets bandied around so easily. The real issue is fairness. We want our steelworkers and our steel industry and all the ancillary jobs and suppliers to be treated fairly. It is difficult to compete when the steel products coming into the United States are being sold at less than cost. Our steelworkers are the most efficient, the most competitive, the best quality in the world today. But all of those things do not mean a lot if the competition from overseas is saying, we will sell it for almost any price we can get, simply to earn hard currency.

We have heard speeches that say the sky is falling. The sky is not going to fall if we adopt this bill. It is going to give the President discretion to ensure that there will be fairness in the marketplace, that our steelworkers and the suppliers and the literally tens of thousands of jobs that are dependent on this industry will have an opportunity to compete on a level playing field. I think this bill just simply represents an opportunity for our industry to compete. It does have a 3-year time frame.

Let me just say, lastly, I think we need to take a look at our whole trading policy. We are in a different world when many of these laws were put on the books and we need to say prospectively we want fairness for American products.

Mr. VISCLOSKY. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. FILNER).

Mr. FILNER. I thank the gentleman for yielding me this time. Mr. Speaker, I rise today as the son of a Pittsburgh steelworker and in strong support of American steelworkers, the American steel industry and the Bipartisan Steel Recovery Act. The case is clear. The American steel industry and our steelworkers are in crisis and Congress must act.

Already, 10,000 steelworkers and iron ore miners have been laid off or have lost their jobs. Thousands more have had their workdays and paychecks cut. Several steel companies have been forced into bankruptcy. Our failure to approve this legislation and to end this crisis now risks the disappearance of the American steel industry altogether. We allow this to happen at tremendous cost to our economy and our national security.

□ 1245

Mr. Speaker, our obligation ultimately is to the thousands and thousands of hard-working American families who have served their country mining and producing this critical product, put bread on the table by the sweat of their brow, raised families, contributed to their communities and who now risk losing everything because of the current steel dumping crisis.

I urge my colleagues to support this important legislation, and I urge President Clinton to be loyal to the hard-working American men and women who have been loyal to him and sign this legislation.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Maryland (Mr. CARDIN), a member of the Committee on Ways and Means.

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

Mr. CARDIN. First, Mr. Speaker, I want to thank the gentleman from Indiana (Mr. VISCLOSKY) for really making this possible for us to have a vote today on this very important bill. I would also like to congratulate the gentleman from Ohio (Mr. REGULA) for his work on this area. I say to the gentleman from Michigan (Mr. LEVIN) I like this bill, but it deals with a prospective problem. We need to deal with the current situation. We need to pass this bill and the bill that he mentioned.

Mr. Speaker, I also wanted to express my appreciation to the steelworkers at Sparrows Point in Maryland for their persistence in being here to demonstrate exactly what effect this illegal surge of imported steel has had on our work force. There is no question that this activity has been illegal. The imports are wrong, and there is no question of the harm that it has caused. Ten thousand jobs have been lost.

Mr. Speaker, Bethlehem Steel's fourth quarter financial reports show that this is certainly a very serious situation. It is not Bethlehem Steel's fault. They made the investments in the 1980's and early 1990's. They can compete with steel produced anywhere in the world as long as it is on a fair and level playing field. That is not the case.

The bill before us is an appropriate remedy, so for the sake of our U.S. steelworkers, for the sake of basic fairness, let us pass this legislation.

I will vote in favor of this anti-steel dumping bill. But before I do, I want to personally thank

Representative VISCLOSKY for his leadership on this issue. And I want to recognize the hard work of the steel industry in the last year. I want to congratulate union and management for their tenacity. They refused to let us forget what this dumping was doing to their lives.

If you looked up the definition of the word persistence in Webster's Dictionary you ought to find a picture of some of the steelworkers and managers from Bethlehem Steel's Sparrows Point division in Baltimore. Sometimes it felt like they were living in my front office during the last few months.

But they have made it clear to all of us that this problem is real. That they are frightened for themselves and their families. 10,000 jobs have been lost due to unfair dumping. We're told more will come if something isn't done soon. There are already slowdowns at Bethlehem Steel. The company's fourth quarter financial reports were anything but rosy.

These workers were not only frightened, they were furious. Furious at our inaction. Furious at our handwringing. Well, today we have the opportunity to act and get their industry back to producing quality steel on a level playing field.

It is hard to argue with their fury. Consider the numbers and the facts. U.S. imports of steel from Japan jumped nearly 162-percent from 1997 to 1998. 162-percent! I had a Beth Steel manager in my office last week who said that just as the levels for Russian steel imports began to decrease, the levels of Chinese dumped steel took its place. It's like that boardwalk game "Whack-A-Mole": you hit one, and another pops up.

The U.S. steel industry is an industry that has already taken its whacks—whacks it well deserved—and managed to reemerge stronger and more profitable because of it. I began my career here in Congress just as this revitalized industry returned to the fore in 1987.

But I also remember the darkness before the dawn. As Speaker of the House in the Maryland General Assembly at the time, I remember that painful process for Beth Steel and the steel industry as a whole. Between 1977 and 1987, 45 million tons of steelmaking capacity was lost due to bankruptcies, plant closures, and partial closures. Employment dropped 57 percent. Almost 300,000 steelworkers lost their jobs. The wages and benefits of those workers who survived were substantially cut as well.

I cite these figures to stress that these were fair blows the industry had to withstand. The industry had let itself lag behind other countries. It had failed to adopt new techniques and practices until these practices themselves were out of date. The industry needed to be shaken awake. A reinvigorated international steel industry did just that.

But, Mr. Speaker, the U.S. steel industry can't blame itself for the problems it faces today. And one month declines in the levels of steel imports are nice but I fear them to be a false dawn.

The blows this industry is being asked to absorb here are not fair ones. The United States has the only true open market in the world. But it is being forced to compete against countries whose steel producers are heavily subsidized or which work in cartels.

I support the Visclosky bill because it returns the field to the even level that the whole industry played on before July 1998. I appreciate the complexity of the global financial crisis which prompted this glut of imports. I appreciate the distress of steel workers all over Asia, South America, and Russia. But quite frankly it's my job to look after the distressed steelworkers at Beth Steel. They are my primary responsibility. They are our primary responsibility. We have to do more for them.

The steel industry has been sending SOS signals to the U.S. Congress for months now. Mr. Speaker, I urge my colleagues to vote for H.R. 975 and show these workers we hear their call and help is on the way.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to my distinguished colleague and neighbor, the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, this bill, if it is passed, could have the law of unintended consequences. Let me explain. Kelly Springfield has a radial tire manufacturing facility in my district, and I would really appreciate if the House could listen very closely to this:

Mr. Speaker, steel wire rod for tire cord which goes into radial tires is not manufactured in the United States. It has to be outsourced from foreign countries. Kelly Springfield has a radial tire manufacturing facility in the district that I represent. Because this bill is so broad, it would slap import quotas on steel wire rod for tire cords and there have the possibility of laying off workers at American plants that make tires, that make radial tires. This is not the type of bill that we need.

In a neighboring county, McHenry County, Brake Parts was having rotors from China dumped in the United States. We encouraged Brake Parts to file a complaint with the International Trade Commission, got a retroactive order and stopped that practice. But we have to do something else. We have to pass the Regula bill so that any tariffs that are collected as a result of illegal dumping in this country not go to the coffers or to the Treasury of the United States, but go to the companies hurt and to the workers hurt thereby.

So the bill is imperfect in its form. It would actually hurt manufacturers, it would hurt employees in this country. Second of all, we need to work towards enactment of the Regula bill so that any benefit that comes as a result of sanctions against people who are dumping here go directly to the employees.

Mr. VISCLOSKY. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia (Mr. RAHALL) who has been a leader on steel issues throughout his career here.

Mr. RAHALL. Mr. Speaker, I thank the gentleman from Indiana for yielding this time to me, and I want to commend the gentleman from Indiana (Mr. VISCLOSKY) for the very strong leadership, determined effort and excellent grasp of the ramifications of steel dumping in this country has meant for our American worker and our American economy. Obviously I rise in support, Mr. Speaker, of this resolution and feel very strongly that it is vital in order to protect our American workers.

Steel producers, as we all know and has been said, in other countries such as Japan, Brazil and Russia are heavily subsidized by their government and thus are able to take advantage of America's open markets by dumping excess steel here resulting in closed bankrupt steel plants and throwing thousands of our steelworkers out of their jobs, unable to sustain their families and their quality of life. But aside from the closure of our steel mills and unemployed workers is the impact that this could have on the future stability of the U.S. and how it could inhibit our national security.

As has been said by others, we cannot sustain our Nation's armed forces, their equipment and weapons using Styrofoam and plastic. We have to have steel, particularly and preferably steel that comes from our own industry and our own workers, a known product, not from steel produced in foreign lands and dumped on our shores.

The bill before us today directs the President to take the necessary steps including imposing quotas, tariff surcharges or negotiated enforceable voluntary export restraints that cap steel imports. The bill also requires the administration to establish a steel import notification and a monitoring program.

Mr. Speaker, I am neither a protectionist nor a free trader. I believe in protecting our own labor force and our own industry, and H.R. 975 will do that.

I urge my colleagues to stand up for steel, vote for this bill and create a level playing field for Americans for a change instead of our foreign trading partners whose governments subsidize them while breaking our laws. I thank the gentleman again for yielding time to me and commend him for his excellent leadership.

Mr. VISCLOSKY. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Speaker, I want to begin by commending my good friend next door to me in Indiana (Mr. VISCLOSKY) for his hard work and leadership on this very important issue.

First of all, what this issue is not about: It is not about American protectionism, it is about American principle. This is not about unfettered free trade, it is about enforcing our fair trade agreements. And this is not about corporate downsizing, it is about illegal dumping.

When the Clinton administration finally agreed and the Commerce Department to look into this matter, they found, and I quote from their news release in the Commerce Department, that the Commerce Department will instruct Customs to require importers of these products to post a bond or cash deposit of all imports entered during the 90 days preliminary to the determination. Unprecedented 25 days ahead of time the Commerce Department found that Japan and Brazil were engaged in this illegal dumping.

So I encourage in a bipartisan way our colleagues to stand up for this

American principle of enforcing our trade agreements.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR). The Chair would remind Members of both sides of the aisle to try to adhere to the time limits. We are extending the debate by not doing so.

Mr. ARCHER. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. CRANE).

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

Mr. CRANE. Mr. Speaker, I have here a letter from the CEO and Chairman of Caterpillar that I referred to earlier. I also have letters from other manufacturing companies in my general area around Chicago that I will include as a part of the RECORD.

CATERPILLAR INC.,
Peoria, IL, March 10, 1999.

Hon. PHILIP M. CRANE,
U.S. House of Representatives,
Cannon House Office Building,
Washington, DC.

DEAR REPRESENTATIVE CRANE: As one of America's largest exporters and biggest consumers of US-made steel, Caterpillar urges you to vote against the Visclosky-Quinn Quota Bill (H.R. 975). The company strongly opposes the legislation because it not only would hurt our competitiveness in overseas markets, but would lead to direct retaliation against Cat exports. It also would establish a system that rewards countries that engage in unfair trade practices, undermines the international trading system and jeopardizes the global economic recovery.

By imposing mandatory controls on steel imports from all countries—including fairly traded imports—the Visclosky-Quinn Quota Bill would severely restrict the availability of steel to U.S. manufacturers. When this type of protectionist scheme was attempted during the 1980s, it created an artificially restrictive steel market resulting in steel shortages and higher prices. At times Caterpillar had to fly-in steel from overseas just to keep our production lines running. On one occasion, we come perilously close to shutting down our largest plant while we waited for permission to import a type of steel that wasn't even made in the United States.

What's equally troubling is the impact the Quota Bill could have on Caterpillar exports. Because this legislation blatantly violates U.S. international obligations, our trading partners would feel justified in retaliating against American exports. Likely targets would be U.S. manufacturers—like Caterpillar—that export steel-intensive products. Since Caterpillar buys more than 90 percent of its steel from U.S. steel producers, such retaliation would further harm the American steel industry while severely damaging Cat's export markets.

Regrettably, the Quota Bill is structured in a way that could actually reward countries that engage in unfair trade practices. Unlike trade remedy laws that attempt to neutralize the effects of dumping or subsides, this legislation would reward countries with a guaranteed share of a restricted U.S. market. As a result, much of the quota ''rent'' generated by higher prices would go to foreign steel producers.

Finally, this legislation could have a catastrophic impact on the international economy. Today the U.S. economy is at full employment. Inflation is nonexistent. The Dow Jones average is near 10,000. Enactment of the Quota Bill would mandate the United States radically change the direction of its trade and economic policies. At a time when the U.S. is pressuring countries that are in far worse shape to keep markets open and free, the Visclosky-Quinn Bill would likely trigger a retreat into protectionism.

Representative Crane, we know the lure of quick-fix solutions can be appealing. But protectionism isn't the answer. By now, it's clear that U.S. unfair trade laws are working. By almost all measures the crisis in the steel industry has passed. Rather than focusing on protectionist measures like the Visclosky-Quinn Bill, we urge you to support initiatives aimed at improving the competitiveness of the U.S. steel industry. That way, the steel industry, American manufacturers, and U.S. workers and consumers all win.

Sincerely,

GLEN BARTON,
Chairman and CEO.

COMPLEX TOOLING & MOLDING, INC.,
KRASBERG METALS DIVISION,
Des Plaines, IL, November 30, 1998.

PHILIP M. CRANE,
Palatine, IL.

DEAR REPRESENTATIVE PHILIP M. CRANE: In the interest of Complex Tooling & Molding, Inc.-Krasberg Metals Division a producer of metal stampings and assemblies for over 50 years, and over 50 employees in the suburban Chicago area. We are also a member of the Precision Metalforming Association (PMA), the trade association that represents many users and consumers of steel and steel products.

The protectionist pressures currently being exerted by the ''Stand Up for Steel'' coalition give us great concern because they are aimed at restricting our ability to get the best steel available for a competitive price. We know that trade restrictions such as those advocated by protectionist interests will result in a net loss of U.S. jobs. We support you in your efforts to improve, not undermine the U.S. economy.

We need adequate and dependable sources of steel to maintain and expand our operations in the United States—sometimes that means that we must rely on foreign steel. At best, the U.S. steel producers are capable of meeting only 70–75 percent of U.S. demand. Actions that curtail imports of steel will seriously injure our industry and the economy as a whole through higher prices, fewer choices and job migration offshore.

We all agree that it is important to maintain U.S. jobs and job growth. Steel is no less important than other sectors. However, you should remember that the major U.S. steel using industries (stamped or fabricated metal products and others) employ some 8.3 million-production workers, nearly fifty times the number employed by U.S. steel producers. These jobs depend on maintaining competitive market conditions in this country. If steel imports are restricted, *imports of steel products* will certainly increase, and more jobs will be destroyed in this country.

In determining what is fair for steel producers, we ask you to remember that short-term benefits for the steel industry may have a long-term negative effect on U.S. jobs and the economy as a whole.

Thank you for your support.

Sincerely,

DAN BERG.

TRU-DIE INC.,
Franklin Park, Il, December 21st, 1998.

Philip Crane,
Palatine, IL.

DEAR CONGRESSMAN CRANE: Our company Tru-Die Inc., is a metal stamping facility, that was started in 1964. We have approximately 75 employees that are concerned about their job security. We are also a member of the Precision Metalforming Association (PMA), the trade association that represents many users and consumers of steel and steel products.

The protectionist pressures currently being exerted by the ''Stand Up for Steel'' coalition give us great concern, because they are aimed at restricting our ability to get the best steel available for a competitive price. We know that trade restrictions such as those advocated by protectionist interests will result in a net loss of U.S. jobs. We support you in your efforts to improve, not undermine the U.S. economy.

We need adequate and dependable sources of steel to maintain and expand our operations in the United States—sometimes that means that we must rely on foreign steel. At best, the U.S. steel producers are capable of meeting only 70–75 percent of U.S. demand. Actions that curtail imports of steel will seriously injure our industry and the economy as a whole through higher prices, fewer choices and job migration offshore.

We all agree that it is important to maintain U.S. jobs and job growth. Steel is no less important than other sectors. However, you should remember that the major U.S. steel using industries (stamped or fabricated metal products and others) employ some 8.3 million production workers, mearly fifty times the number employed by U.S. steel producers. These jobs depend on maintaining competitive market conditions in this country. If steel imports are restricted, imports of steel products will certainly increase, and more jobs will be destroyed in this country.

In determining what is fair for steel producers, we ask you to remember that short-term benefits for the steel industry may have a long-term negative effect on U.S. jobs and the economy as a whole.

Thank you for your support.

DON BROWN.

OLSON INTERNATIONAL, LTD.,
Lombard, IL, December 1, 1998.

Congressman PHILIP CRANE,
Illinois 8th District, Cannon House Office Building, Washington, DC.

DEAR CONGRESSMAN CRANE, our company, Olson International Ltd., is a precision metal stamping company that employs approximately two hundred twenty people in our Lombard, IL, facility. We have been in business for over sixty years and we are a QS9000 registered company.

We supply high quality metal parts to the automotive, appliance and electronics industry.

This letter is written to inform you that we are not in favor of protectionist measures that would attempt to restrict the import of flat roll steel products.

We are also a member of the Precision Metal Forming Association (PMA), the trade association that represents many users and consumers of steel and steel products. In addition, I am a Certified Purchasing Manager and a director of the National Association of Purchasing Management, Chicago chapter. (NAPM-Chicago). Also, I chair our local metal buyer's committee and can loudly state that a curb in imports of flat roll steel products would negatively impact fabricators in the Midwest.

The protectionist pressures currently being exerted by the ''Stand Up for Steel'' coalition gives us great concern, because they are aimed at restricting our ability to get the best steel available for a competitive price. We know that trade restrictions such as those advocated by protectionist interests will result in a net loss of U.S. jobs. We support you in your efforts to improve, not undermine the U.S. economy.

We need adequate and dependable sources of steel to maintain and expand our operations in the United States—sometimes that

means that we must rely on foreign steel. At best, U.S. steel producers are capable of meeting only 70–75 percent of U.S. demand. Actions that curtail imports of steel will seriously injure our industry and the economy as a whole through higher prices, fewer choices and job migration offshore.

We all agree that it is important to maintain U.S. jobs and job growth. Steel is no less important than other sectors. However, you should remember that the major U.S. steel using industries (stamped or fabricated metal products and others) employ some 8.3 million production workers, nearly fifty times the number employed by U.S. steel producers. These jobs depend on maintaining competitive market conditions in this country. If steel imports are restricted, imports of steel products will certainly increase, and more jobs will be destroyed in this country.

In determining what is fair for steel producers, we ask you to remember that short-term benefits for the steel industry may have a long-term negative effect on U.S. jobs and the economy as a whole.

Thank you for your support.

Sincerely,

EDWARD C. FARRER C.P.M.,
Manager of Purchasing.

Mr. ARCHER. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. BUYER).

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

Mr. BUYER. Mr. Speaker, on February 25 I testified before the Subcommittee on Trade panel of the Committee on Ways and Means regarding the crisis of the United States steel industry caused by the flood of illegal imports. At the hearing I stated that imposing quotas legislatively was a measure of last resort utilized when it is clear that other options will not suffice to enforce our trade laws. Unfortunately it has become all too clear that the Clinton administration has no intention of aggressively enforcing our trade laws. I would far prefer that the administration use the tools that Congress has given to enforce our laws. The administration could take unilateral action to address the illegally dumped steel coming into the United States, but they have not done so. Although I have misgivings about the potential for retaliation that the legislation may engender, Congress simply cannot tolerate the dithering by the administration while the United States steel industry continues to bleed.

American steelworkers are the most productive in the world. Investments in new technology in the 1980s and the training to reduced the hours of labor to make one ton of steel from 9.3 hours in 1980 to just 2 hours in 1999. The industry and its workers are the most efficient and productive in the world, and I ask my colleagues to support the Visclosky-Regula bill.

ISPAT INLAND, INC,
East Chicago IN, March 12, 1999.

Hon. STEPHEN BUYER,
Members of Congress,
Washington DC.

DEAR REPRESENTATIVE BUYER, I wish to thank you again for inviting us and other steel manufacturing companies to meet with you last Friday, March 5, 1999. It was a welcome opportunity to be able to personally share with you our views on the current steel import crisis and its impact on steel industry jobs and markets in the United States. Thank you also for inviting me to again share those views with you in this letter.

There is an important historical perspective to the current issue. In the early and mid-1980's, the domestic steel industry was similarly faced with the spectre of massive imports of dumped and unfairly subsidized foreign steel products. At that time the industry was generally ill prepared to effectively respond to that challenge. As a result, the Congress and the Administration granted temporary relief in the form of stringent quotas placed on imported steel products. In effect, the domestic steel industry was granted sufficient time to re-make itself into a competitive player in the world market.

Years of painful, but necessary, restructuring ensued and today the steel industry has emerged as a highly competitive producer of world class products. For example, labor productivity has increased 5.5% annually since 1980, energy consumption has decreased by 45% in roughly the same time period, and environmental and safety performance far exceeds that of the steel industry elsewhere in the world. We can compete with anyone so long as the playing field is level. However, the dynamics of world economics are such that the playing field has been rendered unlevel today.

There has been a massive new wave of unfairly traded imports and a quick and decisive governmental response has not been forthcoming. In recent months, the industry has asked the Administration to help us prosecute a Section 201 case and to assure us that the President will impose a global remedy if we are successful. The Administration has refused this request.

In fact, in the case of the proposed Russian Suspension Agreement, the Administration has taken steps, over our objections, to limit our rights under existing trade laws. While we were successful in obtaining effective dumping margins against Russian steel imports, the Administration proposes suspension of that case while permitting Russia significant access to our markets. The resultant product flow into this country will be illegal under current trade law. I recognize that foreign policy issues are at stake, but the damage to our industry will be egregious.

The domestic industry's position is that we will continue to litigate against dumped and subsidized foreign steel, that we are in immediate need of a global solution, and that we would prefer a solution consistent with our international obligations with the World Trade Organization. We fully support free trade. If, however, the Administration continues to refuse to offer adequate solutions and to deny us the ability to enforce existing trade laws, we will have to reconsider our position and seek the most viable alternative solution to remedy this crisis.

Than you again for your continued interest on this issue.

Sincerely

DALE E. WIERSBE,
President and Chief Operating Officer.

The steel industry is crucial for our national security. Our planes, our tanks, our ships, our weapons, utilize steel. We have a responsibility to the protection of our citizens to ensure a viable steel manufacturing industry in the United States. It is impossible for the United States to retain its status as the world's sole superpower without steel.

I urge the House to adopt H.R. 975.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. DOOLEY).

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

Mr. DOOLEY of California. Mr. Speaker, I rise in strong opposition to this measure, and I also take some exception to the criticism of the administration and their lack of action against the issue of the increased imports of steel.

As my colleagues know, if we really look at the facts, we have seen since the administration has taken action that hot rolled steel has fallen almost 70 percent between November of last year to January of this year. When we look at two of the countries that have been identified as problems, Russia and Japan, we see that their imports have dropped 98 and 96 percent, and in fact when we look at the U.S. imports of hot rolled steel from all countries, we find that our January 1999 imports are at the same level, in fact lower than July of 1997.

The real concern though of this legislation is the precedent that it would set. We are endorsing the establishment, the legislative establishment of quotas that go beyond the agreements that we have negotiated that come under the authority of the WTO. Passing this legislation sends a green light to countries throughout the world that they can put in place quotas that can work to the detriment of U.S. economic interests.

Mr. Speaker, we need to oppose this legislation.

Mr. VISCLOSKY. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, I rise today to urge my colleagues to protect American workers. Opponents of this bill focus on protectionism for the steel industry. Let us remember our duties to the American people. So protectionism is key. We must protect our home, American jobs and families from the irreparable harm caused by unprecedented and unfair levels of steel imports.

The American steel industry is a $70 billion industry that employs 170,000 people nationwide. Moreover, the industry is critically interwoven into the fabric of our society. Steel is utilized in automobiles, medical equipment, homes and military systems. We must act now to provide the appropriate safeguards to prevent risk to these industries. Let us protect American families. Let us stop illegal dumping by voting in favor of this measure.

Mr. ARCHER. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. KOLBE).

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

Mr. KOLBE. Mr. Speaker, this is one heck of a corrosive proposal, and I rise in steely opposition to it. The notion that we are victims of predatory and illegal dumping is a corrosive idea. We are told that the only way that this practice is going to cease is if we limit

or ban imports to some kind of an arbitrary level set in 1994, and that is very rusty logic for a number of reasons. So let me focus on a couple of facts.

Fact one: U.S. law provides clear trade remedies for industries that are harmed by dumping. In fact, the steel industry has already filed and won anti-dumping cases against Japan and Brazil, and it has negotiated a voluntary restraint agreement with Russia. The results of that are dramatically shown in this chart which shows imports from those three countries subject to investigations have dropped for hot rolled steel products. This drop over the last three months has been 98 percent, 97 percent in the case of Brazil and about 60 percent in the case of Japan, or more than that. So it has been almost cut to nothing.

□ 1300

Even as we debate, there are antidumping cases proceeding against France, India, Indonesia, Italy, Korea, Macedonia. More than a third of the 300 antidumping and countervailing duty orders address steel.

So here we can see in three months' time the reduction of hot-rolled steel products from all countries, from a total of 1.4 million tons per month in November of 1998 to 437,000 tons today.

Fact two, the remedies designed to deal with the sudden import surge, Section 201, wasn't even utilized by the industry. They did not even bother to file a case. Instead, the big steel bosses spent an unknown amount of money lobbying Congress for special protection.

Fact three, dumping is not inherently wrong. A product that is dumped is sold in the United States for less than it is sold in the home market or less than the cost of production. This means that foreign producers are selling steel to the United States at a great price, and that helps users of steel in this country. That is not inherently evil, but in order to protect certain industries dumping is not allowed under our trade laws.

Our solution is not a punitive one. The foreign producer is not thrown in jail, prohibited from selling in the market. Instead, the company is required to pay a duty equal to the amount of the discount. In effect, they are forced to raise the price of their product to more closely approximate the cost of our domestic producers.

By the way, U.S. steel companies dump steel abroad all the time. In fact, there are duties in place against 10 U.S. steel companies for dumping overseas. Believe me, foreign steel companies are watching this vote today. If this bill passes, if it became law, they are really going to ask their governments very quickly for Visclosky-type bans on U.S. steel.

Which brings me to fact four. This is not a free vote! A 1995 study found that U.S. antidumping and countervailing duties affected only 1.8 percent of U.S. merchandise imports. Yet, the cost to our economy? $1.59 billion dollars! The Congressional Budget Office estimates the Visclosky ban will cost one billion dollars over the next three years!

An aye vote today is a vote for a billion dollar tax on the American consumer. Every member that votes for this bill will have to explain to steel-users why they have to pay a billion dollar ''steel tax'' before they can buy the product.

And every member that votes for this bill will have to explain to farmers and exporters why they voted for a bill which puts their livelihood at risk by subjecting them to retaliation against U.S. products.

This is one of the most misguided and dangerous pieces of legislation I have ever seen.

The Visclosky quota sought today goes beyond ''fair'' trade. It applies to all steel imports, even those that are not dumped. And it creates billion dollar casualties along the way.

Where the damage stops, nobody knows. I urge my colleagues to vote no on this bill.

Mr. VISCLOSKY. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. DOYLE), who has been a leader on H.R. 975.

Mr. DOYLE. Mr. Speaker, we have heard a lot of facts today about the steel import crisis, but there is one fact that I would like to stress above all: 12,000 Americans have lost their jobs to foreign competitors who have cheated.

This is not the first steel crisis. I remember the real suffering in the 1970s and the 1980s, in towns like McKeesport, Duquesne, Braddock, Clairton and many other communities in the Mon-Valley section of Pittsburgh. Those were desperate times.

I know hard working men and women, who never took a dime from the government, that were forced to go on welfare. I saw good families break up from the stress of not being able to support themselves.

Since that time, steel and our steel towns have recovered somewhat. We have done everything we have been asked. Labor productivity has improved tremendously, for one thing. Steel plants in my area have come back with probably one-fourth the number of workers they had, and the large percent of people that were let go many had to find work in the service sector or whatever other under employment jobs they could do, and no one shed a tear for them.

Steelworkers did everything they were asked to do because we were told we had to make U.S. steel competitive again. They had to work harder for longer hours, for less pay, and no one came to their aid, but steel came back. They got lean and mean and American steelworkers are now the most efficient producers of steel in the world.

We have played by the rules, only to have our jobs stolen by foreign companies who are breaking our laws and that is an incontrovertible fact proven by our Commerce Department's own findings.

Today we draw a line in the sand. We will not tolerate a steel policy that let us 12,000 Americans lose their jobs to competitors that are cheating, and if this administration is not going to take decisive action then we will.

As I stand in the well of this House on Saint Patrick's Day, I think about my grandfather, Mike Doyle, who came to this country from Ireland in the early 1900s and found work in Pittsburgh in the steel mills. He worked 43 years at the Carrie Furnace and along with his wife Beatrice raised three sons. His middle son, Mike Doyle, my father, followed him into the steel mills and worked almost 30 years at the Edgar Thompson Steel Works.

Aside from two summers when I was in college, I am the first Mike Doyle in my family not to work in a steel mill, but I remember vividly the sacrifices made by thousands of families who worked in the mills to build this country and keep it strong.

My father and grandfather are not here anymore. They are up there celebrating with Saint Patrick today, but I know they are watching and I know their Irish is up.

In their memory, and on behalf of thousands of American steelworkers and their families, I dedicate every ounce of strength I have to the passage of H.R. 975.

Mr. Speaker, it is up to us. We need to send a message. Stop this cheating. Stand up for steel. Support H.R. 975.

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. NEY).

Mr. NEY. Mr. Speaker, I thank the chairman for this debate today. Although we are disagreeing on the issue he is letting the debate occur, and I appreciate that and thank him for it.

Mr. Speaker, earlier today I mentioned union officials and some steelworkers that have fought for this issue. I also want to mention Dick Redier, Greg Warren and Paul Bucha, who are just three of the many individuals from the company's end of it that have fought to get this bill to the floor today.

I think today is about Main Street America. The steelworkers got trampled on. We tried to respond in October. They got trampled on by foreign countries and, by the way, when the illegal dumping came in, Europe responded to support its mayors and its communities to protect them, but our steelworkers got trampled on and they fought back.

There are laws on the books. They talk about the laws on the books. The President of the United States ignored them. We would not be here today if he had followed those laws, but the steelworkers in our communities fought back.

We would like to talk about our children's future. We are responsible for our children's future and today is about our children's future and our communities back home.

We can be responsible to help our communities to stand up against illegal, again, illegal dumping. We can be responsible by standing up for steel, which is standing up for our communities. It is restoring faith. It is restoring America's path. By voting yes today, we are going to say to every worker in the United States that when foreign countries try to take an illegal path, we are going to stop it.

We are going to say, they do not have to beg their government anymore for help. We are going to prove it today on the floor of the House.

So this is an issue not about free trade. It is not about protectionism. This is truly an issue about illegal dumping. I am just sorry we have to be here today because the President should have enforced the laws in October, just like Ronald Reagan did when he was President of the United States. It is okay to have a give and take on the debate of trade.

If we stand by and let this continue, believe me these countries would have continued to dump, illegally dump, and we would lose thousands and thousands more of workers' jobs.

Our heroes today are those 11,000 people who have struggled through unemployment trying to feed their families, and our heroes today are the steelworkers and the companies and the people back home that forced this debate to the floor. I urge a yes vote.

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Speaker, I also want to thank the chairman of the committee, the gentleman from Texas (Mr. ARCHER), for bringing forth this piece of legislation and for allowing us this debate today.

Mr. Speaker, from looking over the different letters from different and various Members of Congress, I am not surprised to see claims that imports have dropped, claims that have been offered in an effort to convince all of us that the crisis in this country with steel dumping is over.

Let me be very clear on three points. First, when finally faced with a trade petition like the one filed in September of 1998, foreign countries which dump steel on the U.S. market simply switch from one category to another. All the while they are laughing at the slowness and the expense of our trade enforcement process.

Second, I appreciate the hard work of the Commerce Department but when we hear about an expedited trade process we must realize that this is merely shaving off 20 to 30 days off a 9- to 12-month process.

Third, by allowing dumping we are deliberately sacrificing productive, nonobsolete but productive United States jobs.

I would just ask my colleagues today, as they are looking over this piece of legislation, to look at it very closely before voting. Get a complete look at the issue of steel and the steel imports that have come into this country, and I think when my colleagues see an accurate picture of this they will be led to support this bill. I just ask for support today on H.R. 975.

Mr. ARCHER. Mr. Speaker, may I inquire how much time is remaining on both sides?

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from Texas (Mr. ARCHER) has 9½ minutes, the gentleman from Michigan (Mr. LEVIN) 6 minutes, and the gentleman from Indiana (Mr. VISCLOSKY) 7 minutes.

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

Mr. VISCLOSKY. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. TRAFICANT).

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

Mr. TRAFICANT. Mr. Speaker, I say to the gentleman from Indiana (Mr. VISCLOSKY), good job. We passed an unbinding ban resolution in October and the imports dropped, but not enough.

Mr. Speaker, this is not a debate today about protectionism; it is about illegal trade. These countries have ripped us off. I do not understand the philosophical differences here, unless the Republicans are trying to set us up, get the President to veto this after he promised every worker in America he would put his foot down on illegal trade.

He also promised every worker in America he would pass a scab labor bill. He did not, either.

I want to give credit today to Ronald Reagan. I can remember him coming to my district telling our steelworkers that he would, in fact, reinvest in industry, and he passed the investment tax credit program, and he would provide money for training. He did that, and they did not support him.

As a Democrat, the White House, they are not called slick over there for nothing, Mr. Speaker. They may just go ahead and sign this because if they do not, unless they are trying to veto AL GORE's presidency, I do not know what is going on here today.

I want to make this point. I did not make a pledge in the World Trade Organization. I pledged an oath to the Constitution of the United States.

What bothers me the most is our unemployed workers, their taxes coming from their unemployment check are being used to bail out Russia, South Korea, Asia, Japan, and recently Brazil.

What is it with us? Are we nuts? This is illegal trade.

Quite frankly, I wanted to add a little amendment that would have banned it for 24 hours, just to let the world know that the Congress of the United States knows they are ripping us off and we are not going to take it any longer.

We cannot get anybody to take a look at the trade issue. Our companies are going overseas. Our jobs are going to Mexico, and I hear everybody talking about new jobs. Brassiere cup molder cutters, gizzard skin removers, pantyhose crotch closers, corncob pipe assemblers, cowboys, ashtray cleaners, yes, we have a lot of jobs. They are in that service industry and our good jobs are leaving hand over fist.

This is the right thing to do. I am going to make a statement on behalf of the steelworkers and all working people in America. This president made promises. Hold his feet to the fire, and if he vetoes this bill, by God, take it right out on AL GORE.

It is time they get a message from the Democrats in Congress. At least Ronald Reagan kept his promise. He never promised this type of legislation but he gave us the investment tax credit program and he retrained some of our workers and he reinvested in steel and made it profitable. We are allowing it to be decimated.

Mr. Speaker, I would say to the chairman, the gentleman from Texas (Mr. ARCHER), that he should rethink the whole trade problem. I understand the gentleman is leaving. He has been a great Member. Before he leaves, this negative balance of payments is the greatest national security threat we have.

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, I include for the record an op-ed piece which I published in the Birmingham News and the Tuscaloosa paper.

Mr. Speaker, in this article the first thing I said is that this crisis is not a crisis brought on by our steelworkers or our steel communities. This is a crisis brought on by their government. It is not of their own doing.

Tragically, their government has failed to do two things. First of all, it has subsidized and spent billions of their money and our taxpayer dollars, much of that paid in by steelworkers, into the IMF. The IMF has sent billions of those dollars to prop up the foreign competition, which is now dumping steel on our steel industry.

Secondly, our government has contributed to this crisis and caused it, by not taking action under our own trade laws to stop these illegal, unlawful dumping of foreign steel.

□ 1315

It is against the law. Can that not sink in? It is against the law. How do we ask our steelworkers, our law-abiding steelworkers in steel communities who are law-abiding, how do we ask them to follow the law when we turned a blind eye to that law and allowed their jobs to be taken from them?

Second of all, it is a matter of sovereignty. We must send a message to the world, and that message is, we will not allow our trade laws to be broken, to be trampled. What is happening is illegal. It cannot be tolerated.

Mr. Speaker, this is not about fair trade; many people have said that. It is not about fair trade; it is about fairness. Our steelworkers are the latest victims, but they will not be our last.

Finally, it is a matter of national security. We cannot rely on foreign countries for the materials to build our ships, our aircrafts and our tanks. If the President will not take action, we must.

President Clinton's State of the Union address focused heavily on ways to spend every penny of the current budget surplus and all anticipated surpluses for the next 15 years. In 77 minutes, he proposed 79 spending programs totaling hundreds and hundreds of billions of dollars. But he said only three sentences about one account where we have a deficit—the U.S. trade account—and the threat it poses to all of us, and specifically our steelworkers.

Last year, the U.S. trade deficit reached $300 billion. A large portion of the trade deficit results from the flood of illegally dumped foreign steel into our country. Steel imports have reached record levels, surging by 480 percent in the last year. The President's own economic advisors say this deluge of artificially-priced imports is responsible for 10,000 layoffs and bankruptcies at some domestic steel companies. Thousands of our steelworkers have seen their work hours and their paychecks cut—including those in Alabama. With the steel crisis deepening every day, it is only a matter of time before steel mills across the nation begin closing their doors, perhaps forever.

This crisis did not come about because American steelworkers are not productive. American steelworkers produce the highest quality steel in the world at the lowest cost per ton. This crisis did not come about because the U.S. steel industry has failed to seek foreign market opportunities. Our steel companies work hard to penetrate foreign markets. What success they have achieved has come despite the best efforts of some countries to erect unfair trade barriers to American-made steel.

Clearly, the crisis facing our steelworkers, our domestic steel industry and our steel communities is not of their doing. Tragically, much of this crisis is their own government's doing—the same government they support with their tax dollars.

How? First, by providing the International Monetary Fund billions of new dollars to bail out foreign nations and second, by not taking decisive action available under our trade laws to stop the dumping of foreign steel.

First, a little history. In 1984, foreign steel producers began dumping heavily into the U.S. and grabbed more than 26 percent of the U.S. steel market. President Reagan was not willing to see the U.S. steel industry die. He immediately imposed restraints that rolled steel imports back to 18 percent. This gave the U.S. steel industry the opportunity and the time to upgrade its operations. U.S. steel producers invested $50 billion to modernize their plants to make them more competitive. Steel management and steel union members worked together, and the U.S. steel industry came roaring back to recapture more than 80 percent of the U.S. market.

Then, the Asian financial crisis came, a crisis perpetuated by misguided IMF policies supported by the present administration. To bail out Japanese, Korean and Indonesian investors, the IMF sent billions of U.S. tax dollars into Asia and imposed austerity measures. Nations in austerity cannot buy their own steel, and countries in debt to the IMF need money to pay that debt off. The IMF solution? These nations must ''export their way out'' of debt by dumping products—at prices lower than it costs to make them—into the huge U.S. market. That way, these nations can quickly raise the money needed to pay back the IMF. The IMF also urged these nations to devalue their currencies. By devaluing a currency, a nation actually cuts the price of its products in American dollars. For example, if a nation devalues its currency by 40 percent, the price of its products sold here will be reduced 40 percent. While such a price war is welcome news to consumers, it is devastating to domestic producers and can literally drive them out of business overnight.

Congress recently approved the Clinton administration's request for $18 billion for the IMF. I was one of only about a dozen Republican and Democratic members who voiced strong opposition. We sincerely believe it is a horrible injustice to send the tax dollars from these steelworkers to the IMF, which in turn prompts nations to break both U.S. and international trade laws and dump their steel here. In his State of the Union address, President Clinton proclaimed he had ''informed the government of Japan that if that nation's sudden surge of steel imports into our country is not reversed, America will respond.''

Japan has not been impressed by this threat, and even if carried out it will likely bring little relief to our steelworkers, and the President knows it. That's because most of the steel imports are coming from South Korea, Russia, Brazil and Indonesia, all of which are the beneficiaries of an IMF bailout provided by U.S. taxpayers. The Clinton administration's strategy of bailouts via the IMF has failed on a massive scale, and the biggest losers of this strategy are American steelworkers.

To bipartisan applause, the President also said in the State of the Union, ''We must enforce our trade laws when imports unlawfully flood our nation.'' Yet, the White House has decided against taking firm and immediate action to do so despite pleas from the steel industry and Congress. Last year, the House and Senate passed resolutions calling on the President to enforce our existing laws against illegal imports and to take ''all necessary measures'' to respond to the increase in foreign steel. The House asked for a one-year ban on the import of all steel products from any country that violates international trade agreements with the U.S. Still, the White House refuses to enforce our trade laws and continues to stand by and do nothing.

If the President won't act, Congress must. Those of us in the Congressional Steel Caucus have proposed legislation that will freeze steel imports at the level they were in July 1997, before the flood of illegal imports began. By taking dramatic action as President Reagan did 15 years ago, we can roll back imports to pre-crisis levels and restore fair competition between American and foreign steel producers. The United States, as a matter of sovereignty, must send a message to the world that we will not allow our trade laws to be broken. What is happening is illegal and cannot be tolerated.

This is not about ''free trade.'' It is about fairness. If American steelworkers are allowed to compete on a level playing field, they will win. If we do not restore fair play and stop the flood of illegal steel imports, our steelworkers will be the latest innocent victims of misguided government polices. But they will by no means be the last victims. The security of the United States will be at risk. At its most basic level, this debate is a matter of national security, for if we allow the steel industry in this country to disappear we will be forced to rely on foreign countries for the material we use to build our ships, aircraft and tanks.

President Reagan showed the world that America would take strong action to protect its own in tough times. It's time to do so again and put an end to the steel crisis.

Mr. LEVIN. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Michigan (Mr. BONIOR), our minority whip.

Mr. BONIOR. Mr. Speaker, I thank my friend and colleague, the gentleman from Michigan (Mr. LEVIN) for yielding me this time. I also want to congratulate the gentleman from Indiana (Mr. VISCLOSKY).

Let me just start by saying that the stock market hit 10,000 yesterday, and many people in America think that everything is okay, everything is well. Well, it is not. From the foundries of the Monongahela Valley to the mills in Gary, Indiana to the mills in downriver Detroit, River Rouge and other communities that we represent, thousands of steelworkers are losing their jobs and they are the victims of illegal dumping.

Three U.S. steel companies filed for bankruptcy last year. Six of 10 flat-roll producers posted losses during the fourth quarter of 1998, and more than 11,000 American steelworkers have lost their jobs in the past year. These are not just figures. These are human beings with families, with real needs, with real hopes, with real dreams.

They are people like Andrew Kamarec. He is 42 years old; he has a child with a brain tumor. He works at Weirton Steel in West Virginia, not far from here, and subsidized foreign steel has cost him his job. He has a friend who works there named Keven Tasey, 39, a coworker of Andrew's. He was laid off just before Thanksgiving. His wife is pregnant. Rob and Tammy Elliott, husband and wife, also worked at Weirton. Foreign dumping forced them out of work as well. They have two school-aged children.

The story goes on and on and on. There are 11,000 of these stories out there, and there is a lot in the making, and there is a lot of potential devastation for families across America if we do nothing. This steel crisis has devastated families all across this country, eliminating good-paying jobs in our communities.

So, we have to stand up to this issue. It is not too late to stand up.

Some might argue, well, the crisis has passed. They will say that the import numbers are dropping, the worst is over. Well, that is not entirely true. There is cheap imported steel piled up on our docks ensuring that this glut will continue for months, and while imports from Japan and Russia may be down, other countries are dumping more and more. When contracts that

prohibit lay-off expire this summer, and that will happen, we will have nearly 100,000 jobs at risk.

Now, we have been calling for action since last year. I joined the Stand Up for Steel march in Detroit and downriver Detroit last October. We had thousands of steelworkers and community members who marched for justice with us. We rallied at the Rouge plant, and management and labor stood side-by-side, and we called for an end to dumping, but it has not stopped. The steel industry is too important to America to let illegal dumping continue.

Steel has a direct $70 billion impact on this economy in this country. A strong steel industry is critical to a strong manufacturing base, and that means cars and trucks and machinery and construction and all of the things that make America work and tick in all parts of this country. It is essential to our national defense as well.

Mr. Speaker, let me just say in conclusion that steel employs nearly 163,000 Americans. Again, I say these are good jobs with good benefits, benefits like health insurance that are so critical to people like Andrew Kamarec whose child has brain cancer.

Mr. Speaker, I urge my colleagues to remember him and to remember his colleagues and to remember all of the people who are out there looking to us today for hope in order for us to stop what has gone on for far too long. We are too strong of a country; we have too many good jobs in this country to throw it away.

The time for talk is over. I urge my colleagues to vote for this very good legislation by the gentleman from Indiana (Mr. VISCLOSKY).

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, we do not fight illegal trade by passing illegal penalties.

I rise in strong opposition to this illegal steel quota bill. Free trade is vitally important to the health of our economy, and we are in a position to lead and define a policy of free trade on a global level. We should not backtrack by erecting harmful barriers which will only increase the cost of goods and block economic development and growth.

I understand the concerns of my colleagues who have witnessed the tremendous influx of steel imports during the last three years, but our trade laws are working, and this legislation is not necessary. According to the Census Bureau, from November of 1998 to January of 1999, steel imports have declined 93 percent in Russia, 49 percent in Japan, and 8 percent in Korea. In fact, not only is this legislation not necessary, but incredibly harmful to our consumers and our workers. CBO estimates this bill will increase prices to steel purchasers by nearly $1 billion.

The bottom line is, the American steel industry leads the world in productivity because of competition, not protection. In my judgment, this bill will raise prices on consumers, adversely affect our businesses, harm our workers that use steel, and threaten the growth of our economy.

I might end, Mr. Speaker, by saying this fabulous growth that our Nation has experienced over the last 10 years is due, in large measure, to one man, Ronald Reagan, and his economic policies. He welcomed free trade. He welcomed trade without any artificial barriers, because he knew the United States could compete and compete effectively with anyone, and that ultimately, all Americans benefit from competition.

Mr. LEVIN. Mr. Speaker, could I inquire as to the time remaining.

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from Michigan (Mr. LEVIN) has 2 minutes; the gentleman from Indiana (Mr. VISCLOSKY) has 4 minutes; and the gentleman from Texas (Mr. ARCHER) has 5½ minutes remaining.

Mr. LEVIN. Mr. Speaker, the gentleman from Texas (Mr. ARCHER) has the right to close?

The SPEAKER pro tempore. The gentleman from Texas (Mr. ARCHER) has the right to close.

Mr. VISCLOSKY. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, at the outset, I want to thank the Steelworkers of America; I want to thank Jack Parten and every last member of District 7 Steelworkers of America for their invaluable help on this issue.

A number of people during the debate today tried to define or mentioned what they thought the issue of the day is. I would like to do so also.

The issue is people. Whether we use the most conservative estimates established by the Congressional Research Service, which would tell us 13 people a day have lost their jobs since July 1, 1997; or some of the more larger numbers that we have heard on this floor, where up to 1 steel worker every hour, about 3 steelworkers today since this debate started have lost and continue to lose their jobs. That is the issue. Those people, their jobs, their families.

We have heard a lot today about the global economy, world trade, globalization of the Nation. I am worried about the globe too. I am worried about a place on the globe called Alabama. I am worried about a place on the globe called Arkansas. I am worried about a river valley on that globe, the Mon-Valley in the State of Pennsylvania, and I am worried about a place on that globe, Gary, Indiana, because they have all suffered, not through any fault of their own, but the failure of this government to enforce the law of the land against illegally-traded steel.

The gentleman from Michigan (Mr. BONIOR) mentioned names, and I think it is important that we not use statistics, but real people. Because Sherry Ferguson from the State of Illinois is unemployed today because of illegally-traded steel. She has six children in her household. Tell her the crisis is over.

Joey Bishop from Alabama has a 7-year-old daughter at home. Let us tell Joey Bishop's daughter that the crisis is over. We are here today because the President has not acted in a sufficient fashion. He has arrived at the game late, and he has certainly not carried the day.

Others suggest that the crisis is now resolved. One speaker indicated that steel traded from Japan is down 96 percent in the last 3 months, and I would not argue that point. Here is how bad the problem was and still is. From July 1997 to January 1999, six weeks ago, Japanese steel imports are still up 74 percent. Someone indicated that steel exports from Korea are down. I would point out that from July 1997 until January 1999, six weeks ago, Korean imports are still up 77 percent, and for the same period of time, imports from Indonesia are up 890 percent.

Mr. Speaker, I ask my colleagues, is that because they are playing by every last rule of international law and not violating our trade laws? I would suggest that is not true. Why are we here to take a global approach to put all of the countries and all of the products on the table? Because while some steel exports to the United States from some countries and for some product lines have declined, interestingly enough, just from December of last year to January of this year, suddenly, Chinese exports to the United States increased 24.2 percent, and exports from India increased by 70.8 percent in a 30-day period of time.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEVIN. Mr. Speaker, I yield the balance of my time to the gentleman from Indiana (Mr. VISCLOSKY).

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

The issue are the people we are sworn to represent. We cannot move them somewhere else on the globe. They are in places like Ohio and Pennsylvania and Arkansas. That is the President's responsibility, that is our responsibility. He has not met it. We today, in a broad-based bipartisan fashion, want to make him recognize his obligation so that when Keven Tasey's daughter or son is born, the gentleman mentioned by the gentleman from Michigan (Mr. BONIOR), her or his father will have their job back.

I ask all of my colleagues to please support this legislation, the bipartisan Steel Recovery Act.

Mr. ARCHER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. QUINN).

Mr. QUINN. Mr. Speaker, I want to begin by thanking the chairman of the Committee on Ways and Means for yielding time to all of us, particularly since we are not on the same side of this issue. It has been a great debate and one that is necessary.

Mr. Speaker, this has been a thoughtful discussion, and one of the things I would point out as I have watched speakers today is that we are not dealing with Members of the House that one might consider reactionary or folks that we look at as sometimes being troublemakers here in the well in the House.

□ 1330

These are thoughtful legislators who have been attending the rallies that most of us have been at these last 6 or 8 months. We have been involved in petition drives, we have been involved in hearings and town meetings, meetings on the Hill, and working with the United Steelworkers.

We find ourselves in a position that, of all the other solutions that might be out there, none are taking place. There are other solutions besides this bill today, H.R. 975. We have asked for some of those other solutions to be done. Each time we ask in a thoughtful way to have them done, we get no reaction. In the meantime, good paying jobs are lost day in and day out.

So I want to point out, Mr. Speaker, that as we see Members come to the well, when we look at some of those 200-plus Members who are on this bipartisan bill, I have to point out to my colleagues that they are thoughtful Members who are trying to make a difference, not reactionaries, not the troublemakers that are finding an opportunity now to get a bill on the floor, one that comes here under very unique circumstances, we would agree. But, Mr. Speaker, we have not been given any other choice.

The gentleman from Indiana (Mr. VISCLOSKY) has taken the lead. Both of us in the Steel Caucus have had talks back and forth. We have changed. We have compromised. The gentleman from Indiana has bended when he had to. But we cannot wait any longer, Mr. Speaker. We have thoughtful Members here who want to make a difference. This is not about us saying there is something we have to have on this floor voted today. We tried to get the changes done month after month after month.

I urge all my colleagues on both sides of the aisle, more than the 200-plus that have cosponsored the bill, to vote this afternoon to save jobs in a country, our country. It is not about doing the right thing or the wrong thing necessarily, Mr. Speaker. I think it is about us finally wanting to help ourselves.

Mr. ARCHER. Mr. Speaker, I yield myself the balance of my time for the purpose of closing.

Mr. Speaker, all of us have sympathy for companies that have been hurt through illegal trade practices and for employees who have lost their jobs. As I mentioned earlier, I have great sympathy, because I have seen the thousands of workers in the oil industry who have been displaced within the last 6 months.

But we must live by the rules that we agree to or others will also distort those rules against us, and the tidal wave of damage will sweep across this country in ways that will make us regret that we have violated the rules. This bill violates the rules.

Dumping that is wrong should be interdicted, but it must be interdicted within the rules and by the penalties that are authorized. It has been said that nothing has happened. Yet, the Commerce Department has already provisionally put in place tariffs which are the important, legitimate way to get at dumping. They have had an impact in reducing the amount of imports. That is in place today.

But quotas are limited to use under 201. No one has filed a claim under 201. The steel industry has not pursued 201, which addresses immediate surges that are injurious to this country.

Yes, it is about people, Mr. Speaker. It is about all of the workers in the United States and what can happen to them when we violate the rules. Because we cannot expect the WTO to enforce the rules on others if we are violators.

I would not be here today to defend this bill if the penalty was appropriate under the rules for dumping. Quotas could have been put in place when the surge occurred by simply invoking 201. The steel industry decided not to do that.

Now, after the appropriate penalties of tariffs have been put in place, at least provisionally, until there is a complete determination, we are asked to endorse and put in place on a mandatory basis quotas which will limit the importation of steel into this country for 3 years without any waiver or chance of change regardless of the circumstances that are based on what happened 2 and 3 years ago.

We risked triggering again justification on the part of others in the world to violate the rules against us. This is not the right way to go, Mr. Speaker. There is a right way to address illegal trade activities, and I stand prepared to do it. But I will not violate the rules that we agreed to by establishing illegal penalties.

Mr. Speaker, I urge the Members of the House to vote against this resolution.

Mr. BENTSEN. Mr. Speaker, as a cosponsor of H.R. 975, I rise in support of this legislation and urge its adoption.

Today, there will be a great deal of debate regarding the question of free trade versus fair trade. As someone who concerned about how to promote international trade and at the same time make sure that trade is fair, I want to register my opinions on this important issue.

I have long been a supporter of free and open trade. However, my support of free trade is based on the understanding that our trading partners will not engage in unfair and illegal trading practices such as dumping. When our nation is confronted by unfair trading practices, I believe it is entirely appropriate to seek remedies that protect American companies and workers, whether by invoking provisions in our own trade laws or by other means of redress. While I am hesitant to take action that may further weaken already fragile foreign economies, I believe this legislation provides an appropriate response to reduce the flood of foreign steel imports, much of which has been illegally dumped into the U.S. market at prices below domestic costs, and in clear violation of antidumping trade laws.

Since July 1997 we have seen the collapse of numerous economies around the world. Foreign corporations from Japan, Korea, Russia, and other countries have been selling steel at as much as $100 a ton less than it costs to produce it. In one example, steel producers from Russia were allowed to dump 47 percent more steel on our market than was shipped in 1997. Due to massive steel imports from Japan, our trade deficit has climbed 33.4 percent to nearly $55.8 billion, while imports of all Japanese steel products in 1998 jumped almost 170 percent, accounting for 41 percent of the total increase in steel imports to the United States.

U.S. steel manufacturers are faced with a real crisis, one that threatens to undermine a key sector of our economy. This crisis has claimed more than 10,000 jobs in basic steel, iron ore mining coke production, and thousands have seen their work hours and paychecks cut. Several thousand more workers and their communities are jeopardized as steel companies are forced to either reduce operations or resort to bankruptcy. If the dumping practices of these foreign companies remains unchecked, this crisis will continue to claim the jobs of thousands of men and women employed in the U.S. steel industry. We simply cannot allow this to continue.

In the last 25 years, the U.S. steel industry has become among the most productive, most efficient, most innovative and cleanest in the world. America's steel companies and steel workers are the best in the world. Unfortunately, world trade in steel is more distorted by government intervention than in any other manufacturing sector. Foreign steel is being subsidized by foreign governments. Closed foreign markets mean that foreign overproduction surges into the U.S. market—the only truly open market in the world. Congress and the Administration must take action on this issue.

It is imperative for the United States to adhere to its trade laws and to implement them where and when the circumstances require it. To fail to do so will have consequences, both for American workers, industry and for the principle of free trade. If our domestic steel industry continues to suffer, we will see a political backlash against free trade, just at the time when we should be entering into free trade agreements with some of these very regions—Asia, Pacific Rim, and South America. This will only serve to set us back further from being the dominant player on the global marketplace in the next century.

For over a century, the steel industry has stood tall and served as a foundation of the American economy. The U.S. steel industry and the 226,000 Americans employed by it deserve nothing less than the full support of their country. I urge my colleagues to support passage of this important legislation.

Mr. KLECZKA. Mr. Speaker, I rise in support of H.R. 975, legislation to limit and monitor foreign steel imports. H.R. 975 would impose quotas on foreign steel imports equal to

their July 1997 import levels. Imposing quotas is a dramatic step. However, it is a step that must be taken.

Over the past 2 years, our Nation's steel industry has been decimated by the flood of cheap foreign imports. Between 1996 and 1998, steel imports increased from 26.4 million tons to more than 37 million tons—an increase of 42 percent. As a result of the surge, steel prices plummeted from $512 per ton to $40 per ton.

As a result of the price drop the domestic steel industry has been put into a state of crisis. Since the surge of foreign steel imports began 2 years ago, more than 10,000 steelworkers have been laid off from their jobs and more than 20,000 steelworkers have worked shorter hours.

Even more disturbing, three steel mills have been forced into bankruptcy. Even if steel prices return to their previous levels, those mills may never open again. The jobs in the steel industry are high-skill, high-paying jobs. When a steel plant closes down, a community struggles for years, even decades. Congress cannot idly stand by and watch thousand of quality jobs and our nation's communities vanish.

The crisis in the steel industry was caused by the global economic slowdown. In an effort to prop up their flagging economies, steel-producing nations such as Japan, Korea, and Russia exported an unprecedented amount of steel to the United States. Unfortunately, our Nation's trade laws did nothing to stem the tide of steel imports until it was too late. Mr. speaker, I have opposed many of our nation's recent trade agreements because of the potential for problems just like the one we now have in the steel industry. Congress cannot stand by and watch foreign nations take advantage of our weak and often ineffective trade laws.

Despite the pleas for action by the steel industry, its workers, and many in Congress since the summer of 1998, it was not until February 1999 that the administration announced it would begin imposing duties on steel imports in order to address the matter. Those months of delay and inaction cost thousands of steelworkers their jobs.

This bill takes the decisive steps to save our domestic steel industry from extinction. However, one point needs to be made clear. H.R. 975 is not designed to protect an outdated and inefficient industry. Over the past twenty years, the domestic steel industry has invested over $50 billion in modern plants and equipment. The American steel industry and its workers have produced the highest quality, lowest cost per ton steel in the world.

H.R. 975 simply levels the playing field. It does not ban all steel imports into the United States. Quite the contrary. H.R. 975 simply limits foreign steel imports to their July 1997 levels. In the years leading up to the crisis, the volume of steel imported into the U.S. averaged slightly more than 25 million tons per year. However, in 1998 more than 37 million tons of foreign steel entered the United States.

It is clear that the surge in imports had a dramatic effect on the production of the American steel industry. For example, the production capacity of the American mills was 90 percent—nearly full capacity—before the surge of imports. By November 1998, the production capacity of the mills had dropped to 74 percent. No wonder that three mills filed for bankruptcy, 10,000 workers were laid off, and thousands more were idled or had to take a pay cut.

H.R. 975 realizes that imported steel is good for the American economy. Many American businesses import steel products because similar products are not made domestically. Furthermore, the competition makes the American industry more productive and efficient. However, a flood of imports at prices below which the market demands is not healthy for anyone, and it must be stopped.

H.R. 975 also establishes an import monitoring program to ensure the government and the domestic steel industry are better able to track the volume and price of steel imports. Furthermore, the information gained through this program will be made available in a timely manner so all parties will be better able to respond to future problems in the steel industry.

Mr. Speaker, I urge the passage of H.R. 975 and call upon the Senate to pass companion legislation so all steel products will be given fair treatment.

Mr. VENTO. Mr. Speaker, I rise today in support of the Steel Recovery Act, H.R. 975, which I've cosponsored. This legislation, I believe, takes the necessary steps to prevent unfair foreign trade from continuing to undermine our steel industry and displace American steel workers.

Two decades ago, the steel industry faced a crisis. Thousands of workers lost their jobs and hundreds of companies went bankrupt. Out of this crisis came a major transformation within American steel mills. Capital investments were made, innovative products were created, facilities were modernized and methods were streamlined. American steel mills and American steel workers became among the most efficient in the world. This new and improved American steel workforce and industry is ready to effectively compete against its foreign counterparts. And America should have to compete in the market, just as everyone else does. Unfortunately, unfair dumping of steel in the past 18 months, subsidized by foreign countries, is creating an uneven global playing field; these sales are being made at below the cost of steel production.

The Clinton administration has attempted to stem the tide of foreign steel flooding the American market without causing disruption and dislocation in the global trading regime. However, while import figures may be improving for some nations and products, they are not improving across the board. Although imports from Russia, Japan, and Brazil decreased in January 1999, other markets shifted and acted to fill the void—imported steel products from South Korea, China, India, and Indonesia increased during this period. Stopgap policy agreement is simply not enough to resolve this trade phenomena. The U.S. government must do more to prevent the loss of yet more steel jobs and lessen the threat of bankruptcy for our steel mills. America can not afford to allow this important modern and efficient industry and work force to collapse completely, forcing us to become reliant upon foreign countries for all of our steel needs in spite of the painful restructuring and competitive status that the American economy has successfully achieved in regards to steel workers and the industry.

The Steel Recovery Act, H.R. 975, includes two important components to address the steel crisis. First, it would alleviate the current crisis by creating a quantitative standard for all nations who import steel into the United States. Second, it establishes a monitoring system which would allow a timely response to the fluctuation of imports in the future. By creating a trading system which is predictable and consistent, we are leveling the playing field so that all nations can compete on a fair basis. With the overcapacity in steel production globally, the extraordinary currency fluctuations in value and economic boom and bust cycles that have been spilling over the borders of the Pacific rim nations, the United States has an obligation to respond. Other steel consuming nations within the European Union have held their steel imports level. Beyond that, they continue to invest in their own capacity, often with outmoded technology and environmental standards, seemingly oblivious to the economic consequence. The United States of America can not be the dumping ground for careless decision making and volatile economic swings. Our economic and trade policy must not follow the lowest denominator. Good economics and common sense dictate that we act, not sacrifice our efficient business or good American workers on the altar to a false demigod of unrestrained and unthinking trade.

American workers and industry deserve a sound, fair and comprehensive plan to ensure that their jobs are no longer at the mercy of creative circumvention of trade laws, merely transparent schemes by foreign steel companies and countries. I encourage my colleagues to join me in supporting this important legislation. Let's set a new policy, a fair path for steel and trade.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in strong support of H.R. 975 to protect American jobs from unfair trade and ensure that the U.S. steel industry remains strong.

I would like to thank the Congressional Steel Caucus, the Steelworkers union, and leaders of the steel industry for the hard work they have done to bring this bill to the House floor for a vote.

The U.S. steel industry, which underwent a painful restructuring and reinvestment process in the 1980s to reemerge as a world leader, has been severely harmed by unfairly dumped steel. During the first 10 months of 1998, United States imports of steel grew to record levels as the global financial crisis led Japan, Russia, Brazil and other countries to dump their steel on the United States market.

As a result of the flood of imports, three U.S. steel companies flied for bankruptcy, and nearly 10,000 steelworkers lost their jobs. In my district, USS POSCO has lost millions of dollars in revenue and has imposed a hiring freeze. In December, USS POSCO was forced to furlough its employees for one week because of the import surge. Steelworkers and steel companies are suffering not because they can't compete, but because of unfair foreign trade tactics.

H.R. 975, the Steel Import Reduction Act, is an important step to ensure that American workers and companies do not continue to bear the brunt of unfair trade practices. The bill directs the president to take the necessary steps, including imposing quotas, to cap steel imports at precrisis levels. The bill also requires the administration to establish a steel import notification and monitoring program, so that we can quickly respond to any dumping in the future.

The administration has begun to take some small steps in the right direction, but more needs to be done. The Commerce Department recently issued trade case rulings against Japan, Brazil, and Russia and found that all three had dumped steel. Steel imports have now slowed, but not nearly enough. We need a global, comprehensive approach to end the crisis, one that addresses all nations and all steel product lines. The administration's piecemeal, one-nation-at-a-time approach forces us to spend our time putting out one fire after another and simply will not work.

For these reasons I urge my colleagues in the House to join me in voting for this bill and challenge the administration to protect U.S. steelworkers and support H.R. 975.

Mr. SHIMKUS. Mr. Speaker, the American steel industry is on the ropes, and the flood of steel imports from Brazil, Japan, Korea, Russia, and other countries has gone unchecked in recent months.

Last year, steel producers from Russia were allowed to dump 47 percent more steel on our markets than in 1997. Foreign corporations are selling steel at $100 per ton below their production costs.

While U.S. and international trade laws are being grossly violated by these foreign corporations, the President and his administration stand idly by, allowing thousands upon thousands of hardworking steelworkers to lose their jobs and their livelihood.

Last month, after watching the families of steel workers in my district suffer as a result of job losses, reduced hours and reduced production at the plant, I decided that I could no longer be a bystander to foreign steel dumping. Steel workers in Illinois work hard every day, every week, every year, and earn their living. They don't deserve to lose their jobs as a result of illegal trade practices.

Typically, I am hesitant to support trade and import restrictions which could disrupt the flow of commerce in our global economy.

However, because of the administration's inaction, and the gravity of the steel crisis before us, I decided to stand up for steel, and became a sponsor of H.R. 975, legislation to freeze steel imports at their 1997 levels and establish a steel import notification and monitoring program.

Mr. Speaker, I believe in the American steel industry, and that our steel industry is the most competitive and efficient in the world. Right now, the administration is turning its head while foreign competition is violating international trade laws to gain an unfair advantage.

That is why I encourage my colleagues to support H.R. 975. On a fair playing field, American steel can win.

Mr. COYNE. Mr. Speaker, I rise today in support of the Bipartisan Steel Recovery Act.

Mr. Speaker, the surge in foreign steel imports last year seriously damaged the U.S. steel industry and put thousands of American steel workers out of work.

There is no doubt now of what many of us were saying last year—that foreign steel was being dumped in the United States at less than the cost of production. The International Trade Commission determined last November that the steel industry in the United States was threatened by steel imports from Brazil, Japan, and Russia, and the Commerce Department recently determined that dumping had, in fact, occurred. Commerce subsequently imposed duties on Japanese and Brazilian steel imports.

Unfortunately, the dumping surge has taken its toll. The damage that has been done will, in some cases, be hard to undo. Ten thousand American steelworkers have lost their jobs, and not all of them will get those jobs back. I think that that is a tragedy and a disgrace.

I have worked actively as a member of the House Steel Caucus since last summer to push for action against foreign steel dumping. I was an original cosponsor of H.R. 506, legislation introduced by Representative VISCLOSKY which would have directed the Administration to limit the volume of steel imports to pre-surge levels. This legislation forms the foundation of H.R. 975, the bill we are considering today. The monitoring provisions drafted by Mr. REGULA make this bill even stronger than the original Visclosky bill. As an original cosponsor of both H.R. 506 and H.R. 975, I am very pleased that we have managed to bring this bipartisan compromise bill to the House floor today.

This legislation strengthens U.S. trade policy against the dumping of foreign steel. It is much needed and long overdue. I urge my colleagues to support this important anti-dumping legislation.

Ms. DUNN. Mr. Speaker, today the House of Representatives is considering a bill to establish import quotas on certain raw steel products coming into the United States. Presumably, this bill would help ''save'' the steel industry from foreign raw material being ''dumped'' on the domestic market at below market prices. Although I sympathize with the workers who are being affected by this situation, there are other remedies that can be utilized to combat this problem that will avoid the unintended consequences this bill brings about. Unfortunately, the Clinton Administration has been slow to act to use the tools at its disposal under the Trade Act and we now have before us a measure that violates the premise of free trade under which this country has flourished.

Let me provide you with one example of how this bill will negatively impact the economy in Washington State. In 1995, BHP Coated Steel Corporation invested $221 million in a facility located in Kalama, Washington to take advantage of increasing demand for coated sheet steel on the West Coast. The plant contains a galvanizing line, a coil coating line, and a pickling/cold rolling line and is widely recognized as the most modern and cost effective facility of its kind in the U.S. It provides 235 good, family-wage jobs in Kalama and has become an important part of the community.

Because of the requirements of their manufacturing process, BHP needs large coils of hot bank steel that meet certain specifications. Although they source some of this product from domestic suppliers, much of the raw material that fits their manufacturing specifications comes from Australia. H.R. 975 would seriously jeopardize their ability to access this material and threaten the ability of the Kalama facility to expand—something the company would like to do—or even continue to exist. The bill institutes import quotas based on the average amount of steel imported into the U.S. between July 1994 and July 1997. Unfortunately, the Kalama facility did not go ''online'' until November 1997, meaning those import levels do not reflect the demand created by the facility. With no domestic supply sufficient to operate its plant, BHP will find it extremely difficult, if not impossible, to survive.

There are a number of reasons to oppose this bill, but I believe it is important to provide Members of Congress with real examples of the negative impact of its implementation. I urge my colleagues to join the White House in opposing this effort, which clearly violates our obligations under the World Trade Organization to maintain an import regime consistent with our existing trade laws.

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today to stand up for steel and support H.R. 975. This important legislation will provide for a reduction in the volume of steel imports and establish a steel import notification and monitoring program. This legislation is the result of a consensus reached by my colleagues on both sides of the aisle and representative from the steel industry and unions. It is a welcome example of the way our system of government was designed to work. In addition, H.R. 975 identifies a clear path of resolving the steel import crisis that has burdened our country for more than a year. I urge my colleagues on both sides of the aisle to support this bipartisan legislation and support U.S. industry, U.S. workers, and U.S. steel.

There are close to 1,500 steelworkers in my district in Missouri, and one plant has announced that it will begin cutting back hours on March 28th. This plant employs 1,000 workers. In addition to steelworkers, I have been contacted by quarry workers who are threatened by the steel crisis because lime is used to purify the steel in the production process. All across the country, workers are living in fear that today will be the day the layoffs affect them. We must show that we support these workers and stand up for the U.S. steel today.

The United States steel industry is the most efficient and most environmentally conscious in the world. Since the 1980s, the U.S. steel industry has increased efficiency to the point where it now takes only two man hours to produce a ton of steel, as compared to the ten hours needed to produce a ton of steel before the industry transformed itself. This transformation cost the industry much—tens of billions of dollars and hundreds of thousands of jobs. We must recognize these sacrifices and show that this initiative was a good investment. We should value progress in such an economically vital industry.

The United States steel industry has also made great strides in its environmental policy. Recently, a group of 20 environmental organizations, including Wildlife Land Trust and Friends of the Earth, wrote to President Clinton in support of the U.S. steel industry. In that letter, the groups stated that U.S. steel companies are ''among the very cleanest, if not the cleanest, in the world.'' Further, they concluded, ''if you want to reduce global emissions from steel making, make more steel in America.'' Moreover, the U.S. steel mills are the cleanest in the world, steel mills in many other countries use outdated practices that are nothing short of an environmental disaster. Many mills still use ''blast furnace'' technology that is not only outdated, but is also a high pollution process.

A vote for H.R. 975 will not only support the American steel mills, it will support our global environmental goals.

Mr. COSTELLO. Mr. Speaker, I rise in strong support and as a cosponsor of H.R. 975, the Bipartisan Steel Recovery Act.

The United States has built a steel industry that has one of the highest productivity levels and lowest costs in the world. Unfortunately, our commitment to new technology and increased labor productivity is of little worth in a global marketplace that favors illegal trade. Our domestic markets are being flooded with cheap imports from Asia, Russia and Brazil who continue to defy international trade policies in order to prop up their own markets. We can ill afford to be the world's dumping ground for unfairly-traded steel. While I am concerned by the financial disasters in Asia, Russia and elsewhere, these countries should not be allowed to export their problems here. We must find other means to help our trading partners deal with their economic challenges; allowing unfairly-traded steel to flood our markets creates an imbalance that helps no one.

As a member of the Congressional Steel Caucus, I have worked diligently with my colleagues to urge the Administration to take a strong stand against illegally-dumped steel. The proposed agreement with Russia to reduce Russian imports of steel products by almost 70 percent is a good first step. However, it must be followed by continued pressure on other nations to reduce their dumping of illegally-subsidized steel. I am pleased the Administration has responded to those of us in Congress who continue to make steel a high-profile issue. The U.S. must continue to be vigilant in providing relief to our steel industry and its workers, after they have suffered from an unfair flood of foreign imports. However, let me be clear about this: the Administration's efforts to date are not enough. We must do more and we must do more immediately.

In my own district in Southwestern Illinois, steelworkers and their families and communities have stood up strongly for steel. Workers at Laclede Steel in Alton and National Steel in Granite City have faced difficult times since the surge in steel imports flooded our markets. Laclede is facing bankruptcy and efforts are underway just to keep the plant open. Orders have been down and prices have fallen at both plants. Unfortunately, these steel companies, like others across the nation, have been unable to avoid layoffs. Mr. Speaker, I represent approximately 4,000 USWA union members in my district. I cannot in good conscience report to them that we have done enough here.

Today, I have high hopes that I will be able to return to my district and announce that we in Washington are also standing up for steel. The Bipartisan Steel Recovery Act will stop foreign corporations from breaking our trade laws. It will save American jobs and save U.S. steel companies from bankruptcy. Passage of H.R. 975 will also ensure our national security. It is American-made steel that goes into Navy ships, aircraft, tanks, trucks and weaponry used by our military. We cannot afford to allow our steel industry to disappear and to then become reliant upon foreign countries for our steel needs.

U.S. steel companies and steelworkers are the best in the world. American steel mills are the most productive, the most efficient, the most innovative and the cleanest in the world. Given a level playing field, there is no foreign company that can compete with them. Foreign steel is being subsidized by foreign governments. Closed foreign markets mean that foreign overproductions surges into our market—against our trade laws.

The U.S. steel industry, steel workers and their families, and American consumers of steel products and its derivatives deserve a fair market for U.S. steel. Foreign dumped steel not only has immediate negative consequences on the steel industry, over time the impact on the U.S. economy in terms of lost production, high-wage jobs, and investment is irretrievable.

I hope this Congress and the Administration will take immediate action to end illegal foreign imports of steel. I urge my colleagues to support H.R. 975.

Mr. CRAMER. Mr. Speaker, regardless of how strongly some will argue to the contrary, there is a crisis occurring in the U.S. steel industry. As a result of continued and persistent ''dumping'' of foreign steel into the U.S.—specifically by Japan, Korea, Russia, and Brazil—domestic steel producers have been forced to decrease production or lay-off workers or even file for bankruptcy.

Already, due to the continuation of illegal dumping, the steel industry has laid off 10,000 steelworkers across the country and three companies have filed for bankruptcy. Indeed, Mr. Speaker in my state of Alabama, Gulf State Steel has had to intermittently shut down its hot-strip mill and had laid off hundreds of workers.

Mr. Speaker this is a crisis that we can no longer allow to fester.

Unfortunately, while American workers have lost their jobs and American companies have been forced to file for bankruptcy, the Administration has waffled on its commitment to the steel industry and has only offered tepid, ineffective regulatory remedies. In pursuit of abstract geopolitical goals, the Administration has refused to aggressively enforce our nation's trade laws.

The time for Congress to act is now. Today's steel industry is not the inefficient, noncompetitive, and unproductive industry of the past. Since the steel crisis in the 1970's, the steel industry has painstakingly reinvented itself, with over $60 billion of capital investments. Today, the American steel industry is among the most productive, the most efficient, the most innovative, and the cleanest in the world. In contrast, the foreign companies who are illegally dumping their steel in our market and threatening the continued vitality of our domestic steel industry, rely upon outdated, inefficient and environmentally unsafe technology.

Mr. Speaker, H.R. 975 is simple, straightforward, and fair. It protects American jobs, saves American steel companies from bankruptcy, and ensures a domestic source of steel necessary to maintain our military hardware.

I urge my colleagues to take a stand today to enforce our trade laws and to protect American jobs. I urge my colleagues to pass H.R. 975.

Mr. WELLER. Mr. Speaker, I rise today in support of H.R. 975, The Bipartisan Steel Recovery Act. While this legislation is not a perfect solution to solving the crisis faced by the steel industry, I am a cosponsor of H.R. 975 because to date the Clinton administration has failed to step up and enforce existing U.S. trade laws against illegal foreign steel dumping.

As you know Mr. Speaker, my colleagues and I on the Congressional Steel Caucus have been begging the White House to take meaningful action to stem the flow of these below the price of production steel products for over a year. It was not until this Congress took action late in the last session before the White House and the Commerce Department would even acknowledge that we had a steel crisis.

Since Congress forced the Clinton administration to issue a report on the steel dumping problem, the Administration has only offered unwanted tax credits to the steel industry, more bureaucratic delays in resolving steel dumping cases, veto threats of any congressional action and not one new solution to save the jobs of the thousands of steelworkers who stand to lose their jobs if the crisis continues.

Mr. Speaker, H.R. 975 is a bipartisan compromise bill combining the elements of Representative REGULA's bill H.R. 412 and Representative VISCLOSKY's bill H.R. 506. I am an original cosponsor of Mr. REGULA's bill H.R. 412, which I believe is the best long-term solution to the steel industry's problems and a solution to update section 201 of our trade laws to help American industry compete in a fair market as we enter the 21st century. I am especially pleased that the steel monitoring program and real time steel import data program contained in H.R. 412 have been included in H.R. 975.

While H.R. 975 would provide for some very tough medicine that most in Congress including myself would rather not have to administer, it is clear that the steel industry is at a crossroads. In just the last year over 10,000 steelworkers have lost their jobs. That's 10,000 families who have lost their livelihood, not to mention the impact these job losses have had on local steel communities.

In the 11th District of Illinois I have over 20 firms that produce steel products. Some are big firms like Birmingham Steel in Joliet, while others are small family owned operations like Bellson Scrap & Steel in Bourbonnais. I also have hundreds of steelworkers in my district who travel to the LTV plant in Hennepin, IL, and steel plants in Chicago and across the border in Indiana.

The steel crisis has had a real impact in my district. Small firms like Bellson Scrap and Steel have had to cut their workforce by 10 percent, while, big producers in my district like Birmingham have cut back to 32-hour work weeks, mandatory vacation periods, and are now only operating at 80 percent of precrisis production. Close to home Acme Steel of Chicago has filed for bankruptcy placing thousands of more jobs in the Chicagoland region in jeopardy in addition to the 1,000 Illinois steel jobs that have already been lost.

Mr. Speaker, the steel crisis is alive and worse than ever for thousands of steel families. Even by the numbers of the administration's own Commerce Department steel imports for January 1999 are up over 96 percent from Japan, 140 percent from China, 155 percent from Korea and 705 percent from Indonesia over the precrisis period. Just in the 1 month period between December 1998 and January 1999, steel imports are up another 6 percent and the administration hails these numbers as great progress. Ask Mark Pozan at Bellson if he thinks a 6 percent increase over already record levels of steel imports is progress.

Mr. Speaker I agree that H.R. 975 may not be the best remedy to solve the steel crisis,

but, this Congress can not stand by and watch our trade laws be continually violated and our industries continually weakened while, good paying jobs are destroyed.

The steel industry has rebounded from the financial difficulties of the 1980's that cost our country over 325,000 jobs. The American steel industry once in decline, now produces the lowest cost, highest quality and most environmentally sound steel on the planet. If we fail to ensure that American steel plays on a level playing field with the rest of the world, than we place American steel companies and American workers including the 400 at Birmingham Steel in great harm. I urge my colleagues to send the Clinton administration a message and pass H.R. 975.

Mr. PETERSON of Pennsylvania. Mr. Speaker, I rise in strong support today for H.R. 975, the Bipartisan Steel Recovery Act of 1999.

As a Member of Congress, I am well aware that the American steel industry has been facing a crisis. With the full knowledge of the White House, foreign corporations from Korea, Japan, Brazil, and Russia have been illegally dumping underpriced steel in the United States market for the past 20 months. Already, over 10,000 steelworkers nationwide have been laid off or lost their jobs. In addition, the thousands of hard-working Americans in the steel industry that have endured the crisis have seen their work hours and paychecks slashed. Mr. Speaker, I feel it is time for Congress to act by enforcing existing trade laws—the same trade laws that the administration is reluctant to enforce.

With the reluctency of the administration to do anything, I see H.R. 975 as a viable solution to the current crisis. In addition to returning our steel imports to the precrisis levels of 1997, H.R. 975 also establishes a monitoring system that requires all steel importers to obtain a ''Steel Import Notification Certificate.'' This measure will effectively arm us with a mechanism to assist in monitoring the illegal dumping of steel and ensure that our current trade laws are not being violated. Moreover, H.R. 975 will return steel imports to precrisis levels, help us curtail illegal dumping and avoid a crisis situation in the future.

In conclusion Mr. Speaker, I stand here today in support of the Bipartian Steel Recovery Act and the American steel worker. I urge my colleagues to vote in favor of H.R. 975 and support America.

Mr. RAMSTAD. Mr. Speaker, I rise to express my serious concerns about this legislation before us.

I strongly believe that free and open trade between nations improves the world economy, creates high-paying jobs, and lowers prices for consumers.

I certainly understand the seriousness of foreign countries and companies illegally selling goods below the price of production in our country. The United States must fight these dumping violations and must hold countries accountable for these activities.

However, H.R. 975 isn't the answer. This illegal, quota bill won't help American industry and will harm American workers. We've lived through failed, protectionist economic eras.

I also oppose this legislation and the hasty retaliatory measures within it because it violates our World Trade Organization (WTO) obligations by creating quotas to limit the importation of steel. If the U.S. expects to maintain a viable economy free from retaliatory protectionism, we cannot break trade laws ourselves. A full scale trade war is in no one's interest.

This legislation would have real negative consequences for American consumers, manufacturers and the economy as a whole.

Mr. Speaker, while I believe every Member of the House is concerned about dumping and is willing to support strong actions against such occurrences, two wrongs don't make a right, and to retaliate with this illegal, protectionist measure is counterproductive to American workers and consumers.

At a time when we are fighting the Europeans for their flagrant violation of international trade law, we cannot thoughtlessly toss aside our own commitments to follow the rule of law. And we must make sure that we do not put in place measures that will hurt American workers and consumers.

I urge my colleagues to vote against this protectionist bill before us today.

Mr. ORTIZ. Mr. Speaker, I rise in support of H.R. 975, a bill which will control the amount of foreign steel imports entering the United States.

The U.S. steel industry is the foundation of many of the economic development engines across the country. While our economy is buzzing, we are in a position to get back in the steel business after the steel industry's downturn in the 1980's. People all over the world want quality steel ''made-in-the-USA.'' This bill is our attempt to revitalize the steel industry and provide a level playing field for our steel producers.

The steel industries in other countries get subsidies for their products. In doing so, several countries have taken advantage of the NAFTA rules to wreck havoc on our steel market. As a supporter and advocate of NAFTA, let me say as clearly as I can: free trade does not mean cheating. Free trade means fair trade. We are the world leader on economic and trade issues, and therefore must speak up when there is an injustice. Flooding a market with underpriced materials is unjust.

As a member of the Armed Services Committee, I want to remind the House that steel is the base product that we use in our warfighting equipment, as well as a host of our domestic transportation system needs. It is the steel industry that has made the United States what we are today, and it is the basis for much of the prosperity we currently enjoy.

In my South Texas district, there is one steel plant currently operating, providing economic development in the area. There is a prospective plant in the works in another part of my district, so the need for a quality product is out there, but Congress must support those who are in the business of making steel.

When other countries break the rules for fair trade policies, it is our job, our right, and our responsibility to speak up and demand that the rule-breaking end. NAFTA, the hot economy and smart economic policy enacted in 1993, have brought the United States to the front of the class when it comes to matters of trade. If we do not act to highlight these illegal practices and reverse them, we will see others get the impression they can get away with similar practices.

Free trade does not mean cheating. The United States and the House of Representatives will not allow it. Please join me in supporting H.R. 975.

Mr. EVANS. Mr. Speaker, today there are hundreds of men and women in the 17th District of Illinois who are without work because we have failed to protect them from illegally dumped steel.

Last year, when the European Union felt the steel crisis blowing their way, they quickly sealed their borders to protect their industry and its employees. Yet, American steelworkers were left to twist in the wind as the administration dragged its feet on enforcing our antidumping laws and taking an aggressive approach to conquer the crisis.

As the months have passed, the crisis has steadily worsened. If we don't stand up for the working men and women of our steel industry, who will?

Today, I am proud to be an original cosponsor of the answer to the steel problem. By imposing quotas, and establishing a monitoring system to uphold our trade laws, H.R. 975 accomplishes what should have been done long ago—protection for out steelworkers, our steel industry and requiring that other nations share the burden of the steel crisis.

I would also like to remind my colleagues of what caused this crisis: the International Monetary Fund's harsh austerity measures that cause developing countries to export cheap steel. Until we stop funding, promoting and enabling the IMF to wreak havoc on financially strapped nations with their ''bad economic medicine'', we will continue to watch our trade deficit skyrocket and Americans go without work.

I urge my colleagues to vote ''yes'' on the Bipartisan Steel Recovery Act.

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise is support of the steelworkers. I am a proud member of organized labor. Organized labor enabled me to finance my house, and to educate myself and my children. I live in America. I am an American Congressman. The people who sent me here live in America and I want the people of America to be able to have the same opportunity I had and my family had. Lets keep the steel workers of America working. And when and if the time comes when our American workers are all employed, then we can look abroad for their assistance. Lets take care of our home First!

Ms. STABENOW. Mr. Speaker, I rise today to support H.R. 975, The Steel Recovery Act. As a Representative from the State of Michigan and a member of the Steel Caucus, I am well aware of the impact that the flood of cheap steel has had on thousands of families across this country. 10,000 steelworkers have lost their jobs. The ironic aspect of this situation is that it has occurred as the U.S. Steel industry has remade itself into the worldwide leader. It is efficient, it produces a clean, high-quality product, and pumps $70 billion annually into the U.S. economy. Moreover, steel is a vital element of our national security. All the industry wants and needs is the ability to compete with the rest of the world on a level playing field. This is hard to accomplish when steel imports from Japan rise 170% in a single year.

Free trade does not mean that the United States becomes the dumping ground for inferior products sold at below the cost of production. We must stringently enforce the antidumping and countervailing duty laws to make sure that such practices do not continue to put American workers at risk. The trick of future trade policy is to ensure the viability of core

U.S. industries and the jobs associated with them while slowly penetrating markets that are in many cases overwhelmingly closed to us. I believe that trade and exposure to American products will help break down these barriers, but I also do not believe it is unreasonable to insist that current law be enforced as intended.

Mr. Speaker, standing up for the principles of fair trade will do more to promote a freer global trading environment than allowing our industries to bear the brunt of dumped products. This is the trade environment I will continue to push for, and this is the one we are voting on today. I urge all of my colleagues to vote in favor of H.R. 975.

Mrs. TAUSCHER. Mr. Speaker, I rise today in support of H.R. 975, the Steel Import Reduction Act, because the need to protect the vital domestic steel industry is clear. Since the start of the Asian financial crisis two and a half years ago, imports of steel into the United States has risen dramatically—over 24% in 1997 and 30% in 1998. Nationally, at least 10,000 U.S. steel jobs have been lost in the past year. Furthermore, three American steel companies have filed for bankruptcy over the last year, and thousands more jobs are threatened because a steel oversupply remains on the docks from abroad.

Import surges have occurred from nations like Japan, Korea, Brazil and Russia, and this is not surprising when one considers that their normal Asian markets are now dry. The steel industries in these countries need a market, and the United States continues to have the strongest economy in the world. Therefore, these nations must, in effect, ''dump'' their steel on our thriving economy to the detriment of our domestic industry.

Mr. Speaker, the American steel industry is second to none in the world. Gone are the days when U.S. steel was non-competitive with other nations—the necessary infrastructure investments and facility improvements occurred over a decade ago. Were it not for the current global economic situation, I would not be standing today on the floor of the House urging passage of H.R. 975.

At the same time, I have real concerns with the legality of the measure vis-a-vis the World Trade Organization, or WTO. My support for free trade remains uncontested. However, I have always stated that along with free trade principles, fair trade practices must be enforced. This is not occurring as a result of the struggling economies in Asia, Russia, and Brazil. It is my hope that as this bill moves forward in the legislative process, a solution can be developed which will effectively shield American steel while keeping the U.S. out of the WTO dispute settlement system.

Finally, I want to express my concerns that imports of specialty steel will not be effected by passage of this bill. Industries in my district in the East Bay of California, for instance, have been importing high strength steel from Japan for many years. This steel is used for the under bodies of passenger vehicles, and it is processed in a way which is not readily available on the domestic market. It is my understanding that these imports would not be effected by the import reductions called for in this legislation, and I appreciate that.

Mr. Speaker, I thank you for working toward a solution to this problem of great magnitude to a vital U.S. industry.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today in support of the thousands of hard working men, women and their families who have lost their jobs due to a practice some refer to as ''steel dumping'' and their families.

Mr. Speaker, America's steel companies and America's steel workers are the best in the world. Given a level playing field, there is no foreign company that can compete with them.

In the past year, three steel mills have filed for bankruptcy and over 10,000 workers have been laid off. Mr. Speaker, this is 10,000 too many.

If these imports continue, what does that mean for the families of these workers? What does that mean for the tens of thousands of jobs of those employed by the steel industry? We cannot—and we must not—turn our backs on American steel companies, American Steel workers and the communities they support.

The American steel industry and its workers are in a severe crisis, and as representatives of these workers, I urge my colleagues to vote yes on HR 975 and reduce the importing of steel.

Mr. CUMMINGS. Mr. Speaker, I rise today to urge my colleagues to protect American workers.

The American steel industry is a $70 billion industry that employs 170,000 people nationwide. Steel is also at the heart of Maryland's industrial base and thousands of Maryland jobs depend upon the steel industry. Over the past 15 years, the U.S. Steel Industry has worked aggressively to streamline its operations, improve productivity and cut costs. Bethlehem Steel Corporation, which has long operated a plant at Sparrows Point in Baltimore, has been at the forefront of these efforts. Bethlehem Steel is also among twelve companies and the United Steelworkers of America who, in response to this crisis, have filed unfair trade cases. Workers at Sparrows Point, and many plants like it, are already feeling the dramatic effects of allowing this massive influx of foreign steel.

Ultimately, this matter expands beyond the steel industry. Steel is critically interwoven into the fabric of our society. It is utilized in automobiles, medical equipment, homes, and military systems. Thus, we must act now to provide the appropriate safeguards to prevent risk to these industries.

Opponents of H.R. 975, the ''Steel Import Reduction Act,'' have focused on protectionism for our steel industry. Let us remember, our duty is to the American people. So, protectionism is key. We must ''protect'' our home, American jobs, and families from the irreparable harm caused by unprecedented and unfair levels of steel imports.

Join me in protecting American workers and families. Let's stop illegal ''dumping'' by voting in favor of H.R. 975.

Mrs. BIGGERT. Mr. Speaker, I rise in strong opposition to H.R. 975. When I was running for Congress last year, not one of my constituents asked me to vote to raise the prices of the goods they buy. I doubt that any of my colleagues' constituents did either. Yet that is exactly what we are asked to do today with H.R. 975. Quotas have only one effect—higher prices for consumers, our constituents.

What does H.R. 975 do, Mr. Chairman? Nominally, it imposes quotas on steel imports. But in truth, it does so much more.

H.R. 975 solves a crisis that does not exist. Imports are down, way down. In January, steel imports fell to about 2.6 million tons, below the monthly average of imported steel from the last ''pre-crisis'' quarter of April to June 1997. Our anti-dumping laws have worked.

H.R. 975 violates our international obligations under the World Trade Organization. Violations by the strongest proponent of the WTO will only lead to quid pro quo protectionism.

H.R. 975 benefits a few, at the expense of many. There are 266,000 steel workers in America who might be helped by this bill. There are 8.3 million workers in steel consuming industries, such as the automobile industry and the construction industry, that will be hurt by this bill. And when our foreign trading partners retaliate with quotas of their own, all of our workers suffer.

Mr. Speaker, our steel industry is not failing. In fact, it is the most efficient steel industry in the world. U.S. steel mills shipped 102 million tons in 1998, the second highest annual total ever, while increasing their share of global production from 12.3 percent to 12.6 percent.

What is not well known is that U.S. steel producers—the very ones who are laying off steel workers and asking for quotas—are themselves purchasing imported steel. On average, our domestic steel producers purchase 20 to 25 percent of all steel imports to satisfy their own accounts. Our own steel industry benefits from the lower prices brought on by imports.

Mr. Speaker, free trade is indispensable to our prosperity. We cannot allow ourselves to be turned from the path that has led to our remarkable economic success. I strongly urge my colleagues to vote no on H.R. 975.

Mr. PHELPS. Mr. Speaker, I rise today to express my strong support for H.R. 975, the Steel Import Reduction bill, of which I am proud to be a co-sponsor. This legislation requires the President to take action to reduce steel imports into this country to pre-1997 levels and directs the administration to establish a steel import notification and monitoring program.

Mr. Speaker, our steel industry is in crisis. Last year, 10,000 steelworkers found themselves out of work in this country, and more are losing their jobs each day. Steel companies are filing for bankruptcy, laying off employees and shutting their doors. In short, American businesses and workers are paying the price of illegal dumping of steel products by Japan, Brazil, Russia and other nations which are not being forced to comply with our trade laws.

I appreciate the attention which President Clinton and his administration have begun to give this issue and the steps which they have taken to address it. Sadly, their efforts will not be enough to end this crisis. Instead, we need to adopt the comprehensive, global approach embodied in H.R. 975 to ensure that our steel industry can compete in the global economy on a level playing field.

The steel industry is critical to our national security and to our economy. If we do not address this crisis now, the implications will only grow in severity. Therefore, I urge my colleagues to join me in supporting this important legislation. It is time to send a signal that we will not tolerate violations of our trade laws, especially when they place the security of our workforce, our economy and our nation in jeopardy.

The SPEAKER pro tempore. All time for debate has expired.

The bill is considered read for amendment.

Pursuant to House Resolution 114, the previous question is ordered.

The question is on the engrossment and the third reading of the bill.

The bill 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 bill.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

REPORT ON H.R. 1141, EMERGENCY SUPPLEMENTAL APPROPRIATIONS, 1999

Mr. YOUNG of Florida (during consideration of H.R. 975), from the Committee on Appropriations, submitted a privileged report (Rept. No. 106–64) on the bill (H.R. 1141) making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Under clause 1 of rule XXI, all points of order against provisions in the bill are reserved.

COAST GUARD AUTHORIZATION ACT OF 1999

The SPEAKER pro tempore (Mr. QUINN). Pursuant to House Resolution 113 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. 820.

□ 1337

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. 820) to authorize appropriations for fiscal years 2000 and 2001 for the Coast Guard, and for other purposes, with Mr. GILLMOR 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 Pennsylvania (Mr. SHUSTER) and the gentleman from Oregon (Mr. DEFAZIO) each will control 30 minutes.

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

Mr. SHUSTER. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, this is the 11th bill which the Committee on Transportation and Infrastructure has brought to the floor thus far in this new session. Indeed, the other 10 bills passed overwhelmingly. I believe that this legislation, the Coast Guard authorization, deserves the same kind of overwhelming support.

We are taking action today to authorize funding for one of the most important programs in the United States Government. This Act authorizes approximately $4.6 billion in fiscal year 2000 and $4.8 billion in fiscal year 2001 in expenditures for the Coast Guard operations. It provides funds for the Coast Guard at the levels requested by the President with additional amounts provided for drug interdiction operations.

Last year, the Coast Guard received about $250 million in emergency supplemental funds to boost drug interdiction resources in the Caribbean. I can report to the House that I personally have gone out on missions with the Coast Guard and have seen firsthand the outstanding job they do.

This legislation maintains the level of drug interdiction provided for fiscal year 1999 with additional amounts consistent with the Western Hemisphere Drug Elimination Act. This bill also contains additional funds for fishing vessel safety and to modernize the national distress and response system. The bill authorizes $128 million in fiscal 2001 to construct a replacement icebreaking vessel for the Great Lakes.

I certainly urge my colleagues to support this legislation.

I would like to close by sharing with my colleagues examples of what our Coast Guard accomplishes every day. In any given day, on the average, our United States Coast Guard saves 14 lives. It conducts 180 search and rescue missions. It keeps $7 million worth of illegal drugs out of our country. It responds to 32 oil spills or hazardous chemical releases. It stops hundreds of illegal aliens from entering our country.

So in a year, that is over 4,000 lives saved, over 65,000 rescue missions, $2.6 billion in illegal drugs stopped from entering America's streets, over 11,000 environmental cleanups or responses to pollution, and the stopping of tens of thousands of illegal aliens entering our country.

Indeed, in addition to this, it also is involved in conducting local boat safety courses, port inspections, support of U.S. military and humanitarian missions, and more, all with the stewardship of the resources that should make the taxpayers of America very proud of their investment in the world's finest Coast Guard.

So I strongly urge my colleagues to support this bipartisan legislation. It is worthy of their vote.

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

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

Mr. Chairman, this is very important legislation for this body. As the chairman of the full committee has pointed out, it is supported strongly in a bipartisan manner. That is because almost all of the Members of this Congress and certainly the Members of the Committee on Transportation and Infrastructure share a common concern in the Coast Guard's activities and giving them adequate resources to fulfill the burdens that we put on them.

The chairman has already gone on at some length, but I think it should be restated just so people remember, the Coast Guard does everything from local boating safety courses to search and rescue. If one is in trouble out on the water, they are the ones who respond. Sometimes in very hazardous situations, sometimes to loss of life to members of the Coast Guard, they are attempting to save mariners in distress.

They safeguard our borders by watching for smugglers and people attempting both to enter the country illegally or to enter drugs and other substances illegally into our country. They are our first line of protection for our coastal resources and the environment.

That leads me to some comments that are very close to home for me. The Coast Guard has been involved now for more than a month in the wreck of the *New Carrisa* which went aground in stormy weather outside the largest port in my district, very close to the mouth of the harbor.

The Coast Guard is still working on its own internal investigation and summary of the events that led up to this tragedy. I think there will be much to be learned from that critical review, perhaps some further changes in authority for the Coast Guard, changes of law regarding insurance of these freighters and other ships.

Today a freighter carries as much oil, these larger freighters, as did a small tanker 20, 25 years ago. They often carry more fuel than they need to accomplish their mission, as did this ship in this case, for ballast.

So the potential for oil spill no longer just extends to tankers and tanker safety, but now the potential for catastrophic oil spills extends to large freighters. Yet, they do not have the same insurance requirements that we put on tankers, nor do they have the same hull safety requirements we put on tankers; and those are critical issues that we will need to look at in the future to safeguard our precious coastal resources here in the United States.

□ 1345

I am very pleased that this bill, with unanimous vote in the committee, and hopefully a similar vote here on the floor of the House, includes some modest initial amendments for changes in the law that I have proposed as I became educated as to what happens when a foreign ship is headed towards the United States. And in this case, had these provisions of law which are in this bill today by my amendment been in effect, we might not have had the New Carrisa tragedy on the coast of Oregon; we might not have despoiled our precious coastal waters.

The Coast Guard, under this bill, will now be notified 24 hours in advance before a ship crosses into our 12-mile territorial limit. The Coast Guard will have the authority to hold a ship at that 12-mile limit if they have questions about the safety of the ship, the competence of its crew, or other extraordinary circumstances are intervening that could jeopardize safety.

In this case, the New Carrisa was on a list the Coast Guard keeps called the ''Watch List''. The ''Watch List'' is composed of ships that are known to the Coast Guard to have problems or to be registered in countries that are known to abide or to basically not fully enforce, rigorously enforce, international maritime rules. Panama, in this case. Liberia and other countries are also in question.

This ship was on the ''Watch List'', and it would have been boarded once it reached the harbor. Unfortunately, it never reached the harbor because it went aground, I believe due to the misconduct of the captain, and it caused an ongoing and unfolding tragedy on the Oregon coast. This could happen anywhere in the United States of America.

Under my legislation, the Coast Guard would be able to hold a ship on the ''Watch List'', ask them a number of questions about the condition of the vessel, the crew, etcetera, out at 12 miles. And if the Coast Guard was concerned about their capabilities or conduct or their navigational capabilities, they could require a pilot be put on board. They could require other actions be followed by that ship once it has entered into our territorial waters.

In this case they may have well have told the ship to hold off out 12 miles, where it was safer, because there was a huge storm brewing and the pilot could not get out to them.

These are tools that the Coast Guard, I believe, will be able to prudently employ and, hopefully, avoid this happening again in Oregon or anywhere else in the United States. There may well be other measures we need to take, and next week, when we hold a hearing to review the oil spill liability legislation on the 10-year anniversary of the Exxon Valdez tragedy, I believe we will see a path to other changes in law that are necessary.

Beyond that, the money in this bill is a good amount of money. Personally, if I had license, I would give the Coast Guard more money to conduct their mission. I believe that, in fact, they are operating in a very frugal manner, particularly compared to the other uniformed services, and they are spending our taxpayer dollars wisely and in a way that most all Americans are grateful on a daily basis.

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

Mr. SHUSTER. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland (Mr. GILCHREST), and I ask unanimous consent that the distinguished chairman of our subcommittee, the gentleman from Maryland (Mr. GILCHREST), be permitted to manage our time on this side of the aisle while I must absent myself.

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

There was no objection.

Mr. GILCHREST. Mr. Chairman, I want to add my full support for this legislation and the amendments that will be proposed here in the next few minutes.

I also want to thank the chairman of the full committee for his support of this legislation, the full ranking member for his support of this legislation, and also the support of the gentleman from Oregon (Mr. DEFAZIO), the ranking member of the subcommittee, for his work over the last several months on this legislation. We have worked very well together and I look forward to the rest of the session.

Mr. Chairman, I will not specifically go into all of the funding details, because that will be in the statement I will submit for the RECORD, but what I would like to do for the Members of the House, those of whom are listening, is to go through the kind of things that this limited force does for the United States.

Number one, it is the U.S. Coast Guard that is directly responsible for the Oil Pollution Act of 1990 and all of its provisions around this country. Since the Oil Pollution Act went into effect, and since the Coast Guard has been monitoring this issue and enforcing this statute, oil spills in the world have dropped by 60 percent. It is through much of the effort of the U.S. Coast Guard in this area that is responsible for that drop.

I have visited Prince William Sound, the sight of the Exxon Valdez spill, and the infrastructure put in place mainly because of the Coast Guard activities is phenomenal.

Fifty percent of the cargo transported across our oceans is considered hazardous, and it is the Coast Guard that deals primarily with that particular issue.

It is the Coast Guard, which leads the U.S. delegation to the International Maritime Organization that deals with 153 countries around the world, that ensures that not only our coastal waters, and not only our coastal waters out 200 miles of our coastlines but the international regime of the IMO of these 153 countries, that enhances the quality of our international waters.

It is the Coast Guard that is directly responsible for patrolling the North Atlantic in something called ''The Ice Patrol'', so that not only the U.S. ships traveling in the North Atlantic can be safe from icebergs but the international community can be safe from icebergs.

The coastal fisheries, out 200 miles off our coasts, not only off the Florida coast or the California coast but the Oregon and Washington coast, in the frigid waters of the north Pacific, 200 miles of the Alaskan coast, 200 miles off our coast, we monitor the coastal fisheries. And the U.S. Coast Guard ensures that U.S. law is enforced out that far, and they do a great job.

Interdiction of drugs on the high seas. Just imagine the coastal waters of the United States; the Pacific coast, the Atlantic coast, the Gulf of Mexico, the Caribbean. We have the technology, we have the resources to interdict almost all the drugs if the Coast Guard is given those resources. Within 5 to 7 years, I am convinced that we can interdict up to 85 percent of those drugs if the Coast Guard is given the right resources.

We talked about safety at life at sea. Not only is the Coast Guard responsible for safety at life at sea for U.S. fishermen, but they also do a good job in the international arena. On every river, looking at the Mississippi River, the Great Lakes, our estuaries, the Coast Guard is responsible for safety at life at sea.

Who inspects vessels, domestic and foreign? It is the Coast Guard. Who inspects these cargo ships, these container ships, these oil tankers, the bulk carriers, the small vessels? It is the U.S. Coast Guard. Who interdicts illegal immigrants being carried through to this country on the high seas? It is the U.S. Coast Guard. Who cuts ice in the Great Lakes; who cuts ice in the estuaries, like the Chesapeake Bay, around this country? It is the Coast Guard. Who cuts the ice leading to McMurdo Station in the Antarctic? It is the U.S. Coast Guard. Who cuts the ice in the Arctic Ocean? It is the U.S. Coast Guard.

The point I am trying to make, Mr. Chairman, is that the U.S. Coast Guard does all of this with a force smaller than the New York City police force.

Mr. Chairman, I urge my colleagues not only to support this legislation, but to think about the silent service that does a magnificent job, and all they ask for from this body is that we know something about the magnificent job that they and that we vote for this legislation.

H.R. 820 was developed in a bipartisan manner, and deserves the support of all the Members.

The primary purpose of H.R. 820, the Coast Guard Authorization Act of 1999, is to authorize expenditures for the U.S. Coast Guard for fiscal years 2000 and 2001.

Section 101 of the bill authorizes approximately $4.6 billion in the Coast Guard for fiscal year 2000, and $4.8 billion in fiscal year 2001. The amounts authorized for fiscal year 2000 include funding for Coast Guard programs at the levels requested by the President, with certain increases. The funding increases over the levels requested by the President are primarily for drug interdiction and commercial fishing and recreational vessel safety.

Specifically, H.R. 820 contains an additional $380 million for drug interdiction, consistent with the provisions of the Western Hemisphere Drug Elimination Act which was enacted by Congress last year. H.R. 820 authorizes an

additional $142 million in operating expenses for fiscal year 2000 and $148 million in operating expenses for fiscal year 2001. These funds will allow the Coast Guard to operate 15 additional Coastal Patrol Boats, a regional law enforcement training center in Puerto Rico, several maritime patrol aircraft, and six medium endurance cutters. The bill further allows the Coast Guard to construct 15 coastal patrol boats for $81 million and to begin construction of six medium endurance cutters for $100 million in fiscal year 2000. These new assets will allow the Coast Guard to execute its role under the Western Hemisphere Drug Elimination Act.

I have supported increases in the Coast Guard's drug interdiction spending because I am convinced that the level of Coast Guard drug interdiction has fallen well below what is necessary to fight the War on Drugs effectively. The $46 million increase in drug interdiction resources requested by the President for fiscal year 2000 is not adequate to respond to the alarming level of teenage drug use in this country.

The bill also contains additional funds for voluntary fishing vessel safety personnel, and $100 million to accelerate the national distress and response system modernization project. Also, H.R. 820 authorizes $128 million in fiscal year 2001 to acquire a replacement icebreaking vessel for the Great Lakes.

Section 102 of H.R. 820 authorizes an increase of Coast Guard military personnel to 40,000 by the end of fiscal year 2000, and 44,000 by the end of fiscal year 2001, to allow the Coast Guard to aggressively fight the War on Drugs in the Caribbean.

Finally, there are a few noncontroversial provisions in the bill, including a provision to require vessel operators to give notice to the Coast Guard 24 hours before they enter U.S. territorial waters. I thank the ranking member Mr. DEFAZIO from Oregon for that addition:

At the appropriate time, I will offer a managers amendment which adds several noncontroversial provisions to H.R. 820.

I urge the Members to support this legislation.

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

Mr. DEFAZIO. Mr. Chairman, I yield such time as she may consume to the gentleman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Mr. Chairman, I rise to bring to the attention of the gentleman from Minnesota (Mr. OBERSTAR) a matter that concerns the city of Garden Grove and the United States Coast Guard. An oil spill has been detected in the Bolsa Chica wetlands, and the city, unfortunately, has been erroneously identified as the responsible party.

The discharge was caused solely by another party, who discharged waste oil product from his truck into the city's catch basin. This party's waste oil passed through the catch basin and into the public storm drain. The circumstances of this case remain ambiguous.

The city of Garden Grove cannot accept an open-ended obligation to pay future claims in an unknown and potentially enormous amount. The city's revenues are limited, as the gentleman knows, and it is difficult to expand that tax base. No reasonable public policy is served by having the taxpayers of the city of Garden Grove pay for the cleanup and the spill of a third party.

The office of the Orange County district attorney is continuing a criminal investigation into the third party and we hope that we will have results soon with respect to that.

I urge the gentleman from Minnesota to recommend to the Coast Guard that it closely monitor the situation and to pursue the true responsible party for the reimbursement of the costs and damages.

Mr. OBERSTAR. Mr. Chairman, will the gentlewoman yield?

Ms. SANCHEZ. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. We are certainly aware of the Garden Grove problem. The discharge of waste oil product is particularly deleterious to the Bolsa Chica wetlands, a very sensitive environmental area. I had experience with this type of thing in my own Congressional District near Duluth, the Arrowhead Refinery site. It has taken us years to fix up and to fix responsibility on the third parties for that cleanup.

We are particularly sensitive to the gentlewoman's appeal and to her concern. We adhere on this side vigorously to the principle of the responsible party pays: ''You make the mess; you clean it up.''

We will work with the gentlewoman and the Coast Guard to reach a reasonable conclusion that suits the gentlewoman's constituents, and will continue to work closely with her and the Coast Guard to monitor this situation.

Ms. SANCHEZ. Reclaiming my time, Mr. Chairman, I thank the gentleman and appreciate his remarks.

Mr. DEFAZIO. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Chairman, I rise in strong support of H.R. 820, the Coast Guard Reauthorization Act of 1999.

What is of special interest and concern to me, and a great pleasure, is that at long last, for 25 years of my service in the Congress, we are approaching the date when we can see on the Great Lakes a replacement for the Coast Guard icebreaker Mackinaw, now older than most Members of this body.

The Mackinaw was built during the 1940s. It is now 55 years of age. It has done valiant service keeping the shipping lanes on the Great Lakes open during the late fall and early spring season to move goods to market. But the Mackinaw, battered by five and a half decades of breaking ice, is badly in need of replacement.

This legislation provides a $3 million authorization for design competition for a replacement vessel. Not just a study, as we have done in the past and nothing has come of it, but design competition for a replacement vessel for the icebreaker Mackinaw; and $128 million authorization for the construction of that replacement vessel.

□ 1400

For those who are not familiar with the Great Lakes, this is home to 20 percent of all the fresh water on the face of the Earth. It is the locus of one out of every five industrial jobs in America. The Great Lakes states generate 45 percent of the Nation's agriculture and produce over a third of the Nation's exports. And to move those commodities, to move the 58 million tons of iron ore that moved from northern Minnesota, northern Michigan to the lower lake steel mills, the 23 million tons of stone that are used in the Nation's highway construction project, and 20 million tons of coal each year that move from upper lake to lower lake to fuel with low sulphur western coal, the demands of power plants in Illinois, Michigan, and Ohio with clean coal and the energy they need to keep their industry going, we have to keep those shipping lanes open in the late fall and the early spring to ensure the lowest cost delivery of these goods.

Water borne transportation is the lowest energy consuming means of transportation in our country and anywhere in the world and the Great Lakes waterways are critical to the needs of upper and lower lakes. And it is not just the ports on the Great Lakes that benefit from this, nor the industries, but the farmers of western Minnesota, of North and South Dakota, of Montana, of Iowa, where the grain comes into the Port of Duluth. Grain farmers from Canada, it comes down from Thunder Bay into Lake Michigan and onto lower lake port and ultimately exported to the seven seas of the world.

This Great Lakes waterway system is the great energy source for the national economy and for agriculture that reaches way west of the Mississippi and stretches far east of the Mississippi. The Mackinaw replacement project, a multipurpose vessel, will benefit the entire national economy. And I am delighted and I really appreciate the work of our chairman of the subcommittee, the gentleman from Maryland (Mr. GILCHREST), who has been very understanding of our need on the Great Lakes, and the gentleman from Pennsylvania (Mr. SHUSTER), the chairman, who has been supportive of this initiative, and the gentleman from Oregon (Mr. DEFAZIO), who has been very helpful on this initiative. And for all my Great Lakes colleagues who for years have joined together and supported, at last we can say the end is in sight, replacement for the Mackinaw is coming.

But this bill goes further. It provides the support for what I consider to be America's greatest return on investment entity, the U.S. Coast Guard. We get more for our dollar investment in the Coast Guard than out of any of the services, perhaps any other entity except maybe the Corps of Engineers. The return on investment in the Coast Guard is extraordinary.

Whether in safety in the inland waterways of the coastal regions or in

protection against drug runners, the interdiction role that the Coast Guard plays is extraordinary. The men and women who wear that special color blue deserve our total support, and this bill provides it.

The $44 million authorization in this bill to continue the design and development process for the Deepwater project is critical. This is an initiative to replace all of the Coast Guard's vessels and aircraft that operate more than 50 miles out from the U.S. coastline along the Atlantic, Pacific, and Gulf Coasts. This Deepwater initiative is really critical to keep the Coast Guard competitive, to keep it in line with all the additional responsibilities we in the Congress have saddled upon the Coast Guard, and to keep the United States vigilant in maintaining the integrity of our coastline.

I will not go into all the many other initiatives, the fisheries enforcement, migrant interdiction, drug interdiction along our coast that the Coast Guard carries out. We really salute the men and women with the special blue of the U.S. Coast Guard and do so in a very practical and realistic way in this legislation.

I thank the chairman and ranking member for bringing this legislation to the House floor.

Mr. GILCHREST. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. EHLERS).

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

Mr. EHLERS. Mr. Chairman, I thank the gentleman from Maryland (Mr. GILCHREST) for yielding time.

First of all, I want to support the comments of the gentleman from Minnesota (Mr. OBERSTAR) regarding the Mackinaw and a number of the other issues he raised. The Mackinaw indeed is a worthy ship, but it is also an old ship and will not be able to operate much longer. And the Great Lakes depend mightily upon the efforts of that ship, particularly in the colder months.

I would also point out in relation to the comments from the gentleman from Minnesota (Mr. OBERSTAR) that the Great Lakes are really misnamed. They should be called the ''great seas'' because in fact they are seas. And that is why the Coast Guard plays such an important role in these bodies of water. It is very important to recognize their magnitude. And not only are they 20 percent of the world's fresh water supply, they are 95 percent of the United States' surface fresh water, and that is a very important factor in our country's future.

I also thank the gentleman from Maryland (Mr. GILCHREST), the chairman of the Subcommittee on Coast Guard and Maritime Transportation, for working with a number of us in resolving a major problem on Lake Michigan, an important component again of the Great Lakes. The administration, in submitting their budget proposal this year, eliminated helicopter service for the Coast Guard in the middle section of Lake Michigan.

Now, recognize that Michigan has more boats per capita, in fact more boats total, than any other State of the Union. Furthermore, recognize that Michigan has more lake shore mileage than any State of the Union except Alaska. A tremendous amount of boating activity on Lake Michigan. And the administration is proposing to remove the Coast Guard helicopter station at Muskegon, Michigan.

I appreciate the efforts of the subcommittee. That includes both minority and majority. We have been able to work this out and come up with a proposal within this that will maintain the Coast Guard station at Muskegon. That is extremely important. And not only that, but to look very carefully or perhaps reestablish the helicopter Coast Guard station in the Chicago area, which was shut down some years ago. Both are very important in terms of achieving what is one of the key missions of the Coast Guard, as outlined by the gentleman from Maryland (Mr. GILCHREST), and that is ensuring the life and safety of individuals at sea, whether on the oceans or on the Great Lakes.

Finally, let me register a concern about the general overall direction of the Coast Guard funding. The Coast Guard, as we just said, is responsible for the life and safety of individuals at sea. But yet the funding relative to other activities of the Coast Guard has steadily diminished, and the reason is very simple. The drug problem of this Nation and the drug interdiction responsibilities of the Coast Guard continues to drain resources away from the search and rescue operations of the United States Coast Guard.

And even though the drug interdiction is a very important part of their responsibility and very important to this Nation, all of us must recognize that we cannot continue to give more responsibility to the Coast Guard in this area, we cannot continue to require more drug interdiction from them and not give them the money to do that, because by doing that we are pulling men away from their search-and-rescue activities.

So if indeed we want to have the Coast Guard pursue their drug interdiction activities, fine, then good, but let's recognize that we have to provide the funding and not cut and chip away at the life and safety operation of the Coast Guard at the same time.

Mr. DEFAZIO. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. STUPAK).

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

I would not only support the Coast Guard reauthorization and associate myself with the words of the gentleman from Minnesota (Mr. OBERSTAR) as to the importance of the Coast Guard not just on the Great Lakes but throughout this great Nation, but I want to bring to the attention an amendment that we are going to have a little bit later here, the Upton amendment, which I believe the gentleman from Maryland (Mr. GILCHREST) is going to accept and be even part of his amendment. Anyway, I have had the pleasure of working with the gentleman from Michigan (Mr. UPTON), my colleague and friend, on this amendment.

I would like to maybe take a moment here and highlight the importance and need for the Upton amendment which would help to bring to light the current problem with the Federal Government's assistance for transferring lighthouses.

We have probably more lighthouses on the Great Lakes than anywhere else in this Nation. It helps to tell the story of our maritime history. They stand as a testament to the thousands of mariners who lived and died on these Great Lakes and to those who dedicated their lives to guiding them home safely. The modern technology is replacing the use of the lighthouses for navigational purposes. But there are many groups out there dedicated to preserving these monuments for posterity and history.

Unfortunately, once the Federal Government decides it no longer needs a lighthouse, there is no guarantee that the historical groups that have worked for years to maintain these structures will be able to acquire them, even though the group may have spent thousands of dollars and hours restoring the lighthouses and maintaining the property. They are not given that go-ahead to take the transfer from the Coast Guard as to the physical assets.

While we cannot change the system under this current bill, what the gentleman from Michigan (Mr. UPTON) is trying to do through his amendment and our support we are now considering, this amendment will help highlight the problem and, at the very least, ask the Coast Guard to provide us some advice and technical assistance for the organizations that want to preserve our maritime heritage.

I hope this will further the dialogue to change the way in which the Federal Government transfers the lighthouses, and I urge my colleagues to look carefully at the Upton amendment and to adopt that amendment.

And in final, I hope H.R. 820, the Coast Guard authorization bill, is transferred and approved by this House and we have a strong vote on it to show our support for the United States Coast Guard.

Mr. SHUSTER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I would like to associate myself with, basically, the comments on both sides of the aisle.

I want to tell my colleagues, the things about drugs, the things about illegals, California pays a big price for all of the above. And I would tell the gentleman from Minnesota (Mr. OBERSTAR), the greatest thing that we do

not have to deal with in San Diego is the ice cutters. They have to do that in Michigan. But I support his issue there.

The gentleman from Oregon (Mr. DEFAZIO) and I will probably never vote for each other more than a handful of times, but this happens to be one of those times that we do. And I do think also that one of the things the Coast Guard does there is actually a requirement under OPA 90, where we have dual hull tankers. I hope some day we can enforce that so we do not have things like the Valdez.

And even our offshore oil, I put a requirement that the President supported that limited our offshore oil drilling off California because of the pollution not only in our wetland but our beaches. And we see every day these tankers going up and down from foreign countries that are leaking oil and coming on our beaches, and I worked with the gentleman to stop that.

Last year we honored two policemen that died here in defending our Capitol. But we do not hear much about just 96 miles from here right off Point Lookout we lost a Coast Guard cutter, a rescue ship, and people gave their lives in service to that, too. So I think that it is a little unsung part of security that we have in this country but we should not forget, especially them, and it is a reason that most of us on both sides of the aisle support this.

Another area in which they helped, we had a bipartisan vote. There is a Chinese shipping company that wanted to take over Long Beach. I am happy to tell my colleagues that the CIA has come out and said that, yes, there is a national security threat over Long Beach if they would take complete control. It is the Coast Guard that found that they were dealing chemical and biological and nuclear triggers.

So I rise in strong support and I thank the Members on both sides of the aisle for this legislation.

Mr. DEFAZIO. Mr. Chairman, I have no further requests for time, and I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina (Mr. COBLE).

□ 1415

Mr. COBLE. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding me this time.

Mr. Chairman, it has pretty well been said. The U.S. Coast Guard has made America a better place to live for 208 years. As members of this country's oldest continuous seagoing service, the men and women of the Coast Guard continue to do what they have always done, save lives and protect property at sea; ensure a safe, efficient maritime transportation system; protect and preserve our precious marine resources and environment; enforce laws and treaties in the maritime region; and defend our national security.

The gentleman from Maryland (Mr. GILCHREST) has already indicated that the Coast Guard, numbers-wise, is smaller than the New York City Police Department. Yet our Coast Guard carries out their vital missions in this country's ports and waterways, along its 47,000 miles of coastline, lakes and rivers, on international waters or in any maritime region as required to support national security.

When I was a member of the Coast Guard, Mr. Chairman, we used to affectionately refer to the Navy as the Big Outfit. Conversely, they would refer to us as the Little Outfit, the Shallow Water Navy, the Knee-Deep Navy, the Hooligans Navy. They did it with tongues in cheek but they did it affectionately. There was good rapport between the two seagoing services.

This essential and fiercely proud service continues its 24-hour-a-day, 7-day-a-week vigilance against a host of transnational dangers, including pollution, illegal migration, international drug trafficking and terrorism.

My friend from Minnesota mentioned the Mackinaw. The Mackinaw was synonymous with Great Lakes icebreaking, I guess, for four or five decades. He is right, the time has come to replace it. I am happy to see that that is going to happen.

I talked with a Coast Guardsman not too long ago who was the recipient of the Coast Guard gold lifesaving medal. I think he had rescued either four or five people in this particular rescue effort. In so doing, he suffered a permanent injury, and he is disabled. As I was talking to him about his heroic rescue, he was very unassuming about it. ''No big deal,'' he said, ''this is what I'm supposed to do.'' Well, it was a big deal to those whom he pulled out of the drink. I can assure you it was a big deal to them. Even though he is now disabled, he said, ''I did what I'm supposed to do. I went to the aid of those who were in distress.'' That is what the Coast Guard men and women have been doing for years, 208, to be exact.

I am pleased, Mr. Chairman, to say to my friend from Pennsylvania that the full committee and the subcommittee has done yeoman work in getting this bill to the floor. It is a good bill.

Mr. Chairman, the Coast Guard's motto rings just as true today as it did in 1970, semper paratus, always ready.

Mr. DEFAZIO. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Chairman, I rise in support of H.R. 820.

In representing the Port of Houston in my district, the U.S. Coast Guard has the primary responsibility for ensuring the safety and security of the vessels not only in my district but in the ports and waterways around the country.

Also, in recent years the Coast Guard has been charged with the task of engaging in drug interdiction activities. In fact, just in late January, the Coast Guard intercepted and seized a Panamanian vessel 125 miles off the coast of Jamaica. The vessel was then escorted back to the Port of Houston and upon searching the vessel nearly five tons of cocaine with an estimated street value of $375 million was discovered. This was one of the largest drug seizures in both Texas and our Nation's history.

In this year's Coast Guard authorization, there is a 10 percent increase in the funds for discretionary activities. I am glad to see that. Hopefully this bill will pass very easily. That will mean approximately $400 million is earmarked for drug interdiction activities. That increase in funds will fully implement the Western Hemisphere Drug Elimination Act, enable the Coast Guard to operate an additional fifteen patrol boats, eight cutters and seven marine vessels to stop drugs before they enter our country.

Mr. Chairman, I rise in support of the bill and also in support of the Coast Guard's effort not only for the safety of our harbors and waterways but also for the drug interdiction activities.

Mrs. MEEK of Florida. Mr. Chairman, I rise in support of H.R. 820—the Coast Guard Authorization Act of 1999. This much-needed bill authorizes $3.1 billion in fiscal year 2000 and $3.2 billion in fiscal year 2001 for Coast Guard operating expenses to carry out numerous missions.

Included in this authorization is funding for the Coast Guard to Participate in search and rescue missions. The Coast Guard spends about 11.6 percent of its operating expenses on search and rescue missions. This is a critical function of the Coast Guard and one that saves the lives and property of many who find themselves in peril on the open seas—particularly the perilous seas off the coast of South Florida.

Recently, the Coast Guard launched a search and rescue mission off of the coast of South Florida in search of Haitian immigrants whose vessel capsized as they were trying to reach the United States. Unfortunately, although three Haitian immigrants were rescued from the Atlantic Ocean between the Bahamas and Florida, perhaps as many as 40 more Haitian immigrants were lost, despite the Coast Guard's best efforts.

Over the years, the Coast Guard has rescued hundreds of Haitians, Cubans, and others seeking freedom and a better life in the United States. Unfortunately, many die trying to secure their dream of freedom. The Coast Guard serves critical role in helping to save human lives in the straits of Florida. The diverse ethnic communities in Miami are most grateful for the Coast Guard's search and rescue efforts.

Search and Rescue is one of the Coast Guard's oldest missions. For over 200 years, the Coast Guard has responded to distress calls at sea. Minimizing the loss of life, injury, property damage, or loss by rendering aid to persons in distress and property in the maritime environment has always been a Coast Guard priority. Coast Guard search and rescue response involves multimission stations, cutters, aircraft and boats linked by communications networks.

The Coast Guard is the Maritime search and rescue coordinator and is recognized worldwide as a leader in the field of search and rescue. Each hour a U.S. Coast Guard

aircraft is aloft costs about $3,700—and several maybe used in a single search. It is critical that the Coast Guard has the resources it needs to maintain its search and rescue efforts. I urge my colleagues to support this bill.

Mr. UNDERWOOD. Mr. Chairman, I rise today in support of H.R. 820, the Coast Guard Authorization Act of 1999. As a member of the Congressional Coast Guard Caucus, I am proud of the U.S. Coast Guard and all the hard work that each and every member selflessly gives each day to our nation. The United States Coast Guard is this nation's oldest and its premier maritime agency. The history of the Service is historic and multifaceted. It is the amalgamation of five Federal agencies—the Revenue Cutter Service, the Lighthouse Service, the Steamboat Inspection Service, the Bureau of Navigation, and the Lifesaving Service, which were originally independent agencies with overlapping authorities. They sometimes received new names, and they were all finally united under the umbrella of the Coast Guard. The multiple missions and responsibilities of the modern Service are directly tied to this diverse heritage and the magnificent achievements of all of these agencies.

The Coast Guard, through its previous agencies, is the oldest continuous seagoing service and has fought in almost every war since the Constitution became the law of the land in 1789. The Coast Guard has traditionally performed two roles in wartime. The first has been to augment the Navy with men and cutters. The second has been to undertake special missions, for which peacetime experiences have prepared the Service with unique skills. Today the Coast Guard is engaged on many open sea patrols in the war on drugs throughout the vast oceans and seas of the world.

The Coast Guard has helped to protect the environment for 150 years. In 1822 the Congress created a timber reserve for the Navy and authorized the President to use whatever forces necessary to prevent the cutting of live-oak on public lands. The shallow-draft cutters were well-suited to this service and were used extensively. Today, the current framework for the Coast Guard's Marine Environmental Protection program is the Federal Water Pollution Control Act of 1972.

In 1973, the Coast Guard created a National Strike Force to combat oil spills. There are three teams, a Pacific unit based near San Francisco, a Gulf team at Mobile, AL, and an Atlantic Strike Team stationed in Elizabeth City, NC. Since the creation of the force, the teams have been deployed worldwide to hundreds of potential and actual spill sites, bringing with them a vast array of sophisticated equipment.

The 200-mile zone created by the Fishery Conservation and Management Act of 1976 quadrupled the offshore fishing area controlled by the United States. The Coast Guard has the responsibility of enforcing this law.

The Coast Guard additionally has the major responsibility for conducting and coordinating Search and Rescue operations and licensing and regulating safety and commercial boating rules. This enormous task is performed day in and day out by the dedicated men and women of the Coast Guard.

As you may be able to tell, the Coast Guard performs a complex but necessary array of missions that effect the very life blood of this nation in the areas of national defense, commerce, the environment, and lifesaving.

Mr. Chairman, I would like to particularly highlight one essential mission that the Coast Guard is performing right now in America's westernmost frontier, my home district on the island of Guam. During the past year, Guam has experienced a significant influx of Chinese illegal immigrants. Chinese crime syndicates organize boatloads of indigent Chinese citizens to illegally enter the United States for an exorbitant fee of $8,000–$10,000 per person. After undergoing an arduous journey under fetid, unsanitary conditions, the Chinese reach Guam dehydrated, hungry, disease-ridden and sometimes beaten. Upon arrival, the smuggled Chinese become indentured servants as they attempt to pay their passage to America.

Guam's geographic proximity and asylum acceptance regulations make it a prime target for Chinese crime syndicates. According to the INS about 700 illegal Chinese immigrants traveled to Guam last year. Since the beginning of this year alone, 157 have been apprehended by the Coast Guard, INS and local Guam officials. Since the INS does not have enough money to detain the Chinese illegal immigrants on Guam, they proposed to release them to the general populace without assistance. Fortunately, the Government of Guam has offered its already strained resources to detain the illegal aliens until they are ready to be adjudicated.

Mr. Chairman, Chinese crime syndicates have exploited Immigration and Nationality (INA) asylum regulations. Because Guam, through INA directives, has to accept asylum applications, Guam becomes a cheap and attractive location for shipment of smuggled Chinese.

The Marianas section of the Coast Guard, stationed out in Guam has been tasked to interdict, when possible, these wretched Chinese vessels that are transporting these illegals. The local command, which is currently undermanned and over extended, is doing the impossible under such circumstances.

In the Armed Services Committee, where I am proud to serve, we have as of late been discussing the high level of OPSTEMPO and PERSTEMPO to describe the state of overextension of manpower and the drain on resources within our military. In the case of these dedicated men and women of the Coast Guard on Guam, they are no exception to these discussions.

I recently had the pleasure of meeting with the Commandant of the Coast Guard, Admiral James M. Loy and I expressed to him the sentiments of the people of Guam as well as praised him for his leadership and dedication to this service. Along with my fellow Coast Guard Caucus Members, I promised to continue to support the fine work of our Coast Guard. I would additionally ask that Congress and Commandant Loy seriously look to find some additional resources for our beleaguered Coast Guard on Guam in order to more effectively contend with the growing onslaught of illegal Chinese immigrants and relieve the high level of OPSTEMPO faced by these Coastguardsmen and women. We are all very proud of the work that Captain Scott Glover, the CO of the Marianas Section, is performing on Guam as well as that of the entire Marianas Section of the U.S. Coast Guard for their compassion when dealing with these desperate Chinese and for their generosity in the performance of their duty. Si Yu'os Ma'ase.

Mr. PORTER. Mr. Chairman, I rise in strong support of this legislation. I appreciate the work that the Chairmen of the full Committee and the Subcommittee and their staff have done in addressing safety needs in southern Lake Michigan. For many years, I have been working with the U.S. Coast Guard in addressing the concerns of my constituents and other residents through the reestablishment and operation of a seasonal air rescue facility in the southern lake area. As many of you may be aware, the boat traffic, both commercial and recreational, in this area is the most congested in all of the lake. An air rescue facility in this area would greatly increase confidence of boaters and recreational users and the chance for survival in the extremely cold and dangerous waters of Lake Michigan.

I am anticipating the completion of a report by the Coast Guard in the very near future to determine the best location for an additional facility in this area. In discussions with the Coast Guard, it appears that the regional airport in Waukegan, Illinois may be the ideal location as it is located very near the lake's shoreline thereby enabling a short response time and has additional hangars that could be leased to significantly reduce the cost of this rescue facility. In addition, the Waukegan Regional Airport offers a control tower, instrument landing system and twenty-four hour operation. However, I am very concerned with the cost estimate that the Coast Guard provided for this additional facility. The justification for this estimate includes some expenses that I believe can be reduced once we identify the location of the site, and I look forward to working with the Coast Guard on this.

This legislation is an important step in providing safety and confidence to the boaters in southern Lake Michigan, and I look forward to its implementation and the establishment of this rescue facility.

Mr. HOEKSTRA. Mr. Chairman, I rise today to speak in favor of the Coast Guard Reauthorization Act. The Act provides the United States Coast Guard with authorization for the funding they need to accomplish the important missions that the Congress and the Nation have asked them to accomplish.

As a member with more than 120 miles of Lake Michigan coastline in my district, I fully understand the Coast Guard's mission and appreciate the fine level of search-and-rescue services that the Coast Guard provides to the boating and beach-going public in West Michigan.

I rise especially today to discuss the way that this authorization bill impacts the operation of the Coast Guard Muskegon Air Facility. The Coast Guard has operated this air facility on a seasonal basis from April 1 to October 1 each summer since 1997. Prior to 1997, the Coast Guard had operated an air facility or air station to cover southern Lake Michigan out of the Chicago area since 1959.

The bill before us today addresses the concerns of the Michigan and Illinois delegations regarding Coast Guard search and rescue air coverage on Lake Michigan. The bill provides that the Coast Guard shall continue to operate the Muskegon Air Facility and shall establish a Chicago area facility for operation through the end of FY 2001. In addition, the bill provides for a study of total search-and-rescue response on Lake Michigan and the establishment of a plan for the coordination of search-and-rescue response in the Chicago area.

I hope that the Coast Guard will aggressively move to take the actions necessary to operate both the Muskegon and Chicago air facilities in FY 2000. I also hope that the Coast Guard will, in the interim, provide a high level of search-and-rescue air coverage for southern Lake Michigan by operating the Muskegon Air Facility on a seven-day, 24-hour-per-day basis during the summer of 1999.

Finally, I want to thank Transportation and Infrastructure Committee Chairman Shuster and the other subcommittee chairmen for their assistance in resolving the Lake Michigan Air Facility issue. I would also like to thank the gentleman from Michigan, Mr. Ehlers, for his assistance on this issue and for helping to maintain the high level of boating safety enjoyed by those boating on Lake Michigan.

Mr. CRANE. Mr. Chairman, I just wanted to take this opportunity to express my appreciation on the members of the Transportation and Infrastructure Committee, and its Coast Guard and Maritime Transportation Subcommittee, for the good work they have done in putting together this year's Coast Guard Reauthorization measure (H.R. 820).

As reported, this bill not only makes it easier to conduct the all-important war against drugs, which is so important to this nation's future, but it will also promote public safety in a way that is very important to a great many people in the Upper Midwest. In particular, I am referring to all those folks who fly over, or take to, the waters of southwestern Lake Michigan and the lakes and rivers north and/or west of Chicago.

Mr. Chairman, over 6 million people reside in the counties of northwestern Indiana, northeastern Illinois, and southeastern Wisconsin that border on Lake Michigan. Not only do many of them own a boat or enjoy going out on someone else's, but countless residents of, or visitors to, the region take advantage of the dinner voyages and sightseeing cruises that depart from Chicago's justly famous lakefront. On top of that, literally, hundreds of thousands of people fly in and out of O'Hare Airport and a number of other airports that dot the landscape from Gary, IN, to Milwaukee, WI. In short, there are people on or over southwestern Lake Michigan and nearby waters all the time—people who would be at risk in the event of a boating accident or an airplane crash.

Thankfully, over 40 years have passed since a major commercial airliner crashed into Lake Michigan. However, that is no guarantee against such an accident occurring in the future. Moreover, smaller planes have fallen into, or collided over, the Lake since then and there have been a number of instances where boats have capsized and/or sunk, not just in Lake Michigan, but in the Chain o' Lakes region north of Chicago. In fact, 26 people were killed in those sorts of accidents from October 1, 1995 to October 1, 1996, a figure which helps explain why so many citizens in the Chicago area were so concerned when the U.S. Coast Guard (USCG) helicopter rescue unit stationed at the old Glenview Naval Air Station was transferred across the Lake to Muskegon, Michigan several years back.

Not to belabor the point, but those citizens had good reason to be concerned. Not only was that USCG helicopter better equipped and its crew better prepared to deal with accidents well offshore than local rescue boats and helicopters, but the unit was 15 to 30 precious minutes further removed from the northeastern Illinois shoreline than had been the case previously. Also, the fact that the unit could spend more time in the air searching for accident victims if it were closer to the Chicagoland area argued strongly for either moving it in that direction or bringing in a new USCG helicopter rescue unit to serve the region.

Having joined a number of my colleagues from both Illinois and Indiana in making that pro-safety argument, I am both pleased and relieved to see that the authors of this legislation have recognized its merits and have endorsed the latter course of action. According to the provisions of Section 204 of H.R. 820, a new USCG helicopter search and rescue (SAR) unit is to be situated on the southwest shore of Lake Michigan, where it is to remain until at least September 30, 2001. In the interim, a thorough study will be conducted to determine what SAR equipment will be needed in the region after the year 2001 and a comprehensive plan will be developed for the provision of the SAR services that are deemed necessary. As for the existing unit, it will continue to be based in Muskegon until at least September 30, 2001, thereby assuring the boating and aviation populations on both sides of Lake Michigan that timely USCG air SAR services will be more readily available than they have been heretofore.

Mr. Chairman, while this approach is not quite as definitive as I would have preferred, it has two major advantages that should commend themselves to my colleagues. First, by authorizing additional air SAR resources for the heavily populated (by boats as well as people) Chicago area, it addresses a very significant public safety concern. Second, by leaving the existing unit in Muskegon, MI, it means that people in that area will not face a reduction in their USCG SAR coverage similar to the one faced by Chicagoland residents several years ago. To my way of thinking, each of these advantages would be sufficient to justify enactment of Section 204 of H.R. 820. Together, they and the drug interdiction features of H.R. 820 make a compelling case for the entire measure.

I urge my colleagues to support H.R. 820.

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

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

The CHAIRMAN pro tempore (Mr. HEFLEY). All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment and is considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 820

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Coast Guard Authorization Act of 1999''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
TITLE I—AUTHORIZATION
Sec. 101. Authorization of appropriations.
Sec. 102. Authorized levels of military strength and training.
TITLE II—MISCELLANEOUS
Sec. 201. Vessel NOT A SHOT.
Sec. 202. Costs of clean-up of Cape May lighthouse.
Sec. 203. Clarification of Coast Guard authority to control vessels in territorial waters of the United States.
Sec. 204. Coast Guard search and rescue for Lake Michigan.

TITLE I—AUTHORIZATION

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are authorized to be appropriated for necessary expenses of the Coast Guard, as follows:

(1) For the operation and maintenance of the Coast Guard—

(A) for fiscal year 2000, $3,084,400,000, of which—

(i) $25,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990;

(ii) not less than $663,000,000 shall be available for expenses related to drug interdiction; and

(iii) $5,500,000 shall be available for the commercial fishing vessel safety program; and

(B) for fiscal year 2001, $3,207,800,000, of which—

(i) $25,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990;

(ii) not less than $689,500,000 shall be available for expenses related to drug interdiction; and

(iii) $5,500,000 shall be available for the commercial fishing vessel safety program.

(2) For the acquisition, construction, rebuilding, and improvement of aids to navigation, shore and offshore facilities, vessels, and aircraft, including equipment related thereto—

(A) for fiscal year 2000, $691,300,000, of which—

(i) $20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990;

(ii) not less than $280,300,000 shall be available for expenses related to drug interdiction;

(iii) $100,000,000 shall be available for modernization of the national distress response system; and

(iv) $3,000,000 shall be available for completion of the design of a replacement vessel for the Coast Guard icebreaker MACKINAW; and

(B) for fiscal year 2001, $792,000,000, of which—

(i) $20,000,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990;

(ii) not less than $233,000,000 shall be available for expenses related to drug interdiction;

(iii) $110,000,000 shall be available for modernization of the national distress response system; and

(iv) $128,000,000 shall be available for construction or acquisition of a replacement vessel for the Coast Guard icebreaker MACKINAW.

(3) For research, development, test, and evaluation of technologies, materials, and human factors directly relating to improving the performance of the Coast Guard's mission in support of search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness—

(A) for fiscal year 2000, $21,700,000; and

(B) for fiscal year 2001, $23,000,000,

to remain available until expended, of which $3,500,000 shall be derived each fiscal year from the Oil Spill Liability Trust Fund to carry out

the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990.

(4) For retired pay (including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose), payments under the Retired Serviceman's Family Protection and Survivor Benefit Plans, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code—

(A) for fiscal year 2000, $730,000,000; and

(B) for fiscal year 2001, $785,000,000.

(5) For alteration or removal of bridges over navigable waters of the United States constituting obstructions to navigation, and for personnel and administrative costs associated with the Bridge Alteration Program—

(A) for fiscal year 2000, $11,000,000; and

(B) for fiscal year 2001, $11,000,000,

to remain available until expended.

(6) For environmental compliance and restoration at Coast Guard facilities (other than parts and equipment associated with operations and maintenance)—

(A) for fiscal year 2000, $19,500,000; and

(B) for fiscal year 2001, $21,000,000,

to remain available until expended.

SEC. 102. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

(a) ACTIVE DUTY STRENGTH.—The Coast Guard is authorized an end-of-year strength for active duty personnel of—

(1) 40,000 as of September 30, 2000; and

(2) 44,000 as of September 30, 2001.

(b) MILITARY TRAINING STUDENT LOADS.—The Coast Guard is authorized average military training student loads as follows:

(1) For recruit and special training—

(A) for fiscal year 2000, 1,500 student years; and

(B) for fiscal year 2001, 1,500 student years.

(2) For flight training—

(A) for fiscal year 2000, 100 student years; and

(B) for fiscal year 2001, 100 student years.

(3) For professional training in military and civilian institutions—

(A) for fiscal year 2000, 300 student years; and

(B) for fiscal year 2001, 300 student years.

(4) For officer acquisition—

(A) for fiscal year 2000, 1,000 student years; and

(B) for fiscal year 2001, 1,000 student years.

TITLE II—MISCELLANEOUS

SEC. 201. VESSEL NOT A SHOT.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), section 8 of the Act of June 19, 1886 (46 App. U.S.C. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel NOT A SHOT (United States official number 911064).

SEC. 202. COSTS OF CLEAN-UP OF CAPE MAY LIGHTHOUSE.

Of amounts authorized by this Act for fiscal year 2000 for environmental compliance and restoration of Coast Guard facilities, $99,000 shall be available to reimburse the owner of the former Coast Guard lighthouse facility at Cape May, New Jersey, for costs incurred for clean-up of lead contaminated soil at that facility.

SEC. 203. CLARIFICATION OF COAST GUARD AUTHORITY TO CONTROL VESSELS IN TERRITORIAL WATERS OF THE UNITED STATES.

The Ports and Waterways Safety Act (33 U.S.C. 1221 et seq.) is amended by adding at the end the following:

"SEC. 15. ENTRY OF VESSELS INTO TERRITORIAL SEA; DIRECTION OF VESSELS BY COAST GUARD.

''(a) NOTIFICATION OF COAST GUARD.—Under regulations prescribed by the Secretary, a commercial vessel entering the territorial sea of the United States shall notify the Secretary not later than 24 hours before that entry and provide the following information:

''(1) The name of the vessel.

''(2) The port or place of destination in the United States.

''(3) The time of entry into the territorial sea.

''(4) Any information requested by the Secretary to demonstrate compliance with applicable international agreements to which the United States is a party.

''(5) If the vessel is carrying dangerous cargo, a description of that cargo.

''(6) A description of any hazardous conditions on the vessel.

''(7) Any other information requested by the Secretary.

''(b) DENIAL OF ENTRY.—The Secretary may deny entry of a vessel into the territorial sea of the United States if—

''(1) the Secretary has not received notification for the vessel in accordance with subsection (a); or

''(2) the vessel is not in compliance with any other applicable law relating to marine safety, security, or environmental protection.

''(c) DIRECTION OF VESSEL.—The Secretary may direct the operation of any vessel in the navigable waters of the United States as necessary during hazardous circumstances, including the absence of a pilot required by State or Federal law, weather, casualty, vessel traffic, or the poor condition of the vessel.''.

SEC. 204. COAST GUARD SEARCH AND RESCUE FOR LAKE MICHIGAN.

(a) IN GENERAL.—

(1) REQUIREMENTS.—Notwithstanding any other law, the Secretary of Transportation—

(A) shall continue to operate and maintain the seasonal Coast Guard air search and rescue facility located in Muskegon, Michigan, until at least September 30, 2001; and

(B) shall establish a new seasonal Coast Guard air search and rescue facility for Southern Lake Michigan to serve the Chicago metropolitan area and the surrounding environment, and operate that facility until at least September 30, 2001.

In establishing the facility under subparagraph (B), the Secretary shall study Illinois sites in the Chicago metropolitan area, including Waukegan, Illinois.

(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to the other amounts authorized by this Act, there are authorized to be appropriated to the Secretary of Transportation—

(A) for operation and maintenance of the Coast Guard air search and rescue facility in Muskegon, Michigan—

(i) $3,252,000 for fiscal year 2000; and

(ii) $3,252,000 for fiscal year 2001;

(B) for acquisition, construction, and improvement of facilities and equipment for the Coast Guard air search and rescue facility for Southern Lake Michigan established under paragraph (1)(B)—

(i) $8,100,000 for fiscal year 2000; and

(ii) $13,000,000 for fiscal year 2001; and

(C) for operation and maintenance of the Coast Guard air search and rescue facility for Southern Lake Michigan established under paragraph (1)(B)—

(i) $5,505,000 for fiscal year 2000; and

(ii) $4,060,000 for fiscal year 2001.

(3) LIMITATION ON CLOSING OR DOWNSIZING OTHER FACILITIES.—The Secretary of Transportation may not close or downsize any Coast Guard facility for the purpose of accommodating the capability required pursuant to paragraphs (1) and (2).

(b) STUDY OF SEARCH AND RESCUE CAPABILITIES FOR LAKE MICHIGAN.—Not later that 1 year after the date of the enactment of this Act, the Secretary of Transportation shall study, determine, and report to the Congress the overall aircraft and vessel search and rescue capability for Lake Michigan, including—

(1) the capability of all Federal, State, and local government and nongovernment entities that perform search and rescue functions for Lake Michigan; and

(2) the adequacy of that overall capability.

(c) PLAN FOR SEARCH AND RESCUE RESPONSE FOR CHICAGO, ILLINOIS.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Transportation shall prepare, submit to the Congress, and begin implementing a comprehensive plan for aircraft and vessel search and rescue response for Lake Michigan in the vicinity of Chicago, Illinois.

(d) USE OF HELICOPTERS FOR DRUG INTERDICTION.—During the portion of each year when the seasonal facilities required under subsection (a)(1) are not in operation, the Secretary of Transportation shall use helicopters assigned to those facilities for drug interdiction.

The CHAIRMAN. 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 Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments to the bill?

AMENDMENT OFFERED BY MR. GILCHREST

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

The Clerk read as follows:

Amendment offered by Mr. GILCHREST:

At the end of the bill add the following:

SEC. . VESSEL COASTAL VENTURE.

Section 1120(g) of the Coast Guard Authorization Act of 1996 (Public Law 104–324; 110 Stat. 3978) is amended by inserting ''COASTAL VENTURE (United States official number 971086),'' after ''vessels''.

SEC. . VESSEL PRIDE OF MANY.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), section 8 of the Act of June 19, 1886 (46 App. U.S.C. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel PRIDE OF MANY (Canadian official number 811529).

SEC. . PROHIBITION OF NEW MARITIME USER FEES.

Section 2110(k) of title 46, United States Code, is amended by striking the last sentence.

SEC. . SENSE OF CONGRESS REGARDING OIL SPILL RESPONSE ACTIONS.

It is the sense of the Congress that to ensure that liability concerns regarding response actions to remove a discharge of oil or a hazardous substance, or to mitigate or prevent the threat of such a discharge, do not deter an expeditious or effective response, the President should promulgate guidelines as soon as possible under the Oil Pollution Act of 1990 and other applicable Federal laws clarifying that a person who is not a responsible party (as that term is used in that Act) and who takes any response action consistent with the National Contingency Plan (including the applicable fish and wildlife response plan) or as otherwise directed by the President to prevent or mitigate the environmental effects of such a discharge or a threat of such a discharge should not be held liable for the violation of fish

and wildlife laws unless the person is grossly negligent or engages in a willful misconduct.

Mr. GILCHREST (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore (Mr. HEFLEY). Is there objection to the request of the gentleman from Maryland?

There was no objection.

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

Mr. GILCHREST. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, we have examined this amendment, and we are prepared to accept it on our side.

Mr. DEFAZIO. We would be happy to accept the gentleman's amendment. We have no problem.

Mr. GILCHREST. Mr. Chairman, I thank the gentlemen for agreeing to the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Maryland (Mr. GILCHREST).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PICKETT

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

The Clerk read as follows:

Amendment offered by Mr. PICKETT:

At the end of the bill add the following:

SEC. . VESSEL NORFOLK.

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883) and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with a coastwise endorsement for the vessel NORFOLK (United States official number 1077852) before January 1, 2001, if—

(1) before that date the vessel undergoes a major conversion (as defined in section 2101 of title 46, United States Code) in a shipyard located in the United States; and

(2) the cost of the major conversion is more than three times the amount the owner of the vessel paid to purchase the vessel.

Mr. PICKETT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

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

Mr. PICKETT. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, we have examined this amendment and we are prepared to accept it on our side.

Mr. DEFAZIO. Likewise on our side, Mr. Chairman. We have no reservations.

Mr. PICKETT. Mr. Chairman, my amendment would provide Jones Act status to a vessel that is U.S.-built, U.S.-owned, and U.S.-flagged, but which is not eligible for the coastwise trade of the United States because at one time it was flagged foreign.

Simply stated, my amendment would provide a Jones Act waiver for the tug "Norfolk" before January 1, 2001 only if before that date the vessel undergoes a major conversion in a shipyard located in the United States and the cost of this major conversion is more than three times the amount the owner of the vessel paid to purchase the vessel. I emphasize again that the vessel is U.S.-built, U.S.-owned, and U.S.-flagged.

I offer the amendment on behalf of Bay Gulf Trading Company, a locally owned Virginia corporation with its headquarters and principal place of business in Norfolk, Virginia. Jerry McDonald, a former U.S. Navy captain, is the chairman of the company. Bay Gulf is wholly owned by U.S. citizens. It is a small business that owns and operates 8 tugs and 10 tanker barges, and employs about 75 persons.

The Merchant Marine Act of 1920 provides that a U.S. vessel once sold foreign or placed under foreign registry cannot engage in U.S. coastwise trade. Only by special legislation can such a vessel built in the United States, flagged foreign, and reflagged in the United States be documented by the coast guard with a coastwise trade endorsement.

The *Norfolk*—built in 1975 at Mangone Shipyard, Houston, Texas—subsequently it was Norwegian flagged and American Bureau of Shipping classed until 1994. During the early 1990's it was sold and reflagged in Italy. In late 1995, the vessel experienced an extensive fire off the coast of Italy. Much of the interior spaces above the main deck were gutted. It was sold "as is" to a company in Ontario, and was towed from Italy to Canada. Repairs were never completed.

Bay Gulf acquired the vessel in December 1998. The tug was the only American built large tug available anywhere in North America. Bay Gulf proposes to use the tug for anchor handling, coastal/ocean towing, and salvage duties. The necessary repair work—estimated cost of $3 million—will be done in the Norfolk area by Norfolk shipyards and contractors. The work is estimated to cost $3 million, which is more than three times the amount the owner of the vessel paid for the purchase of the tug.

Mr. Chairman, existing U.S. law—the Wrecked Vessels Act of 1994—permits the Secretary of Transportation to issue a certificate of documentation with a coastwise endorsement for any foreign-built vessel wrecked on the coasts of the United States when purchased by a citizen of the United States and thereupon repaired in a shipyard in the United States if the repairs are equal to three times the appraised salved value of the vessel. My amendment applies this standard in the case of the *Norfolk*, which is a U.S.-built vessel. So, I would argue that this amendment is eminently fair.

There is clearly no surplus of large anchor handling vessels in the U.S. coastwise trade. Based upon the best information that I can obtain, only one U.S. flagged, coastwise certified 8000 horsepower tug is available on the market, and it is not an anchor handling tug.

Mr. Chairman, I urge my colleagues to support this amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Virginia (Mr. PICKETT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LOBIONDO

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

The Clerk read as follows:

Amendment offered by Mr. LOBIONDO:

At the end of the bill, add the following:

SEC. . DRUG INTERDICTION.

(a) VESSEL SHORE FACILITIES.—In addition to amounts otherwise authorized by this Act, there are authorized to be appropriated to the Secretary of Transportation $20,000,000 for fiscal year 2000 for the acquisition, construction, rebuilding, and improvement of shore facilities for Coast Guard vessels used for drug interdiction operations.

(b) ACQUISITION OF COASTAL PATROL CRAFT.—If the Department of Defense does not offer, by not later than September 30, 1999, seven PC–170 coastal patrol craft for the use of the Coast Guard pursuant to section 812(c) of the Western Hemisphere Drug Elimination Act (title VIII of division C of Public Law 105–277), there are authorized to be appropriated to the Secretary of Transportation, in addition to amounts otherwise authorized by this Act, up to $210,000,000 for fiscal years 2000 and 2001 for the acquisition of up to six PC–170 coastal patrol craft, or the most recent upgrade of the PC–170 coastal patrol craft, for use by the Coast Guard.

Mr. LOBIONDO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LOBIONDO. Mr. Chairman, my amendment is very straightforward. It allows the Coast Guard to purchase six PC–170 coastal patrol boats, adding funding to the Coast Guard budget already approved by the full committee.

Mr. Chairman, the Coast Guard's ability to effect drug interdiction is tied to this amendment. The Coast Guard with this amendment will bring six fast, highly maneuverable vessels to the front lines of the drug war in roughly 1 year's time. With the intensity that we hear of drugs coming into this country, Mr. Chairman, this is an opportunity for my colleagues to be able to do something about it. We all want to talk, every Member of Congress, about how tough we are on drugs. We all talk about how the Coast Guard is the front line of drug interdiction. We all talk about how important it is to give them the resources. Mr. Chairman, this is an opportunity to give the Coast Guard the resources they need.

I want to thank the gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Oregon (Mr. DEFAZIO) and I also want to thank the gentleman from New Jersey (Mr. PASCRELL) and all the members of the committee for their help with this particular amendment. I urge full support of the amendment.

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

Mr. LOBIONDO. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I would say to the distinguished vice chairman of the subcommittee, we have examined this and we strongly support this amendment.

Mr. DEFAZIO. Mr. Chairman, if the gentleman will yield, we support the amendment. We do not want to see the

Coast Guard trying to perform this difficult and dangerous mission with equipment that is not suitable. This is the right equipment for this mission. We are supportive of the amendment.

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

Mr. LOBIONDO. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, for far too long we have fought the war on drugs as if it were a short-term conflict. It is not. It is a long-haul conflict. We must make a 20-year commitment to drug interdiction operations. This amendment will help us do that. We support the amendment on this side.

Mr. LOBIONDO. Mr. Chairman, I thank the gentleman from Minnesota (Mr. OBERSTAR) for his support.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New Jersey (Mr. LOBIONDO).

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 113, further proceedings on the amendment offered by the gentleman from New Jersey (Mr. LOBIONDO) will be postponed.

AMENDMENT OFFERED BY MR. UPTON

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

The Clerk read as follows:

Amendment offered by Mr. UPTON: at the end of the bill add the following:

SEC. . GREAT LAKES LIGHTHOUSES.

(a) FINDINGS.—The Congress finds the following:

(1) The Great Lakes are home to more than 400 lighthouses. 120 of these maritime landmarks are in the State of Michigan, more than in any other State.

(2) Lighthouses are an important part of Great Lakes culture and stand as a testament to the importance of shipping in the region's political, economic, and social history.

(3) Advances in navigation technology have made many Great Lakes lighthouses obsolete. In Michigan alone, approximately 70 lighthouses will be designated as surplus property of the Federal Government and will be transferred to the General Services Administration for disposal.

(4) Unfortunately, the Federal property disposal process is confusing, complicated, and not well-suited to disposal of historic lighthouses or to facilitate transfers to nonprofit organizations. This is especially troubling because, in many cases, local nonprofit historical organizations have dedicated tremendous resources to preserving and maintaining Great Lakes lighthouses.

(5) If Great Lakes lighthouses disappear, the public will be unaware of an important chapter in Great Lakes history.

(6) The National Trust for Historic Preservation has placed Michigan lighthouses on their list of Most Endangered Historic Places.

(b) ASSISTANCE FOR GREAT LAKES LIGHTHOUSE PRESERVATION EFFORTS.—The Secretary of Transportation, acting through the Coast Guard, shall—

(1) continue to offer advice and technical assistance to organizations in the Great Lakes region that are dedicated to lighthouse stewardship; and

(2) promptly release information regarding the timing of designations of Coast Guard lighthouses on the Great Lakes as surplus property, to enable those organizations to mobilize and be prepared to take appropriate action with respect to the disposal of those properties by the Federal Government.

Mr. UPTON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Chairman, I rise first to thank my kind colleagues the gentleman from Pennsylvania (Mr. SHUSTER), the chairman of the full committee; the gentleman from Maryland (Mr. GILCHREST) who has been very understanding as we have worked through this language; the gentleman from North Carolina (Mr. COBLE), always a friend of the Coast Guard; and also my Great Lakes colleagues, the gentleman from Michigan (Mr. STUPAK) in particular; the gentleman from Michigan (Mr. BARCIA) and others that I conferred with before I offered this amendment this afternoon.

Mr. Chairman, I rise in offering this amendment to protect Great Lakes lighthouses. As I am sure the chairman is aware, lighthouses are a very important part of Great Lakes culture and they stand as a testament to the importance of shipping in the region's political, economic and social history.

In Michigan alone, the U.S. Coast Guard plans to designate approximately 70 of these structures as surplus Federal property and turn them over to the GSA for disposal. Unfortunately, the standard Federal property disposal process is very confusing, complicated, and it does not facilitate transfers to nonprofits. This is especially troubling because in many cases, a local, not-for-profit historical organization has dedicated tremendous resources to preserving and maintaining those lighthouses.

In the city of South Haven, Michigan, this very situation occurred only last year. For years, the Coast Guard leased an historical lighthouse keeper's dwelling to the Michigan Maritime Museum that was going to be used as a curatorial center for maritime artifacts. The property was taken away from the museum, turned over to the GSA for disposal and after many months the GSA offered to sell the property back to the museum for $300,000. My colleagues have to be aware that they will be seeing this type of situation again and again as the Coast Guard hands these properties to the GSA for disposal.

Fortunately, a group of Michigan historical preservation leaders have formed a group known now today as the Michigan Lighthouse Project which is dedicated to lighthouse preservation and maintenance. I am glad to report that the Coast Guard has been working hand in hand with the Michigan Lighthouse Project and I applaud their current cooperation and encouragement for their continued involvement.

This amendment states that the Coast Guard shall continue to offer advice and technical assistance to organizations in the Great Lakes region which are dedicated to lighthouse stewardship. Specifically the Coast Guard is urged to promptly release information related to the timing of when a property is going to be excessed by the GSA. That is needed so that organizations can mobilize and be prepared to take action.

Mr. Chairman, I wish that this amendment might be able to go further, but I know that we are going to have some discussions when this bill goes to conference. It is my hope that this body will accept this amendment so that not only the Coast Guard but GSA and other Federal agencies will create a fairer and equitable Federal disposal process that in fact recognizes the historic nature of lighthouses and their wonderful contribution to Great Lakes history.

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

Mr. UPTON. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, we have examined this and we are pleased to accept this amendment on our side.

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

Mr. UPTON. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I rise in support of the gentleman's amendment. Lighthouses are a matter of particular interest and importance to this Committee on Transportation and Infrastructure. The very first public works authorized by the very first Congress was done by the predecessor of our today Committee on Transportation and Infrastructure when that Rivers and Harbors Committee authorized the Fort Henry Lighthouse in 1790. Lighthouses have been a critical part of our navigation system in America not only for waterborne navigation but also from the mid 1920s to the mid 1930s, the Lighthouse Service provided the first navigational guide, aids to aviation navigation on land for airborne transportation.

□ 1430

It was the first nighttime guidance system provided by the lighthouse service to aviation.

For those and for so many other reasons lighthouses have such a fascination for the American public, a point of nostalgia. They are national treasures. They are linked to our maritime heritage. They are landmarks for travel and tourism, and where abandoned and replaced by our modern aids to navigation, lighthouses serve a multitude of purposes including benefits to local economy.

The CHAIRMAN pro tempore (Mr. HEFLEY). The time of the gentleman

from Michigan (Mr. UPTON) has expired.

(On request of Mr. OBERSTAR, and by unanimous consent, Mr. UPTON was allowed to proceed for 1 additional minute.)

Mr. OBERSTAR. Mr. Chairman, in my own congressional district the City of Two Harbors lighthouse along the north shore of Lake Superior in the Coast Guard Authorization Act last year was conveyed to the local Two Harbors and Lake County Historical Society which will be responsible for the upkeep of the facility while the Coast Guard maintains the light itself, and soon we are going to have a major bicycling event along the north shore from Duluth to another historic landmark, the Split Rock Lighthouse when we, hopefully this summer, convene the Split Rock century, arrived from Duluth to Split Rock and back.

Lighthouses serve many, many purposes. The gentleman's amendment will give the Coast Guard the authority it needs to further the conveyance of lighthouses to non-profit organizations that will have the resources, and the will and the desire to preserve these national treasures, and I compliment the gentleman from Michigan on this amendment.

Mr. UPTON. Just to finish up my time, Mr. Chairman, I appreciate the gentleman's support. I know that it has been there from the very onset, and we worked in a very strong bipartisan basis to make sure this was done, and as I live along the Great Lakes in St. Joseph, Michigan, and I think about all the harbors all the way up to Mackinaw and Lake Superior, these are needed, they are very precious, and this amendment, I think, will really help to preserve those in the future.

The CHAIRMAN pro tempore. The time of the gentleman from Michigan (Mr. UPTON) has expired.

(By unanimous consent, Mr. UPTON was allowed to proceed for 1 additional minute.)

Mr. UPTON. But as I think about all these lighthouses in so many different ports throughout the Great Lakes, Mr. Chairman, they are something that needs to be preserved, and we think about, too, the safety of all those boaters. Whether one sails across Lake Michigan at night, or Lake Superior, Lake Erie, Lake Huron, they are important, and they stand as a beacon for every community in terms of historical significance, and I appreciate the gentleman's support and also that of my Michigan colleagues that were instrumental in getting this amendment adopted.

Mr. Chairman, again I appreciate the help of the full committee here in helping me prepare the amendment and the time this afternoon.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Michigan (Mr. UPTON).

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

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

A recorded vote was ordered.

The CHAIRMAN pro tempore. Pursuant to clause 6(f) of rule XVIII, the recorded vote on the amendment offered by the gentleman from New Jersey (Mr. LOBIONDO), if ordered, will be a 5-minute vote.

PARLIAMENTARY INQUIRY

Mr. SHUSTER. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman will state his parliamentary inquiry.

Mr. SHUSTER. Mr. Chairman, it is my understanding we are rolling votes, and I know the gentleman from Pennsylvania (Mr. GREENWOOD) wants to move to strike the last word. Are we not rolling votes now?

The CHAIRMAN pro tempore. The Chair was not aware of additional debate. Without objection, the gentleman from Pennsylvania may strike the last word.

Mr. SHUSTER. Except the gentleman wants to move to strike the last word I believe.

The CHAIRMAN pro tempore. Without objection, the gentleman from Pennsylvania (Mr. GREENWOOD) is recognized for 5 minutes prior to conducting the recorded vote.

There was no objection.

Mr. GREENWOOD. Mr. Chairman, I move to strike the requisite number of words.

I want to stand in support of this legislation particularly because the managers saw fit to include a provision of mine which exempts the vessel, *The Pride Of Many*, from Section 27 of the Merchant Marine Act of 1920. It is popularly referred to as the Jones Act. As my colleagues know, the Jones Act prevents all foreign-built vessels from participating in domestic, coastal and intercostal trade.

In 1975 the Youth Services Agency of Pennsylvania was established. This is a not-for-profit agency, and it runs four alternative community-based high schools for at-risk youth. The students who are referred to the agency either by their home high school after having established a pattern of negative behavior or by court order. The mission of the agency is to expose at-risk youth to a variety of activities and opportunities in an effort to help these students overcome social and/or personal hindrances so that they can achieve their full emotional, physical, intellectual and spiritual potential.

In an effort to provide the 500 students in this program with a sense of accomplishment, self worth and the need for self-discipline, they are being taught how to man a Canadian-manufactured tall ship similar to the famous *Niña, Pinta* and the *Santa María* which they christened *The Pride Of Many*.

Additionally, the vessel will assist in the youths' involvement in port-to-port community service activities. Not only will the nearby communities benefit from their efforts, but it will also contribute to the youths' realization of the importance of community.

In order to assure that the goals of the Youth Services Agency of Pennsylvania are realized, *The Pride Of Many* needs to be allowed to participate in commercial activities that will offset the expense of the vessel.

Mr. Chairman, the Youth Service Agency of Pennsylvania has already provided many tangible benefits for the local community and its students, and I know that *The Pride Of Many* will help continue their effort of good work. I ask all Members of the House join with me in support of this legislation.

RECORDED VOTE

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Michigan (Mr. UPTON) on which a recorded vote was ordered.

This will be a 15-minute vote and will be followed by a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 428, noes 0, not voting 5, as follows:

[Roll No. 53]

AYES—428

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

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

NOT VOTING—5

Hyde
Largent
Myrick
Pitts
Whitfield

□ 1455

So, the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. LOBIONDO

The CHAIRMAN pro tempore (Mr. HEFLEY). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. LOBIONDO) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 424, noes 4, not voting 5, as follows:

[Roll No. 54]

AYES—424

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

NOES—4

Paul
Royce
Sanford
Sensenbrenner

NOT VOTING—5

Houghton
Largent
Myrick
Pitts
Whitfield

□ 1507

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE) having assumed the chair, Mr. HEFLEY, Chairman pro tempore 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. 820) to authorize appropriations for fiscal years 2000 and 2001 for the Coast Guard, and for other purposes, pursuant to House Resolution 113, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the time for a recorded vote on the question of passage of H.R. 975.

The vote was taken by electronic device, and there were—ayes 424, noes 7, not voting 2, as follows:

[Roll No. 55]

AYES—424

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

NOES—7

Chenoweth
Doolittle
Paul
Pombo
Royce
Sanford
Sensenbrenner

NOT VOTING—2

Myrick
Pitts

□ 1525

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 820, the bill just passed.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN THE ENGROSSMENT OF H.R. 820, COAST GUARD AUTHORIZATION ACT OF 1999

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of the bill, H.R. 820, including corrections in spelling, punctuation, section number, and cross-referencing.

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

There was no objection.

REDUCING VOLUME OF STEEL IMPORTS AND ESTABLISHING STEEL IMPORT NOTIFICATION AND MONITORING PROGRAM

The SPEAKER pro tempore. The pending business is the question of the passage of the bill, H.R. 975, on which further proceedings were postponed earlier today.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 289, nays 141, not voting 3, as follows:

[Roll No. 56]

YEAS—289

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Bachus
Baird
Baldacci
Baldwin
Barcia
Barr
Barrett (WI)
Bartlett
Becerra
Bentsen
Berkley
Berry
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Burton
Buyer
Callahan
Cannon
Capps
Capuano
Cardin
Carson
Chenoweth
Clay

Clayton
Clement
Clyburn
Coble
Coburn
Collins
Condit
Conyers
Cook
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dingell
Dixon
Doggett
Doyle
Duncan
Edwards
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Forbes
Ford
Frank (MA)
Franks (NJ)
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodling
Gordon
Graham
Green (TX)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hansen
Hastings (FL)
Hayes
Hefley
Hill (IN)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Hostettler
Hoyer
Hunter
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
King (NY)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Largent
Larson
LaTourette
Lazio
Lee
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Murtha
Nadler
Napolitano
Neal
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickett
Pombo
Pomeroy
Price (NC)
Quinn
Rahall
Rangel
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Sherwood
Shimkus
Shows
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Snyder
Souder
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Walsh
Wamp
Waters
Watt (NC)
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wise
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—141

Archer
Armey
Baker
Ballenger
Barrett (NE)
Barton
Bass
Bateman
Bereuter
Berman
Biggert
Bilbray
Bliley
Blunt
Boehner
Bonilla
Bono
Brady (TX)
Burr
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Combest
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLay
DeMint
Dicks
Dooley
Doolittle
Dreier
Dunn
Ehlers
Eshoo
Fletcher
Foley
Fossella
Fowler
Frelinghuysen
Goodlatte
Goss
Granger
Green (WI)
Hall (TX)
Hastings (WA)
Hayworth
Herger
Hill (MT)
Hoekstra
Houghton
Hulshof
Hutchinson
Hyde
Isakson
Istook
John
Johnson (CT)
Johnson, Sam
Kind (WI)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Latham
Leach
Levin
Lewis (CA)
Linder
Lofgren
Lucas (OK)
Manzullo
McCollum
McCrery
McDermott
McKeon
Miller (FL)
Miller, Gary
Moran (KS)
Moran (VA)
Morella
Nethercutt
Northup
Ose
Oxley
Packard
Paul
Pickering
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Reynolds
Rohrabacher
Royce
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Simpson
Smith (MI)
Smith (TX)
Smith (WA)
Spence
Stump
Sununu
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Upton
Walden
Watkins
Watts (OK)
Weldon (FL)
Wicker
Wilson
Wolf

NOT VOTING—3

Myrick
Pitts
Vento

□ 1534

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. VENTO. Mr. Speaker, I was unavoidably detained for Roll Call Vote No. 56 on March 17, 1999. Had I been present for this vote on H.R. 975, the Steel Recovery Act, I would have voted ''yes.''

CONGRATULATIONS TO AMERICAN COLLEGE OF SPORTS MEDICINE ON NEW HEADQUARTERS IN INDIANAPOLIS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Indiana (Ms. CARSON) is recognized for 5 minutes.

Ms. CARSON. Mr. Speaker, I rise today to congratulate the American College of Sports Medicine on the completion of a vast new addition to its headquarters building in Indianapolis.

In the early 1980s, Indianapolis' corporate leaders and city officials advanced a visionary plan to make the city the amateur sports capital of the Nation.

We have had immense support from the corporate community in Indianapolis. On December 15, 1983, Mayor William Hudnut broke ground for the ACSM National Center, which has become one of the anchor projects of the Canal area redevelopment. He referred to it as ''A cornerstone in the Amateur Sports Capital.''

Mr. Speaker, I want to congratulate the American College of Sports Medicine on the completion of a vast new addition so that it would be able to advance the immense amount of work that it has done in terms of sports medicine.

The new wing will accommodate a videoconferencing center and more office space for the growing staff at the national headquarters of the world's premier sports medicine and exercise science organization.

The ACSM is a worldwide leader in the advancement of sports medicine, exercise science, physical activity, and health. The ACSM works closely with diverse organizations, including the Centers for Disease Control and Prevention, the American Heart Association, and the Department of Health and Human Services. The ACSM is an association of people and professions sharing a commitment to explore the use of medicine and exercise to make life healthier for all Americans. ACSM is an organization founded in 1954 and committed to the diagnosis, treatment, and prevention of sports-related injuries and to the promotion of physical activity. ACSM's mission is to promote and integrate scientific research, education, and practical applications of sports medicine and exercise science to maintain and enhance physical performance, fitness, health, and quality of life.

ACSM is the largest sports medicine and exercise science association in the world. Its more than 17,500 members worldwide work in a variety of medical specialties, allied health professions, and scientific disciplines. College members are divided into the following three categories: medicine, basic and applied science, and education and allied health.

The ACSM Board of Trustees was approached with a proposal to relocate its National Center from Madison, Wisconsin to Indianapolis. The Trustees agreed to move the American College of Sports Medicine to Indianapolis, lending the organization's considerable prestige to the city's growing reputation as the home of amateur sports in the United States.

In October of 1984, the building was ready for occupancy, thanks to major contributions from Lilly Endowment, Krannert Charitable Trust, City of Indianapolis, William B. Stokely Jr. Foundation, Eli Lilly Company Foundation, The Quaker Oats Company, and Nautilus, along with those from generous ACSM members.

In 1998, the College broke ground for a much-needed expansion to its Canal headquarters, dramatically increasing its programs and activities. The expansion, finished in January 1999, now houses a state-of-the-art videoconferencing center and several other amenities that support its worldwide reputation as the ''gold standard'' for sports medicine and exercise science. A 35-person staff and $6 million budget round out its Indianapolis presence.

ACSM's important work and innovations have improved the quality of life for Hoosiers and all Americans. I congratulate the organization on all of its accomplishments and for the significant contributions it continues to make to the Indianapolis community.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

SUPPORT OF HOUSE RESOLUTION 99, CONDEMNING LACK OF HUMAN RIGHTS IN CUBA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Speaker, the House Committee on International Relations at this time is marking up a very important resolution condemning the Cuban government, the dictator Castro, for its latest and ongoing Stalinist crackdown against the internal opposition and the independent press.

Among the scores and scores and scores of well-known dissidents and independent press members who have been arrested in recent weeks are the most distinguished members of the internal opposition in Cuba, and the four best known and also very distinguished members of the internal opposition, Felix Bonne Carcasses, Marta Beatriz Roque Cabello, Vladimioro Roca Antunez, and Rene Gomez Manzano. These individuals were tried in a farcical and secret proceeding on March 1, and only a few days ago, this week in fact, Castro announced the sentences: 5 and 4 and 3½ year sentences for those dissidents.

Now, the internal opposition is working intensely and valiantly in Cuba to draw international attention to Castro's deplorable human rights violations and continues to strengthen and grow in its opposition to the dictatorship. At this time of great repression, it is indeed proper and necessary that the international community, as this Congress is doing at this time and will do next week, demonstrates its firm and unwavering support and solidarity with the internal opposition and the independent press.

What is remarkable and unexplainable and condemnable is that while, correctly so, even many of Castro's best commercial allies, such as Canada and the European Union and Latin American states, have rightfully condemned Castro's recent crackdown, and the government of Spain is reevaluating its decision to send the king of Spain there in the next weeks, and the members of the Ibero-American Summit are reevaluating their decision to go to the summit in Havana later on this year, while all that is taking place based on this crackdown by the Cuban dictator, what is the Clinton-Gore administration doing?

The Clinton-Gore administration has reiterated its intent to send the Baltimore Orioles to Cuba. I know that is unbelievable at this stage as well as in ultimate bad taste. I would say it demonstrates a perfidious bad faith. Because while the Clinton-Gore team says that it is a people-to-people exchange, the Baltimore Orioles will be going to Cuba to a stadium filled by Castro's people. Castro will decide who gets to go to the stadium, Castro will be at the stadium, and he will receive the public relations banquets that will be provided to him by virtue of the fact of this diplomatic gesture of the Clinton-Gore administration.

So I call upon the Clinton-Gore administration to stop its hypocrisy. If the administration is going to condemn the crackdown, condemn the crackdown. They should not say they are going to condemn the crackdown and then say they are sending the Baltimore Orioles, which is what they are doing. So I denounce that as hypocritical, and I denounce that as unconscionable.

At this time, more than ever, the Cuban people deserve and merit and require the unwavering support of the international community, including the government of the United States. I call upon this government to act in a way consistent with its moral and legal obligations to stop its hypocrisy; to cancel this game of Mr. Angelos and the other supercapitalists who want to go and do business with the apartheid economy of Castro, and to say that this is not the time, while the dictatorship is in its last gasps, to be sending little baseball games for the pleasure, entertainment and publicity feast of a moribund dictatorship.

So if there is any dignity left in that White House, I say cancel the Orioles' little game and be consistent with the ethical and constitutional and legal requirements of the moment and stand with a people who have suffered for 40 years and are deserving of the same democracy and self-determination and human rights that has spread throughout the rest of the hemisphere.

Mr. Speaker, It is a privilege for me to join my distinguished colleague ILEANA ROS-LEHTINEN in sponsoring this important and timely resolution along with its other distinguished sponsors from both sides of the isle.

The Cuban dictatorship's repressive crackdown against the brave internal opposition and the independent press must be condemned in the strongest possible terms. The internal opposition and independent press of Cuba have our profound admiration and firm solidarity.

This resolution by the United States House of Representatives condemns Castro's stalinist crackdown on the brave internal opposition and the independent press, and demands of the Cuban dictatorship, as the entire international community *must,* the release of all political prisoners, the legalization of all political parties, labor unions and the press, and the scheduling of free and fair, internationally supervised elections.

Martin Luther King rightfully declared that an injustice anywhere constitutes an affront to justice everywhere. Now more than ever it is incumbent upon the entire international community, as the U.S. House of Representatives is hereby doing, to demonstrate its firm solidarity with the oppressed people of Cuba and with the brave Cuban internal opposition and the independent press.

□ 1545

WAR POWERS RESOLUTION

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

Mr. PAUL. Mr. Speaker, last week the House narrowly passed a watered-down House concurrent resolution originally designed to endorse President Clinton's plan to send U.S. troops to Kosovo. A House concurrent resolution, whether strong or weak, has no effect of law. It is merely a sense of Congress statement.

If last week's meager debate and vote are construed as merely an endorsement, without dissent, of Clinton's policy in Yugoslavia, the procedure will prove a net negative. It will not be seen as a Congressional challenge to unconstitutional presidential war power. If, however, the debate is interpreted as a serious effort to start the process to restore Congressional prerogatives, it may yet be seen as a small step in the right direction. We cannot know with certainty which it will be. That will depend on what Congress does in the future.

Presently, those of us who argued for Congressional responsibility with regards to declaring war and deploying troops cannot be satisfied that the trend of the last 50 years has been reversed. Since World War II, the war power has fallen into the hands of our presidents, with Congress doing little to insist on its own constitutional responsibility. From Korea and Vietnam, to Bosnia and Kosovo, we have permitted our presidents to ''wag the Congress,'' generating a perception that the United States can and should police the world. Instead of authority to move troops and fight wars coming from the people through a vote of their Congressional representatives, we now permit our presidents to cite NATO declarations and U.N. resolutions.

This is even more exasperating knowing that upon joining both NATO and the United Nations it was made explicitly clear that no loss of sovereignty would occur and all legislative bodies of member States would retain their legal authority to give or deny support for any proposed military action.

Today it is erroneously taken for granted that the President has authority to move troops and fight wars without Congressional approval. It would be nice to believe that this vote on Kosovo was a serious step in the direction of Congress once again reasserting its responsibility for committing U.S. troops abroad. But the President has already notified Congress that, regardless of our sense of Congress resolution, he intends to do what he thinks is right, not what is legal and constitutional, only what he decides for himself.

Even with this watered-down endorsement of troop deployment with various conditions listed, the day after the headlines blared ''the Congress approves troop deployments to Kosovo.''

If Congress is serious about this issue, it must do more. First, Congress cannot in this instance exert its responsibility through a House concurrent resolution. The President can and

will ignore this token effort. If Congress decides that we should not become engaged in the civil war in Serbia, we must deny the funds for that purpose. That we can do. Our presidents have assumed the war power, but as of yet Congress still controls the purse.

Any effort on our part to enter a civil war in a country 5,000 miles away for the purpose of guaranteeing autonomy and/or a separate state against the avowed objections of the leaders of that country involved, that is Yugoslavia, can and will lead to a long-term serious problem for us.

Our policy, whether it is with Iraq or Serbia, of demanding that if certain actions are not forthcoming, we will unleash massive bombing attacks on them, I find reprehensible, immoral, illegal, and unconstitutional. We are seen as a world bully, and a growing anti-American hatred is the result. This policy cannot contribute to long-term peace. Political instability will result and innocent people will suffer. The billions we have spent bombing Iraq, along with sanctions, have solidified Saddam Hussein's power, while causing the suffering and deaths of hundreds of thousands of innocent Iraqi children. Our policy in Kosovo will be no more fruitful.

The recent flare-up of violence in Serbia has been blamed on United States' plan to send troops to the region. The Serbs have expressed rage at the possibility that NATO would invade their country with the plan to reward the questionable Kosovo Liberation Army. If ever a case could be made for the wisdom of non-intervention, it is here. Who wants to defend all that the KLA had done and at the same time justify a NATO invasion of a sovereign nation for the purpose of supporting secession? ''This violence is all America's fault,'' one Yugoslavian was quoted as saying. And who wants to defend Milosevic?

Every argument given for our bombing Serbia could be used to support the establishment of Kurdistan. Actually a stronger case can be made to support an independent Kurdistan since their country was taken from them by outsiders. But how would Turkey feel about that? Yet the case could be made that the mistreatment of the Kurds by Saddam Hussein and others compel us to do something to help, since we are pretending that our role is an act as the world's humanitarian policeman.

Humanitarianism, delivered by a powerful government through threats of massive bombing attacks will never be a responsible way to enhance peace. It will surely have the opposite effect.

It was hoped that the War Powers Resolution of 1973 would reign in our president's authority to wage war without Congressional approval. It has not happened because all subsequent Presidents have essentially ignored its mandates. And unfortunately the interpretation since 1973 has been to give the President greater power to wage war with Congressional approval for at least 60 to 90 days as long as he reports to the Congress. These reports are rarely made and the assumption has been since 1973 that Congress need not participate in any serious manner in the decision to send troops.

It could be argued that this resulted from a confused understanding of the War Powers Resolution but more likely it's the result of the growing imperial Presidency that has developed with our presidents assuming power, not legally theirs, and Congress doing nothing about it.

Power has been gravitating into the hands of our presidents throughout this century, both in domestic and foreign affairs. Congress has created a maze of federal agencies, placed under the President, that have been granted legislative, police, and judicial powers, thus creating an entire administrative judicial system outside our legal court system where constitutional rights are ignored. Congress is responsible for this trend and it's Congress' responsibility to restore Constitutional government.

As more and more power has been granted in international affairs, presidents have readily adapted to using Executive Orders, promises and quasi-treaties to expand the scope and size of the presidency far above anything even the Federalist ever dreamed of.

We are at a crossroads and if the people and the Congress do not soon insist on the reigning in of presidential power, both foreign and domestic, individual liberty cannot be preserved.

Presently, unless the people exert a lot more pressure on the Congress to do so, not much will be done. Specifically, Congress needs a strong message from the people insisting that the Congress continues the debate over Kosovo before an irreversible quagmire develops. The President today believes he is free to pursue any policy he wants in the Balkans and the Persian Gulf without Congressional approval. It shouldn't be that way. It's dangerous politically, military, morally, and above all else undermines our entire system of the rule of law.

UNTIMELY DEATH OF HIGH SCHOOL BASKETBALL STAR, JOHN STEWART

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Indiana (Ms. CARSON) is recognized for 5 minutes.

Ms. CARSON. Mr. Speaker, I rise today to express my support and sympathy for the family of John Stewart, a young Indianapolis man who promised to bring glory to the game of basketball. Unfortunately and most tragically, last Friday night he collapsed at a basketball game and died from an undetected enlarged heart.

John Stewart just turned 18 years old, was an amazing young man gifted with enormous natural talent and he used those talents to the fullest. He was very friendly, had a good sense of humor. He was loved by both students and teachers at Lawrence North High School. He measured a full 7 feet tall and tipped the scales at nearly 300 pounds.

From 1995 to 1997, John was a ball boy for the Indiana Pacers. The Pacers continued to provide John Stewart with shoes even after his days with the team because his feet were so large his family had a hard time finding shoes that would fit him. It was reminiscent of Shaquille O'Neal, who had given his shoes to a young man not because they could not afford to buy size 16–17 shoes but because in the marketplace those sizes were very difficult to locate. John Stewart had led Lawrence North 24 to 2, with 22 points and 13 rebounds. The third-quarter numbers were 10 points and 7 rebounds.

The case of John Stewart reminds us how imperative it is to understand before kids enter the world of athletics, especially something as strenuous as basketball, that they have to have a thorough heart evaluation to forego a cardiac condition called hypertrophic cardiomyopathy. It is a disease of the heart that has some genetic tendencies. It causes a very enlarged heart. The normal treatment for that, of course, is to avoid strenuous physical activity.

John Stewart was second-ranked Lawrence North's star center. He collapsed Friday during the Wildcats' Class 4A regional championship game with Bloomington South at Columbus. Unfortunately, he never regained consciousness. He had also been awarded a scholarship to attend the University of Kentucky during the next school season.

So I wanted to say on behalf of the many people who will not have an opportunity to express their support for the John Stewart family, his mother, his father, his sisters, his brothers, his aunts and his grandparents, and to all of the students who are in shock and in bereavement at Lawrence North that there is a passage of scripture that often refers to a situation like this in that ''death has no democracy, it visits anyone regardless of what their ages are.''

But it could be that John Stewart's life was cut off prematurely to alert this Congress, this country, to the need for allowing children to have thorough heart examinations before they go in. The passage of scriptures says that perhaps John may have laid down his life so that others may live.

In closing, Mr. Speaker and Members of the House, I would simply recall for the John Stewart bereaved family at this time the words that the poet who reminds all of us, ''for every drop of rain that falls a flower grows''; and certainly John Stewart has brought in the rain where a flower will grow, and said, ''somewhere in the darkest night a candle glows.''

John Stewart's remains will be laid to rest on Friday. And unfortunately, I cannot attend the Hershey event with my colleagues because I will be attending John Stewart's going home services if you will. But he does remind me that for every drop of rain that falls a flower grows and somewhere in the darkest night that a candle glows.

I know wherever John Stewart's spirit is at this time, regardless of the pain

that his departure has left, that his candle will continue to glow through the minds and the hearts of the John Stewart family and the Lawrence North High School community.

TRADITIONAL COUNTRY FOR SIX DECADES

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

Mr. HULSHOF. Mr. Speaker, I rise today to pay tribute to a small radio station with a big voice which has been broadcasting for six decades in Missouri. In Warrenton, Missouri, a small but growing community, Bill and Merle Zimmerman first established KWRE–AM–73, a radio station to serve the residents of east central Missouri 50 years ago. Playing tunes by Marty Robbins, Dottie West, and Jim Reeves, KWRE Radio officially hit the air waves in 1949 and has remained true to its motto of playing traditional country music ever since.

I would like to take these few minutes, Mr. Speaker, to honor those at this humble radio station who have reached out to people in Warren County, as well as Lincoln, Montgomery, Gasconade and Franklin Counties, deep in the heartland of Missouri's Ninth Congressional District.

Now, despite the demands of running a modern station, those at KWRE have maintained traditional homegrown values as their core operating method. As such, they have proven over the last 50 years that America still wants to hear wholesome traditional values and classic country songs.

In 1962, this hometown tradition was carried on by Vern and Lillian Kasper. The Kaspers bought KWRE Radio and were able to modernize the broadcast facilities, increase the community services offered by the station, and air award-winning editorials and other public service programs.

Those responsible for maintaining KWRE's traditional country image are people like Phil Summers, who brings a vast array of characters and endless trivia tidbits to the station's morning show each weekday. His award-winning show ranks as one of the best entertainment and local news shows in east central Missouri.

Mr. Speaker, I would also like to highlight the quality of KWRE's morning programming. And currently, I and other locally-elected officials are regular guests on Mike Thomas' weekday ''Livewire'' program. ''Livewire'' is actually just that, a live wire. It covers a range of topics, from local school issues to international relations and everything in between. Every other week I am honored to be a guest on the ''Livewire'' show and help inform the listeners in east central Missouri about legislative action taking place here in our Nation's Capitol and how it affects folks at home.

Overall, there are several programs on KWRE that focus primarily on news and information. The station broadcasts at least 15 daily news broadcasts to all six counties in east central Missouri.

In addition to providing top-notch newscasts, KWRE is also known for its broadcast of agricultural information. And having grown up on a family farm in Missouri, I know firsthand how important it is to have up-to-date market information and how useful it can be for local farmers and those involved in agribusiness. KWRE does this as well as any and better than most.

Finally, Mr. Speaker, KWRE also acts as the public service medium to inform its listeners about upcoming nonprofit events listed on its free bulletin board. KWRE–73 Sports is the hometown sports voice for area schools, broadcasting approximately 60 high school football and basketball games each school year. The station broadcasts a live weekly sports show, ''Instant Replay,'' aimed at keeping the fan and sportsman in-the-know.

In summary, KWRE accommodates all ages of east central Missouri's residents whether it is the annual Senior Citizens Fair and Exposition or the annual Children's Christmas Party giving away thousands of dollars in toys to area children. The canned goods given for admission are distributed to local charities in time for Christmas delivery.

In conclusion, I want to express my admiration for those who have helped to maintain the hometown tradition since 1949. I wish KWRE in Warrenton, Missouri, all the best in their 50th anniversary celebration and hope they can continue to provide such wholesome, hometown coverage for east central Missouri for decades to come.

□ 1600

SUPPORT AMERICAN FARMERS

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

Mr. HINOJOSA. Mr. Speaker, as we proceed with our work on Budget 2000, I want to take this occasion to pose the following question: Are we doing everything we need to do to support our American farmers? That is a question we all need to seriously think about.

In 1998, the agriculture sector of the economy suffered through one of the worst years in American history. Drought and other weather conditions, coupled with extremely low prices, significantly affected many producers in my home State, Texas. Farm and ranch production values declined more than $2.4 billion from 1997 in Texas. The resulting loss in agribusiness income is an $8 billion blow to the State's overall economy, mostly to the small rural communities like I represent in the 15th Congressional District.

Nationally, from 1996 to 1997, net farm income dropped 6.8 percent from $53.4 billion to $49.8 billion. Economists forecast a 15.7 percent drop from $197 billion to only $42 billion in 1998. To say the least, these declines are dramatic.

While weather conditions will hopefully improve, the current price situation for crops and livestock remains bleak. Virtually every commodity has continuing low prices, with little prospect for improvement.

When the Congress passed the 1996 Federal Agriculture Improvement and Reform Act, certain other issues were to be addressed. Those included: Passage of fast track negotiating authority, relief of government regulatory burdens, and the repeal of capital gains taxes and death taxes. In the 3 years since the passage of the FAIR Act, those promises have not been kept. I mention all of this because I feel it is important to constantly be mindful of how vital agriculture is to our country. When disasters occur, yes, action is taken to respond to them, but what we saw last year was too little, too late. That is not a philosophy to which I subscribe.

Mr. Speaker, much more needs to be done for America's farmers, and the time to do it is now, as we are now working on the budget. Let us help provide a safe and secure future for our farmers. Agriculture is a vital part of our economic fiber in our country, and the men and women who comprise America's farming community are important to our Nation's character. It is our responsibility to make sure that they survive and that they have an opportunity to prosper. Let us provide an environment in which they can.

Mr. Speaker, I would like to close my remarks by tossing out two thoughts for consideration. They evidence why we absolutely need to do the right thing. In the next 30 years, the world's population will increase by 2.5 billion and the demand for food will double. Who is going to feed them? Everybody eats.

PROJECT LABOR AGREEMENTS PORTEND GREAT COST TO ANGELENOS

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

Mr. HAYWORTH. Mr. Speaker, I wear on my lapel just above the pin signifying that this is the 106th Congress a pair of black horn-rimmed glasses representing the memory of the late great Arizona Senator Barry Goldwater. Goldwater brought a simple, plain-spoken candor to public life, and, Mr. Speaker, I think it was typified by his straightforward declaration that as an American, people should have the right to join a union but they should likewise have the right not to join a union if they so desire. And mindful of some perilous trends in public policy, I rise on this occasion this afternoon.

California is the next-door neighbor of Arizona, and the Los Angeles Unified

School District is contemplating a move that portends great cost to the citizens of Los Angeles and portends a trend that should be fought by all means at the Federal level. I speak of project labor agreements. This is what is being proposed in Los Angeles. This comes to school construction. ''The contractor recognizes the council and its affiliated unions as the exclusive bargaining representatives for the employees engaged in project work covered by this agreement.''

Mr. Speaker, in the LA Daily News on the editorial page, it is noted that ''even a school board member who often sides with the teachers union can't turn a blind eye to this outrage.'' What is outrageous? Well, quite simply this fact, Mr. Speaker: The estimates are that this plan could increase construction costs by 10 to 15 percent in the district.

Now, lest you think this is only something that Los Angelenos should be concerned about, Mr. Speaker, I would commend to your attention something this House once saw in April of 1998, the Vice President of the United States, he who last week claimed that he was the father of the Internet, he who infamously claimed 2 years ago that there was no controlling legal authority given the outrage of alleged campaign donations to the Clinton-Gore team from foreign governments including the People's Republic of China, well, this selfsame Vice President announced that the Clinton-Gore team would aggressively pursue linking Federal projects to union construction firms.

Now, ladies and gentlemen, I believe that everyone should have the right to apply to do work and if a union shop is the bidder that is accepted based on its quality of work, that is well and good. But here is the problem with union-only agreements as the Vice President promised to Boss Sweeney and others: Not only is the blatant payoff, Mr. Speaker, but in fact it will end up costing the American taxpayer across the width and breadth of our annual budget an additional $5 billion a year.

Now, mindful of the florid rhetoric and the feel-good attitude that the President brings when he steps to this podium annually to offer his State of the Union message and mindful that sadly his rhetoric does not always square to reality, I would invite the President and the Vice President and others who claim that project work, or union-only agreements, would somehow be beneficial to step up and defend spending an additional $5 billion of taxpayers money. Because, you see, Mr. Speaker, there is a better way, indeed to use the President's term, there is a third way, but that would involve truth and merit rewards.

And again I say, lest there are those who misunderstand, if it is a union shop that steps forward with the best ability to do the work, well, then God bless them and they should be awarded a contract on their merits. But to restrict or to claim that this government or indeed any other governmental entity will deal only with union shops is to circumvent freedom of choice, freedom of association and fiscal responsibility. For to paraphrase Goldwater and perhaps change his phraseology, I believe that union firms have a right to bid on a contract but I also believe that open shop firms should have that same right. And if an open shop can do the work better, then they should be selected.

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

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

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

(Mr. JONES of North Carolina 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 Texas (Mr. STENHOLM) is recognized for 5 minutes.

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

FOREIGN OIL REVERSAL ACT OF 1999

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

Mr. MORAN of Kansas. Mr. Speaker, it was a year ago today that I rose on this House floor to raise a concern with my colleagues with what is happening in the oil patch in our country. We are in the process of losing our domestic oil industry, which I believe is to our great detriment down the road and in fact today. The domestic oil industry, those small producers, those wells that are producing 2.2 barrels per day on the average, are currently being shut down and closed in. Since 1997, a little more than a year ago, we have lost over 41,000 jobs in the United States with more than 136,000 oil wells shut down. In my State of Kansas alone, the job loss is someplace between 5 and 8,000, with a loss of revenue this year of $955 million.

If the problem we face with our economy is not great enough, it is perhaps superseded by the problems we will face strategically in the future. The U.S. dependence on foreign oil continues to rise. We had problems, those of us who are old enough to remember the early 1970s, with long lines at the gas station and the oil embargo. At that time our foreign oil imports were only 36 percent of our U.S. consumption, while today 57 percent of the oil consumed in the United States is derived outside the United States. That estimate is expected to rise to 70 percent in about 10 years. We have set the stage for significant and serious problems in defending our country and in our strategic reserves.

Mr. Speaker, this issue needs the attention of the administration, of the Department of Energy and of the President of the United States. It also could use the attention of Members of Congress. Yesterday, I introduced legislation along with several other Members of Congress, the gentleman from Mississippi (Mr. PICKERING), the gentleman from Texas (Mr. SESSIONS), and the gentleman from Oklahoma (Mr. WATKINS), and this legislation mirrors legislation introduced last week by the distinguished Mr. DOMENICI.

This bill attacks the issue of foreign dependence upon energy, and by suggesting that when 60 percent of our consumption is derived from foreign sources that the administration, the President of the United States, must begin a process to determine the extent of the problems created by our foreign dependency on oil, must report to Congress those difficulties, his assessment, and must make recommendations to Congress to what we can do to minimize our dependence on foreign oil, issues such as tax reduction, regulatory relief and conservation measures. We have also included in this bill many proposals to react to the days in which the oil and gas industry was considered highly profitable and Congress and the administration then decided to, in a sense, gouge that industry, to take away its profits. And today when western Kansas crude is priced at $8 or $9 a barrel and the costs of breaking even for that production is $16, it is time to reduce, eliminate the tax policy in this country that discourages marginal well production and discourages this industry from remaining alive and solvent.

Mr. Speaker, I hope that over the course of the next few days and over the course of the next few weeks, Congress will begin to focus on the fact that we are losing an important industry in our country but perhaps more importantly focus on the fact that we are selling short our future, our children's future, our grandchildren's future by our reliance upon oil from other countries. It is clear that we spend billions of dollars protecting our foreign supplies but next to nothing in protecting domestic production.

Perhaps as troublesome to me as anything is the idea that the so-called surplus that results in this price of oil is derived from the fact that we are importing oil from Iraq. So on one hand we are trying to contain Saddam Hussein's activities and on the other hand we are providing the financial resources for him to pursue those activities, and at the same time we are hurting our own men and women employed

in the oil and gas industry in the United States of America.

Mr. Speaker, I urge support of H.R. 1117.

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

(Mr. FOSSELLA 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. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks appear hereafter in the Extensions of Remarks.)

□ 1615

MEETING THE NEEDS OF OUR VETERANS

The SPEAKER pro tempore (Mr. PEASE). Under a previous order of the House, the gentlewoman from Nevada (Ms. BERKLEY) is recognized for 5 minutes.

Ms. BERKLEY. Mr. Speaker, I rise today on behalf of the veterans in my district, Congressional District 1 in the State of Nevada. I represent Las Vegas, Nevada. Let me tell my colleagues a little bit about it. I have got the fastest growing district in the United States. I have the fastest growing veterans population in the United States. There are only three States that have an increasing veterans population in this country: Florida, Arizona and the State of Nevada. A preponderance of those veterans that are moving to those three States are coming to the State of Nevada. Let me tell my colleagues what the problems are.

First, I will tell my colleagues during my campaign the veterans took me under their wing and educated me about the problems that they are facing. We developed a relationship that transcends politics, and we become very close family, we become friends, and I have come here to be an advocate on their behalf.

In the State of Nevada, in southern Nevada, we have a wonderful new veterans' clinic, we have a wonderful new hospital, we have wonderful state-of-the-art equipment, and we have a brand new cemetery.

Let me tell my colleagues what we do not have. We do not have enough doctors, and there is not enough funding to hire doctors. I have got incidents after incidents of older veterans who come to the clinic because they have medical problems and they cannot get in to see a doctor. I have one incident of a veteran that has a lump, and when he went to the veterans' clinic to have a biopsy, he was told that he could not see a doctor, he could not get that biopsy for 5 months. Nobody, nobody, should have to go through the pain and anguish of not knowing what their medical condition is, particularly a veteran who has given so much and sacrificed so much on behalf of this country.

We do not have enough nurses in Nevada. I do not have enough technicians to work that wonderful new equipment. So the medical equipment that would help these veterans sits idle because there is no one that knows how to work the equipment.

I have a wonderful new cemetery, as I stated, but let me tell my colleagues I do not have enough equipment and there is not enough personnel to bury those veterans that are dying in southern Nevada, and as our veterans population ages, as those veterans keep coming to retire in southern Nevada, what am I to tell those families that are suffering because they have just lost a loved one? Do I tell that family during their most horrible time of need that we cannot bury their loved one because we do not have enough personnel at the cemetery? We do not have enough equipment to do this last act of honor for this great veteran? I cannot in good conscience do that.

Mr. Speaker, I do not have enough money for counselors, so when I have veterans that are coming to southern Nevada that need counseling because they have got a drug abuse problem, because they are suffering from alcoholism or they are roaming the streets of southern Nevada, downtown Las Vegas, because they are homeless that we do not have enough caring in this country, we do not have enough concern for these veterans to make sure that we do not have adequate counseling and help in their time of need?

The President's flat line budget that he submitted to Congress was wholly inadequate to serve the needs of the veterans in this country. I am opposed to it, but I fear that the meager increase that we have proposed here in Congress is also inadequate to meet the needs of our veterans in this country. The $1.9 billion that has been passed by the Committee on Veterans' Affairs, a committee that I sit on and am honored to serve on, will not begin to make a dent in the problems that we are suffering and we are facing in southern Nevada.

I ask all of my colleagues to join with me to vote in favor of the alternative proposal, one that is supported by all of the veterans groups across our great country, to add $3.2 billion to the President's budget so that we can finally provide the services that our veterans justly deserve, that we have a responsibility to provide and one that all Americans who owe these great veterans our lives, our liberties and our American way of life. Let us unite together and help our veterans in their hour of need.

KOSOVA KILLINGS CALLED A MASSACRE

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

Mr. ENGEL. Mr. Speaker, last Thursday the House very wisely passed a resolution giving the President the authority to send U.S. troops to Kosova as a part of NATO, and at the time many of us arguing in favor of the resolution said that it was necessary for the United States to be a leader of NATO and to show that we are the leader and to have 4000 of our troops, if necessary, participate in the NATO peacekeeping force which would only be 15 percent of the total and which would in essence be a poster child for burden sharing. When I got up to the floor, as did many of my colleagues, we talked about genocide and ethnic cleansing and said that it was important for NATO to have a presence in Kosova in order to prevent ethnic cleansing.

Today in the front page of the Washington Post there is unfortunately an article which says ''Kosovo Killings Called a Massacre,'' and I just wanted to read some of the article and then ask to have the entire article put into the RECORD, but the article starts off by saying:

An independent forensic report into the killings of 40 ethnic Albanians in the Kosovo village of Racak in January has found that the victims were unarmed civilians executed in an organized massacre, some of them forced to kneel before being sprayed with bullets according to western sources familiar with the report. The findings by Finnish forensic experts set to be released Wednesday in Pristina, the Kosovo capital, contradicts claims by officials of the Serb led Yugoslav government that the dead were armed ethnic Albanian separatists or civilians accidentally caught in a cross-fire between government security forces and separatist rebels. Western officials have blamed the killings on government police.

It has been apparent for many years now, but especially during the past several months, that ethnic cleansing and genocide has been going on in Kosova, and by the way I say ''Kosova'' because that is the way 92 percent of the people who live there who are ethnic Albanians pronounce it. They pronounce it ''Kosova'' and in my estimation, if that is what the people who live there call their land, that is what I call it. We have said that ethnic cleansing and genocide has been going on, and that is why it is just so important for NATO to be there. People who say that it is not in our vital interests, I would argue that it is in our vital interests to stop genocide and also in the U.S. vital interest to prevent a larger outbreak of the war which would surely, if given a chance, suck in many neighboring countries, including the potential to suck in NATO allies of Turkey and

Greece and Bulgaria and other countries as well. And so that is why the U.S. has a vital interest.

But I wanted to come to the floor today to point out the ethnic cleansing and the genocide and to say that when the United States has the ability to help prevent these kinds of atrocities we ought to do it.

Again this is an independent panel. This is not some panel that is hired by one side or another. This is an independent panel, independent forensic report, and it is what we said all along, that these are innocent civilians, unarmed civilians, men, women and children who are being ethnically cleansed who are being killed by the Serbian led forces under Slobodan Milosevic, who in my opinion is a war criminal and should be prosecuted by the International Tribunal at the Hague.

Mr. Speaker, I place the entire article into the CONGRESSIONAL RECORD at this time:

[From the Washington Post, March 17, 1999]

KOSOVO KILLINGS CALLED A MASSACRE—SOME VICTIMS SHOT WHILE ON THEIR KNEES

(By R. Jeffrey Smith)

ROME, March 16—An independent forensic report into the killings of 40 ethnic Albanians in the Kosovo village of Racak in January has found that the victims were unarmed civilians executed in an organized massacre, some of them forced to kneel before being sprayed with bullets, according to Western sources familiar with the report.

The findings by Finnish forensic experts, set to be released Wednesday in Pristina, the Kosovo capital, contradict claims by officials of the Serb-led Yugoslav government that the dead were armed ethnic Albanian separatists or civilians accidentally caught in a cross-fire between government security forces and separatist rebels. Western officials have blamed the killings on government police.

Because of the extreme sensitivity of the case, leaders of the European Union, which sponsored the probe, have asked the forensic team to withhold some of its most potentially inflammatory findings when its members appear at a news conference Wednesday, officials said.

The request, they say, was made out of concern that the results will further polarize the two sides in the Kosovo conflict and impede the Belgrade government's acceptance of a peace agreement for the Serbian province at talks underway in France.

One Western official said the German government, which holds the rotating chairmanship of the European Union, had ordered the Finnish team not to release a summary of its probe, which includes details about how some of the victims appeared to have died. Instead, at Bonn's request, the team agreed to release only the voluminous summaries of autopsies it helped conduct on bodies of the victims.

The killings on Jan. 15 at Racak, an ethnic Albanian village southwest of Pristina, outraged the world and became a turning point in the year-long conflict between security forces and the Kosovo Liberation Army, the main ethnic Albanian rebel group fighting for Kosovo's independence from Serbia, the dominant republic in the Yugoslav federation.

NATO leaders condemned the killings at the time and renewed their threat to carry out punitive airstrikes against Yugoslav military targets. Days later, both sides in the conflict agreed to take part in peace talks in France sponsored by the United States, Russia and four west European nations.

On Monday, ethnic Albanian negotiators pledged to sign a draft peace agreement that would provide substantial autonomy to Kosovo, while Belgrade officials have continued to object not only to the language of the proposed political settlement, but also to a provision mandating deployment of 28,000 NATO-led troops in Kosovo to enforce its terms.

The forensic team's investigation, based on an examination of evidence at the site and autopsies conducted jointly with Yugoslav government pathologists, determined that 22 of the victims were slain in a gully on the outskirts of Racak, precisely where their bodies were found on the morning of Jan. 16. The gully is so narrow that these victims could only have been shot deliberately at close range, the sources said.

Although the bodies of some other victims in the village were moved into homes or a mosque before international observers arrived, the forensic experts were able to determine where all but four of the 40 victims had died. From the pattern of the bullet wounds on their bodies and other evidence—such as their civilian clothing and possessions—the team found no reason to conclude they were killed accidentally or were members of the Kosovo Liberation Army, said the sources, who asked not to be identified.

Western officials say the team found that the angle of the bullet wounds in the victims' bodies was consistent with a scenario in which some of them were forced to kneel before being sprayed with gunfire from automatic weapons. This ''spray pattern'' finding is among the sensitive details that officials said may be withheld at Wednesday's news conference. Wounds on the bodies of some other victims evidently suggest they were shot while running away, the sources said.

On Jan. 16, U.S. special envoy William Walker, head of an international monitoring mission in Kosovo, described the killings as a massacre by government forces, and Yugoslav officials ordered him out of the country. The order was later suspended after the West threatened punitive action.

Western sources subsequently disclosed that telephone conversations between top Yugoslav and Serbian officials about the slayings showed that the officials explicitly sought to contrive an explanation for the killings that would shift blame away from security forces.

The Yugoslav government invited the Finnish forensic team to conduct the investigation at a time when many countries were demanding an inquiry by the International War Crimes Tribunal in The Hague. Yugoslavia has refused to cooperate with the tribunal or recognize the legitimacy of its mandate over matters of Yugoslav territory, so the Finns were accepted as compromise.

Officials in Belgrade, aware of the potential impact the forensic report might have on foreign sentiment about the conduct of its army and paramilitary forces, have mounted sustained propaganda campaign to cast the forensic team's conclusions in a favorable, and, according to the sources, highly misleading light.

An article in today's editions of Politika, a Belgrade newspaper connected to the government, claimed for example that the team had established that all the victims all had fired weapons before their deaths and that the bodies of all of them had been moved. The chief public prosecutor for Serbia, Dragisa Krsmanovic, alleged similarly last week that forensic tests showed the victims all had been shot from a distance. As a result, he said, government troops could not be prosecuted for their actions in Racak.

The forensic team searched but found no evidence to support these claims. On the other hand, its findings cast doubt on the assertion of some Western officials, including Walker, that the bodies has been deliberately mutilated by government troops.

Although 45 people reportedly were slain at Racak, the Finnish team was given access to only 40 bodies. The investigators learned that at least five more bodies, including those of at least two women, were removed from the area and presumably were buried in a cemetery south of Racak, along with as many as seven others who apparently were wounded during the assault and died later.

AMERICA'S FARMERS FIGHTING FOR THEIR LIVELIHOOD

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I am here today because our American family farmers are suffering. While the general economy is strong, the U.S. agricultural economy continues to experience significant declines in agriculture commodity prices that began over a year ago. The price declines experienced by wheat and cattle producers over the last couple of years have expanded now to all of the feed grains, oil seed, cotton, pork and now the dairy sectors at record all-time lows. Farm income is expected to fall from $53 billion in 1996 to $43 billion next year, nearly a 20 percent decline.

Mr. Speaker, last week I met with a number of farmers just from Ohio. One left me with a letter that I would like to read tonight. It says:

DEAR MS. KAPTUR: The purpose of my Washington, D.C. trip is twofold. Not only am I here today representing Ottawa County, but as a wife and partner of an Ottawa County farmer. I am very concerned about the plight of America's farmers. I can remember as a youngster back in the late 1940s all the farmers, eight full-time farmers within just 2 miles of here who lived on our road in northwest Ohio. They had dairy cows, hogs and chickens. At the present time within that same two miles there is only one full-time farmer. Since our numbers are dwindling and the American farmer only makes up 1.8 percent of our population, the American farmer is fast becoming an endangered species.

I want to know what is going to happen to the American farmer, and does Washington and our Nation really care? With the way our grain prices are falling and our costs are increasing, how is a present-day farmer going to continue and also encourage new generations to enter the farming profession? The prices are lower now than during the 1940s.

With the combination of low prices and the loss of productive agricultural ground to urban sprawl, most farming operations will cease to exist. Where is our Nation going to obtain its food? If the United States relies in greater and greater measure on foreign countries to supply its food needs, their food checkoff day will surpass the February 9 date.

Since U.S. consumers have never gone hungry, they have no concept if they lose the American farmer, their safe food supply could diminish or be completely cut off. How long can the average American farmer afford to spend $168,000 for just one piece of equipment?

With the statistics that I am enclosing the American farmer will not be able to stay in business. Therefore agriculture will not be one of America's major industries. We are fighting for our livelihood and need yours and Congress' help.

Does anybody care? Does anybody even know?

Regards,

DEE.

She also left me with a breakdown of their family farming operation, which I will place in the RECORD, but basically what it shows is their total production cost last year was $375,000, including what they had to pay for running their land, the cost of producing corn, the cost of producing soybeans and wheat, however their total income was only $317,430, leaving them with a negative income last year of $57,570.

The question to be addressed is how today's or tomorrow's farmer is going to continue to produce food for a Nation in the world if he or she cannot purchase needed equipment and meet the costs of doing business. How many other Americans have to purchase equipment like combines which retail at $211,000 minus dealer discounts equaling about $168,000 less trade-ins on equipment. So that leaves them with about $111,000 to finance for 10 years at 8.75 percent interest for an annual payment of $17,204.

□ 1630

How will they continue to make that payment when their negative income prohibits them from showing any profit?

There is an increasing concentration throughout agriculture today. This concentration is severely distorting the market signals that farmers use to know what to produce, when to produce and how to make a profit. This concentration is hurting the marketplace and free competition. These market conditions are deeply hurting our family farms and threatening the economic stability of real communities across our country.

Dee asks, what can we do? First I say Congress, this Congress and this executive branch, must recognize the faces of rural America and understand the crisis out there. We must increase market transparency on prices and we should revisit freedom to farm and provide these farmers who provide our food with the safety net against these kinds of international market manipulations.

THERE IS A CRISIS ON THE AMERICAN FARM

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

Mr. POMEROY. Mr. Speaker, I want to commend my colleague, the gentlewoman from Ohio (Ms. KAPTUR), for the comments she has just made regarding the crisis on the American farm. Representing the State of North Dakota in this body, a congressional district that has more production acres for agriculture than any other district in the House of Representatives, I can only affirm all too well the truth of what she is saying.

There is a crisis on the farm. If we do not act as a Congress and act quickly, the face of farming in this country will be changed. We will move from agriculture production primarily based with family farmers to vast corporate farms, changing forever the way our food is produced and a way of life in much of our country.

The critical element that has made the low commodity prices so particularly hard on our farmers relates directly back to a change made by this Congress in the farm bill that we are presently under.

In 1948, Congress acted to establish some measure of price protection for farmers, recognizing that there is going to be great volatility in the prices commodities will bring given any number of circumstances, but more recently it has been the ebb and flow of demand in the global marketplace.

The prior policy for farm programs has been that the United States Government has got the capacity to backstop individual farmers to protect them from the worst ravages of loss when prices fall through the floor. The last farm bill changed all that. We no longer afford our farmers any price protection. We have protected the Treasury of the Federal Government but we have left the fortunes of individual families out there on the farmsteads completely exposed to the ebb and flow of market prices.

The Asia financial collapse has absolutely destroyed commodity prices in this country. Small wonder. Japan, our number one export market for small grains, down 10 percent; Korea, number 4 market, off one-third, and so it goes.

So we have much more supply relative to market and prices' fall, and this time without a safety net. Small wonder in year two of the new farm bill its critical weakness was already glaringly exposed and exposed to such a dimension that in a bipartisan way we had to quickly get some money out of the Treasury and commit it to farmers in the shape of a disaster bill passed last fall in light of the national dimensions of the crisis in agriculture we had seen.

We have more to do this Congress. Do not think for one second that that disaster bill passed in October forestalls a total catastrophe in farm country without further action.

The first thing we must do is pass the supplemental. The White House has advanced an appropriations request that will afford absolutely critically needed loan money and guaranteed loan money available so that a number of farmers can get in the fields this spring that otherwise will not have operating capital to do so and that for others still they will be able to restructure their financial situation in such a way that they will be able to cashflow, whereas otherwise they would not be able to cashflow.

Let me say something about cashflow, however. In my neck of the woods, given the commodities we produce, primarily small grains, one can get in today's market prices enough at the elevator to cover the costs that have been invested in that product. Therefore, lenders this spring are engaging in what is called equity lending; equity lending.

It does not sound all that bad but let me say what it means. It means that farmers are reducing their net worth. They are having to capitalize their assets because they cannot even make enough on the sale of their crop for what it takes to grow the crop.

We need to come back and visit this whole safety net for farming issue. We need to make some changes in the farm bill. It has fallen short and we now see where. Farmers need price protection. We need to make certain that there is a measure of price protection restored. Otherwise, we are going to be in this situation spring and fall every single year. Mark my words on this. We are going to have emergency supplemental bills in the spring and we are going to have disaster bills at harvest time trying to prop up America's farmers.

Let us not leave them hanging on the next action of Congress acting in such an ad hoc way every spring and every fall. Let us restore a safety net for America's farmers. Anything else will be catastrophic for the family farmers of this country.

THE RUMSFELD COMMISSION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. SCHAFFER) is recognized for 60 minutes as the designee of the majority leader.

Mr. SCHAFFER. Mr. Speaker, this special order hour by the Republican majority is one occasion upon which we will take the opportunity to discuss the issue of national missile defense, particularly as it relates to legislation that is expected to pass on this House floor tomorrow, certainly to be debated, and we will kick off that event with an unprecedented joint bipartisan meeting on the House floor, at which we will receive a briefing and a report from the commission known as the Rumsfeld Commission.

The Rumsfeld Commission is one which was commissioned by this Congress to look into the issue of national ballistic missile defense, to ascertain the complexity of the threat that looms over the United States of America from a potential intercontinental ballistic nuclear missile attack.

Most Americans are unaware that the United States possesses no capability or capacity to stop a single incoming intercontinental ballistic missile. We cannot stop it. If any of the rogue nations that we are concerned

about were to launch an attack of a single missile against the United States, it would take approximately a half-hour for that missile to reach us and there is nothing we would be able to do to stop it. That is an alarming reality that the Rumsfeld Commission report exposed and used as a basis to warn this Congress that we must begin to move forward on implementing a national ballistic missile defense policy.

The report is also one that we took to Russia over the weekend. I am joined by one of my colleagues who was part of an 8-member delegation that left for Russia on Friday, had an opportunity to brief the Russian Duma on the status of nuclear missile threats from rogue nations and also to address some of the opportunities for misinterpretation, I should say, that should be expected by our Russian counterparts in the legislative branch in Russia.

Our purpose was to do three things. One was to walk them through the Rumsfeld Commission report, to give to them the unclassified version of the briefing that we will receive here tomorrow and to do that prior to the vote that takes place. That was remarkable in and of itself. I think the briefing went a long way to helping the United States and Russia maintain the strong bond of friendship that we have established but do so in a way that allows us to continue to move forward with protecting the American people.

The second thing we hope to accomplish, and I believe successfully did, is to suggest to the Russians that our efforts to move forward on a national missile ballistic defense program is not motivated by any fear or concern about the Russian people or any hostility by the country of Russia.

The third item that we focused on was to suggest to the Russians that in an age of rapid technological advances, there is much to be gained through cooperative efforts to try to reduce the missile threat around the world; to, in fact, move us to that day off into the future that we all envision where nuclear missiles, intercontinental ballistic missiles, can one day become a thing of the past, where we can effectively, through the advances of technology, diplomacy and partnership, render nuclear missiles obsolete.

Now that is a distant dream but one that is imminently possible, and I think it was an important opportunity again, first of all, to explain our legislation to the Russians before we cast the vote on the House floor, and we actually accomplished that before the Senate voted just yesterday to pass their version of the measure off of the Senate floor, and finally to reassure the Russian Government and our counterparts in the Duma that the extension of friendship and partnership that we have really strived to establish since the fall of Communism in the old Soviet Union is something that we are serious about and we can maintain that friendship and, as I said earlier, go forward with establishing a missile defense program for our people.

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

Mr. SCHAFFER. I yield to the gentleman from Mississippi.

Mr. WICKER. Mr. Speaker, I will not be able to participate during the whole hour but I do want to thank the gentleman from Colorado (Mr. SCHAFFER), for entering into this special order. We are going to be joined by my friend, the gentleman from Arizona (Mr. HAYWORTH) in a few moments and perhaps others.

My friend, the gentleman from Colorado (Mr. SCHAFFER) has made a number of very important points. We are going to have an important debate tomorrow afternoon in this House of Representatives on a real threat against the United States and against the citizens of our country, and I think the American people will be watching us in this debate. I want everyone in this body to understand how important it is.

Also, as the gentleman says, we have an opportunity as House Members, tomorrow morning at 9:30 eastern time, to have a very important briefing. It is a closed briefing, but I would say to my colleagues that are within the sound of my voice we may have constituents coming in, we may have subcommittee hearings, and I know that we will be pulled at from many, many areas, but there is no more important place that my colleagues could be tomorrow morning at 9:30 than to hear former Secretary Rumsfeld and the members of his bipartisan commission about the very real threat that we have from incoming intercontinental ballistic missiles where our United States cities, our United States citizens, now have absolutely no protection. Hear me. We now have absolutely no protection from these incoming missiles.

We now have a threat that has changed, the world situation has changed, and the briefing that we will have from Secretary Rumsfeld will be very important tomorrow.

As the gentleman from Colorado mentioned, he and I just returned last night from a long weekend trip to Russia, where we met with members of the Russian Government, members of the Russian parliament, the Duma, to brief them on the unclassified portions of this Rumsfeld report. We were joined on this trip by former Secretary Rumsfeld and two other members of his commission, former Director of Central Intelligence, the former director of the CIA under this administration, under the Clinton administration, Jim Woolsey, and former Under Secretary of State Bill Schneider, who served in the Reagan and Bush administrations.

This is a bipartisan delegation that represented the Rumsfeld Commission in Moscow just this past weekend, and the entire Rumsfeld Commission, consisting of 9 members, was bipartisan, patriotic Democrats and Republicans, who were unanimous, Mr. Speaker, unanimous in their bipartisan conclusions that the United States faces an imminent threat from missiles coming in principally from rogue nations.

□ 1645

Nations like North Korea which has already shown us that they can launch a multi-stage missile. They have shown us in recent tests. Countries like Iraq and Iran whose stated policies are hostile to the United States of America.

So we do not need to be alarmists in this Congress, but we need to tell the American people the facts, and I think the American people who listen to our debate and the Members of Congress tomorrow afternoon who listen to our debate will conclude that this bipartisan commission of people who have been there, who know what they are talking about, who have been on the frontline in Republican administrations and Democratic administrations, protecting our Nation against foreign threats, these people are telling the truth. The threat is very real; it could come within 5 years, where cities are subject not only to intentional attacks from rogue nations, but accidental missile launches or unauthorized attacks.

So I am pleased to join the gentleman from Colorado (Mr. SCHAFFER) in this discussion. As I say, I will probably not be able to be here for the entire hour, but I believe we have a message that perhaps has not sunk in with the American people. But there is a threat, and this Congress will act tomorrow to begin to answer this very real threat.

Mr. SCHAFFER. Mr. Speaker, I yield to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Colorado, and I would echo the sentiments of both the gentleman from Mississippi and the gentleman from Colorado.

Mr. Speaker, in the beautiful preamble to the Constitution, a Constitution we have sworn to uphold and defend against all enemies, foreign and domestic, there is the mission statement, if you will, to use the parlance of the late 1990s, that it is the role of we, the people, to provide for the common defense. And there is no clearer mission and no clearer mandate than the current world condition as explained by the Rumsfeld Commission.

The gentleman from Mississippi is quite right. Republicans and Democrats, acting foremost as Americans, evaluated the threat of rogue States such as North Korea, Iran, Iraq, and came away with the chilling evaluation, as widely reported in the press, though perhaps not with the emphasis in hindsight that should have been required, that within 5 years time, these rogue nations would have at their disposal weapons of mass destruction; specifically, intercontinental ballistic missiles, that could strike at the heartland of the American Nation, and this is what we confront.

My colleagues also mentioned, Mr. Speaker, the assumption and the false impression that exists in the minds of many that the continental United

States and Alaska and Hawaii are already protected from such an attack. Sadly, Mr. Speaker, that is not yet the case. I should pause here, especially given the tenor of the times and the revelations of unauthorized transfers of technology to the Chinese government, and sadly, the alleged political misconduct of the Clinton-Gore administration, to underscore what has happened, because in the parlance of the politically correct, sadly, our commander in chief from time to time is factually challenged. Mr. Speaker, he stood here at the rostrum 2 years ago in his State of the Union message and said to the American Nation, who looks to its President for reassurance and truth, two qualities, Mr. Speaker, that sadly have been sorely lacking, the President offered a classic Clintonian statement when he said, quote, Tonight, no Russian missiles are aimed at America's heartland, or words to that effect.

That led the distinguished Democratic Senator from Nebraska, Mr. KERREY, in a subsequent appearance on NBC's Meet The Press to say well, yes, that is true, but those missiles can be reprogrammed in a matter of minutes.

I acknowledge that reality not to cast aspersions on the Russian Federation or members of the Duma with whom my colleagues met this weekend, but to point out that sadly, in this age of presidential leadership, all Americans have to parse the statements of our commander in chief.

So we are faced with this dilemma: How best to provide for the common defense and protect our citizenry from attack from any quarter, but especially the threat of rogue nations. And indeed, the headlines today ring out the irony of a curious state of conduct with the outlaw Nation that is North Korea.

Indeed, as the gentleman from Mississippi will recall, before we were sworn in to the 104th Congress, as part of this new common sense conservative majority, the then Secretary of Defense William Perry came to brief us at a breakfast sponsored by the gentleman from California (Mr. HUNTER) and I was privileged to ask the first question of then Secretary Perry, and I asked the Secretary why the Clinton administration was insistent on sharing any form of nuclear technology with the North Koreans. And to sum up the Secretary's reply to me: I needed a further briefing.

No, Mr. Speaker, I did not need a further briefing. It is common sense that if the stove is on, one does not put one's hand on the eye of the stove or one will get burned. One does not play with matches, one does not play with fire. And continuing this curious indulgence of the North Koreans is now the announcement heralded by this administration that the U.S., at long last, will be granted inspection of sites in North Korea. But, there is a caveat there, because the grand leader of the North Koreans, Kim Jong-il, has a Nation wracked with famine, and while this great constitutional republic has proper humanitarian impulses to help feed people of the world stricken by disaster inside that closed and sadly retro Stalinist state, Kim Jong-il and his military leaders continue apace their development of intercontinental ballistic missiles, and as my colleague from Mississippi pointed out, now the North Koreans possess technology that can strike America's heartland.

Mr. WICKER. Mr. Speaker, if the gentleman will yield, the gentleman from Arizona has made a number of absolutely correct statements about the missile threat, both from the former Soviet Union, now the Federation of Russia, as well as the rogue States. But it is important for our colleagues, Mr. Speaker, and for all Americans to understand that the missile technology, the intercontinental ballistic missiles previously owned by the Soviet Union and aimed at us have not been utterly destroyed.

I think a lot of people perhaps even listing to the President of the United States in his speech from this very room might misunderstand the situation. Those missiles are still there, and they can be reprogrammed as the Democratic Senator, responding to the President of the United States, correctly pointed out. So that threat is still there.

Now, we have every reason to be optimistic about our new relationship with the Soviet Union. We have some joint initiatives with them on housing, hopefully which will constitute a win/win situation with the United States investment community, the Russian people, and stability worldwide. We are involved in some joint efforts with Russia on space technology, and I applaud that.

But the missiles are still there, and elections are going to be held in Russia in December of 1999 for the Duma, the Russian parliament. We hope that people who support our continued openness and steps toward friendship will be elected in December of this year, but we do not know that. Presidential elections will be held in the federation of Russia early in the year 2000. We do not know the result of that election. So we are still in a very dangerous world and the Russian missiles are there. But it is not because of the Russian missiles that the Rumsfeld Commission has come forward. And we were there, the gentleman from Colorado (Mr. SCHAFFER) and I, and a bipartisan delegation from this body, we were there to point out the true facts to our colleagues from the Russian parliament, that the United States is threatened by rogue nations and perhaps by an unauthorized or accidental launch.

We also pointed out, Mr. Speaker, to our colleagues in the Russian Duma that we are asking for the very type of missile shield which Russia presently has around its capital city of Moscow. Russia presently has the technology that we are asking for to protect our cities, and it is only fair and only right, and it is actually our constitutional duty, as the gentleman has already pointed out, to take the necessary steps under the changed world situation to protect Americans from whatever threats as they arise.

Mr. SCHAFFER. Mr. Speaker, reclaiming my time, that is something that of course our delegation knew, but I think it was reemphasized during this visit, is that the Russians have been engaged in an incremental strategy over the years of deploying ground-based radar stations, missile interceptors, as well as a civil defense network designed to protect the capital city of Moscow.

Now, this is really one of the weaknesses of the ABM Treaty that we are under, because we here in the United States, under that treaty, are restricted from constructing a missile defense system that is comprehensive in nature, that can protect the entire country. In Russia it is a very different story because the majority of the Russian people live in the capital city. In fact, the defense structure that they have established it is estimated can protect upwards of 70 percent of the Russian people. But the ABM Treaty only allows us to protect a point, a place. Would it be Washington, D.C., would it be New York, would it be Denver, would it be San Francisco, would it be L.A.? Imagine the political difficulty in deciding which part of the country we would defend in a similar way that the Russians are able to. It is a very perplexing question.

Mr. WICKER. Mr. Speaker, if the gentleman will yield, the gentleman is saying that 70 percent of the population of Russia is now protected by a missile defense system and not one American city or citizen is protected by a similar system.

Mr. SCHAFFER. Mr. Speaker, that is precisely the case. It is only the reason why, as the gentleman from Arizona mentioned earlier, last summer it was when our satellites were beaming down immediate data to our analysts in the Air Force primarily, in the space program, they watched in almost horror as they were watching in real time data being transmitted on a missile launch that we detected from Korea that was of a heat signature we had never recognized out of North Korea. It was a trajectory we did not recognize. It was at a speed we did not recognize. They instantaneously realized and came to the conclusion that North Korea had a 3-stage rocket which had not been announced to the world. Our intelligence community had failed to warn the United States or even to detect that North Korea had this capacity. And with a lightweight warhead, that Taepo Dong missile, as it was soon to be called, has a radius capacity of about 6,000 miles. That means North Korea announced to the world that day the ability to land a missile on the North American continent within about a half-hour of launch time. Now, that shocked us because we cannot stop it.

But over in Russia, however, 70 percent of their people are potentially protected from that kind of a launch. And the North Koreans are not stopping at the Taepo Dong I missile. They are now working on the Taepo Dong II missile which will also be of similar design, a 3-stage rocket with a heavier payload, and continue to possess the ability of longer range and more precise targeting over time. That is a very real threat.

I might also point out that members of the Russian Duma had heard information before. They know, for example, that North Korea, Libya, Iran, Iraq are countries that are moving forward on development; they know that Pakistan and India have experimented with underground detonations, but they have never, as members of the legislative branch in Russia, they do not have the leverage that we do in the United States Congress to demand this kind of information to inform themselves about these threats.

The information we took over to the Russian Duma and delivered to the Russian parliamentarians was quite an elaboration that I do not think they were prepared to hear or expected to hear. I think in the long run, let us be frank, the Russian parliamentarians are not thrilled to see the United States move forward in a policy direction that would have us defend ourselves. They like the current imbalance. That is to their strategic advantage.

□ 1700

But I think we did a successful job, one of erasing some of the misinformation and the misinterpretation that is possible with the vote we are going to take tomorrow, and, secondly, alerting them to the very valid reasons that we as Americans have over the emerging threat of these rogue nations.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I commend my colleagues the gentleman from Colorado (Mr. SCHAFFER) and the gentleman from Mississippi (Mr. WICKER) and others, including our very good friend, the gentleman from Pennsylvania (Mr. WELDON), who lead the delegation to the former Soviet Union, the Russian Federation.

Again, I think it is important to underscore the unprecedented nature of such a visit, American legislators meeting with their Russian counterparts to explain and cut through the haze of disinformation and other impulses that may linger from the Cold War that, in the situation which we find ourselves, there is a legitimate stake in self-defense for this constitutional republic, for our American Nation, and for the American people.

I might also point out, as genuine as the threat is from North Korea, the area in and around the Persian Gulf remains an area of grave and great concern. Given the proximity of Israel to that region of the world, indeed given the Scud attacks on Israel, this administration proposed a few years ago that the Israelis might want to have a missile defense.

That begs the question, Mr. Speaker, if it is good enough for the Russian people, and as my colleagues have pointed out, some 70 percent of the Russian population is effectively covered with this type of missile defense system, if our own administration and State Department, Mr. Speaker, would say it is good enough for the Israelis and they should work on a comparable system, then certainly the American people deserve such protection. We must underscore the fact that it currently does not exist.

Now, Mr. Speaker, I am well aware of the fact that there continues to be a somewhat curious debate in the realm of international law about enforcement of a treaty such as the Anti-Ballistic Missile Treaty, or ABM Treaty, from more than a quarter century ago ratified by the United States Senate.

In our new world situation, we call that entity with whom we dealt at that time now today the former Soviet Union. The Soviet Union has ceased to exist and, indeed, in everyday parlance, just as marriage vows customarily end with the term ''till death do you part,'' when one entity is dissolved, it is my belief, and I believe a reasonable test and a reasonable assumption and assertion, that that treaty likewise or at least the involvement with the Soviet Union and the strictures of the ABM Treaty ceases to exist because now we are dealing with a new Russian federation.

But, again, I want to salute my friends who took the time and had the courage to go talk to our Russian counterparts in a spirit of candor.

We might also point out, Mr. Speaker, as relevant again as today's headlines, there have been reports of the possibility of a similar computer crisis that we hear about in this country under the guise of Y2K. There are concerns about Russian computers.

We welcome the chance to break down the barriers and ensure that there would be no unintended launch from any type of computer malfunction. But if it were to happen, is it not the role of this Congress and the American people to make sure that this Nation is adequately protected? Sadly, on this day, at this hour, in this Chamber, we have to point out that, for the American Nation, no such missile defense exists.

Mr. SCHAFFER. Mr. Speaker, reclaiming my time, I would like the gentleman from Mississippi (Mr. WICKER) to expound on the point of the relevance of the ABM Treaty to the vote tomorrow because the ABM Treaty has acknowledged weaknesses.

Mr. WICKER. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, the gentleman from Arizona has begun a discussion which I think will continue for months and even years in this Congress and in this Nation concerning the ABM Treaty. I think he has made a very logical point in that the Soviet Union no longer exists.

Other very learned scholars who have looked at the issue have concluded that the deployment of our missile defense program in the United States would not violate the ABM Treaty. That is to be decided later.

We do need to point out for the sake of our colleagues that will be voting tomorrow that there is nothing in the legislation tomorrow that has anything to do with the ABM Treaty at all. Indeed, it does not discuss the ABM Treaty, yes or no. It simply says, very, very simply, in a very short piece of legislation, that it is the policy of the United States to deploy a national missile defense system.

I think it is also important for us to point out that, despite the niceties of the ABM Treaty, we are going to take steps in this Congress to protect our people, to protect the citizens and cities and communities of the United States and provide for the common defense.

If the ABM Treaty eventually has to be renegotiated, if there has to be further diplomatic conversations between these signatory parties or between new states that have sprung up in place of those signatory parties, we will do that.

But our first and foremost responsibility, Mr. Speaker, is to realize the threat, as the Rumsfeld Commission is going to point out to us in our session tomorrow and as we will be learning in the debate and, having realized that threat, to do our duty, our duty to provide for the defense.

The gentleman from Arizona mentioned the Middle East and the very real conflict that we have seen there in recent years. Certainly we know we wish it were not so. But we know that Saddam Hussein is the sworn enemy of the United States.

Here is what Mr. Saddam Hussein had to say about the United States of America, ''Our missiles cannot reach Washington. If they could reach Washington, we would strike if the need arose.'' Saddam Hussein, 1990.

Listen to this quote from Abul Abbas, head of the Palestinian Liberation Front: ''Revenge takes 40 years. If not my son, then the son of my son will kill you. Someday, we will have missiles that can reach New York.''

Mr. Speaker, this House, this Congress, and I hope this administration is going to take the necessary steps to answer these threats, to answer the very real facts which will be presented to us tomorrow, and to make sure that our people can live as safely as possible in this very dangerous world.

Mr. SCHAFFER. Mr. Speaker, reclaiming my time, I would like to add one more quote from an American. This is a student who just e-mailed me the following message yesterday, and I want to share it with my colleagues.

It says, ''Dear Congressman SCHAFFER, I do not know if this has come up

to the floor yet,'' and how timely that it will come to the floor tomorrow. ''I do not know if this has come to the floor yet. However, I have become aware of the existence of this bill and wish to encourage its support.'' She referenced the bill a little earlier. ''The bill entitled the American Missile Defense Protection Act calls for enacting stronger measures to protect our magnificent country from missile attacks. Please research this issue and act and vote in support of it. Thank you. God bless.''

This is a constituent from Fort Collins, Colorado, my district back home. This letter is indicative of what most Americans feel about this topic when they learn the details of our current state of military readiness and defense preparation, when they learn about the issues that are at stake, when they learn about the imbalance that is swiftly balancing against us.

I think these are the voices that need to be heard on this House floor, particularly tomorrow, over and above all of the hesitations, the concerns, the placations that are coming out of the White House right now and others throughout the country who believe that this defenseless posture that we are in today is something that should continue. We have the opposite view.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from Colorado for sharing that message from his constituent in Fort Collins. Mr. Speaker, it points out the unique nature both of this special order and the ability that our constituents have, not only from our individual districts, but indeed from coast to coast and beyond to e-mail, fax, phone their Member of Congress, Mr. Speaker, Republican or Democrat, we are all Americans, to ask their Member of Congress to move forward with this missile defense system. It is vital. It is necessary. It is long overdue.

There is nothing better than the input of those concerned citizens rising to this cause, Mr. Speaker, and alerting their respective Member of Congress in much the same way as I would take this time, Mr. Speaker, again to invite Members from both parties tomorrow to listen to the classified briefing on this floor from former Defense Secretary Rumsfeld and others who join him on the Commission.

Mr. SCHAFFER. Mr. Speaker, reclaiming my time, I just point out the timeliness of the announcement we just heard from the Committee on Rules in bringing the bill to the floor for debate. This is very relevant matter that we are discussing here today.

Members of this Congress and citizens throughout the country need to come to grips very quickly with the question of what is it we are going to stand for as a country when it comes to defending our borders.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman from New York (Mr. REYNOLDS) for filing that rule so that that debate can take place on this House floor tomorrow.

The world remains a dangerous place. Even as media outlets such as the capable news network offer their, at times, controversial documentary treatment of the Cold War as if it is and anachronism or a relic, the fact is the world does remain a dangerous place.

The rogue states, as the gentleman from Mississippi (Mr. WICKER) pointed out, the avowed enemies of this country who make no bones about their yearning, their desire to deploy weapons of mass destruction against the world's lone remaining superpower and the very ideals this constitutional republic embodies.

So, again, in full view of the oath we take to the Constitution of the United States and our trusted responsibility with the American people as their constitutionally elected representatives, we must answer this clarion call and make provisions for a missile defense system.

Because, sadly, again, as shocking as it may be to the American people, despite some flowery phrases, there is currently no such system. This Congress will have to take steps tomorrow.

I would also point out to the gentleman from Colorado (Mr. SCHAFFER), as he is well aware, the developments again echoing through the headlines of the major newspapers, the unlawful transfer of technology to the People's Republic of China, and the fact sadly that reports indicate the Communist Chinese have been only too eager to share this technology with rogue States.

Mr. Speaker, this time on the floor affords us not only the responsibility and opportunity to communicate with all of our constituencies, and indeed with the American people, but, Mr. Speaker, this also affords us the time to speak to those who monitor the proceedings on these floors who, quite frankly, wish us ill or fail to understand that the very freedoms we cherish in this society are not, in fact, weaknesses.

□ 1715

The despots of this world look at free and open debate as a form of weakness, a form of inertia, of immobilization that would somehow prevent or abridge our proper responses.

I think particularly of the Communist Chinese. I think of the bellicose threat from the Chinese defense minister of a couple of years ago with reference to the Taiwan question when the Chinese, in provocative fashion, as the Taiwan government was holding free and fair elections, the Chinese conducted exercises and shooting missiles just off the coast of Taiwan, and the provocative statement, Mr. Speaker, by the Chinese defense minister with reference to our great Nation, saying, oh, well, we believe the Americans value Los Angeles more than they value Taiwan.

How are we to interpret that statement, Mr. Speaker? How can we interpret that but as a threat to this Nation?

As I explained to the consul for the Chinese government from Los Angeles, who visited Phoenix and sought me out for a meeting expressing his goal of friendship, I said, Mr. Speaker, to the consul, then let us speak as friends.

And let there be no mistake, none of our adversaries around the world, in any regime, in any place, should ever confuse the will and the resolve of the American people once fully informed and rallying to a cause. This is such a cause. This is such a moment, to take legitimate steps to protect our Nation.

And though at times, because of previous actions and whatever reluctance on the part of this administration to follow through effectively in dealing with foreign governments and others, make no mistake this Congress takes seriously, Mr. Speaker, its constitutional role and its oversight of the executive branch and the need to protect the American people. And this constitutional republic will prevail because we understand that in a free society the eternal price of liberty is vigilance.

I yield to my friend from Colorado.

Mr. SCHAFFER. The gentleman is precisely right about the importance not only of our efforts to contain the flow of technology and missile-related components in and among other countries, but it is our own participation in the proliferation of missiles which is something we should be concerned about as well.

Let me raise something that came up at the meetings in Russia just 2 days ago in Moscow. I was part of the delegation that was meeting with members of the Duma.

We had several meetings, but the most memorable one took place Monday afternoon, and we were talking about the concern we have for the transfer of technology from the Russians, either willingly or outside of their own laws, to some of these rogue nations. One of the scientists who was there said to all of us, well, it is our impression that it is the United States that is contributing to the proliferation of their own enemies and the enemies of Russia as well.

This took us aback for a moment, until we realized the validity of his concern. We could certainly understand his point of view. And this goes back, and it has actually been documented in the Rumsfeld report, goes back to February 15 of 1996 when a Chinese Long March space launch vehicle, carrying a western satellite, exploded. The post-failure review involving U.S. aerospace companies led to the transfer of sensitive information regarding rocket engineering.

That was an effort by the United States to send information to the Chinese to help them perfect their long-range launch capability.

It goes on to say that in the spring of 1996 the United States sold supercomputers to China's Academy of Sciences, which historically has participated in that country's effort to develop missiles. In 1996 we sold supercomputers to the Russians for a nuclear weapons design lab.

It was no surprise, I suppose, or should have been no surprise to our President that the symbolic gesture by the Chinese took place on July 1 of 1998, just last year, when China tested the motor of its new DF–31 intercontinental ballistic missile during the visit from our President. They tested the motor of this new-age missile while our President was there in a symbolic gesture to show that they are emerging on an international, and not only emerging, but they are moving forward very dramatically and drastically in the development of new missile defense technology.

I see I am joined by another member of our delegation who was there, and it might be instructive at this point to talk a little bit about the Russian Duma itself and the members of the Duma, how they relate to us as a country. Because for too long, frankly since the fall of communism, our relationships with the emerging republic of Russia have been at the executive level, our President and State Department relating directly with the Russian president, Boris Yeltsin and his administration, ignoring wholly the importance of the democratically elected members on a representative basis of the Russian Duma.

Now, in relation to what we understand and know here through our system, the legislative branch in the Russian government is less powerful and has less direct influence over the day-to-day lives and affairs of Russian politics, and there is tremendous strain between the presidency of Russia and the Russian Duma.

Our real hope, I think as Americans, for reaching out to the Russian people and forging a relationship that promotes free markets, that promotes true democracy, that promotes the kinds of economic reforms, such as property rights, homeownership and so on, is through a relationship with this body, the Congress of the United States, and members of the democratically elected Russian Duma.

The Russian Duma is where we will find the rising Democrats. This is where we will find the individuals who are in favor of these kinds of market driven reforms. It is also the place where we will find the folks who most vehemently reject the old ways of communism that we find so prevalently in the Russian presidency today. That is where many of the old Communists went after the Soviet Union fell apart.

It is the Russian Duma that really could use some support and assistance in elevating the stature and their prominence in the role of Russian politics, and it is where we should look.

It is why, I think, the visit that we made, an historic visit, was so important. Because it really did involve the Russian Duma in an important national issue for themselves in a way that they have never been afforded before. And I think it will go further in our efforts as a country to assure the Russians that our desire for long-term partnership and friendship, and to see the Russians move forward in the economic reforms that will result in peace and stability are, in the end, not only in their best interests but in our best interests.

It is important to understand that within the context of this bill passing tomorrow that the President of the United States prefers to deal with the President of Russia and the old line Communists that are part of that administration, the old way of doing business in Russia, which is resented by the majority of the Russian people and rejected by the majority of the Russian people. Our effort in this Congress should be to reach out to those new Democrats, the new free marketeers that are getting elected with greater frequency in the Duma.

With that, I yield to the gentleman from Indiana (Mr. HOSTETTLER), who joined us in that delegation returning last evening.

Mr. HOSTETTLER. Mr. Speaker, I thank the gentleman from Colorado for his time and indulgence and the point he makes, along with the gentleman from Arizona, that this was truly an unprecedented journey and an historic journey.

As the gentleman pointed out, we are in the process of exposing the Russian Duma to more and more Members of Congress. This was my first time ever to visit that great country of Russia, to talk to them very frankly about our need to defend our people from a possible limited nuclear strike by some rogue nation.

It is as a result of our discussion with Duma members, by our recognizing the Duma and dealing with the Duma, who very similar to our House of Representatives are elected by democratic process by their constituents in their regions, and represented in other ways according to their constitution, which is vitally important, that we recognize the importance of a constitutional form of government and Democratically elected representations as a vital part of that government. The Duma can see, just like themselves, that we represent our constituents. We are representative of the individuals.

I tell people, when they ask me about this job, I tell them that if they want to know what America is like they should just look at the U.S. House of Representatives. We are a picture of America. And if we look at the Duma the same way we will see what Russia is like. And very many times, when we see this executive branch to executive branch dialogue and discussion, we miss that from time to time by not seeing the elected representatives from the various regions.

The meeting was vitally important because it is necessary that the Duma understand our resolve to join them in the belief that it is the obligation of the Federal Government, both in Russia and in the United States of America, according to our Constitution, Article I, Section 8, to defend the United States of America. And that is what H.R. 4 tomorrow is all about, to make it the policy of the United States to develop and deploy a national missile defense system.

It is important to note, and I am sure the gentleman has already done this in this discussion, that Russia already has such a system that is ABM compliant, a ground-based system situated on the outskirts of Moscow, and that has the capability of protecting a majority of their citizens.

I made the point in our press conference yesterday, and the point has been made time and time again on this floor by the gentleman from Pennsylvania (Mr. WELDON), whose single-handed activity in this area, with the support of a lot of the rest of us, and especially the chairman on the Committee on National Security, the gentleman from South Carolina (Mr. SPENCE), and other members on that committee, that we have got to move to a situation where we at least do what the Russian government has done for their people, and that is to try to defend and protect American lives.

Not one U.S. citizen residing in the United States of America is protected at all from an accidental or other type of launch of a ballistic missile against the United States of America. Not one person. We do not have a system. The American people believe that we do.

One reporter asked the question, as the gentleman from Colorado remembers, at the press conference, the reporter from the Baltimore Sun asked the question that if Russia has this capability, and they have for years, and the United States of America does not have that capability, and it has been the policy of the United States of America and the Federal Government in the past to not protect our people from ballistic missile attack, who in the world made that decision?

It is this debate, this special order that is going to bring to light as we begin to head back to our districts during the April recess, where we get to talk about important issues that may be on the front page from time to time; the budget, which is vitally important, maintaining a balanced budget, reducing the tax burden on American families, doing the right thing with regard to Social Security, but adding another issue to the vitally important issues that we deal with in this country, to make sure that the American people know where we are and where we need to go from here.

I thank the gentleman for his time and hope to continue this dialogue.

Mr. SCHAFFER. Well, the press conference that we had yesterday was in Moscow, yesterday morning, 8 hours earlier than it is here. And the gentleman is precisely right, that is the ultimate question that the American people need to ask is, well, where was it along the lines we decided to stand back, while the Russians were able to see off into the future enough to construct a national missile defense system for approximately 70 percent of their people, that we decided to do nothing?

It is faith that has been placed, for about 6 years in Washington now, in the notion that our intelligence gathering capacity and our diplomatic cooperation with other countries was all we needed to prevent these kinds of hostilities from taking place. But it was the five detonations in Pakistan, when we were looking right at the site and our intelligence community had no idea that those detonations were about to take place; the inability for us to prevent similar kinds of retaliatory tests in a friendly country, India, the largest democracy in Asia, when we could not stop that; and then also, on top of that, the launch that we spoke about earlier, the Taepo Dong missile from launch out of North Korea, which we had no idea even existed. Those events, stacked upon one another, opened our eyes in America.

□ 1730

That is what my colleagues will find in the Rumsfeld report that shows very clearly that we significantly, as a country, underestimated the threat of these rogue nations, we have severely misrepresented the threat to the American people and understated the threat that confronts us.

Frankly, if we had started this project back when President Reagan suggested it, deploying a national missile defense system would have been cheaper, first of all, and it would have been in place today with technology that is superior to all, second to none. And we do not have that now. Here we are, in 1999, headed into the new century with, as the gentleman from Indiana (Mr. HOSTETTLER) mentioned, the ability for us to stop not a single intercontinental ballistic missile.

Yesterday it was announced by the White House that they changed course and are willing to support a ballistic missile defense system as designed by the Senate. This is a remarkable change. The President did stand up at the roster right behind the gentleman from Arizona (Mr. HAYWORTH) just earlier this year and said, ''we need a national missile defense program,'' but he has opposed early drafts of our versions here to at least set a policy to actually move the country in that direction, move beyond the hollow words that can so easily be spoken during a short visit.

I ask the gentleman from Arizona (Mr. HAYWORTH), what do you make of the traumatic transformation, the turnaround of the President of the United States, as the Senate overwhelmingly adopted on a bipartisan basis the Senate version of a missile defense policy bill?

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

Mr. SCHAFFER. I yield to the gentleman from Arizona.

Mr. HAYWORTH. Let my say to my colleague the gentleman from Colorado (Mr. SCHAFFER) and my friend the gentleman from Indiana (Mr. HOSTETTLER), Mr. Speaker, that we welcome this intellectual elasticity within the administration. We saw it a couple of years ago with reference to historic welfare reform. We saw it last year when it came to the Taxpayers Bill of Rights and cleaning up through oversight the Internal Revenue Service that indeed 30 minutes prior to the Secretary of Treasury coming to our Committee on Ways and Means, on which I serve, that the administration changed course.

And we welcome it. We understand that the burden of international leadership rests uneasily on the shoulder of this President. Perhaps it is because so often his rhetoric fails to square with reality. But we welcome this change of heart, even if it is what is in essence the last nanosecond of the eleventh hour.

But while we welcome that, let us also reassure the American people, Mr. Speaker, that we offer these grim realities not to promote panic or fear but a policy change and a conviction that we must adequately defend our Nation against all threats but especially the growing threat of a rogue state or an accidental launch of an intercontinental ballistic missile.

And so it is in that spirit, even given the dramatic changes in attitude from the administration, perhaps also prompted in the wake of media revelations about the problems in China, we welcome this change and we look forward to working with all Members of this House, Republicans and Democrats, to act first and foremost as Americans and provide for the common defense of.

Mr. SCHAFFER. Mr. Speaker, in the final few minutes I have left, I yield to the gentleman from Indiana (Mr. HOSTETTLER) to sort of wrap up our special order and I will close in the last few seconds.

Mr. HOSTETTLER. Mr. Speaker, I would just add that the journey that several of us made, a bipartisan delegation to Russia, to talk about these issues is vitally important. Because, as the point was made, that when the former Soviet Union decided to deploy such a missile, they did not, neither were they obligated to come to the United States of America, to Washington, D.C., to sit down with Members of the House of Representatives, sit down with Members of Congress, to inform us that they were going to do it and why they were going to do it.

That is what this Congressional delegation did just this past week in taking members of the Rumsfeld Commission, Chairman Rumsfeld, former CIA director James Woolsey, and Dr. Bill Schneider to show the Russian Duma, and therefore the Russian people, that we want to be open with them because we see tremendous opportunity, tremendous prospects and potential for a growing relationship, both economic and otherwise, with the people of Russia.

And the way that we are going to do that is to be more open with them. But while we are more open with them, as the gentleman from Arizona (Mr. HAYWORTH) so appropriately pointed out, we are to remind them that it is our obligation to follow the Constitution of the United States and defend the people of the United States against any threat that may be over the horizon. That is our foremost obligation according to the Constitution.

Plurality of the delegated powers of Congress deal with that national defense. We will do that and we will do that, hopefully, with the cooperation and understanding of our friends in Russia. But we will do it nonetheless.

I thank the gentleman from Colorado (Mr. SCHAFFER) for this opportunity to talk about this vitally important issue not only to us today but to our children tomorrow.

Mr. SCHAFFER. Mr. Speaker, I will close with the following thought and in an effort to urge our colleagues, all of our colleagues, to be here on the House floor tomorrow morning for an unprecedented briefing on the nature of the missile defense or the threat to the United States and say that the administration has dramatically changed its perspective when confronted with the truth and the facts of this report.

The same administration which opposed a national missile defense program just this year said the following, the Secretary of Defense: ''There is a threat and the threat is growing, and we expect it to soon pose a danger not only to our troops overseas but also to Americans here at home.''

That change of heart was inspired by the Rumsfeld Commission report, which can be summed up in the following way: ''Concerted efforts by a number of hostile nations to acquire ballistic missiles with biological or nuclear payload pose a growing threat to the United States, its deployed forces, and its friends and allies.'' That is the seminal statement of the report of the Commission to assess the ballistic missile threat to the United States, which was unveiled July 15 of 1998.

This is a vitally important issue. This is one of the most critical issues confronting our country. It is one that I call upon all Members to view and to consider with great seriousness and in great detail before casting not only the vote to establish policy, which we expect to accomplish tomorrow, but to then be prepared to follow up with the secondary and tertiary steps of moving this country forward toward providing the same kind of defense that the Russian people have seen fit to provide for

themselves, a national defense program to protect the American people.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4, DECLARATION OF POLICY OF THE UNITED STATES CONCERNING NATIONAL MISSILE DEFENSE DEPLOYMENT

Mr. REYNOLDS (during the special order of Mr. SCHAFFER), from the Committee on Rules, submitted a privileged report (Rept. No. 106–69) on the resolution (H. Res. 120) providing for consideration of the bill (H.R. 4) to declare it to be the policy of the United States to deploy a national missile defense, which was referred to the House Calendar and ordered to be printed.

PROTECTING SOCIAL SECURITY FOR THE WOMEN OF AMERICA

The SPEAKER pro tempore (Mr. SIMPSON). Under the Speaker's announced policy of January 6, 1999, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 60 minutes as the designee of the minority leader.

Ms. NORTON. Mr. Speaker, Democratic women of Congress are so concerned about the potential for harming Social Security that we will see during this hour a number of us come to the floor to alert our colleagues and the women of our country about the very high stakes for them as to what we do with Social Security.

Let me emphasize that this is the highest stake game, if I may call it that, of all during the 106th Congress because we have a chance to protect and secure the most popular and one of the most important programs that our country has ever had the good sense to create.

I approach this issue from the peculiar perspective of an official who served as chair of the Equal Employment Opportunity Commission under President Carter, a post that gave me a very special concern about the gap between men and women's wages.

When we are speaking of Social Security, of course, we are speaking first and foremost of women who have smaller wages than men and, of course, women who have no wages whatsoever. For that reason, we have introduced a resolution in the Congress that recognizes the unique effects that proposals to reform Social Security almost surely will have on women.

Three-quarters of unmarried and widowed elderly women rely on Social Security for over half of their income. So when we deal with Social Security, when we tamper with it, who should be in our mind's eye first and foremost are women because they are so disproportionately affected.

Everyone is aware of the low statistic that is used over and over again that we who are women are, according to what year you look at, in the 1990s, 70 percent, 74 percent, 72 percent of men's income. I want my colleagues to look at the 1997 figures. $24,973 for full-time, year-round wages for women, compared to $33,674 for full-time, year-round wages for men. Those figures are very important for what women can do with their disposable income today.

But I want to focus us on what that means for women 20 years from now, 30 years from now, and longer. Because it translates directly into too little money to live on when they are elderly; and for that reason, it means that today, at least, those women can count on a progressively structured Social Security system that will keep them from abject poverty. And in case we believe that that is crying wolf, let us not forget that most of the credit for cutting poverty for the elderly really belongs to Social Security.

As recently as 1959, 35 percent of the elderly were poor. By 1979, we had gotten it to only 15 percent. And in 1996, it was 11 percent. And when we say the elderly are poor, who we are really talking about are elderly women.

I have given my colleagues the wages for full-time, year-round workers. But only 56 percent of women are in this category at all. Seventy-two percent of men are in this category. And we can see how that would translate into retirement income.

In essence, we are not talking about retirement when we talk about Social Security; we are talking about a family protection system. Because not only are the main beneficiaries women who have almost no work history, but they include disabled family members and deceased family members.

For all of the talk about private accounts, there is almost no talk about how to deal with people who have no accounts or people whose accounts would be very shallow because they have so little work history.

We need to protect Social Security in the name of America's women, not change it. We need to shore it up, not shift it. It is structured now to help the elderly who fit the profile of the average elderly woman. That is who we have in mind. That is why it is progressive. That is why it is inflation adjusted. That is why it has lifetime benefits. That is why it has dependent benefits.

The shift to personal accounts, of course, takes away the progressivity that has been critical to lifting elderly women out of poverty. And in personal accounts they get what they put in, if that, plus what the market gives them, if anything.

Let us start with where women are. Women put in less as workers or of course as housewives, where they stand to lose altogether. The progressive formula now in place for Social Security means higher benefits to low earners. That translates into women.

I do not think we want to say to America's women we want to have them depend on the market when we consider the fluctuations up and down in their income. If we say that to women, we in effect are saying to women they lose.

□ 1745

And homemakers, above all, beware, because this system has you in mind even before it has working women in mind of any description, including those who work part-time. It is homemakers, women who have spent their working life caring for a family, who are the major beneficiaries of the present structure of the Social Security system. Above all, we should remember that the market has no spouses or widows benefits.

Women have two characteristics that mean that they must insist that any new system retain them when any new structures are put in place. One, of course, is less earnings. And the other is living longer. Imagine, living longer can hurt you. It certainly can hurt you if you have a system that is different from our own because you could exhaust your retirement income. You can never exhaust your Social Security income. Moreover, less earnings is going to be true for the foreseeable future. We hope not forever. Women spend 15 percent of their careers out of the labor force.

Finally, let me say that I am sorry to inform you that the gap in life expectancy between men and women is not likely to decrease. By the year 2030, for example, the actuaries tell us that there will be almost no decrease in that gap, which means that women are going to continue to live longer. Men may live longer as well, but this gap is going to be here and that gap translates into a need for income from somewhere. We are not going to get it from the market. We do get it now from Social Security.

Any change in the Social Security system ought to, therefore, be sure to bear in mind that it is a system that involves your mothers and your grandmothers, your aunts and your female cousins. We want to protect men every bit as much, but the demographic facts of life, the actuarial facts of life, are that it is women who stand to be the biggest losers.

Mr. Speaker, I am pleased to yield to the gentlewoman from Nevada.

Ms. BERKLEY. Mr. Speaker, when I last rose to speak, I told you a little bit about my district. I represent southern Nevada which is Las Vegas, Nevada. I represent the fastest growing district in the United States. I have the fastest growing veterans' population. I also have the fastest growing population of women seniors in the country.

Women comprise over 60 percent of all Social Security beneficiaries. Therefore, women in Nevada would feel significantly the impact of any changes to the current Social Security system. It is my job, it is my responsibility to ensure that their financial security is not undermined. Instead, that it is strengthened.

Like most Nevada women, I fear that privatization of the Social Security

system would risk the retirement benefits of millions of female beneficiaries throughout the country.

As an example, I would like to profile someone that I have known since I was a young girl, a woman that I represent who lives in Las Vegas. Mrs. Lois Olsen is currently existing on her and her husband's Social Security benefits. Sadly, her wonderful husband Fred is suffering a life-threatening illness, a toxic reaction to his medication. He is in the hospital as I speak. During this difficult time, Mrs. Olsen is thinking about how she would live if she were to lose her husband and half of her benefits. Will she be able to afford the upkeep of her mobile home? Will she have to choose one day between buying food to eat or prescription drugs to live? While these are agonizing concerns, Mrs. Olsen knows that the current Social Security system will not allow her to plummet into poverty. Mrs. Olsen, however, is not so sure about the future, not so sure how privatization of the Social Security system would affect her daughters and her granddaughters. She fears privatization, because it lacks the built-in protections for women that our current system now has.

There are reasons why our Social Security system is the most successful social insurance program in the world. It provides a guaranteed benefit that lasts as long as you live. It is a guaranteed benefit that is risk-free. And it is a guaranteed benefit that is annually updated based on the cost of living adjustments.

Strengthening Social Security based on these fundamental components may not be easy, but the majority of southern Nevadans believe that a risk-free, guaranteed benefit is worth fighting for. It is worth working for. They all cannot be here to fight for this issue and to work for this issue. They have sent me here as their voice. That is why what we do not want to happen is have a privatization solution that puts women in particular in uncertain and unstable situations during their senior years.

There are substantive reasons why women fear privatization. Women earn only about 74 percent of what men earn. Based on this factor alone, women like Mrs. Olsen would have much less to invest than any other Americans. We also know that women spend roughly 11.5 years out of the workforce caring for their children and their families. This reduces retirement benefits once again. Finally, it is well known that women live an average of 7 years longer than men. These factors dictate that women would receive far smaller monthly retirement checks should we privatize the Social Security system. Without Social Security benefits, the majority of elderly women in our great Nation would be plummeted into poverty.

At this time, when Congress is considering Social Security reform, it is important that we remember the spirit and the reason for which it was created. It is a guaranteed benefit to ensure that when someone like Mrs. Olsen retires, she will not live in poverty. It is a guaranteed benefit to ensure that when heart-wrenching circumstances like death and disability, when they occur, and they unfortunately do, that the surviving spouse will have means to survive.

I urge my colleagues to stand firm, to protect and strengthen our current Social Security system that President Franklin Roosevelt vowed would defend Americans against a poverty-ridden old age. When one realizes that two out of every three seniors depend on Social Security for more than half of their income, it is easy to understand why we must strengthen this program. It is our Nation's most successful social program. It is worth saving. It is worth protecting. It is worth fighting for. Let us prove to all of our constituents, to all Americans, that we can work together for the common good. Let us protect women, seniors, the disabled and our children, all of whom depend on this very important program.

The people of my district, the people from Las Vegas, like to gamble. We are used to it. But Social Security is an issue that they are not willing to gamble with. Privatization of the Social Security system would be like playing Russian roulette with their lives. Their lives are important enough and valued enough for us in this country that we must not play Russian roulette with them.

My constituents have sent me a message loud and clear. They tell me, Do not privatize Social Security. Do nothing that will take the ''security'' out of Social Security.

Ms. NORTON. Mr. Speaker, I yield to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my esteemed colleague the gentlewoman from the District of Columbia (Ms. NORTON) for yielding, and I am so pleased to participate today, because as we grapple, and we are, and we will and we must, grapple with this issue of Social Security, one of the most critical aspects of the analysis is recognizing the unique role that this wonderful program, securing the lives of our seniors, plays in the lives of women. As has been stated, more than half of the recipients of Social Security, 60 percent, are women. And we women depend on these benefits for a longer time and for a greater proportion of our income than do men. In addition, the poverty rate among women over 65 would nearly triple if Social Security were taken away. For these reasons, we must think very carefully before radically changing Social Security from a government safety net to a private investment program. Social Security is especially important to women senior citizens during this discussion for several reasons. The bottom line is that the benefits are disproportionate. Currently, women receive fewer benefits than do men.

This is for several reasons, as I mentioned. First, women continue to earn less than men. Currently the average woman earns about 75 percent of what the average man makes in annual earnings. Second, the man's connection to the workplace is very strong and firm. The woman's connection to the workplace is much more tenuous. Women are much more likely to interrupt their careers to stay home and raise children, or to stop working in order to provide care for elderly parents and other relatives. On average, women spend 11.5 years out of the workforce during their working lives. These two factors mean that building a personal savings is more difficult for women. Recent studies show that on average a woman's pension is worth only slightly more than half of a man's pension. Women also live an average of 7 years longer than men do and therefore run a much higher risk of exhausting any personal savings and, therefore, must rely on Social Security for almost all of their retirement income in so many instances.

The underlying idea behind Social Security has been that in concert with a company's pensions or today's 401(k) plans and personal savings, Social Security should be one of the three legs for a family's retirement stool. This remains as important today as when this program, Social Security, was started in the 1930s. Converting the program to just another retirement program based strictly on earnings would do a disservice to millions of women and increase the already high rate of poverty among elderly, single, widowed women.

I am committed to working with my colleagues who join us on the floor today, and we are determined to ensure that Social Security is made solvent for the long term, and that any reforms take into consideration the very unique role of all of the women in our economy.

Ms. NORTON. I thank the gentlewoman for those comments and yield to yet another gentlewoman from California.

Ms. WOOLSEY. Mr. Speaker, I would like to thank the gentlewoman from the District of Columbia (Ms. NORTON), the gentlewoman from Connecticut (Ms. DELAURO) and the gentlewoman from Florida (Mrs. THURMAN) for all of their work on strengthening and improving our Social Security system and paying particular attention to the needs of women.

Right now, we have a plan from the President to strengthen the future of Social Security. In contrast, the majority party supports a plan that would replace Social Security with a complicated system of individual accounts that would benefit high-income individuals, particularly men, and endanger the parts of Social Security such as the standard of living index that are so very important to women.

Being just a few years shy myself of legal retirement age, I have a good idea

how women across the Nation are feeling about the safety net of Social Security. I know that many retired women count on Social Security income to meet their basic needs, food, clothing, shelter. Twenty-five percent of unmarried women rely on Social Security benefits as their only source of income.

□ 1800

A recent GAO report showed that 80 percent of women living in poverty were not, and I would like to emphasize ''were not'' poor before their husbands died. Because a woman lives an average of 7 years longer than a man, the danger of her golden years turning into years of poverty and struggle is very real.

In this great country, women earn 76 cents for every dollar a man earns. In fact, women earn much less than men over their lifetime because even those in high-paying positions tend to leave the work force to give birth, to raise a family and to care for parents. This means many women must truly depend on their Social Security benefits. If we privatize Social Security, as some people want to do, this could cut spousal benefits by at least one-third because women earning less over the course of a career have much less to invest. Also, because women generally live longer, annuity companies could shrink their monthly benefits and privatization would not adjust benefits annually for the cost of living.

This is not the first time women in Congress have gathered together to talk about the special needs of women, and I am sure it will not be the last time. But with Social Security the stakes are high and the issues are complicated. We cannot proceed with reforming our Social Security system without addressing how each and every proposal will affect women. We need to seize this day to ensure that Social Security reform includes the unique and overwhelming needs of women in this Nation.

Ms. NORTON. Mr. Speaker, I thank the gentlewoman from California (Ms. WOOLSEY) for her comments, and I yield now to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, to my great colleague from the District of Columbia (Ms. NORTON), to the gentlewoman from Connecticut (Ms. DELAURO) and the other women who have come together for this special order on women and Social Security, I thank them very much. As a newly-elected Member of this body, I welcome the opportunity to speak to this most important issue.

As a member of the baby boom generation, I have benefitted from social changes that have made it easier for women to achieve success in the work force. Women of my generation have enjoyed opportunity never realized by previous generations in this country. Blessed with the ability to pursue my goals and dreams, it is my pleasure to join my colleagues in this debate to ensure the security of our mothers, grandmothers, our own daughters and granddaughters.

Women typically outlive their mates. This is not ground breaking news, but it does mean that there is a greater population of single women over 65. These women live an average of 19 years past the age of 65 and need expensive prescription medicines, deserve quality care from physicians and still must make ends meet at home.

A comfortable retirement is something every American looks forward to and deserves. For many women retirement years are not what they expect. Unlike most men, women of a retirement age do not usually have a pension on which they can rely. Women who do earn a pension find their income is significantly less than men on the average of nearly 5000 annually.

Here is the problem:

The average income of women over 65 in 1996 was nearly $9300, while a man over 65 in 1996 had an income of about $16,200. For those who cannot tell, men over 65 in 1996 earned almost twice what women did during the same time.

We all know there is a difference in pay between men and women, but having such a difference in retirement pay is dangerous. I commend President Clinton for addressing the pay and equity in the State of the Union and look forward to his action.

We talk about a surplus exhaustively, but at the same time there are single women in this country living in poverty. The percentage of women living in poverty who are either divorced or separated is nearly 28 percent, and those who have never been married living in poverty is above 23 percent.

The problem is not going to fix itself. Although wages for women have increased over time, they are still less than most men. Data shows that of 1997 women earn 74 percent of the wages of men for full-time work.

There are several programs we consider to help older women on Social Security and Medicare. As a body, I urge my colleagues to strengthen the survivor benefits aspects of Social Security. Today nearly 74 percent of the widows receive benefits based upon the earnings of a deceased spouse. We must not take away a widow's benefits in our efforts to alter Social Security and the Medicare system. We need to prevent proposals seeking to withdraw Social Security and Medicare dollars prior to retirement.

The women we talk about living on Social Security and Medicare are mothers and grandmothers. In some case we are talking about women who are providing primary child care for grandchildren or other relatives. In other cases women work several jobs simultaneously to provide for their families over the years.

Unfortunately, these jobs might have been either part-time or for short periods of time, not allowing for a pension. The traditional role of woman as a caregiver for both child and parent means that many women are now at a huge disadvantage. This is especially true for minority women. African Americans and Hispanics over the age of 65 are 2 to 3 times likely to be living in poverty.

Part of the reason for this race poverty rate is the fact that their income has been traditionally less for minorities. For every dollar a white household has earned, the black family earns 27 cents while Hispanic families earn 30 cents. This history of inequity makes retirement extremely difficult on minority women trying to live on Social Security and Medicare. These women have cared for their families, and now we must provide the care they need.

We urge our colleagues to give them better Social Security and Medicare benefits. We must ensure that they can eat, that they are healthy and that they are able to afford the things needed to live and continue to mother us. By helping women on Social Security and Medicare now we will help those women who will be on the rolls in the future.

Mr. Speaker, I thank my colleagues for the opportunity.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). The balance of the hour allocated by the minority leader may be controlled by the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I want to say thank you to my colleagues, my colleague from Ohio. Let me say a thank you to my colleague, the delegate from Washington, D.C., who took the charge of this special order with my having to do something else for a few minutes, but it is a great turn out of Members on this floor today on an issue and an area that is critical particularly at this point because we are at the threshold of discussing where Social Security is going for the next 75 years, and, as part of this effort, women, and the effects currently of Social Security on women and what happens when the Social Security system changes is incredibly important and critical to women in our society. So I thank my colleagues so much for participating and for their good words.

Mr. Speaker, I yield to the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Speaker, I want to express my deepest appreciation to the Women's Caucus for taking the time this afternoon and engaging discussion on Social Security.

Somewhere along the line of our political discourse the whole subject of Social Security has become one of enormous breadth, there is a sense of urgency that hangs on to this issue as people discuss it, notwithstanding the fact that I often tell my constituents who are most worried, and these are generally the elderly women that come together in various organizations; I tell them that Social Security is perfectly safe now, it will be probably in some fiscal strain in the year 2014, but it is the year 2032 when the whole system

will come to a financial standstill because there will be insufficient moneys. For the first time Congress has an opportunity to really look at this issue, and to debate it and to come up with some long-term solutions for the financial security of this system.

I am here today because I know that the elderly women in my State are very deeply concerned about this issue. They receive mail, they belong to all sorts of elderly organizations that continue to tell them about the crisis, and they have this mounting fear that truly they are not being dealt with fairly. Their number one concern, of course, is that we do nothing to jeopardize the stability of the benefits they are now receiving on a monthly basis. The benefits may be very low and insufficient, but they do not want any sort of discussion or formulation of a new plan which will in any way jeopardize their opportunities to survive, and this is what brings us to the floor tonight to debate this issue, because women across America have the greatest stake in this whole debate on Social Security. They are the ones that are most dependent upon the Social Security monthly benefits. It may not be very much, but they depend upon it, and therefore we have to pay special concern to this population and make sure that whatever formulation arises out of this debate, that that very minimal, modest monthly benefit that they are now enjoying is in no way jeopardized.

So when we get to the discussion of privatization, immediately their concerns are even more exacerbated because they are concerned about what this means. Putting the assets of Social Security into a private sort of investment; how are they going to be able to handle it? What do they know about the stock market? And how are they going to be able to make the decisions should that be the course that we take? So, they feel very much in jeopardy, and we need to take into consideration the fact that whatever plan we come up with does not leave this very large group of Americans in quandary, in jeopardy, in fear of losing the benefits they now enjoy.

Social Security today pays cash benefits to 44 million retired, disabled and other dependents and survivors. That is a very large constituency that we are affecting every time we talk about a, quote, solution in the long view. One out of 6 Americans receives Social Security. Social Security benefits make up half of the income of 66 percent of Americans over age 65. That is a very large part of our constituencies, and the important thing to remember however we feel about the system, that it has kept these individuals out of poverty.

Mr. Speaker, if we did not have Social Security, these individuals, at least 50 percent of them, would be in poverty today, and those are the individuals for which we must have special concern. Sixty percent of all Social-Security-aged recipients are women, and so we stand today here as members of the Women's Caucus of this Congress because we have a special responsibility to acknowledge our debt, our obligation, our responsibility to the 60 percent of these recipients who are female. Seventy-two percent of the Social Security recipients aged 85 and over are women, and the population is aging, women live longer, and therefore the older our population grows. The women basically have lower benefits because for many, many years they were child bearing, child rearing, they could not get a job, and what jobs they could get were very low paying, and therefore the benefits are very low, and therefore they make up the lower sector of our benefit scale.

So overall the history of the women's participation in the Social Security program is as very low income beneficiaries, very much on the verge of the poverty category, very vulnerable, so whatever proposals this Congress deals with, we plead as special representatives of this constituency, as spokespersons of the Women's Caucus, that this House pay special heed to the concerns, considerations, agonies and concerns of the women of America.

□ 1815

To this point, I thank the gentlewoman from Connecticut (Ms. DELAURO) for yielding me this time. I hope the Congress will heed the words of the Women's Caucus.

Ms. DELAURO. Mr. Speaker, I want to thank the gentlewoman from Hawaii (Mrs. MINK) for her comments. If I might, the gentlewoman pointed out some very specific issues that face women directly and talked about some statistics. I think it is important just to get a few more of those statistics on to the record here that are truly incredible about women's dependency on the Social Security system. Women make up roughly half of America's population. They account for 60 percent of Social Security beneficiaries.

As has been pointed out, three-quarters of widowed and unmarried elderly women rely on Social Security for over half of their income. The median income of women over 65 in 1996 was around $9,300. Men over 65 have a median income of approximately $16,200, twice that, almost twice that, of women.

Older white women had a median personal income of $9,900. Older black women's median income equaled approximately $7,100. One-fifth of older black women received less than $5,000 and nearly three-fourths had annual incomes under $10,000. Older Hispanic women's median income equaled around $6,400. Thirty-two percent had personal incomes under $5,000, and 80 percent had incomes under $10,000.

Women are so dependent on this system that at their peril, and our future peril, if we are not mindful of these kinds of statistics and how we have to have a system which allows for women today to be beneficiaries of a Social Security system, and that if we change it radically and we move to this privatization effort, that women will, in their older years, be placed further and further and further in poverty, because women are living longer and they earn less and they are in and out of that work force because of family needs. Whether it is for their children or whether it is for their older parents these days, women find themselves caught in between.

So I thank the gentlewoman from Hawaii (Mrs. MINK).

Mrs. MINK of Hawaii. Mr. Speaker will the gentlewoman yield?

Ms. DELAURO. I yield to the gentlewoman from Hawaii.

Mrs. MINK of Hawaii. Mr. Speaker, another important point, a lot of women feel, well, we are getting ahead, equal opportunity. We are going to college, we are getting better jobs, but the statistic that is really glaring is that the average female college graduate earns less than the average earned by a male high school graduate.

Now that shows the income disparity. We all know that the formula for Social Security is based upon income. So right off, the women, even the college graduates, are getting much less under Social Security than the men and therefore our special concerns have to be noted.

GENERAL LEAVE

Ms. DELAURO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of the special order today.

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

There was no objection.

Ms. LEE. Mr. Speaker, will the gentlewoman yield?

Ms. DELAURO. I yield to the gentlewoman from California.

Ms. LEE. Mr. Speaker, I just want to thank my colleagues, the gentlewoman from Connecticut (Ms. DELAURO) and the gentlewoman from District of Columbia (Ms. NORTON) for making sure that women are put front and center in this debate on Social Security.

So often women have been really an afterthought in the public policy debates of this United States Congress.

In his State of the Union address, President Clinton vowed to use a major portion of the Federal budget surplus to strengthen Social Security. The President has given us a plan which will secure Social Security to the year 2055. Now, I wholeheartedly endorse the President's guiding principles in reforming Social Security. He said when we judge any plan to save Social Security, we need to ask whether it cuts the poverty rate among single elderly women and other groups in our society that are at risk.

Social Security has been instrumental in reducing poverty in the United States. It often has been the

only source of income which has kept the elderly women and people of color out of poverty.

As was pointed out earlier, 60 percent of older Social Security recipients are women who earn less than men and are more likely to depend on Social Security for most, if not all, of their retirement income. Thirty-one percent of elderly African Americans and 28 percent of Latinos have been lifted out of poverty because they received Social Security benefits.

Privatizing Social Security should not be an option. We have witnessed the stock market go up and down. It makes no sense, in fact it is wrong, to put any portion of a person's Social Security subject to the whims and the uncertainty of the stock market.

We also must not forget that Social Security is an insurance program, not simply a source of retirement. The system provides life and disability insurance, which guarantees protection for families and workers. Without this protection, many American workers, especially women and people of color, would be doomed to live under poverty conditions.

Social Security is the essence of America's social insurance program. This Congress must pass a plan to preserve Social Security for women, for people of color, for all Americans. Our mothers, our grandmothers, our great grandmothers, our aunts, our sisters, our nieces and, yes, our daughters are relying on us to secure their future.

Ms. DELAURO. Mr. Speaker, I want to thank the gentlewoman from California (Ms. LEE) for her remarks and especially her last commentary, which was really eloquent. This is a responsibility that we have, and those of us who are engaged in the debate which is happening now, and part of the reason for the special order, is public education. I am not sure the extent to which the public knows that we are engaged in a very serious and will be in a serious debate about the future of Social Security, and I am not sure that there is a great body of knowledge out there that understands what the risks are for women and that whatever problems we may have with the Social Security system, if women are left unprotected because the current progressive benefit formula is no longer there, and that is people earn less who now have more and that women are dependent or likely to be dependent and that will go away if there is privatization and there is, in fact, a cost of living every single year on Social Security and if it is privatized and money goes into an account, there is no longer a cost of living, it is at the whim of the stock market that they will be engaged and, in fact, that over the lifetime of retirement that every month they get that annuity that goes away as well.

For all the difficulties that people may have, again, as the gentlewoman's commentary stated, it is just our sworn obligation and it is the valves that we hold that make this so important an issue for women in this country. I thank the gentlewoman very, very much for participating tonight.

Ms. SCHAKOWSKY. Mr. Speaker, will the gentlewoman yield?

Ms. DELAURO. I yield to the gentlewoman from Illinois, a new Member of this body, not a new Member to these issues, and someone who is not afraid to stand up and be counted on a whole variety of issues.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentlewoman from Connecticut (Ms. DELAURO) for yielding me this time.

Mr. Speaker, it is fitting that the gentlewoman says that this is really an educational process because I have to say as I have myself been looking into this issue I have found so many really startling facts about the way that Social Security has changed the life of women and how women in our society depend so heavily on Social Security.

As the gentlewoman mentioned, this is a woman's issue. Sixty percent of the Social Security beneficiaries are women. In my district, I have the largest concentration of elderly people living alone. Most of those people are women and they rely heavily on Social Security.

We know that one out of every four unmarried older woman relies on Social Security for all of their income. That is a pretty startling fact right there. That we are talking about Social Security, everybody knows we do not get rich off Social Security and yet one out of every four women is relying on Social Security for all of their income. Imagine if there were any cut in that what would happen, how the poverty level would soar.

We know that despite recent gains that women are still discriminated against in terms of income. Women earn 74 cents for every dollar that men earn, but in Illinois it is even worse. Women earn 72 cents for every dollar that men earn.

Women are more likely to have gaps in their employment, and I did not know this but the average woman spends over 11 years out of the work force on average because women still bear the majority of responsibility for caring for children and family members with illness and chronic diseases. So their employment history is more spotty.

Women are less likely to receive private pensions. Only 38 percent of women have pensions compared to 57 percent for men, and even when women do have pensions, private pensions, they are liable to be much lower.

Women are more likely to be part-time workers, work in service and retail industries that do not offer pensions, change jobs more frequently and therefore they are less likely to be vested in pension plans.

Older women are less likely to be wage earners. Another surprising fact to me, 37 percent of women beneficiaries have no earning history at all. The majority, 63 percent of women beneficiaries, receive wife's or widow's benefits on their husband's earnings. So what we find is that the Social Security system really does work for women.

Social Security benefits that women receive are guaranteed for life. Unlike private individual accounts, Social Security benefits are safe, reliable, guaranteed for life.

I think it is worth pointing out that never in the history of the United States has a Social Security check not shown up for lack of payment by the government. It may not show up for other reasons at the post office box, but it has never not shown up because the government has not issued a Social Security check. This is a totally reliable system.

Social Security benefits protect against inflation as many other plans do not. Because of the cost of living increases that are built into Social Security, women have an anti-poverty protection right there. Private investments do not protect against inflation or devalued investments.

Women live an average of 7 years longer than men. Private accounts place women in danger of outliving their accumulated funds. Under private accounts, women could live their most vulnerable years in extreme poverty.

So I am just so glad that the President has made as a top priority using the surplus funds to make sure that we have a Social Security system that is going to be there when I retire, that is there for many of us in the baby boom generation who are worrying about elderly parents, making sure that those benefits are going to be there for them.

As my colleague, the gentlewoman from California (Ms. LEE) said, as to our daughters, and our children as well, we want to make sure that into the future that women can rely on that. Obviously we want to see those wage gaps closed. We want to see women earning as much as men. We want to make sure that women can rely on Social Security being there when they retire.

Ms. DELAURO. Mr. Speaker, I want to thank the gentlewoman from Illinois (Ms. SCHAKOWSKY) for her comments. An issue that we are not talking about here tonight but we will sometime very soon is all about pay equity and the Paycheck Fairness Act, a piece of legislation that is there which the President has endorsed, which talks about women only making 74 cents on the dollar. That is true for professional women, for all women.

Women have to work an extra four months in order to make the same amount of money that men do; clearly not fair. These things are not separate and because women earn less, in fact that if we went to a system where there was investment that they are going to have less money to invest because of the way our system is structured today.

□ 1830

So that is an important issue, one which we will talk about at another time.

I yield to the gentlewoman.

Ms. SCHAKOWSKY. Mr. Speaker, it is true that because of wage discrimination during working years that women carry that disadvantage with them into retirement years, and that is why Social Security is so important. Also, as the gentlewoman said, the fact that it has a progressive system of payment helps to ameliorate somewhat the fact that women have these lower pay scales.

Ms. DELAURO. Mr. Speaker, reclaiming my time, I have an 85-year-old mother and she once said to me, and not too long ago, she said, you know, Rosa, these were supposed to be the golden years, she said, but, they are the lead years.

She was just generally expressing the frustration that many elderly women face. But it is not only my mother, my mother's generation, it is our generation, it is our children's generation. And they are not women's issues, neither the paycheck fairness bill nor what we are talking about tonight with Social Security and its effect on women. These are family issues. And it in fact speaks to where our values lie, because if one does have an elderly parent, an elderly mother, and if this system works against them, where do they turn? They turn to their families, if they have families, and hopefully they do, that they are not out there by themselves; they turn to you, they turn to me, and they turn to others. They are going to need help.

That means that we owe an obligation to our parents to be able to take care of them. Our children are going to owe an obligation, feel an obligation to us if this system changes. We all want for our children the very best so that they are able to make their future and their lives and to be able to succeed. No one wants to be a burden or a drain, the same as my mother feels that way, and I am sure the gentlewoman's folks do. We do not want to do that to our kids. We want to maintain some dignity, some independence, and that is what Social Security has meant to people in this country, and particularly with what we are talking about tonight with women in this country.

Mr. Speaker, I want to thank the gentlewoman again for sharing in the Special Order with me this evening.

We are going to try to continue this effort of raising the issues that are important, and particularly with regard to Social Security, over the next several months. This debate will be ongoing.

I have introduced a resolution in the House which has now been cosponsored by 108 Members to keep the spotlight on this issue. The resolution calls on the Congress and the President to take into account the unique obstacles that women face when considering proposals to reform Social Security. We are also going to ask all 108 cosponsors to join in signing a letter to the Speaker of the House and to the chairman of the Committee on Ways and Means to help us to bring this resolution to the floor of the House for a vote, because what it does is to elevate and talk about the importance of this issue.

Each of us, and men and women in this body, I believe, need to take this message, not only deliver it here on the floor of the House, from the well of the House, but we need to take it each to our own districts. We have an obligation to engage the public and to be involved in a public education campaign about Social Security and about its effects on women. That is what we are going to try to do over the next several months in this body.

Mr. Speaker, I would like to say for the reasons that have been talked about here tonight, it is critically important.

I now yield some time to the gentlewoman from Florida (Ms. BROWN).

BUDGET FOR VETERANS SERVICES

Ms. BROWN of Florida. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, I would like to take a few minutes today to talk about the budget for veterans services. Today, before the Committee on Veterans Affairs, the Disabled American Veterans expressed their disappointment with the dangerously low funding levels for veterans services.

As the latest issue of DAV Magazine tells us, we are in a budget disaster. DAV is a member of the Independent Budget, which has helped us in finding the places in the proposed VA budget that are dreadfully underfunded.

I agree that the flatline budget in a period of serious health cost inflation is a budget reduction, and a flatline budget with important new initiatives is also a budget reduction. We are all talking about giving away the budget surplus. Let us keep in mind that there is no surplus when all of the bills have not been paid. Let me repeat that. There is no surplus when all of the bills have not been paid, and we owe our veterans.

This budget leaves $3 billion unpaid, and we in Congress bear the final responsibility for this. This past Monday, those of us on the committee who saw this need, spelled it out in detail in our ''Additional and Dissenting Views and Estimates.''

Just last week, the gentleman from Illinois (Mr. EVANS), the ranking Democratic member of the Committee on Veterans Affairs, attempted to introduce a proposal calling for and adding $3 billion to the administration budget and was not allowed to do so by the committee majority. This is not a partisan effort. It is simply a statement of dollars and common sense, and we would welcome Republican support.

We do need $3 billion more for our veterans who put their lives on the line for our freedom and only want what is rightfully theirs. A lot of us talk about how we support the veterans, but talk is cheap. It is important that we walk the walk for the veterans who have given to us in their prime their service to the country. It is time for us to stand up for the veterans.

Ms. JACKSON-LEE of Texas. Mr. Speaker, as we discuss various plans for saving Social Security, we must take into account the specific concerns of women. Women represent 60% of older Social Security recipients. Women must be able to depend on Social Security as a foundation for economic security.

Any proposals for Social Security reform must maintain the safeguards for women. Changes in the guaranteed benefit structure would make women more vulnerable to poverty.

The poverty rate for elderly women is higher than that of men. In 1997, the rate for women was 13.0% compared to 7.0% for men. Among elderly unmarried women, the poverty rate is 19%. Without Social Security benefits, the poverty rate for elderly women would be 52.2%. For women of color, the poverty rate is higher than that for white women. Approximately 30% of African American women 65 years and older live in poverty. The percentage for Hispanic women is 28% compared to 11% of older white women.

Women are living longer than men at an average of six years and exhaust other retirement income resources sooner. Thus, women become more dependent on Social Security as they get older. Three-fourths of unmarried and widowed elderly women rely on Social Security for more than half of their income.

Although working women earn more than past generations, women earn an average of 75 cents for every dollar earned by men. There is a disproportionate effect of the wage gap on women of color. While white women earn 71.9% of the earnings of white men, African American women receive 62.6% and Hispanic women receive 53.9%. Women also tend to work in traditionally lower-paid occupations such as sales, clerical and service positions. Women of color are highly represented in these low-wage earning occupations.

Women spend an average of 11 years out of the workforce to care for children or elderly parents. Because of these care giving responsibilities, women change jobs more often than men. Overall, this means that women typically receive less than Social Security when they become eligible for benefits.

Women work more part-time and temporary jobs than men and are less likely to receive a pension. When women do receive pensions, their pensions are worth less than those received by men.

Social Security must make women feel secure as they approach retirement. We need to propose changes such as a benefit formula that is generous to low-wage earners, yearly cost of living increases, and survivor benefits for the lower earning spouse. We must consider these concerns as we propose to reform the Social Security system.

Mrs. MCCARTHY of New York. Mr. Speaker, I rise to today to address the needs of women, especially young widows, as we debate the future of Social Security. I know personally what it is like to be widowed at a young age. My husband, Dennis, was killed by a gunman and my son was seriously injured when I was 50 years old. I spent weeks taking care of my son in the hospital nursing him back to health. At

that point the last thing on my mind was my future income security.

But as my son's condition improved, the financial consequences of my husband's death became more and more real. I had worked for many years as a nurse, but took time off to raise my only child. I thought to myself, will I have enough money to pay my son's hospital bills? How will I get by once Kevin is back on his feet? How will I pay my mortgage, buy groceries and make car payments?

These are thoughts that thousands of women have each year when their spouse dies young, be it from violence or sickness. Think of the two widows of the Capitol police officers tragically killed here last summer. If it weren't for the fund established by our Capitol Hill community, would they have the means to provide for their children and pay their bills? Scores of women everywhere ask themselves this same question every day.

As we debate the future of Social Security, it is critical that we take the different circumstances of women into account. Women are more than half of the population. They are also a significant majority of those 62 and over. And when it comes to Social Security, we are often left behind and at a disadvantage. Many women take lower paying or part-time jobs that do not provide pensions. Women earn less than men. Women do not spend as much time in the workforce as men. Women live longer than men by an average of seven years. And the list goes on.

The unique challenges faced by all women are even worse for young widows. For example, many women take time off to raise children and work at lower paying jobs or part-time jobs. They expect their husbands to work enough time to establish their retirement. It's part of being in a partnership.

This is not a Democratic or Republican issue. We should not let politics get in the way of doing what is right. Millions of women—those on Social Security right now and those who will depend on it in the future—are depending upon us to keep this program strong and accessible. We must address their needs.

Ms. DELAURO. Mr. Speaker, I thank the gentlewoman for her comments and for her passion with regard to what is happening to veterans in our country.

Mr. Speaker, with my remaining time, let me just say that we will continue to focus our time and effort on talking about issues that we believe are relevant to the people in this country and focus our time and attention on Social Security and its effects on women.

SOCIAL SECURITY AND ITS IMPORTANT BENEFITS TO WOMEN

The SPEAKER pro tempore (Mr. OSE). Under a previous order of the House, the gentlewoman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY of New York. Mr. Speaker, Social Security is this Nation's foremost family protection plan. As the 106th Congress considers proposals to reform the current Social Security system, it is critical that we take the different circumstances of women into account.

I have several examples of women that have faced problems in their elder years and have relied heavily on Social Security. I am just going to put them in the RECORD. But I would like to point out that women earn less than men. For every dollar men earn, women earn 74 cents, which translates into lower Social Security benefits. In fact, women earn an average of $250,000 less per lifetime than men, considerably less to save or invest in retirement.

Women are half as likely than men to receive a pension. Twenty percent of women versus 47 percent of men over age 65 receive pensions. Further, the average pension income for older women is $2,682 annually compared to $5,731 for men.

Women do not spend as much time in the workforce as men. In 1996, 74 percent of men between the ages of 25 and 44 were employed full time, compared to 49 percent of women in that age group.

Women spend more time out of the paid workforce than men do in order to raise families and take care of aging parents, and this is reflected in their Social Security payments. Women live longer than men by an average of 7 years. Social Security benefits are the only source of income for many elderly women. Twenty-five percent of unmarried women, widowed, divorced, separated or never married, rely totally on Social Security benefits as their only source of income.

Not only will these women find themselves widowed, they are likely to be poor. A recent report by the General Accounting Office showed that 80 percent of women living in poverty were not poor before their husbands died. The financial outlook for elderly women is pretty grim. The poverty rate among elderly women would be much higher if they did not have Social Security benefits.

In 1997, the poverty rate among elderly women was 13.1 percent. Without Social Security benefits, it would have been 52.2 percent. For elderly men the poverty rate is much lower at 7 percent. If men did not have Social Security benefits, the poverty level among them would increase to 40.7 percent.

Social Security's family protection provisions help women the most. Social Security provides guaranteed inflation protection, lifetime benefits for widows, divorced women, and the lives of retired workers. Mr. Speaker, 63 percent of female Social Security beneficiaries aged 65 and over receive benefits based on their husband's earning records, while only 1.2 percent of male beneficiaries receive benefits based on their wive's earning records. These benefits offset the wage disparity between women and men.

Mr. Speaker, as we move forward with reform of our Nation's Social Security system, we must remember that women face special challenges. It is my hope that many of the contributing economic factors, such as pay inequity, will soon be eliminated. In the meantime, Congress must take the economic well-being and security of women into account when discussing reform.

Women are clearly at a disadvantage when facing retirement, and poor, elderly women have the most at stake in the Social Security debate. Any reform that is enacted must keep the safety net intact. Our mothers, our daughters and our granddaughters are counting on us.

Mr. Speaker, I have additional documents that I will submit for the RECORD at this time.

Social Security is this nation's foremost family protection plan. As the 106th Congress considers proposals to reform the current Social Security system, it is critical that we take the different circumstances of women into account.

Lucy Thomas' story illustrates many of the key issues.

Mrs. Thomas is 83 years old. She worked for 35 years as a waitress, earning less than minimum wage. At the same time, she reared two daughters, and cared for both her father as he became increasingly disabled with rheumatoid arthritis, and for her grandmother, a farm woman who had virtually no income. She now depends solely on Social Security—$650 a month. At age 71, she moved in with her daughter, Marilyn, because she could no longer work outside the home to supplement her Social Security income.

As a waitress and a bartender, Thomas and her husband barely made enough money to pay for their daily living expenses. Mrs. Thomas does not have a pension, nor does she have income-generating savings. Her current income consists of about $8,000 a year from Social Security. She is one of the nation's elderly poor. Of that amount, $1,600 is used for secondary health coverage. Last year she paid an additional $1,000 in medical costs and another $1,400 for a hearing aid. In the fall, a bout with stomach ulcers forced her to pay over $200 for prescription drugs. Her daughter purchased most of her clothing and paid for her room and board for the past 12 years. Social Security is a real factor in her ability to survive with some dignity in her old age.

Mrs. Thomas' story is not unique. Many women come to rely heavily on the Social Security System when they retire, for a number of reasons:

Women earn less than men. For every dollar men earn, women earn 74 cents, which translates into lower Social Security benefits. In fact, women earn an average of $250,000 less per lifetime than men—considerably less to save or invest in retirement.

Women are half as likely than men to receive a pension. Twenty percent of women versus 47 percent of men over age 65 receive pensions. Further, the average pension income for older women is $2,682 annually, compared to $5,731 for men.

Women do not spend as much time in the workforce as men. In 1996, 74 percent of men between the ages of 25 and

44 were employed full-time, compared to 49 percent of women in that age group. Women spend more time out of the paid work force than do men in order to raise families and take care of aging parents.

Women live longer than men by an average of seven years. Social Security benefits are the only source of income for many elderly women. Twenty five percent of unmarried women (widowed, divorced, separated, or never married) rely on Social Security benefits as their only source of income. Not only will these women find themselves widowed, they are likely to be poor. A recent report by the General Accounting Office (GAO) showed that 80 percent of women living in poverty were not poor before their husbands died.

The financial outlook for elderly women is pretty grim. They poverty rate among elderly women would be much higher if they did not have Social Security benefits. In 1997, the poverty rate among elderly women was 13.1 percent. Without Social Security benefits it would have been 52.2 percent. For elderly men, the poverty rate is much lower, at 7 percent. If men did not have Social Security benefits, the poverty level among them would increase to 40.7 percent.

Social Security's family protection provisions help women the most. Social Security provides guaranteed, inflation-protected, lifetime benefits for widows, divorced women, and the wives of retired workers. Sixty three percent of female Social Security beneficiaries age 65 and over receive benefits based on their husbands earning records, while only 1.2 percent of male beneficiaries receive benefits based on their wives' earning records. These benefits offset the wage disparity between women and men.

As we move forward with reform of our nation's Social Security system, we must remember that women face special challenges. It is my hope that many of the contributing economic factors—particularly pay inequity—will soon be eliminated. In the meantime, Congress must take the economic well-being and security of women into account when discussing reform.

Women clearly are at a disadvantage when facing retirement. And poor, elderly women have the most at stake in the Social Security debate. Any reform that is enacted must keep the safety net intact. Our mothers, our daughters, and our granddaughters are counting on us.

INTRODUCTION OF H.R. 1129

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Hawaii, Mrs. MINK, is recognized for 5 minutes.

Mrs. MINK of Hawaii. Mr. Speaker, I rise today to introduce a bill important to all students—H.R. 1129. Last Congress we passed legislation that allows students to deduct interest paid on student loans. The reason we did so was to make it easier for all Americans to bear the enormous costs of a higher education, and I supported this effort wholeheartedly.

My bill improves this law by removing the current 60-month limitation period for deducting student loan interest. Currently, you can deduct interest on a student loan only if it is within 60 months of when the loan first came due. Simply put, this limitation means that if the student loan is older than five years, you cannot take a tax deduction.

This limitation needs to be removed. Higher education has become increasingly expensive and is creating a financial burden on graduates well beyond the first five years of graduation. In just the last 10 years, total costs at public colleges has increased by 23% and at private colleges by 36%. According to the General Accounting Office, this means that over the last 15 years, tuition at a public 4-year college or university has nearly doubled as a percentage of median household income. Thus, it is becoming harder and harder for students to graduate from college or graduate school without the help of student loans.

Students that graduate with student loan debt start out a few steps behind those without it. It is harder for them to save for emergencies or to invest money for their future. And it is harder for them to meet day-to-day expenses. This tax deduction will help.

We, in the Congress, can send the message that we value higher education and recognize the financial responsibility students have made by allowing the student loan interest deduction for the life of the loan.

This will do two things: It will encourage individuals to go to college or graduate school, and it will reduce the cost of an education. I believe very strongly, Mr. Speaker, that the way to achieve the American dream is through education and that everyone should have this opportunity.

It is absolutely essential that we continue to invest in our most important asset—our children. I urge my colleagues to support my bill, H.R. 1129.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PITTS (at the request of Mr. ARMEY) for today, on account of illness.

Mrs. MYRICK (at the request of Mr. ARMEY) for today, on account of illness.

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. MCNULTY) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, for 5 minutes, today.

Ms. CARSON, for 5 minutes, today.

Mr. HINOJOSA, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Mr. WISE, for 5 minutes, today.

Mr. STENHOLM, for 5 minutes, today.

Mr. ENGEL, for 5 minutes, today.

Mr. POMEROY, for 5 minutes, today.

(The following Members (at the request of Mr. DIAZ-BALART) to revise and extend their remarks and include extraneous material:)

Mr. HAYWORTH, for 5 minutes, today.

Mr. CALVERT, for 5 minutes, on March 18.

Mr. JONES of North Carolina, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. GOSS, for 5 minutes, on March 18.

Mr. FOSSELLA, for 5 minutes, today.

Mr. GARY MILLER of California, for 5 minutes, today.

Mr. MILLER of Florida, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mrs. MINK of Hawaii, for 5 minutes, today.

Ms. BROWN of Florida, for 5 minutes, today.

ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 540 (S. 494).—*To amend title XIX of the Social Security Act to prohibit transfers or discharges of residents of nursing facilities as a result of a voluntary withdrawal from participation in the Medicaid Program.*

ADJOURNMENT

Mrs. MALONEY of New York. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 44 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 18, 1999, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1082. A letter from the Assistant Secretary, Office of Postsecondary Education, Department of Education, transmitting the Department's final rule—Child Care Access Means Parents in School Program Notice of final priority and invitation for application for new awards for fiscal year (FY) 1999—received March 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1083. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Determination That Pre-existing National Ambient Air Quality Standards for PM–10 No Longer Apply to Ada County/Boise State of Idaho [ID23–7003; FRL–6237–9] received March 2, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1084. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and

Promulgation of Implementation Plans: Oregon [OR–61–7276; FRL–6307–5] received March 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1085. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Kentucky; Approval of Revisions to Basic Motor Vehicle Inspection and Maintenance Program [KY108–9904a; FRL–6307–8] received March 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1086. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval of Section 112(1) Authority for Hazardous Air Pollutants; Chromium Emissions from Hard and Decorative Chromium Electorplating and Chromium Anodizing Tanks; State of California [FRL–6236–9] Recevied March 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1087. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plan; Illinois [IL180–1a; FRL–6308–2] received March 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1088. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and promulgation of Implementations; Ohio Designation of Areas for Air Quality Planning Purposes; Ohio [OH121–1a;] received March 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1089. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Texas; Reasonably Available Control Technology for Emissions of Volatile Organic Compounds (VOCs) from Wood Furniture Coating Operations and Ship Building and Repair Operations [TX99–1–7389a; FRL–6239–5] received March 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1090. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (St. Mary's, West Virginia) [MM Docket No. 97–245, RM–9202] received February 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1091. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Sheridan, Wyoming and Colstrip, Montana) [MM Docket No. 98–134, RM–9271] received February 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1092. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Policies and Rules for Alternative Incentive Based Regulation of Comsat Corporation [IB Docket No. 98–60] received February 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1093. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to the United Kingdom [Transmittal No. DTC 54–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

1094. A letter from the Director, Defense Security Cooperation Agency, transmitting the FY 1998 security assistance information for the annual report on Military Assistance, Military Exports, and Military Imports; to the Committee on International Relations.

1095. A letter from the Comptroller General, transmitting the Comptroller General's 1998 Annual Report; to the Committee on Government Reform.

1096. A letter from the Comptroller General, transmitting a list of General Accounting Office reports from the previous month; to the Committee on Government Reform.

1097. A letter from the Chief Counsel, Foreign Claims Settlement Commission of the United States, Department of Justice, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1998, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

1098. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule—Hart-Scott-Rodino Act Formal Interpretation 15: Limited Liability Companies—received March 2, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1099. A letter from the Assistant Secretary of Labor, Department of Labor, transmitting the Department's final rule—Unemployment Insurance Program Letter [No. 13–99] received February 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1100. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rules for Certain Reserves [Revenue Ruling 99–10] received March 8, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1101. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, and Miscellaneous [Revenue Procedure 99–18] received March 2, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); 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:

Mr. YOUNG of Florida: Committee on Appropriations. H.R. 1141. A bill making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes (Rept. 106–64). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 15. A bill to designate a portion of the Otay Mountain region of California as wilderness (Rept. 106–65). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 449. A bill to authorize the Gateway Visitor Center at Independence National Historical Park, and for other purposes (Rept. 106–66). Referred to the Committee of the While House on the State of the Union.

Mr. REYNOLDS: Committee on Rules. House Resolution 120. Resolution providing for consideration of the bill (H.R. 4) to declare it to be the policy of the United States to deploy a national missile defense (Rept. 106–69). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 509. A bill to direct the Secretary of the Interior to transfer to the personal representative of the estate of Fred Steffens of Big Horn County, Wyoming, certain land comprising the Steffens family property; with an amendment (Rept. 106–67). Referred to the Committee of the Whole House.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 510. A bill to direct the Secretary of the Interior to transfer to John R. and Margaret J. Lowe of Big Horn County, Wyoming, certain land so as to correct an error in the patent issued to their predecessors in interest (Rept. 106–68). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. YOUNG of Florida:

H.R. 1141. A bill making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes.

By Mr. YOUNG of Alaska (for himself, Mr. TAUZIN, Mr. POMBO, Mr. PETERSON of Pennsylvania, Mr. DOOLITTLE, Mrs. CHENOWETH, Mr. RADANOVICH, Mr. CANNON, Mr. SHADEGG, Mr. SCHAFFER, Mr. WALDEN of Oregon, Mr. HASTINGS of Washington, Mr. SIMPSON, Mr. HANSEN, Mr. MCKEON, Mr. HERGER, Mr. HILL of Montana, Mr. GALLEGLY, Mr. DELAY, Mr. THOMAS, Mr. BAKER, Mr. SKEEN, Mr. THORNBERRY, Mrs. CUBIN, Mr. CALVERT, and Mr. BONILLA):

H.R. 1142. A bill to ensure that landowners receive treatment equal to that provided to the Federal Government when property must be used; to the Committee on Resources.

By Mr. GILMAN (for himself, Mr. GEJDENSON, Mr. HOUGHTON, Mr. HALL of Ohio, Mr. BEREUTER, Mr. GOODLING, Ms. ROS-LEHTINEN, Mr. PAYNE, Mr. ROHRABACHER, Mr. LANTOS, Mr. OBERSTAR, Mr. BILBRAY, Mr. MEEHAN, Mr. DELAHUNT, Mr. ANDREWS, Mrs. MEEK of Florida, Mrs. MORELLA, Mr. POMEROY, Mr. MCHUGH, Mr. FILNER, Mr. TANCREDO, Mr. BROWN of Ohio, Mr. FALEOMAVAEGA, Mr. LAFALCE, and Mr. GREENWOOD):

H.R. 1143. A bill to establish a program to provide assistance for programs of credit and other financial services for microenterprises in developing countries, and for other purposes; to the Committee on International Relations.

By Mrs. CHENOWETH (for herself, Mr. POMEROY, Mr. TRAFICANT, Mrs. BONO, Mr. SHOWS, Mr. PHELPS, Mr. MICA, Mr. HERGER, Mr. CHAMBLISS, Mr. HILL of Montana, Mrs. EMERSON, Mr. LATOURETTE, Mr. SESSIONS, Mr. BARTLETT of Maryland, Mr. MCHUGH, Mr. NORWOOD, Mr. DOOLITTLE, Mr. WATTS of Oklahoma, Mr. HALL of Texas, Mr. HUNTER, Mrs. THURMAN, Mr. ROHRABACHER, Mr. SMITH of New

Jersey, Mr. WELLER, Mr. WATKINS, Mr. EDWARDS, Mr. SANDERS, Mr. REGULA, Mr. EVANS, Mrs. CUBIN, Mr. WELDON of Florida, Mr. COBURN, Mr. KUCINICH, Ms. KAPTUR, and Mr. THUNE):

H.R. 1144. A bill to amend the Federal Meat Inspection Act to require that all meat and meat food products, whether domestic or imported, bear a label notifying the ultimate purchaser of meat and meat food products of the country of origin of the livestock that is the source of the meat and meat food products; to the Committee on Agriculture.

By Mrs. BONO (for herself, Mr. ABERCROMBIE, Mr. BARTLETT of Maryland, Mr. BILIRAKIS, Mr. BISHOP, Mr. BONIOR, Mr. BOYD, Mr. BROWN of California, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. CONDIT, Mr. CUNNINGHAM, Mr. DAVIS of Florida, Mr. DEFAZIO, Mr. DELAHUNT, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. EVERETT, Mr. FOLEY, Mr. GOSS, Mr. HASTINGS of Florida, Ms. HOOLEY of Oregon, Mr. HORN, Mr. HUNTER, Ms. KAPTUR, Mr. KILDEE, Ms. KILPATRICK, Mr. KING, Mr. KUCINICH, Mr. LEACH, Ms. LOFGREN, Mr. MICA, Mr. GEORGE MILLER of California, Mr. MILLER of Florida, Mrs. MINK of Hawaii, Mrs. MYRICK, Mr. NEY, Mr. PETERSON of Pennsylvania, Mr. POMEROY, Mr. QUINN, Ms. RIVERS, Ms. ROS-LEHTINEN, Mr. SANDERS, Mr. SENSENBRENNER, Mr. SHAW, Mr. SHOWS, Mr. SMITH of New Jersey, Mr. STUMP, Mrs. THURMAN, Mr. TRAFICANT, Mr. WELDON of Florida, and Mr. WEXLER):

H.R. 1145. A bill to require that perishable agricultural commodities be labeled or marked as to their country of origin and to establish penalties for violations of such labeling requirements; to the Committee on Agriculture.

By Mr. PAUL (for himself, Mr. HALL of Texas, Mr. NEY, Mr. DOOLITTLE, Mr. POMBO, Mr. NORWOOD, Mr. BARTLETT of Maryland, Mr. STUMP, Mr. DUNCAN, and Mrs. CHENOWETH):

H.R. 1146. A bill to end membership of the United States in the United Nations; to the Committee on International Relations.

By Mr. PAUL:

H.R. 1147. A bill to sunset the Bretton Woods Agreement Act; to the Committee on Banking and Financial Services.

By Mr. PAUL:

H.R. 1148. A bill to abolish the Board of Governors of the Federal Reserve System and the Federal reserve banks, to repeal the Federal Reserve Act, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. LEVIN (for himself, Mr. GREENWOOD, Ms. HOOLEY of Oregon, Mr. GEORGE MILLER of California, Mr. FROST, Mrs. MORELLA, Mrs. MALONEY of New York, Mr. SANDLIN, and Ms. SLAUGHTER):

H.R. 1149. A bill to amend titles XVIII and XIX of the Social Security Act to expand and clarify the requirements regarding advance directives in order to ensure that an individual's health care decisions are complied with, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GREENWOOD (for himself, Mr. CASTLE, Mr. GOODLING, Mr. HASTERT, Mr. BOEHNER, Mr. PETRI, Mr. BALLENGER, Mr. MCCOLLUM, Mr. BARRETT of Nebraska, Mrs. ROUKEMA, Mr. MCKEON, Mr. HOEKSTRA, Mr. SAM JOHNSON of Texas, Mr. UPTON, Mr. TALENT, Mr. MCINTOSH, Mr. GRAHAM, Mr. SOUDER, Mr. PETERSON of Pennsylvania, Mr. SAWYER, Mr. ROEMER, and Mr. GEORGE MILLER of California):

H.R. 1150. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize appropriations for fiscal years 2000, 2001, 2002, and 2003, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MENENDEZ:

H.R. 1151. A bill to amend title 49, United States Code, to require air carrier baggage liability to be not less than $2,500 per passenger; to the Committee on Transportation and Infrastructure.

By Mr. BEREUTER (for himself, Mr. LANTOS, Mr. BERMAN, and Mr. PITTS):

H.R. 1152. A bill to amend the Foreign Assistance Act of 1961 to target assistance to support the economic and political independence of the countries of the South Caucasus and Central Asia; to the Committee on International Relations.

By Mr. COOK:

H.R. 1153. A bill to amend the Internal Revenue Code of 1986 to provide that a taxpayer may request a receipt for an income tax payment which itemizes the portion of the payment which is allocable to various Government spending categories; to the Committee on Ways and Means.

By Mr. DUNCAN (for himself, Mr. TRAFICANT, Mr. ROMERO-BARCELO, Mr. JENKINS, Mr. LATOURETTE, Mr. SPRATT, Mr. RUSH, Mr. HAYWORTH, Mr. LARGENT, Mr. COSTELLO, Mr. FALEOMAVAEGA, Mr. HOLDEN, Mr. KASICH, Ms. DELAURO, Mr. ENGEL, Mr. WAMP, Mr. KUCINICH, Ms. DUNN, Mr. HEFLEY, Mr. PASTOR, Mr. BEREUTER, Mr. NETHERCUTT, and Mr. REGULA):

H.R. 1154. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate any portion of their income tax overpayments, and to make other contributions, for the benefit of units of the National Park System; to the Committee on Ways and Means, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANK of Massachusetts:

H.R. 1155. A bill to amend the Immigration and Nationality Act to require the Attorney General to provide for special consideration concerning the English language requirement with respect to the naturalization of individuals over 65 years of age; to the Committee on the Judiciary.

By Mr. FRANK of Massachusetts:

H.R. 1156. A bill to amend the Immigration and Nationality Act to establish a Board of Visa Appeals within the Department of State to review decisions of consular officers concerning visa applications, revocations, and cancellations; to the Committee on the Judiciary.

By Mr. HERGER (for himself, Mr. MINGE, Mr. SMITH of Michigan, Mr. PETERSON of Minnesota, and Mr. RAMSTAD):

H.R. 1157. A bill to require appropriate off-budget treatment of Social Security in official budget pronouncements; to the Committee on the Budget, 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. HILL of Montana:

H.R. 1158. A bill to provide for the preservation and sustainability of the family farm through the transfer of responsibility for operation and maintenance of the Flathead Irrigation Project, Montana; to the Committee on Resources.

By Mrs. JOHNSON of Connecticut (for herself, Mr. LAMPSON, Mr. HORN, Ms. DUNN, Mr. SHOWS, Mrs. THURMAN, Mr. LAFALCE, Mr. CUNNINGHAM, Mr. GILMAN, Mr. BILBRAY, and Mr. MCGOVERN):

H.R. 1159. A bill to improve the Federal capability to deal with child exploitation; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILDEE (for himself, Mr. EVANS, and Mr. STUPAK):

H.R. 1160. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish headstones or markers for the marked graves of certain individuals; to the Committee on Veterans' Affairs.

By Mr. LEACH (for himself, Mr. LAFALCE, and Mrs. ROUKEMA):

H.R. 1161. A bill to revise the banking and bankruptcy insolvency laws with respect to the termination and netting of financial contracts, and for other purposes; to the Committee on Banking and Financial Services, and in addition to the Committees on the Judiciary, and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Kentucky (for himself, Mr. ROGERS, Mr. WHITFIELD, Mrs. NORTHUP, Mr. FLETCHER, and Mr. LUCAS of Kentucky):

H.R. 1162. A bill to designate the bridge on United States Route 231 that crosses the Ohio River between Maceo, Kentucky, and Rockport, Indiana, as the ''William H. Natcher Bridge''; to the Committee on Transportation and Infrastructure.

By Mrs. MALONEY of New York (for herself, Mrs. MORELLA, Mr. FRANK of Massachusetts, Mr. MORAN of Virginia, and Mr. SHAYS):

H.R. 1163. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for expenses for providing an appropriate environment on the business premises for employed mothers to breastfeed or express milk for their children; to the Committee on Ways and Means.

By Mr. MCDERMOTT (for himself, Mr. ENGLISH, Mr. JEFFERSON, and Mr. MATSUI):

H.R. 1164. A bill to provide for assistance by the United States to promote economic growth and stabilization of Northern Ireland and the border counties of the Irish Republic; to the Committee on International Relations, 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. MCINNIS (for himself, Mr. SCHAFFER, and Mr. TANCREDO):

H.R. 1165. A bill to redesignate the Black Canyon of the Gunnison National Monument as a national park and establish the Gunnison Gorge National Conservation Area, and for other purposes; to the Committee on Resources.

By Mr. MEEHAN (for himself, Mr. KING, Mr. CROWLEY, Mrs. MCCARTHY of New York, Mr. KENNEDY of Rhode Island, Mr. PAYNE, Mr. MENENDEZ, and Mr. PASCRELL):

H.R. 1166. A bill to authorize the President to enter into a trade agreement concerning

Northern Ireland and certain border counties of the Republic of Ireland, and for other purposes; to the Committee on Ways and Means.

By Mr. GEORGE MILLER of California (for himself, Mr. YOUNG of Alaska, Mr. KILDEE, Mr. DEFAZIO, Mr. FALEOMAVAEGA, Mr. ABERCROMBIE, Mr. ROMERO-BARCELO, Mr. UNDERWOOD, Mr. KENNEDY of Rhode Island, Mr. INSLEE, Mr. HAYWORTH, Mr. MCDERMOTT, Ms. PELOSI, Mr. BROWN of California, Mr. OBERSTAR, Mr. FILNER, Mr. PASTOR, Mr. FRANK of Massachusetts, Mr. MARTINEZ, Ms. STABENOW, Mr. TOWNS, Mrs. MINK of Hawaii, Mr. PICKERING, Mr. ALLEN, Mr. STUPAK, and Mr. FROST):

H.R. 1167. A bill to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes, and for other purposes; to the Committee on Resources.

By Mr. PASCRELL (for himself, Mr. WELDON of Pennsylvania, Mr. HOYER, Mr. ANDREWS, Mr. MCNULTY, Mr. ABERCROMBIE, Mr. BALDACCI, Mr. BISHOP, Mr. BONIOR, Mr. BOUCHER, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BURR of North Carolina, Mr. COYNE, Mr. CUMMINGS, Mr. DEUTSCH, Mr. DOYLE, Mr. EHRLICH, Mr. ENGLISH, Mr. ETHERIDGE, Mr. FARR of California, Mr. FORBES, Mr. FRANK of Massachusetts, Mr. GILMAN, Mr. GREEN of Texas, Mr. HASTINGS of Florida, Mr. HOLDEN, Mr. HOLT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KANJORSKI, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. KLINK, Mr. KUCINICH, Mr. LARSON, Mr. LEWIS of Georgia, Mr. LOBIONDO, Ms. LOFGREN, Mr. LUCAS of Kentucky, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. MCHUGH, Mr. MCGOVERN, Mr. MASCARA, Mr. MATSUI, Mr. MENENDEZ, Mr. METCALF, Mrs. NAPOLITANO, Mr. NEY, Mr. OBERSTAR, Mr. PALLONE, Mr. PAYNE, Mr. PICKETT, Mr. QUINN, Mr. RAHALL, Mr. RAMSTAD, Mr. REYES, Mr. SWEENEY, Mr. TAYLOR of Mississippi, Mr. TERRY, Mr. UPTON, Mr. WEYGAND, Mr. WISE, Mr. YOUNG of Alaska, Mr. FROST, Mrs. MORELLA, Ms. JACKSON-LEE of Texas, Mr. FORD, Mr. ROTHMAN, and Ms. MCKINNEY):

H.R. 1168. A bill to authorize the Director of the Federal Emergency Management Agency to make grants to fire departments for the purpose of protecting the public and firefighting personnel against fire and fire-related hazards; to the Committee on Science, and in addition to the Committee on Transportation and Infrastructure, 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. SABO (for himself, Mr. OBERSTAR, Mr. SHOWS, Mr. SANDLIN, and Mr. FROST):

H.R. 1169. A bill to amend the Employee Retirement Income Security Act of 1974 to require the offering of children-only coverage to dependents of participants under group health plans, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SABO (for himself, Mr. FROST, Mr. SHOWS, Mr. SANDLIN, and Mr. BRADY of Pennsylvania):

H.R. 1170. A bill to amend title 5, United States Code, to make available under the health benefits program for Federal employees the option of obtaining coverage for self and children only, and for other purposes; to the Committee on Government Reform.

By Mr. SABO:

H.R. 1171. A bill to amend the Internal Revenue Code of 1986 and the Federal Election Campaign Act of 1971 to provide for public financing of House of Representatives general election campaigns, and for other purposes; to the Committee on House Administration, 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. SHAW (for himself, Mr. LEWIS of Georgia, Mrs. JOHNSON of Connecticut, Mr. CLYBURN, Mr. HOUGHTON, Mrs. THURMAN, Mr. MCCOLLUM, Mrs. MEEK of Florida, Mr. BORSKI, Mr. WEYGAND, Mr. BLAGOJEVICH, Mr. SANDLIN, Mr. MURTHA, Mr. SMITH of New Jersey, Mr. BISHOP, Mrs. KELLY, Ms. KILPATRICK, Mr. EHRLICH, Mr. ETHERIDGE, Mr. GEJDENSON, Mr. BLILEY, Mrs. LOWEY, Mr. GOODE, Mr. HINCHEY, Mr. SABO, Ms. DELAURO, Mr. FROST, Mr. PETERSON of Minnesota, Mr. PRICE of North Carolina, Mr. SNYDER, Mr. DELAHUNT, Mr. WALSH, Mr. OLVER, Mr. DEUTSCH, Mr. PETERSON of Pennsylvania, Mr. FORD, Mr. BONIOR, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LOFGREN, Mr. GUTKNECHT, and Mr. WELDON of Pennsylvania):

H.R. 1172. A bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence; to the Committee on Ways and Means.

By Mr. WATT of North Carolina (for himself, Mrs. CLAYTON, Mr. CLYBURN, Mr. SANDERS, Mr. CUMMINGS, Mrs. JONES of Ohio, Mr. SCOTT, Mr. FRANK of Massachusetts, Ms. LEE, Mr. THOMPSON of Mississippi, Mr. BROWN of California, Mr. HASTINGS of Florida, and Mr. DAVIS of Illinois):

H.R. 1173. A bill to provide that States may use redistricting systems for Congressional districts other than single-member districts; to the Committee on the Judiciary.

By Mr. WELLER:

H.R. 1174. A bill to amend the Internal Revenue Code of 1986 to reduce from 24 months to 12 months the holding period used to determine whether horses are assets described in section 1231 of such Code; to the Committee on Ways and Means.

By Mr. GILMAN (for himself, Mr. BEREUTER, Mr. ROHRABACHER, Mr. GEJDENSON, Mr. DELAY, Mr. LANTOS, Mr. BURTON of Indiana, Mr. BROWN of Ohio, Mr. SMITH of New Jersey, Ms. ROS-LEHTINEN, Mr. HUNTER, Mr. CHABOT, Mr. TANCREDO, Ms. PELOSI, Mr. CUNNINGHAM, Mr. BERMAN, Mr. COX, Mr. BURR of North Carolina, Mr. ACKERMAN, and Mr. MARTINEZ):

H. Con. Res. 56. Concurrent resolution commemorating the 20th anniversary of the Taiwan Relations Act; to the Committee on International Relations.

By Mr. BARR of Georgia:

H. Con. Res. 57. Concurrent resolution expressing the sense of the Congress that a postage stamp should be issued honoring the 100th anniversary of the Junior League; to the Committee on Government Reform.

By Mr. PALLONE (for himself, Ms. PRYCE of Ohio, Mr. JOHN, Mr. ROMERO-BARCELO, Mr. RUSH, Mr. BERMAN, Mr. BALDACCI, Mr. ABERCROMBIE, Mr. GUTIERREZ, Mr. HALL of Ohio, Mr. ANDREWS, Mr. FILNER, Mr. PASCRELL, Mr. LUTHER, Mr. PAYNE, Mr. HOLT, Mr. RANGEL, Mr. MCGOVERN, Mrs. MEEK of Florida, Mrs. CHRISTENSEN, Mr. SHOWS, Ms. KILPATRICK, Mr. SESSIONS, Mr. BORSKI, Ms. LOFGREN, Mr. ROTHMAN, Mr. TAYLOR of Mississippi, Mr. FOSSELLA, and Mr. FROST):

H. Con. Res. 58. Concurrent resolution recognizing the importance of veterans to the United States and expressing support for the goals of Veterans Educate Today's Students (VETS) Day; to the Committee on Veterans' Affairs.

By Mr. PAYNE (for himself, Mr. CROWLEY, Mr. BORSKI, Mr. MEEHAN, Mr. KING, Mr. NEAL of Massachusetts, and Mr. MCGOVERN):

H. Con. Res. 59. Concurrent resolution condemning the brutal killing of Rosemary Nelson; to the Committee on International Relations.

By Mr. FROST:

H. Res. 119. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

By Mr. WATTS of Oklahoma:

H. Res. 121. A resolution affirming the Congress' opposition to all forms of racism and bigotry; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 2: Mr. BLILEY, Mr. KUYKENDALL, Mr. WOLF, Mr. SUNUNU, Mr. HULSHOF, Mr. BALLENGER, Mr. HANSEN, and Mr. JENKINS.

H.R. 38: Mr. MCKEON.

H.R. 45: Mr. SHAW and Mr. THORNBERRY.

H.R. 48: Mr. ADERHOLT.

H.R. 50: Mr. PACKARD.

H.R. 51: Mr. TAYLOR of Mississippi.

H.R. 73: Mr. HUNTER and Mr. BRADY of Texas.

H.R. 106: Mr. PETERSON of Pennsylvania.

H.R. 107: Mr. DUNCAN, Mr. PETERSON of Pennsylvania, and Mr. TANCREDO.

H.R. 110: Mr. GOODE.

H.R. 111: Ms. VELAZQUEZ, Mr. BILBRAY, Mr. GILLMOR, Mr. HILL of Montana, Mr. MANZULLO, Mr. DIAZ-BALART, Mrs. NORTHUP, Mr. BUYER, and Mr. LUCAS of Kentucky.

H.R. 133: Mr. PAYNE and Mr. GEJDENSON.

H.R. 205: Mr. GOODE.

H.R. 206: Mrs. CLAYTON and Mr. CROWLEY.

H.R. 230: Ms. CARSON, Mr. STUPAK, and Mr. LAFALCE.

H.R. 274: Mr. WYNN and Mr. BOEHLERT.

H.R. 275: Mrs. EMERSON.

H.R. 324: Mr. BURR of North Carolina.

H.R. 372: Mr. WEINER.

H.R. 403: Mr. STUPAK and Mr. FALEOMAVAEGA.

H.R. 425: Mr. SHOWS, Mrs. JONES of Ohio, Mr. FROST, Mr. BRADY of Pennsylvania, Mrs. MINK of Hawaii, Mr. SABO, Mr. GUTIERREZ, Mr. PASTOR, Mr. HINCHEY, Mr. UNDERWOOD, Mr. MCGOVERN, Mr. LAFALCE, Ms. SLAUGHTER, and Mr. MEEKS of New York.

H.R. 461: Mr. PETERSON of Pennsylvania, Mr. BILIRAKIS, and Mr. HERGER.

H.R. 464: Mr. WELDON of Florida.

H.R. 516: Mr. FLETCHER.

H.R. 534: Ms. PRYCE of Ohio.

H.R. 537: Mrs. KELLY.

H.R. 538: Mr. MARTINEZ and Mr. VENTO.

H.R. 547: Mr. ACKERMAN.

H.R. 548: Mr. ORTIZ.

H.R. 573: Mr. LATOURETTE, Mr. COOK, Mr. SHUSTER, Mr. PRICE of North Carolina, Mr. RAHALL, Mr. PASCRELL, Mr. BATEMAN, Mr. MCKEON, Ms. ESHOO, Mr. BONIOR, Mr. BALLENGER, Mr. SHIMKUS, Mr. HAYES, Mr. CHAMBLISS, Mr. STEARNS, Mr. ROTHMAN, Mr. DICKEY, Mr. WICKER, Mr. LAHOOD, Mrs.

MYRICK, Mrs. BONO, Mr. HOYER, Mr. GORDON, Mr. ROMERO-BARCELO, Mr. WEINER, Mr. WEXLER, Mr. MENENDEZ, and Mr. CROWLEY.

H.R. 575: Mr. BOEHNER and Mr. PETRI.

H.R. 576: Mr. FATTAH and Mr. DIXON.

H.R. 577: Mr. SHOWS and Mr. MANZULLO.

H.R. 580: Mr. LEVIN and Mr. MATSUI.

H.R. 586: Mr. GEJDENSON.

H.R. 589: Mr. HOSTETTLER.

H.R. 590: Mr. LOBIONDO and Mr. GIBBONS.

H.R. 629: Mr. LAFALCE, Mr. WALSH, Mr. FROST, Mr. OLVER, Mrs. JONES of Ohio, Ms. SCHAKOWSKY, Mr. MCGOVERN, and Mr. HINCHEY.

H.R. 632: Mrs. MALONEY of New York, Mr. GONZALEZ, and Mr. EVERETT.

H.R. 670: Mr. GIBBONS, Mr. BOEHLERT, and Mr. SNYDER.

H.R. 679: Mrs. MORELLA, Mr. BARRETT of Wisconsin, and Mr. FARR of California.

H.R. 685: Mrs. MINK of Hawaii.

H.R. 691: Mr. FROST.

H.R. 701: Mr. WYNN, Mr. RILEY, Mr. TAYLOR of North Carolina, and Mr. ISAKSON.

H.R. 741: Mr. LARGENT.

H.R. 798: Mr. HOLT, Ms. SLAUGHTER, and Mr. WEXLER.

H.R. 815: Mr. GOODLING.

H.R. 817: Mr. MANZULLO.

H.R. 833: Mr. CONDIT, Mr. CRAMER, Mr. DEUTSCH, Mr. LINDER, Mrs. MYRICK, Mr. NETHERCUTT, Mr. PETERSON of Pennsylvania, Mr. TERRY, and Mr. WELDON of Florida.

H.R. 841: Mr. SHADEGG.

H.R. 850: Mr. GARY MILLER of California, and Ms. NORTON.

H.R. 860: Mr. ALLEN.

H.R. 872: Mr. SCOTT, Mr. FROST, Ms. PELOSI, Mr. BERMAN, Mr. VENTO, and Mr. GEORGE MILLER of California.

H.R. 881: Mr. EWING, Mr. HOSTETTLER, Mr. MANZULLO, Mr. SHOWS, and Mr. TERRY.

H.R. 886: Mr. TIERNEY.

H.R. 894: Mr. SENSENBRENNER.

H.R. 896: Mr. SHOWS and Mr. ENGLISH.

H.R. 900: Mr. DOYLE, Mr. STRICKLAND, Ms. STABENOW, Mr. FARR of California, Mr. CUMMINGS, and Mr. DELAHUNT.

H.R. 914: Mr. GONZALEZ.

H.R. 924: Ms. RIVERS, Mr. GRAHAM, Mr. SHOWS, Mr. GEJDENSON, Mr. HINCHEY, and Mr. RAHALL.

H.R. 932: Mr. FROST, Mr. MATSUI, Mr. HINCHEY, Mrs. CHRISTENSEN, Mr. BROWN of Ohio, and Mr. PASTOR.

H.R. 950: Mrs. CAPPS, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. WAXMAN, Ms. STABENOW, Mr. OLVER, Mr. BORSKI, and Ms. NORTON.

H.R. 957: Mr. COOKSEY, Mr. LAHOOD, Mr. LOBIONDO, Mr. THOMPSON of California, Mrs. NORTHUP, Mr. HANSEN, Mr. HOEKSTRA, Mr. GOODE, Mr. WYNN, Mr. CANADY of Florida, Mr. EDWARDS, Mr. HILL of Indiana, Mr. ROGERS, Mr. WICKER, Mr. HINCHEY, Mr. CAMP, Mr. RILEY, Mr. BARCIA, Mr. JOHN, Mr. LUCAS of Kentucky, Mr. SWEENEY, Mrs. MINK of Hawaii.

H.R. 969: Mr. GRAHAM.

H.R. 987: Mrs. ROUKEMA, Mr. RAMSTAD, Mr. PICKERING, Mr. PORTER, Ms. DUNN, Mr. SUNUNU, Mr. COBLE, Mr. FOSSELLA, Mr. KNOLLENBERG, Mrs. EMERSON, Mr. CHAMBLISS, Mr. ISAKSON, Mr. GRAHAM, and Mr. UPTON.

H.R. 991: Mr. BROWN of California and Ms. SLAUGHTER.

H.R. 999: Mr. HORN.

H.R. 1000: Mr. SHERWOOD, Mr. TAYLOR of Mississippi, Mr. GARY MILLER of California, Mr. CUMMINGS, Mr. BOEHLERT, Ms. DANNER, Mr. DEMINT, Mr. DEFAZIO, Mrs. KELLY, Mr. LAHOOD, and Mr. BACHUS.

H.R. 1001: Mr. MCDERMOTT, Mr. MATSUI, Mr. ADERHOLT, and Mr. HOUGHTON.

H.R. 1003: Mr. SHOWS and Ms. KILPATRICK.

H.R. 1005: Mr. SHOWS.

H.R. 1008: Mr. BUYER, Mr. TAYLOR of Mississippi, Mrs. CHRISTENSEN, and Mr. HAYWORTH.

H.R. 1011: Mr. CAPUANO.

H.R. 1032: Mr. STUMP, Mr. NEY, Mr. ENGLISH, Mr. DICKEY, Mr. HOSTETTLER, and Mr. LEWIS of Kentucky.

H.R. 1053: Mr. GEORGE MILLER of California, and Mrs. MINK of Hawaii.

H.R. 1080: Mr. MENENDEZ, Mr. TRAFICANT, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1082: Mr. HINCHEY, Mr. RANGEL, and Mr. ROMERO-BARCELÓ.

H.R. 1097: Mr. FRANK of Massachusetts and Mr. HINCHEY.

H.R. 1111: Mr. WOLF, Mr. MORAN of Virginia, and Mr. DAVIS of Virginia.

H.R. 1113: Mr. CAPUANO.

H.J. Res. 9: Mr. HOLDEN and Mr. RYAN of Wisconsin.

H. Con. Res. 7: Mr. SHOWS, Mr. BACHUS, Mr. UPTON, Mr. NEY, Mr. CAMPBELL, Mr. WHITFIELD, Mr. WOLF, Mrs. THURMAN, Ms. DANNER, Mr. DOOLEY of California, Mr. KUYKENDALL, Mr. LEACH, Mrs. KELLY, Mrs. MINK of Hawaii, Mr. LATOURETTE, Mr. RILEY, Mr. HALL of Ohio, Mr. HOSTETTLER, Mr. MARTINEZ, Mr. MCHUGH, Mr. DIXON, Mrs. MORELLA, Mr. FILNER, Mr. BENTSEN, Mr. BEREUTER, Mr. NADLER, Mrs. EMERSON, Mr. HERGER, Mr. BARRETT of Wisconsin, Mr. SMITH of Washington, Mr. WELLER, Mr. PAUL, Mr. SHERMAN, Mr. BLUMENAUER, Mr. ROTHMAN, Mr. WALSH, Mr. BARRETT of Nebraska, Mr. GORDON, Mr. PASTOR, Mrs. CAPPS, Mr. BERMAN, Ms. KAPTUR, Mr. OSE, Mr. HILL of Indiana, Mr. BONIOR, and Mr. FARR of California.

H. Con. Res. 37: Mr. FORBES, Mr. ACKERMAN, Mr. BROWN of Ohio, Mr. CROWLEY, Mr. DIXON, Mr. HASTINGS of Florida, Mr. GREENWOOD, Mr. WAXMAN, Mr. ROHRABACHER, and Mr. GILMAN.

H. Con. Res. 51: Mr. BERMAN.

H. Con. Res. 54: Mr. LANTOS, Ms. MCCARTHY of Missouri, Mr. BORSKI, Mr. CALVERT, Mr. MCNULTY, Mr. HYDE, Mrs. NAPOLITANO, Mr. UDALL of Colorado, Mr. RODRIGUEZ, Mr. HILL of Indiana, Mr. BAIRD, Ms. BERKELY, Ms. VELAZQUEZ, Mr. GONZALEZ, Mr. WU, Mrs. LOWEY, Mr. MOORE, Mr. UDALL of New Mexico, Mr. ROTHMAN, Ms. SCHAKOWSKY, Mr. RANGEL, Mr. LEWIS of Georgia, Mr. FOSSELLA, Mr. SALMON, Mr. NADLER, Mr. DOOLEY of California, Mr. ETHERIDGE, Mr. HOYER, Ms. PELOSI, Mr. GEORGE MILLER of California, and Mr. ACKERMAN.

H. Res. 16: Mr. LAHOOD.

H. Res. 41: Mr. BURR of North Carolina, Mr. HAYES, Ms. LOFGREN, and Mr. TAYLOR of North Carolina.

H. Res. 59: Mr. GOSS, Mr. MCINNIS, Mr. TANNER, Mr. BERMAN, Mr. BORSKI, Mr. PICKETT, and Mr. GILLMOR.

H. Res. 79: Mr. HYDE.

H. Res. 82: Mr. MCDERMOTT and Mr. GONZALEZ.

H. Res. 89: Ms. SLAUGHTER, Mr. CLEMENT, and Mr. GORDON.

H. Res. 94: Mr. COOKSEY, Mr. HASTINGS of Washington, Mr. HILLIARD, MR. PASTOR, and Ms. SLAUGHTER.

H. Res. 99: Mr. PORTER, Mr. HYDE, Mr. MARKEY, Mrs. MEEK of Florida, and Mr. GOODLING.

H. Res. 107: Mr. WEXLER, Mrs. LOWEY, Mr. KIND, Mrs. THURMAN, Mr. BARRETT of Wisconsin, Mr. MCGOVERN, Ms. SLAUGHTER, Ms. SCHAKOWSKY, Ms. KILPATRICK, and Mr. FROST.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4

OFFERED BY: MR. ALLEN

(Amendment in the Nature of a Substitute)

AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:

That it is the policy of the United States to deploy, subject to authorization and appropriations, a ground-based national missile defense that—

(1) has been demonstrated to be operationally effective against the threat as defined as of the time of such deployment and as projected for a reasonable period of time thereafter;

(2) does not diminish the overall national security of the United States by jeopardizing other efforts to reduce threats to the United States, including negotiated reductions in Russian nuclear forces; and

(3) is affordable and does not compromise the ability of the uniformed service chiefs and the commanders of the regional unified commands to meet their requirements for operational readiness, quality of life of the troops, programmed modernization of weapons systems, and the deployment of planned theater missile defenses.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, WEDNESDAY, MARCH 17, 1999 No. 42

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Today, we celebrate Saint Patrick's Day. It seems appropriate to have a Gaelic blessing and then one of Patrick's prayers.

May the road rise up to meet you,
May the wind be always at your back,
May the sun lie warmly upon Your face,
May the rain fall softly on your fields,
And until we meet again,
May the Lord hold you
In the hollow of His hand.

Let us pray: Gracious Lord, we remember the words with which St. Patrick began his days. ''I arise today, through God's might to uphold me, God's wisdom to guide me, God's eye to look before me, God's ear to hear me, God's hand to guard me, God's way to lie before me, and God's shield to protect me.'' In Your holy name. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader is recognized.

SCHEDULE

Mr. VOINOVICH. Mr. President, this morning the Senate will be in a period for morning business until 11 o'clock. Following morning business, the Senate will resume consideration of Senate bill 257, the national missile defense bill. Under the consent agreement reached yesterday, that agreement includes a limited number of amendments that may be offered to the bill and also limits debate time on each amendment.

In light of this agreement, the leader is hopeful the Senate will complete action on this legislation by early this afternoon. Following disposition of the bill, the leader has indicated the Senate may begin consideration of a Kosovo resolution and/or the supplemental appropriations bill. Therefore, Members should expect votes throughout today's session and during the remainder of this week. I thank my colleagues for their attention.

MORNING BUSINESS

The PRESIDENT pro tempore. The Senate will now proceed to a period for morning business.

Mr. VOINOVICH addressed the Chair.

The PRESIDENT pro tempore. The Senator from Ohio is recognized.

THE BIRTH OF VERONICA KAY VOINOVICH

Mr. VOINOVICH. Mr. President, I want to bring to the Senate's attention the fact that we welcomed a new citizen into Ohio last night at 11:57, and that new citizen is my second grandchild, Veronica Kay Voinovich. Veronica is our second grandchild. Her grandmother and I welcome her and so do her other grandparents, Warren and Alice Fish. I apologize for not being in Cleveland last night for her birth, but it was necessary for me to be here to do the work of the Senate and to represent the people of Ohio and, hopefully, through those votes do something for her and the rest of the citizens of our great State.

DAVID B. COOPER

Mr. VOINOVICH. Mr. President, America's journalism pool got a little smaller last week as David B. Cooper, one of Ohio's most respected journalists, hung up his typewriter.

For almost 22 years, Dave was a powerful voice in Ohio, in charge of editorials and op-eds as the associate editor for the Akron Beacon Journal. Over the length of his career, Dave was never known to mince words or pull punches. He was brutally honest when he didn't think someone—usually a politician—was living up to expectations. And usually you didn't have to be reminded twice—you got the message. I will say that many politicians from the State of Ohio, including yours truly, worked very, very hard to live up to Dave's high expectations of us.

Dave's principles always shone through in the topics he wrote about. His analysis was precise and he showed genuine care about the issues in and subjects of his columns. And he worked hard to make sure that he was easily understood.

Dave's legacy is his journalistic leadership at the national, state and local level. He was outstanding. He began his career 44 years ago, writing for the Raleigh News and Observer and the Winston-Salem Journal and Sentinel during the 1950's and 1960's. In 1968, he started his association with Knight-Ridder newspapers by accepting a position with the Detroit Free Press.

It wasn't until 1977 that Dave saw the light and realized his calling was in the State of Ohio with the Akron Beacon Journal. The Ohio journalism corps has truly been enhanced with his presence.

I have enjoyed a wonderful relationship with Dave. He didn't always agree with me—and I certainly never expected him to—but he was always fair. In fact, I always looked forward to reading Dave's editorials just to find out how he thought my administration was doing.

For the last 2 years, Dave and I have shared something in common—we're both grandfathers, although I'm a little newer at being one than he is. There is sort of an unspoken bond between grandfathers that is readily apparent in the smiles we wear and the glint in our eye, as we regale others with the exploits of our precious little ones. Dave has four grandchildren and I know that he is more proud of them than any editorial or column he has

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

written. In fact, Dave's best writing has been about his grandchildren!

One of the great things about the relationship Dave and I have is our mutual love of fishing. Many times when we've been talking about topics of the day, we've gone off the subject talking about fly-fishing techniques, favorite streams, or the one that got away.

Dave and I have done some fishing together, but not nearly enough. And even though Dave and his lovely wife Joanne are moving to California, I look forward to doing more fishing with him in the years to come.

And while I prefer polka, Dave loves jazz. Dave knows more about jazz—jazz records, jazz singers, and jazz history—than anybody I know. I suspect that his knowledge of jazz surpasses all but a few journalists in America. He even has a jazz radio show in Akron! He has written about jazz extensively and he never tires of speaking about it.

Mr. President, I want to close by saying I have immense respect for Dave. He is and always has been a true professional. And although I am sorry to see him retire, I am confident that the citizens of Akron have not heard the last from him.

Dave and I will always be friends. I wish him well as he and his wife Joanne embark on their new life together.

I notice that my colleague, Senator DEWINE, is on the Senate floor, and I yield the floor to him.

The PRESIDENT pro tempore. The Senator from Ohio, Senator DEWINE, is recognized.

Mr. DEWINE. Mr. President, I join my colleague and friend, Senator VOINOVICH, in paying tribute to one of the leading figures in the history of journalism in the State of Ohio. My good friend Dave Cooper is retiring after 22 years as editor of the editorial and opinion pages of the Akron Beacon Journal.

David B. Cooper began as a reporter with a genuine love for political journalism. After reporting for the Raleigh (North Carolina) News and Observer and Winston-Salem Journal and Sentinel, he joined the Detroit Free Press—where he moved over to the writing of editorials.

In 1977, the Akron Beacon Journal hired Dave to run its editorial and opinion pages. In that capacity, he has been more than just a principled observer and commentator on the political life of Ohio and America—he has also been a powerful force in the cultural life of his community.

Indeed, some of his best writing has been on music. In fact—since 1994—he has hosted a weekly jazz program on radio station WAPS.

The same feeling that infuses his writing and commentary on jazz is present in his political writing. Dave knows that if all you want is accuracy, you have merely to know your subject. And believe me, Dave knows the stuff he writes about! But he also knows that if you want to go beyond that—beyond mere accuracy toward the kind of deep understanding that goes to the heart of an issue—you must not just know, but love, your subject.

That's the kind of work that creates positive change in a community. It is the type of work that Dave has done.

Dave Cooper says his pet peeve is ''politicians who are pompous.'' And that really reflects Dave's personality—he doesn't do what he does for his own ego; he does it to help people understand things. He does it to make a real difference. And that's why he holds people in public life to the same high standard.

I am proud to call Dave Cooper my good friend, and I wish him and Joanne well as they begin a new life.

Mr. President, I yield the floor.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER (Mr. VOINOVICH). The Chair recognizes the Senator from New Mexico for 10 minutes.

Mr. BINGAMAN. Thank you, Mr. President.

(The remarks of Mr. BINGAMAN pertaining to the introduction of S. 638, S. 639, and S. 640 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BINGAMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KERREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FINANCING SOCIAL SECURITY WITH GENERAL REVENUES

Mr. KERREY. Mr. President, I rise today to talk about the financing of the Social Security program. The President's plan to reserve the surpluses for Social Security has presented us with an opportunity to have a discussion about the way Social Security is currently financed—and to have a debate about how we want to finance the Social Security system in the future.

I want to say at the outset that some of my colleagues on both sides of the aisle have closely examined the President's proposal to infuse the Social Security system with general revenues—and decided not to support a financing reform mechanism that does not lead to structural reforms. For my colleagues on the Democratic side who have decided not to support general revenue transfers to Social Security, this is a politically difficult position to support—but a commendable one.

With his plan to reserve the surpluses for Social Security, the President has helped me to understand for the first time that the Social Security program is facing a serious funding problem in the year 2013. I now realize that in 2013, the payroll tax dollars flowing into the Social Security program will no longer be large enough to fund the current level of benefits. As a result, the Social Security Administration will start cashing in its trust fund assets—those special-issue Treasury bonds—to pay for Social Security benefits.

The Treasury has to make good on these bonds by giving Social Security a portion of general revenues. This means that starting in 2013, Social Security beneficiaries have a claim on not only the payroll tax dollars, but also the income tax dollars of working Americans. Let me say that again, Mr. President. Starting in 2013, Social Security beneficiaries have a claim on both the payroll tax dollars and the income tax dollars of working Americans. So as not to mislead, let me say that these beneficiaries will also have a claim on other general revenues, such as corporate income tax dollars. Furthermore, in order for the Treasury to make good on these obligations without cutting discretionary spending, it is likely Congress will either have to raise income taxes or return to deficit spending.

Now under current law, this infusion of general revenues into Social Security is scheduled to end in 2032—at which point a future Congress will have to decide whether to raise payroll taxes or cut benefits. The President's proposal allows this Congress to pass the responsibility for enacting reform off to the Congress convening in 2055. Furthermore, what the President proposes to do is to fund a substantially larger portion of the program with income tax dollars. In fact, he is turning a funding problem into a funding virtue by guaranteeing that future income tax dollars will continue to fund Social Security benefits until 2055. This means that the baby boomers will have an even larger claim on future tax dollars.

On how many future income tax dollars do the boomers have a claim? Well, in fact, the Social Security actuaries have quantified for us exactly how many more general revenues will be given to the Social Security program as a result of the President's plan. According to the actuaries, Social Security beneficiaries already have a claim on general revenues worth $6.45 trillion in nominal dollars. President Clinton will commit an additional $24.765 trillion in general revenues to the Social Security program between the years of 2015 and 2055—for a total of $31.215 trillion in general revenues.

You heard me correctly, the President's plan commits an additional $24.765 trillion of general revenues—$4.85 trillion in constant 1999 dollars—to pay for Social Security benefits—above and beyond the 12.4 percent payroll tax that is levied on all workers. This chart demonstrates that in any given year we will be committing up to $2 trillion of general revenues for Social Security benefits. If you look at this in terms of constant 1999 dollars, we are talking about $200 to $300 billion

of general revenues that will be committed to Social Security each year in the 2030s, 2040s, and 2050s. If you look at it in terms of a percentage of GDP, the Clinton plan will divert general revenues worth 1.5 percent of GDP to Social Security for each year from 2032 through 2055. That is a general revenue transfer each year nearly as large as the entire defense budget.

Now it may come as a surprise to my constituents watching this at home to hear that the President is committing massive amounts of future general revenues to Social Security. And the reason they aren't aware of this fact is because he has made no effort to inform them. He has cleverly hidden his proposal behind the rhetoric of ''saving the surplus for Social Security.'' If the President wants to openly make the case for funding more Social Security benefits through income tax dollars, let me be the first to encourage an open and honest debate on that very subject. In fact, it is a very Democratic argument to fund Social Security through the more progressive income tax rather than the regressive payroll tax. But I encourage him to enter this debate candidly and to explain to the American public the tradeoffs of infusing general revenues into the Social Security program.

I have heard the group of us who are working on substantive Social Security reforms—Senators MOYNIHAN, BREAUX, GREGG, and SANTORUM—referred to as the ''Pain Caucus'' because we advocate structural reforms to the system through benefit changes or future payroll tax adjustments. Well, we believe less in pain that in truth in advertising. The President also has a great deal of pain in his plan—a hidden pain in the form of income tax increases that will be borne by future generations of Americans. I strongly disapprove of a plan that provides a false sense of complacency that Social Security has been saved by this nebulous and vague idea of ''saving the surplus''—while failing to disclose the real pain that will be imposed on future generations.

Let me talk for a moment about the history of the Social Security program and its financing. The idea of a Social Security program was first discussed by Frances Perkins as a means for providing the widows of coal miners a financial safety net. Today, the Social Security program provides an intergenerational financial safety net to retirees and the disabled, and their spouses, survivors, and dependents. Social Security has always been financed by a tax on payroll. When the program began, the total payroll tax was 1 percent of the first $3,000 of earnings—paid for by both the employer and employee. Today, all covered employees pay a Social Security payroll tax that is equal to 6.2 percent of the first $72,600 of their annual wages. In addition, the employer must pay an additional 6.2 percent payroll tax on the first $72,600 of each employee's wages.

The excess Social Security payroll tax income has always resided in a trust fund. Through the 1970s, this trust fund generally had only enough assets to pay for about one year's worth of benefits. The 1977 Social Security amendments marked the first time that the trust funds were allowed to accrue substantial assets—though this accrual was not necessarily deliberate.

During the 1983 reforms, Congress made this implicit accrual of assets explicit—and declared its goal to be the prefunding of the baby boom generation's Social Security benefits. Congress tried to pre-fund the baby boom generation by accelerating the payroll tax rate schedule increases that were agreed to in the 1977 amendments, by covering all federal government and non-profit employees, and by raising the payroll tax rate on the self-employed.

Not surprisingly, several Presidential administrations took advantage of the overflowing Social Security coffers—and used an overlevy of the payroll tax to fund both the general operations of government and expensive income tax cuts. Many of the payroll tax dollars that flowed into the trust funds were immediately borrowed to pay for tanks, roads, and schools. Many of these payroll tax dollars were also used to offset major income tax breaks. Is it any surprise that Reagan was able to afford a reduction in the top marginal tax rate from 70 to 50 percent in 1981 and from 50 to 28 percent in 1986 in the wake of the payroll tax hikes of 1977 and 1983?

The irony is that the story has now come full circle. While former Presidents financed income tax cuts with payroll tax hikes, Mr. Clinton now wants to maintain a lower-than-necessary payroll tax rate by increasing future income tax revenues.

Mr. President, one of my goals today is to make clear my desire that this Congress and this President have an honest debate about how to finance Social Security. But one of my other goals today is to talk about the need to reform the program to improve the lives of our Nation's minimum wage workers. As many of my 206,278 Nebraska constituents collecting old-age Social Security benefits can attest—Social Security is not a generous program. In fact, the average old-age benefit in Nebraska is under $750 a month. When you factor in rent, food, prescription drug benefits, and part B premiums, $750 is not a generous benefit.

As many of my colleagues may know, the size of a retiree's Social Security check depends on a number of important factors—how much you worked, how much you earned, and at what age you retire. In order to determine your monthly benefit, the Social Security Administration takes all of this information and applies a complicated benefit formula designed to replace a portion of the monthly income to which you have become accustomed over the course of your life. This replacement formula is not very generous for low-wage, low-skill workers or for workers who have been in and out of the workforce sporadically. The way it works is that Social Security will replace 90 percent of the first $505 of average indexed monthly earnings (AIME) over your lifetime; plus 32 percent of the next $2,538 of earnings; and 15 percent of any earnings over $3,043 per month.

Complicated? Yes. But what this means is that a worker who has been consistently in the workforce and has had lifetime annual earnings of $10,000 per year will receive a Social Security benefit check of about $564. This is not substantial—and barely livable. What I propose to do is change the benefit formula to replace a larger portion of the income of these low-income, low-skilled workers who play a very important role in our service economy. And I propose doing this in a cost neutral way. By simply changing the replacement formula, we can boost that workers' monthly income by 22 percent.

What I have tried to show this morning is that we need to have an honest and open debate about the way we want to finance the Social Security program. We also need to have a candid and constructive discussion about Social Security reforms that will improve the retirement security of all working Americans—including those working Americans who are toiling away at low-paying service sector jobs. I believe that Congress and the President can and should work together to achieve real structural reforms in the program—and do so in a way that helps low-income Americans and that shares costs across all generations.

Mr. President, Harry Truman had a sign on his desk which read: ''The buck stops here.'' Unfortunately, what this President's plan is saying is that the buck stops there—in 2055.

Our generation has a historic opportunity to make some sacrifices now, so that our children and grandchildren may benefit from our having served this nation. The sacrifices we make may not be as dramatic as those of the generation that lived during Harry Truman's Presidency, but they will have a significant impact on the future of our Nation.

I thank the Chair and yield the floor.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, March 16, 1999, the federal debt stood at $5,639,342,063,058.30 (Five trillion, six hundred thirty-nine billion, three hundred forty-two million, sixty-three thousand, fifty-eight dollars and thirty cents).

One year ago, March 16, 1998, the federal debt stood at $5,530,456,000,000 (Five trillion, five hundred thirty billion, four hundred fifty-six million).

Five years ago, March 16, 1994, the federal debt stood at $4,550,473,000,000 (Four trillion, five hundred fifty billion, four hundred seventy-three million).

Ten years ago, March 16, 1989, the federal debt stood at $2,737,640,000,000 (Two trillion, seven hundred thirty-seven billion, six hundred forty million).

Fifteen years ago, March 16, 1984, the federal debt stood at $1,465,672,000,000 (One trillion, four hundred sixty-five billion, six hundred seventy-two million) which reflects a debt increase of more than $4 trillion—$4,173,670,063,058.30 (Four trillion, one hundred seventy-three billion, six hundred seventy million, sixty-three thousand, fifty-eight dollars and thirty cents) during the past 15 years.

FLATHEAD IRRIGATION ACT OF 1999

Mr. BURNS. Mr. President, yesterday I introduced a bill to transfer the operation of an irrigation project in Montana from the Bureau of Indian Affairs to the local irrigators. This is a bill, which has been before Congress before, but has been changed to address the concerns expressed by the BIA and groups which have opposed this legislation in the past.

Years of management by the Bureau of Indian Affairs has led to a project in poor physical condition. Rather than being an asset for the government and the users, the Flathead Irrigation is rapidly becoming a liability. Using current estimates, the project is in need of $15 to $20 million worth of repair and conditioning. Government managers admit that costs associated with rehabilitation of this project could be as much as 40 percent higher than if the project were under local control.

The irony of this project however, is the fact that studies on locally owned irrigation projects in Montana and Wyoming show that the costs of operation and maintenance of the Flathead project are some of the highest in the Rocky Mountain Region the condition of the project may be worst in that same region. What do these people, and for that matter the taxpayer, get for the higher costs associated with the current management? Not much if anything at all.

Let's take a moment here to see what local control of this irrigation project would mean to the irrigators and to the taxpayer. First of all, local control will mean increased accountability of the monies collected by and used in the operation of the Flathead Irrigation Project. At the current time the BIA is unable, or unwilling, to provide basic financial information to the local irrigation districts. This despite the fact that the local farmers and ranchers pay 100% of the costs to operate and maintain the project. At the same time, the current management cannot even deliver a year-end balance of funds paid by the local irrigation users.

Local control will also create savings over the current operation management. By using these savings the local management could be used to restore the Flathead Irrigation Project to a fully functioning, efficiently operating unit.

Wihtout the transfer to local control, the residents of the Flathead face an uncertain future. This irrigation project is located in one of the most beautiful valleys in western Montana. Current trends in agriculture have put farmers and ranchers in a difficult position. Montana farmers and ranchers have always been land rich and cash poor. In the case of this valley in Montana, this is the rule and not the exception. They live in an area that is being changed daily due to the number of summer home construction, because of the beauty and a temperate climate for Montana.

The family farmers and ranchers in this area continue to face economic pressures from outside. Which has led to a number of folks packing up and subdividing their land for residential home sites. Those who have packed up and left the area, have taken their land and subdivided it for the residential development, removing the land from agricultural production.

The subdivision of the land has a number of negative impacts on this valley and Montana and the Nation. The landscape is dotted with magnificent homes which impacts on the landscape and open spaces, and of course wildlife. Another of the major impacts is on the local and state economies and governments. Agriculture land in Montana pays approximately $1.29 in property taxes for every dollar invested by the local government for services. Residential subdivisions only pay approximately $0.89 for every dollar they receive in local government services.

Preservation of the small family farm and ranch in the Mission, Jocko and Camas valleys in Montana is dependent upon local control. As local control of the Flathead Irrigation Project will provide these hard working Americans an opportunity to control and have input on the costs associated with the operation of this vital water source.

ST. PATRICK'S DAY STATEMENT BY THE FRIENDS OF IRELAND

Mr. KENNEDY. Mr. President, the past year has seen far-reaching developments which bring the dream of peace in Northern Ireland closer than at any time in our lifetimes.

Today, the Friends of Ireland in Congress is releasing its annual St. Patrick's Day Statement. The Friends of Ireland is a bipartisan group of Senators and Representatives opposed to violence and terrorism in Northern Ireland and dedicated to a United States policy that promotes a just, lasting and peaceful settlement of the conflict, which has taken more than 3,100 lives over the past 30 years.

I believe the Friends of Ireland statement will be of interest to all of our colleagues who are concerned about this issue, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE FRIENDS OF ST. PATRICK'S DAY 1999

On this St. Patrick's Day 1999, the friends of Ireland in the United States Congress join with the 44 million Americans of Irish ancestry in commemorating an extraordinary year for the people of the island of Ireland. We are proud of the dramatic progress achieved in last year's Good Friday Agreement. We commend those who contributed to this historic agreement.

The Agreement is a unique opportunity to end a tragic conflict which has caused needless tragedy and destruction. It holds out the promise of a new beginning, honorable and realistic, for all involved. The Agreement was endorsed decisively by the people in both parts of the island of Ireland as a clear democratic mandate to their political leaders. We call on all those leaders to implement that mandate fully and fairly, and to embrace the opportunity for peace offered by the Agreement with courage, imagination and empathy. History will not deal kindly with those who fail to do so.

We are pleased to welcome to Washington over the St. Patrick's Day period many of those who were central to the success of the negotiations leading to the Good Friday Agreement. We particularly welcome the Taoiseach, Bertie Ahern, whose outstanding commitment and leadership, both during the negotiations, and in the succeeding months, have been deservedly recognized. We also pay tribute to Prime Minister Tony Blair, Secretary of State for Northern Ireland Marjorie Mowlam, Minister for Foreign Affairs David Andrews, the leaders of the Northern Ireland political parties, and many other Irish and British Government officials for their courage and determination to reach agreement despite the opposition they faced.

We congratulate John Hume and David Trimble on the award of the Nobel Peace Prize in recognition of their efforts for peace. We take pride in the contribution made to the peace process by President Clinton and many other leaders in the United States. We especially salute our former colleague, Senator George Mitchell, for his indispensable leadership, and welcome the recent establishment by the U.S.-Ireland Alliance of the Mitchell Scholarships in his honor. We welcome the generous $3 million contribution of the Irish Government to this scholarship fund, announced by the Taoiseach last September during our President's visit to Ireland. We also welcome the Irish Government's support of the John F. Kennedy Center for the Performing Arts, through a grant to promote the Festival of Irish Arts, in May 2000.

Ireland has given to America in many ways, including men to fight our battles from the Revolutionary War to Desert Storm. In appreciation for these services, and as a special tribute to 12 Irish citizens who gave their lives as members of the U.S. Armed Forces in the Vietnam War, we are pleased to note that the Vietnam Veterans Memorial Fund's travelling wall, called the Wall that Heals, will be making a tour of Ireland from April 16 to May 3 this year.

This July, we look forward to welcoming the first 4,000 young men and women who will enter the United States under special visas provided by the Irish Peace Process and Cultural Training Program Act of 1998. The visa will allow these young adults from both communities an opportunity to experience America's unique blend of cultural diversity and economic prosperity. After their visit, they will return home providing the crucial skill base needed to attract private investment in their local economies. That Congress initiated and passed this visa with

unanimous support is evidence of our continuing bipartisan commitment to supporting the Good Friday Agreement.

We believe the most crucial task now facing the Irish and British Governments and all the political leaders in Northern Ireland is to build momentum for the full implementation of the Agreement.

Inevitably, there will be continuing difficulties to surmount in resolving this deep and longstanding conflict. We believe the implementation of the Agreement offers the best way forward and the best yardstick to judge the policies and actions of those struggling to overcome these difficulties. We do not believe that the goals of the Agreement can be served by inaction or procrastination in implementing its provisions. Those who take political risks for the implementation of the Agreement can be assured of our consistent support.

Following last month's decision by the Assembly to approve the designation of the Northern Ireland Departments and the list of cross-border bodies, and the signing last week by the United Kingdom and Ireland of the historic treaties to set up the institutions, it is vital that this decision be implemented without delay. Progress in all of these areas is, of course, dependent on the establishment of the multi-party Executive, as provided in the Agreement. We are dismayed at the delay in establishing the Executive, and urge it be established as soon as possible. It is the best way to create conditions for progress on other difficult issues, including the problem of decommissioning.

The carnage inflicted on the town of Omagh last August was a grim reminder that, in spite of all that has been achieved, there are those who still do not recognize the futility of violence. The cowardly murder of Rosemary Nelson this week reminds of the urgency of the task at hand. The horror of these actions unites all the people of Ireland and Great Britain, and friends of Ireland everywhere, in a determination that such methods will be totally repudiated and will never succeed. We also condemn, in the strongest terms, the practice of sectarian attacks, punishment beatings, and other acts of violence. These actions are a violation of fundamental human rights, and serve only to promote further division and recrimination. Against this background of irresponsible and unacceptable reliance on violence, we commend all those who, notwithstanding the pressures caused by these attacks, refuse to be diverted from the pursuit of peace and political progress.

We have in the past consistently drawn attention to the importance of developing a police organization in Northern Ireland capable of attracting and sustaining the support of all parts of the community. We welcome the creation of the Patten Commission to propose new arrangements for policing, accountable to and fully representative of the society. A major responsibility rests on the members of the Commission on this vitally important issue. Their mandate from the Agreement should lead to farreaching change and we look forward to their report later this year.

We attach particular importance to the provisions in the Good Friday Agreement which promote a new respect for human rights. Such respect is essential if the commitment to equality, which lies at the very heart of the undertaking, is to be given practical effect. We are heartened by progress in relation to the Human Rights Commissions and look forward to the development of close cross-border co-operation on this vital issue. We also hope to see early progress on the review of the criminal laws, and the dismantling of emergency legislation.

We are concerned by evidence of the lack of protection for lawyers active on human rights cases in Northern Ireland, as described by the Special Rapporteur of the UN Commission on Human Rights, and urge an early response to calls for an independent inquiry into the murder of Belfast lawyer Pat Finucane. We will also continue to follow closely the progress of the inquiry into the tragic events of Bloody Sunday in Derry in 1972.

As preparations for this year's marching season begin, we note with concern that, despite efforts to encourage dialogue, the situation at Drumcree remains disturbing. We call on all involved to uphold the decisions of the Parades Commission.

The Friends of Ireland welcome the strong support which President Clinton and both parties in Congress have given to the peace process, and to the full implementation of the Good Friday Agreement, including the continuing support for the International Fund for Ireland. We salute the parties on what has been achieved thus far and believe that with commitment and determination, and a readiness to seek accommodation, the remaining differences can be overcome.

As we prepare to enter the new century, the parties to the Good Friday Agreement have a truly historic opportunity to achieve peace with justice for the benefit of all generations to come. As always, we in the Friends of Ireland stand ready to help in any way we can.

FRIENDS OF IRELAND EXECUTIVE COMMITTEE

House: Dennis J. Hastert, Richard A. Gephardt, James T. Walsh.

Senate: Edward M. Kennedy, Daniel Patrick Moynihan, Christopher J. Dodd, Connie Mack.

Mr. REID addressed the Chair.

The PRESIDING OFFICER (Mr. HUTCHINSON). The Senator from Nevada.

EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that morning business be extended for another 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO SENATOR JOHN BREAUX

Mr. REID. Mr. President, I rise today to talk about a man who is a Member of this body who has devoted his entire adult life to public service. Today I speak of Senator JOHN BREAUX of Louisiana. I do that today because there are a number of things that have been written since yesterday, when the Medicare Commission made their report. I think lost in the information that has been produced is the fact that Senator BREAUX has spent tireless hours, weeks, and months on this one proposal.

When I came to the Congress in 1982, Senator BREAUX had already been a Member of the House of Representatives for 10 years. He came to the House of Representatives when he was 28 years old. As I said, he has served his entire adult life in public service. Even prior to coming to the House of Representatives, Senator BREAUX had worked on a congressional staff.

Here is a man who could have been a success, as he has been as a Member of the House of Representatives and the Senate, in anything he wanted to do. He had a fine record as a student. He could have made a lot of money practicing law, but he decided to devote his life to public service. I think too often we lose sight of what people do to contribute to the public good.

In my estimation, no one has contributed to the public good more than Senator John BREAUX in the years he has been a Member of the House of Representatives and the Senate. If there is a difficult problem, JOHN BREAUX has to be called in to work on that problem.

This is an example. He was called to be the Cochairman of the Medicare Commission, a very difficult job, but there was someone needed who understood the finances of this country; and that includes the tax structure of this country, that includes the very difficult health care delivery system we have, not only for those people who are not seniors, but particularly seniors, people who are on Medicare. I think we tend to forget how complex Medicare is and how important it is to the well-being of this country.

Mr. President, I served as a member of a county hospital board when Medicare came into being in the 1960s; 1966 through 1968 I served on that board. Prior to Medicare coming into being, about 40 percent of everyone that entered our hospital who were seniors had no health insurance of any kind. And that is the way it was around the rest of the country.

Today, though, Mr. President, over 99 percent of seniors have health insurance. That is because of Medicare. Senator BREAUX understood this very difficult problem. That is why he was asked to be the Chairman of this Commission.

Of the 17 members of this Commission, 10 of them agreed as to what should be done. I am not going to get into the merits of what the findings of the Commission were other than to say it was very difficult. Ten people agreed to the findings because of the diligent work of Chairman BREAUX.

I repeat, he did not spend hours on this program; he did not spend days—he spent weeks of his time. When other people were doing other things with their constituencies at home or taking a little time off from the rigors of this body, he was devoting his time to working on Medicare.

I mention that because not only was Senator BREAUX called in to be the Chair of the Medicare Commission, he has also done a number of other difficult things. We in the West understand the Wallop-Breaux legislation which established a program for restoring our coastal areas in the country. It set damages for boats that damaged the environment. It is a very important part of the environmental movement that has taken place in this country. Senator BREAUX was at the forefront of that. The legislation is named after him.

When, in 1993, we needed to pass a bill, the Budget Deficit Reduction Act, we needed to pass a bill that would put this country on a sound financial footing, one of the persons that worked on this to make sure that this was able to be accomplished was Senator BREAUX. He worked on the energy part of that legislation. Being from the State of Louisiana, he knew that area as well as anyone.

As a result of his good work on that, enough votes were gathered on the Democratic side of the Congress to pass that legislation. Without his work it could not have happened, and we would not be in the economic situation we are in today where we have reduced a series of 30 to 40 years of yearly deficits to now where we are having a surplus, where we are talking now about what we are going to do with the budget surplus.

A lot of what we are talking about today is the direct result of work in that legislation and other pieces of legislation by Senator BREAUX.

In short, I want to make sure that Senator BREAUX and the people of Louisiana understand our appreciation for the work that he has done with his Medicare Commission and what he has done as a Member of Congress generally.

I have worked as a legislator on the State level, and back here now for going on 17 years. I think JOHN BREAUX is really an example we can all look to. I repeat, if a difficult problem arises, we call upon JOHN BREAUX to be part of the consensus building. Legislation is the art of compromise, the art of consensus building. And no one stands for being a good legislator more than Senator JOHN BREAUX.

As far as the Medicare problem he worked on, as a result of his leadership, it is going to mean a great deal to this country. As Senator BREAUX has said, the battle is not over. He said, ''I'm going to keep working on this issue as long as I'm in Congress.''

So I again extend my appreciation and applause and recognition to Senator JOHN BREAUX for the good work that he did on this legislation. I do not know of anyone that could have accomplished what he did. It was a masterful piece of work. The people of the State of Nevada and this country should be as appreciative as we are of the work that he has done.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL MISSILE DEFENSE ACT OF 1999

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 257, which the clerk will report.

The bill clerk read as follows:

A bill (S. 257) to state the policy of the United States regarding the deployment of a missile defense system capable of defending the territory of the United States against limited ballistic missile attack.

The Senate resumed consideration of the bill.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from South Dakota—North Dakota.

Mr. DORGAN. Mr. President, I am from one of those Dakotas.

The PRESIDING OFFICER. The distinguished Senator from North Dakota.

Mr. DORGAN. Mr. President, thank you very much for your generous description.

PRIVILEGE OF THE FLOOR

Mr. DORGAN. I ask unanimous consent, on behalf of a colleague, that the privileges of the floor be granted to the following member of Senator BIDEN's staff: Ms. Joan Wadelton, during the pendency of the National Missile Defense Act, S. 257. And the request is for each day the measure is pending and for rollcall votes thereon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, thank you.

Mr. President we are now returning to the National Missile Defense Act of 1999, which is a very important policy issue before the Senate. My expectation is we will complete work today. I had noticed two amendments; and I shall not offer the amendments today, to the relief of those who are counting the amendments that are ahead of us.

But I did want to take the floor to at least describe especially the substitute amendment, because while I will not offer it to this bill, this is really a debate about policy. This policy will not mean anything until it is funded.

The real debate will be on the appropriations, it seems to me. What is it we want to buy and pay for? We can talk until we are blue in the face, but if we are not willing in an appropriations process to pay for a policy, it is not going to be deployed.

Let me talk a bit about that. My substitute amendment will be something that I will likely offer during an appropriations debate and will wait until that day for a vote.

The proposition before the Senate offered by my colleague, Senator COCHRAN, is very simple. Yesterday, I was holding something from Senator LOTT and when I was referring to Senator COCHRAN I called him Senator LOTT, for which I apologized. I certainly know the difference, and I respect both of them immensely. Senator COCHRAN has offered a proposal on the floor of the Senate that says it shall be the policy of this country to deploy a national missile defense system as soon as technologically feasible. In other words, notwithstanding other issues, as soon as it is technologically feasible to put a national missile defense system in place, we should do so.

What is this national missile defense system? We had one once, 24 years ago, in my home State. This country built the only antiballistic missile system that was ever built in the free world. Members ought to see the concrete that was poured, this huge concrete building in northeastern North Dakota, a sparsely populated region of our State, where the ABM, antiballistic missile, system was built. In today's dollars it costs about $20 billion. It was declared operational 1 day and mothballed the very next day. It produced a lot of good jobs in northeastern North Dakota as a result, a lot of construction, a lot of building.

But what did we get for our money? And was a national ballistic missile defense system feasible 24 years ago? The answer, I suppose, is yes. We had a national ballistic missile site built and declared operational 24 years ago, so it was feasible. It used a different technology. The proposition was if we were attacked by some incoming missile from some hostile power, we would send up these antiballistic missiles with nuclear warheads on our missiles and we would shoot off a nuclear warhead somewhere in the heavens and we would destroy all the incoming missiles. That was the technology then, and we built it—paid a lot of money for it—and it was declared mothballed the day after it was operational.

Now the proposition is that the national missile defense is a different kind of technology. It has the ability to hit a bullet, a speeding bullet, with another bullet. That is the proposition. We have had a lot of tests—a few successful, most unsuccessful. It is a very difficult proposition.

The experts in the Department of Defense tell us that they have spent as much money as they can spend to pursue the technology to build a national missile defense system, but the technology does not yet exist. Now, when the technology does exist, what kind of consideration should exist in terms of its deployment?

Russia has a lot of weaponry; Russia, of course, is the dominant country in what was the old Soviet Union. Their weaponry consists of a great many nuclear warheads on top of intercontinental ballistic missiles and bombers. We need to be concerned about those. As a result of that, we have engaged with the old Soviet Union and now Russia in a regime of arms reductions. Arms control talks resulted in START I and START II. The Russians, we hope, are prepared very soon to adopt START II. We have already done so.

As a result of all of that, yesterday I held up part of the wing of a Russian bomber. Last year, I held up a metal flange from the door of, I believe, an SS–19, an intercontinental ballistic missile that held a nuclear warhead, a missile aimed at the United States. Yesterday, I held up at this desk a wing strut from a Russian bomber; one would have expected in the cold war that the only way you would hold a piece of a Russian bomber in your hand is if somebody shot it down in hostile action. That wasn't the case. I held up

a piece of a wing from a bomber from Russia that used to carry nuclear weapons that would threaten our country because the wing was sawed off that bomber.

Who sawed the wing off of the bomber? Was a wing shot off in hostile aerial combat? No, not at all. It was sawed off as the bomber was on the ground, because part of the agreement between us and the Soviet Union is that they would reduce the number of missiles, reduce the number of warheads, reduce the number of bombers, and so would we. The result is these arms reductions have resulted in significant reductions in the number of nuclear warheads, the number of missiles, the number of bombers, the number of delivery systems. That is a success.

I also talked last fall about the Russian launch of a number of intercontinental ballistic missiles early in the morning, and as those Russian missiles lifted off in the early morning and pierced into the sky, one could have wondered what on Earth was happening in our world—a launch of significant numbers of ICBMs by the Russians. But it didn't worry the United States because those missiles were launched and destroyed in the area by prior agreement—part of arms control, something we agreed upon—that they destroy their missiles.

Isn't it much better to destroy their missiles by taking them apart, pinching the metal and putting them in a warehouse, or sawing the wings off their bombers? Isn't it better to destroy a weapon before it is used? That is precisely what arms control is all about.

The question I ask about this country's national missile defense policy is not whether we should have one—we likely will have a national missile defense system at some point, some day, when it is technologically feasible, when it is financially practical, when it will not injure our arms control agreements and not threaten future agreements. We will likely have some kind of national missile defense system. We will likely have it because many are worried that a rogue nation now—not Russia, but a rogue nation; Saddam Hussein or North Korea testing medium-range missiles—a rogue nation gets ahold of an ICBM and puts a nuclear weapon on top of an ICBM and aims it at this country and fires it. What kind of a catcher's mitt do we have to intercept it and prevent it from hitting our country? We do not have some sort of technological catcher's mitt that goes into the heavens and intercepts that missile. Therefore, we need to have it, we are told. We didn't have that kind of a catcher's mitt to intercept missiles all during the cold war.

How did we avoid having a missile fired at us by the Soviet Union? By an arsenal in the cold war that assured anyone who attacked us with nuclear weapons would be vaporized and destroyed immediately. That convinced virtually anyone who would have thought about launching a nuclear attack against this country, that convinced them it was very unwise to do so. No one would launch a nuclear attack against this country.

Some might say that might still be the case. But suppose a madman in charge of some rogue nation who gets one ICBM; ought we not have the capability of intercepting that? The answer is yes. That is one of the threats.

If you take a look at the kind of threats, one of the threats is that a rogue nation will get ahold of an ICBM—it is not likely but it could happen. They are more likely to get ahold of a cruise missile, which is much more prevalent—of course, the national missile defense system will not intercept a cruise missile—that could be launched off the coast about 20 or 50 miles, fly a few hundred feet above the ground. That is not what this is designed to protect against.

Another area of threat is a suitcase nuclear bomb stuck in the trunk of an old rusty car at a New York City dock to terrorize this country. It doesn't do much about that. Another threat of mass destruction is a vial of the deadliest biological threats put on a subway in a major city.

We have a variety of threats, not the least of which is that a foreign ruler, of a bizarre nation will get ahold of an intercontinental ballistic missile, but if that happens will we have a mechanism to intercept it? The answer is yes, I believe, we will. But we must do what we are doing now with substantial research and development into developing a technology that works, and then deploying it in a sensible way that says we are deploying a technology that works in a manner that is cost effective—not a blank check, not a break-the-bank approach—a technology that will work to offer real protection in a way that offers it at an affordable price and doing so in a way that will not jeopardize our arms control agreements that now reduce nuclear weapons.

The amendment I had intended to offer says:

(A) It is the policy of the United States to develop for potential deployment an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack (whether accidental, unauthorized, or deliberate).

(b) It is the policy of the United States to deploy a national missile defense system if that system—

(1) is well managed, proven under rigorous and repeated testing, and cost-effective when assessed within the context of the other requirements relating to the national security interest of the United States;

(2) is deployed in concert with a variety of additional measures to protect the United States against attack by weapons of mass destruction, including efforts toward arms reduction and weapons nonproliferation issues; and

(3) is deployed in a manner that contributes to a cooperative relationship between the United States and Russia with respect to a reduction in the dangers to both countries posed by weapons of mass destruction.

A final point: I want everybody to understand that I have supported and will continue to support substantial research and development on the issue of protecting against a missile attack against this country. That has never been the issue. The issue here is, when shall it be deployed and with what confidence will the American people feel they are protected?

Now, to make one point about the last issue, one Russian missile, an SS–18, with 10 reentry vehicles—or 10 warheads—will not be able to be blocked by this national missile defense system. One MIRVed SS–18 will be able to defeat this national missile defense system because this system is designed to provide some kind of technological catcher's mitt to go up and grab one, two, three, perhaps four or five incoming warheads—but not 10.

And so, as we proceed, we need to understand what we are doing, what the limits are, and how we should proceed in a manner designed to protect the efforts that now exist to destroy the SS–18s that Russia has in their silos through massive reductions in delivery systems and nuclear warheads. Anything we do in this country to upset that capability, to upset arms control regimes, to upset the progress we have made under Nunn-Lugar, the kind of stability that exists when you bring down the number of arms between the two major superpowers, anything we do to upset that, I think, would not be in this country's interest.

Let me end where I began and say I was intending to offer this amendment, but I don't think I will offer it today inasmuch as two amendments were accepted yesterday to the Cochran legislation. I don't necessarily view those amendments quite the same as others do. Nonetheless, the feeling is that some of those amendments offer the capability of saying, yes, deployment must also be consistent with our arms control issues with the Russians and others and must not injure those efforts. It must be consistent with something that relates to sensible costs. This cannot be a blank-check approach. So I understand that, and because of those two amendments, I think it is better to leave this issue at this point and come back another day on the appropriations side to further discuss this policy.

Now that the Senator from Mississippi, Senator COCHRAN, is on the floor, let me again say to him, I don't quarrel with the question of whether we ought to be aggressively pursuing this issue about a national missile defense. We should. We have had robust research and development. In fact, last fall, $1 billion was added—it wasn't asked for, but it was added—to DOD in the emergency legislation for national missile defense. I don't quarrel with a robust research and development effort. Nor would I quarrel with deployment. But deployment cannot stand

alone. Deployment decisions by this country must be decisions made concurrent with issues about its impact on arms control, about not only the technological feasibility of being able to deploy a national missile defense system, but also the cost-effectiveness of it and a range of other issues.

So, Mr. President, I shall not offer the two amendments that I had protected. I thank the Senator from Michigan for his good work on this legislation. I thank the Senator from Mississippi for raising important questions and for his courtesy.

I yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I rise with many in this Chamber who have risen and will rise to commend our distinguished colleague from Mississippi for his untiring leadership on this issue. It has been my privilege to work with him over these past months and to work with my distinguished colleague from Michigan, Mr. LEVIN, in having our committee address these issues and reporting the bill to the floor.

Mr. President, I wish to convey to the Senate my strong support for S. 257, which was introduced again by Senators COCHRAN and INOUYE. This is a very important and timely bill which deserves overwhelming support in the U.S. Senate. S. 257 was referred to the Senate Armed Services Committee early this year, and after consideration, the bill was reported out of committee favorably on a bipartisan basis.

Mr. President, even once S. 257 is enacted, the administration and Congress will decide, on an annual basis, how much to spend on NMD, pursuant to the normal authorization and appropriations process. Such spending decisions will be informed by the best information available each year regarding technical progress in the program and the status of the threat.

I also heard that S. 257 would make no contribution to the development or deployment of an NMD system. I do not agree, most respectfully. Commitment to the deployment of an NMD system will have two crucial impacts on the security of the United States.

First, it will signal to the nations that aspire to possess ballistic missiles with which to coerce or attack the United States that to pursue such capability is a waste of both time and resources of that nation. In this sense, commitment to an NMD system would have a deterrent effect on proliferation.

Second, if some aspiring states are not deterred and commit to deploy an NMD system, it would ensure that American citizens and their property are protected from limited missile attack, to the best of our capability. I use the word ''ensure'' the American citizens. We can only offer our best technical protection. I am not sure any ensurance absolutely can be devised.

In addition to convincing the rest of the world that we are serious about defending the U.S. against rogue missile threats, S. 257 will make it clear to the American people that we are truly serious about this undertaking. This is important, in particular, for those in Government and industry who are now working so hard to make an NMD system a reality. Nothing could be more important to them than a clear signal that we are seriously behind them and that this is not just another false start.

On August 31, 1998, North Korea tested the Taepo Dong 1 missile over Japan and demonstrated the capability to deliver a small payload to U.S. territory. Technically, that is feasible. This event demonstrated that the proliferation of technology expertise and hardware with which to build a long-range ballistic missile is accelerating rapidly.

As the Rumsfeld Commission reported:

> The threat to the U.S. posed by these emerging capabilities is broader, more mature and evolving more rapidly than has been reported in estimates and reports by the [greater] Intelligence Community [of our country].

To its credit, the administration has now acknowledged the existence of this threat and has taken significant steps to address it. I commend Secretary of Defense Cohen for his decision to increase funding for NMD by $6.6 billion over the Future Years Defense Program.

In my view, however, these developments fundamentally change the rationale supporting the ''3+3'' policy. This policy has been based on a perceived need to gather more information on the ballistic missile threat, on NMD program affordability, and on technology maturity, before making a deployment decision. The administration has now indicated that the threat is all but here.

It has also budgeted funds needed to implement the deployment decision, implicitly confirming that the program is affordable. The administration's only remaining decision criteria for which additional information is needed relates to technology development. S. 257 makes clear that the deployment would only proceed once the technology is mature. There is no apparent reason to further delay a deployment decision.

Although the United States must engage Russia with caution and respect—and I underline ''with caution and respect''—I do not believe that postponing an NMD deployment decision will facilitate negotiations to change the ABM Treaty. Delay only perpetuates uncertainty about our position and creates the potential for misunderstanding. If Russia does not believe that we are serious about an NMD deployment, it will have no incentive to cooperate, in my judgment, in these talks. Once a firm commitment to NMD deployment has been announced, only then will Russia seriously engage in negotiations to modify the ABM Treaty.

We must never forget that treaty was between the United States and the then-Soviet Union, the only superpowers that had intercontinental ballistic missile technology. And it is against that background that we must review the revisions of this treaty. It is in the national interest of the United States of America. There are many places today in the world where other capabilities to develop these missiles are rapidly progressing. It is in our national interest to modify that treaty at this time. I do not say abolish it. I say carefully modify it.

The United States must make it clear that the decision to deploy an NMD decision is based on a threat not envisioned at the time the ABM Treaty was negotiated. I was then Secretary of the U.S. Navy, and I was in Moscow when the ABM Treaty was signed. I have a vivid recollection of that backdrop.

The United States, however, must make it equally clear that it will proceed with deployment of an NMD system whether or not Russia agrees to modify the ABM Treaty. The only way to clearly send such a signal is by a change in U.S. policy. In my view, the best way to send that signal is by enacting S. 257.

Mr. President, in summary, I believe the need for the deployment of NMD is compelling. I believe it is equally clear that we must modify our policies so everyone knows where we stand on NMD deployment. We must send this signal to our potential enemies, to Russia, and, indeed, to ourselves. And I do not put Russia in the context of a potential enemy; other nations I was referring to in that statement. The threat exists, and continues to grow. S. 257, which clearly indicates the commitment to deploy NMD, will ensure the United States is prepared to meet that threat.

Mr. President, I am going to pose a question or two to my good friend and distinguished colleague from Michigan, Mr. LEVIN, who is the ranking member of the Senate Armed Services Committee on which we serve together. But over our 21 years in the Senate, it is interesting that Senator LEVIN, Senator COCHRAN, and I all came to the Senate at the sametime. Senator COCHRAN, however, is senior to me. I will always respect him for that, and he reminds me on a daily basis. But nevertheless, we came together. We have many, many times in those 21 years debated on this glorious floor of the U.S. Senate the issues relating to arms control. All too often, regrettably, Senator COCHRAN and I are on one side and Senator LEVIN on the other.

But I remember not so long ago in the context of the expansion of NATO that I tried as forcefully as I could to resist that expansion. That is history now. The decision was made by this body to go forward and accept three new nations. I stated from this very chair that I would support that. So the

debate is over. But it is interesting to go back and look at some of the statements made in the context of NATO expansion and see how they relate to this very debate that we are having today.

Many of those who stood on this floor defending expansion—my good friend from Michigan was among them—now argue that we must not declare our policy to deploy a national missile defense system. I ask the question, Should the Senate be more concerned about Russia's opposition to NMD than we were to Russia's opposition to NATO expansion? It is a fair question.

I am reminded of the statements by Secretary of State Albright to the Foreign Relations Committee. And I happened to have been in the room at the time she made it. I quote:

> Russian opposition to NATO enlargement is real. But we should see it for what it is:

A very interesting statement, ''But we should see it for what it is.''

> a product of old misperceptions about NATO, and old ways of thinking. . . . Instead of changing our policies to accommodate Russia's outdated fears, we need to encourage Russia's more modern aspirations.

If we simply deleted Secretary Albright's reference to ''NATO enlargement,'' and substitute the term ''NMD,'' I think we would have an interesting quote. If I may, I respectfully revise the statement of my good friend, the Secretary of State, to read: ''Russian opposition to NMD is real. But we should see it for what it is: a product of old misconceptions about NMD and old ways of thinking. . . . Instead of changing our policies to accommodate Russia's outdated fears, we need to encourage Russia's more modern aspirations.''

Secretary Albright also indicated to the Foreign Relations Committee that NATO enlargement would in no way jeopardize START II, as some of my colleagues have argued the National Missile Defense Act would do. Once again, if we substitute the term ''NMD'' for the term ''NATO enlargement,'' I think it would be about right. I quote:

> While I think this prospect [Duma ratification to START II] is by no means certain, it would be far less so if we gave the Duma any reason to think it would hold up [NMD] by holding up START II.

I just hope that at some point my good friend from Michigan might reply to the observations of his good friend, the Senator from Virginia.

I say with respect to the President, Secretary of State, and others that this is an example of the difficulty that we are having with continuing confrontations between this administration and the Congress of the United States, most particularly the Senate, on very, very serious foreign policy concerns.

Mr. President, today we are facing tremendous uncertainties in Kosovo, and trying to address major decisions as to whether to use force should the talks not be successful in Paris. The outcome of that situation could definitely relate to the future of our work and our commitment of over $9 billion in Bosnia.

We have a serious problem with China today as to the degree that we continue or not continue our relations with China given this tragic case of espionage, the allegations of which are being studied by this body with great care, and, indeed, by the committee over which I am privileged to be Chair.

I can count other serious foreign policy considerations. Here we are debating this missile defense legislation, and we are now seeing under the leadership of Senator COCHRAN, and, indeed, greater and greater bipartisanship which is evolving on the other side of the aisle, a consensus coming about to pass this critical piece of legislation.

I say to the administration that they have to select more carefully the battles they wish to wage with the Congress for fear of losing them all. This is a battle which should have been recognized by the administration months ago as one not to be waged with the intensity that this one has experienced. That same fervor and intensity should be applied to the other major issues before us, whether it is Kosovo, Bosnia, or China, and not have the attention of the U.S. Senate so reflected to resolve this.

But, nevertheless, I thank, again, the distinguished leader from Mississippi for his tireless work. I think that this bill will emerge with the strongest bipartisan support. To some extent I think the amendments have helped. But I have studied both of them carefully. Both of the votes were 99 to 0. I think that that tells a story in and of itself, but nevertheless I wish our managers well.

I see my distinguished colleague from Michigan about to seek recognition. I just wonder if the Senator has a comment about my NATO observations, I say to my good friend from Michigan.

Mr. LEVIN. Mr. President, my good friend from Virginia is very wise and perceptive. Indeed, I do have a comment. He asked the question whether the Senate is more concerned about Russian reaction to national missile defense than about Russian reaction to NATO expansion. And, of course, there is a huge difference. In one case we have a treaty with Russia. It is called the Anti-Ballistic Missile Treaty. And before we pull out of that treaty, or unilaterally act in a way that is in violation of that treaty, we ought to consider the ramifications.

The point is we have a treaty with Russia that has made possible significant nuclear arms reduction. We had no such treaty with Russia relative to NATO; quite the opposite—our NATO treaty was against the former Soviet Union. Russia wasn't part of any NATO treaty. Its predecessor, the Soviet Union, was the problem against which that NATO treaty was created. So this is a day-and-night comparison. Surely, when you have a treaty with someone, before you unilaterally breach it or threaten to breach it, you should consider the consequences of that. We have such a treaty with Russia. The opposite was true with NATO. So the difference is a 180-degree difference.

Mr. WARNER. Mr. President, I wish to remind my colleague that we had, in the course of that debate on expansion in the same time period, led the way for Russia to begin to work with NATO, and while it wasn't a formalized treaty as such, it was a very interesting and unique arrangement between Russia and NATO whereby Russia would have a forum in which it could express its concerns and hopefully work cooperatively.

Mr. LEVIN. The Senator is exactly correct. And that is precisely what we are now doing relative to our treaty with Russia, with the Anti-Ballistic Missile Treaty. We are sitting down with Russia now and seeing whether we can't negotiate a modification in that treaty which would permit two things to happen: 1, the deployment of a national missile defense should we decide to deploy it; and, 2, continuing nuclear arms reductions which have been provided for—in effect, permitted — under the Anti-Ballistic Missile Treaty. So that is exactly what we are trying to do now.

But any comparison between the situation of having a treaty relationship with somebody and having a treaty which was aimed against that person, it seems to me, is an inapt comparison. I just wanted to briefly comment on it.

Mr. WARNER. Mr. President, if I may, did the Senator from Michigan have a chance to see a rather interesting comment by Mikhail Gorbachev and how he referred to the NATO expansion as being an act that was in contravention of his clearest of understandings with the leaders of this country, the United States, at that time?

Mr. LEVIN. I did. I believe that our leaders have denied such an agreement with Mr. Gorbachev, and we would be happy to dig up the difference relative to that.

Mr. WARNER. Mr. President, if I could ask one other question of my distinguished colleague from Michigan, he refers to negotiations, and indeed I think those negotiations have been ably conducted by a former member of our Armed Services staff, Mr. Robert Bell, for whom the Senator from Michigan and I have respect, having worked with him through the years. But how many such negotiations have taken place over what period of time, I ask my friend?

Mr. LEVIN. I think those negotiations began just a few weeks ago. And I was urging the administration in the middle of last year to begin those discussions and those negotiations. So the actual preliminary discussions I think began in February. As far as I am concerned, it would have been better to begin those discussions before that, and I had urged the administration last -

year to begin them. But as I understand it, there were informal discussions which had occurred before this recent visit that the Senator from Virginia, my good friend, has referred to.

year to begin them. But as I understand it, there were informal discussions which had occurred before this recent visit that the Senator from Virginia, my good friend, has referred to.

Mr. WARNER. Mr. President, my recollection is that this had been going on for at least 2 years. Whether you caption it as informal versus today being formal, we will have to look at the record, but this has been going on for 2 years without any real, I think, ''concrete''—and that is the famous word that the old Soviet Union and now Russia use—results. And I believe the initiative by the Senator from Mississippi and what I anticipate will be the passage of this bill by the Senate will give the proper incentive to get those negotiations completed in a mutually satisfactory way.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I would agree that the bill as it now stands, with an amendment which adopts as a policy of the United States to continue to negotiate arms reductions with Russia, is indeed going to be an incentive to those discussions because it no longer threatens to just unilaterally breach a treaty between ourselves and Russia.

On the first point, however, I would disagree with my dear friend from Virginia. I believe the discussions with the Russians on our National Missile Defense program did not begin until last year, and the informal discussions relative to modifications in the ABM Treaty did not occur until February. I believe, in fact, I wrote the administration—and I think I shared my letter with my friend from Virginia—I wrote the administration I believe in August urging that these discussions and negotiations take place.

Mr. President, in 1993 the administration, the Clinton administration, just as it came into office, terminated the defense and space talks which dealt precisely with modifications of the ABM Treaty. I think we can produce a record how this debate on the ABM Treaty has gone on for a very, very long time without any productive or concrete results.

Mr. LEVIN. The debate on the ABM Treaty has gone on since before the treaty was up here for ratification.

Mr. WARNER. I am talking about, Mr. President, the negotiations between the administration and Russia on such modifications as we felt were necessary for various aspects of our missile defense program.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. The discussions between us and the Russians relative to the demarcation line, for instance, between a theater missile defense and strategic defense, the defense against strategic missiles has, indeed, been going on a long time.

Mr. WARNER. That is correct.

Mr. LEVIN. That is not the issue, though, that we have been discussing here this morning. The issue we have been discussing here this morning is whether or not we can work out with the Russians a modification of the ABM Treaty such as to permit us to deploy what is admittedly covered now by the treaty, namely a limited National Missile Defense system.

The discussions which have been referred to by my friend from Virginia had to do with the question of what is or is not covered by the treaty as it is currently written: What is the correct demarcation between those missile defenses which are covered by the treaty and those missile defenses which are not? And, indeed, he is correct; those demarcation discussions have been going on with the Russians, and indeed there was an agreement relative to the proper demarcation line. But the discussions relative to modifying the treaty so that we could deploy a limited national missile defense against what is admittedly covered by the treaty are discussions which have only begun in a preliminary manner in February of this year and informally began, I believe, last year.

Mr. WARNER. Mr. President, I say to my good friend that is correct. An agreement was reached between Russia and the United States, and it is interesting that agreement has never been submitted to the Senate, although I and other Senators have repeatedly called for it. This is another example where I think the Senate needs to assert itself more strongly in areas of foreign policy, and this is one of those areas which is very clearly in need of a show of strength by the Congress, through the Senate, to assert its really coequal right under the Constitution to deal with issues of foreign policy. And that is why I so strongly support the legislation.

Mr. LEVIN. What is intriguing—Mr. President, I do not know who has the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, what is intriguing is, in fact, we did assert our position relative to the correct demarcation line, and indeed we put it in law, and indeed the demarcation line which was adopted by this administration and Russia followed what we had put into law. So we had asserted what our position was as the U.S. Senate and, if my memory is correct, as a Congress, because I believe the language ended up in the final authorization bill as to where that demarcation line should be. The agreement which was reached indeed—my understanding is and my recollection is—followed the demarcation line which the Congress had set forth in that authorization bill.

So it is nothing new for Congress to assert its involvement in these kinds of issues. We should. We have. We should be partners with the administration on this issue. I believe this bill as amended—I know it is now acceptable to the President with these amendments—represents the effort to come up with a more bipartisan approach to these critical national security issues.

Mr. WARNER. Mr. President, if I may, I say to my good friend, the Bush administration was close to changing the ABM Treaty pursuant to negotiations with Russia to deploy a limited NMD. I draw that to my colleague's attention. When the Clinton administration came in, it terminated these talks in 1993 and, indeed, downplayed significantly the need for an NMD system.

I yield the floor.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Massachusetts.

Mr. KERRY. Mr. President, I wonder if my friend from Virginia would join in a colloquy, if possible, to try to flesh out a couple of issues.

Mr. WARNER. I will be happy to.

Mr. KERRY. Mr. President, let me begin my question to him by saying I, with many others here, am cognizant of the threat that has now been more realistically defined and is more present. I think most people feel a safety measure with the capacity that might save Hawaii or some other sector of the United States from some accidental, rogue, or unauthorized launch, makes sense in theory. And I certainly support that. But many people have expressed concerns. I know the Senator from Virginia has long been a member of the Arms Control Observer Group, long been involved in these issues, and has a great sensitivity to the perceptions of other countries which often drive arms races and the building of weapons.

I assume, based on that experience, the Senator from Virginia will acknowledge that if the United States proceeded in some way that altered the perception of another country—be it Russia or China or someone with whom we are currently trying to cooperate—that could, indeed, have an impact on the weapons they might build or, ultimately, on the security of the United States itself.

Is that a fair statement of how perceptions operate in arms races?

Mr. WARNER. Mr. President, I readily concede that misconceptions can arise. But Russia today, while President Yeltsin still holds, let's say, the trappings of office, is largely guided by Mr. Primakov. I have had the opportunity to deal with him through the years, as has, I think, my good colleague from Massachusetts, likewise.

Let me tell you, Mr. Primakov is not a man who doesn't fully understand exactly the nature of this debate and the need for the United States of America to prepare for its defense, not necessarily against Russia, but against other nations emerging with this threat. I do not think, in the context of this debate on this amendment, a misconception could arise, given Mr. Primakov's extensive experience. He will soon be visiting the Nation's Capital as a guest of our President. I am hopeful that I, and perhaps the Senator from Massachusetts and others, can

have an opportunity to engage him, as we have in years past, in a colloquy on a wide range of issues. He is a very well informed and a very astute individual.

So in this particular instance, I do not believe that is a serious problem, I say to the Senator.

Mr. KERRY. Mr. President, if I could further continue the colloquy—and I thank the Senator for his answer—I concur with his judgment about Mr. Primakov. I have had the pleasure of having a discourse or two with him. He is a very thoughtful and articulate person who understands the nature of this. But that is not to say that other politicians, other wings of other various ideologies, do not try to use these kinds of issues to play politics within their countries. Nor is to it say that conceivably—and I am only talking about the possibilities here, because it is important for us to put any deployment issue or any future procurement issue in the context of these realities—China could also make certain determinations with respect to this. Is that not also a fair judgment?

Mr. WARNER. Senator, as a generality, I think you speak with fairness on this issue. But, again, I wish to just try to limit my remarks as to this specific piece of legislation, although prior to coming on the floor I did make what I felt were some constructive criticisms. The administration should begin to pick its fights with the Congress on foreign policy issues. This is one that should have been reconciled some time back, quietly, and acknowledging that it was in the interests of the United States to proceed as we are now doing on this legislation, and save its full force and effect for other issues, whether they are Kosovo or China or Bosnia or whatever they may be.

Mr. KERRY. Mr. President, again, I appreciate the answer and I appreciate the sensitivity the Senator has shown, as to how we might have gotten here otherwise. I cannot disagree with him with respect to that. But, by the same token, there has been a push here to try to achieve certainty with respect to technology, technological feasibility governing an issue of deployment. There are a lot of questions about what kind of system we might or might not really be building.

The early concepts that surrounded this entire debate envisioned a system that did more than simply address the question of a rogue missile or an accidental launch or even a few individual missiles. The best estimate of the threat from North Korea, in 15 or 20 years, is still dealing with minimalist numbers. Always, when we are debating in the context of Russia or in the context of China, we are dealing with multiple numbers, and the system you need to deal, with any reality, with those kinds of potential adversaries—I underscore ''potential''; we view neither of them that way today, as the Senator has said—but the kind of system that would be needed to deal with that is a system that most people make the judgment is technologically so expensive and so complicated—because it requires the SWIR intercept capacity at boost phase, it requires the capacity to go exoatmospheric for a certain phase, you have to hand off for the next phase for LWIR capacity for tracking, the capacity to distinguish between multiple decoys—all of this gets into such a zone of expense and of arms deterrence imbalance that a whole series of other questions have to be put on the table.

So what we are talking about, in terms of a system, is really a critical, critical component of what we might be willing to deploy and what might ultimately work and what we might even be able to afford realistically.

Mr. President, let me say also, if you developed a system that had all of the capacity I just defined—it could distinguish between decoys, it could actually hit at the level that gave you an assurance that you have the kind of protection you are trying to achieve—you have actually shifted the entire balance of power, because you have created a near first strike capacity, if not a perfect first strike capacity. If you can shoot down anything that comes at you, then clearly you have changed the balance of power. So we are not making ourselves more secure necessarily. Plus, everyone in the business knows that we are talking, in that case, about intercontinental ballistic; they will simply go cruise missile, go underneath or any other alternatives. The notion that we are making ourselves, in the long run, somehow very significantly safer by building this larger system, I think, is a debate we put aside some time ago.

I come to the floor supportive of the notion that we are in a new world today. I appreciate what the Senator said about thinking about Madeleine Albright's language of how you perhaps change, together with other countries, to meet that new world. But that new world, to me, is quite delimited. It is a new world that seeks to protect us against a rogue, against accidental or unauthorized. That is a very limited kind of system. It is one that we ought to be able to negotiate, if we can develop it with China, with Russia, with other people, all of whom have a similar kind of threat to think about with respect to unauthorized or accidental or rogue launches.

I simply want to make it part of the record of this debate that that is my understanding of the direction we ought to be going in—and I hope and think it is the understanding of the Senator from Virginia—that we do not rush headlong into the building of a system that simply creates greater unrest, greater instability, greater question marks and, I might add, is measured against a $60 billion expenditure that to date, even in the THAAD program, has not shown success. There isn't anybody who won't tell you that when you are switching from THAAD into the intercontinental ballistic, you are moving into levels of complexity so much higher in terms of intercept and distinguishing capacity.

It is my judgment that while we ought to proceed, I hope the Senate is going to contemplate this in the context of really building stability in our relationships and also in trying, as diligently as we can, to negotiate with these other countries the process by which we will move forward.

Mr. WARNER. Mr. President, I have listened carefully to my colleague's remarks. I wish to make very clear, at the end of this colloquy, page 2 of the bill:

> It is the policy of the United States to deploy as soon as is technologically possible an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack (whether accidental, unauthorized, or deliberate).

It is simply a system constrained to those particular threats. I think the Senator said those same threats face other nations, notably Russia and China. It seems to me in the common interest that this go forward.

I thank the Chair, and I thank my colleague.

Mr. KERRY. Mr. President, I thank the Senator.

I think, again, that the clarification here is important because, obviously, we come to this through the experience of a very large expenditure and a very different kind of concept than was contemplated. I think it is vital, as we proceed forward, that technological feasibility not be the only judgment which we will use as we proceed forward. I think the amendment which has thus far been accepted, the notion that the Senate now embraces the continued efforts to have negotiated reductions with Russia and that we do not want to upset that, is a very important statement that puts into context the down sides if we don't proceed with the sensitivity which most of us feel is so important here.

I thank the President, and I yield the floor.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I ask unanimous consent that the privilege of the floor be granted to Jacob Bylund, an intern in my office, for consideration of S. 257 today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMITH of New Hampshire addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

PRIVILEGE OF THE FLOOR

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that a member of my staff, Clint Crosier, be granted the privilege of the floor for the remainder of this debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMITH of New Hampshire. Mr. President, I rise today to express my

wholehearted, overwhelming, passionate, and unwavering support of the National Missile Defense Act of 1999.

Finally, after years of fighting to get this legislation to a point where we can pass it, we appear to have succeeded. I sincerely hope it is not too late. The President had promised to veto this bill if we passed it. I was glad to hear last night that he has now dropped his veto threat. Unfortunately, his pledge comes a little late and still falls far short of the full support that we need to truly protect our citizens.

As Chairman of the Armed Services Committee's Subcommittee on Strategic Forces, I have devoted myself wholeheartedly to the cause of missile defense for many years. It has always troubled me that the President of the United States has refused to engage us and help us to pass a bill to defend the United States of America and its citizens from ballistic missile attack. It has been especially troubling in recent days, with news that data on our most sophisticated nuclear warhead may have been stolen by China—which may have already used this information to perfect their own warheads on missiles aimed this very minute at the United States.

The President seems to believe we need to let Russia have a vote on whether or not we choose to protect ourselves from blackmail and coercion from China, Iraq, Iran, and North Korea. With all due respect, I am not interested in having the Russians determine whether or not we should protect ourselves. I am more interested in having us determine whether or not we should protect ourselves.

The administration tells us that there are four critical criteria that must be met before we can decide whether to deploy a national missile defense: threat, technology, operational effectiveness, and cost. Let's look at these four issues; first, the threat. The Administration's national missile defense agenda is based upon, I believe, a false assumption that we will have plenty of warning to respond to the threat.

We can't base the security of the United States of America on our ability to detect and predict existing or emerging threats around the world. And we do not have to—it is here even as we speak. The administration can no longer ignore the threat. It is real, it is dangerous, and it is here now, today, this moment.

In May of 1998, India conducted three nuclear tests that shocked the world, and even worse, surprised our intelligence community. Ten days later, Pakistan conducted their own nuclear test.

In July of 1998, a bipartisan commission headed by Don Rumsfeld, former Defense Secretary, came to some very startling assertions. Here is what he said:

> Hostile nations such as North Korea, Iran, and Iraq are making concerted efforts to acquire ballistic missiles with biological or nuclear payloads that will be able to inflict major destruction on the U.S. within five years of a decision to acquire such capability. And further, the U.S. might not even be aware if or when such a decision has been made.

That is a pretty sobering analysis, Mr. President.

He went on to say:

> The threat from rogue countries is evolving more rapidly than U.S. intelligence has told us, and our ability to detect a threat is eroding because nations are increasingly able to conceal important elements of their missile programs. The U.S. faces a missile threat from hostile states with little or no warning.

The Rumsfeld Commission was bipartisan, and its conclusions were unanimous. Yet the entire report was downplayed by the administration. It was dismissed as paranoid, alarmist, and out of touch with current intelligence estimates. But only 2 months later, 2 months after the Rumsfeld report, the North Koreans shocked the world with the launch of a three-staged Taepo Dong missile over Japan.

This signaled their progress toward the Taepo Dong 2 that could hit the continental United States. Some in the Senate have been willing to write off Hawaii and Alaska because they are not continental. I notice that the Senators from Alaska and Hawaii were not willing to write themselves off, however. They were early advocates and supporters and cosponsors of this legislation in both political parties.

Not to be outdone, after North Korea, Iran tested their own new generation missile within weeks of the Rumsfeld report. On February 2 of this year, CIA Director George Tenet testified before the Senate Armed Services Committee:

> I see a real possibility that a power hostile to the United States will acquire before too long the ability to strike the U.S. homeland with weapons of mass destruction.

In an interview with Defense Week on 23 February, Lieutenant General Lyles, Chief of the BMD organization, said:

> We now have indications that the threat is growing, and certainly there is little doubt that this threat will be there around the year 2000.

The CIA recently reported that China has at least a dozen nuclear missiles aimed at U.S. cities right now.

I say to my colleagues, the threat is here. How much more warning do we need?

Let's go to the technology and the operational effectiveness issues that the President and some of this bill's critics have talked about. They say that this bill would require a deployment before the technology is ready. But technology and operational effectiveness are the cornerstones of this legislation. No one is suggesting we deploy a system before it is ready. How can we deploy something before it is ready? How can we deploy something that doesn't work? And yet we have had a big debate on this terminology. The Senator from Mississippi has done a good job, I think, in shooting holes in that false argument.

I honestly do not understand what the debate between ''technologically possible'' and ''operationally effective'' is all about. This is what the bill says:

> . . . to deploy as soon as technologically possible an effective national missile defense. . . .

It is pretty clear. When the technology allows us to build an effective system, we deploy it. Is that too much for the American people to expect from their elected leaders, who are sworn to protect and serve them? Are we going to build a system, know that it is effective, but then not deploy it? I do not think so. If we had something that was technologically possible and operationally effective and we didn't deploy it, I think our constituents would be a little upset with us.

There are also those who claim it is simply too hard to, as they say, hit a bullet with a bullet. If we all had that attitude, we would still be using bows and arrows to defend ourselves. We certainly would not have the technology that we have today in stealth and missiles and lasers if we adopted that ''can't do'' attitude.

Just 2 days ago at White Sands, we did successfully intercept a missile target with a Patriot-3 missile, proving we can hit a bullet with a bullet. The only problem is that when you hit the bullet with the Patriot, you are hitting it pretty close to you. What we want to do is hit that bullet long before it gets anywhere near us.

The third issue the administration wants to base a deployment decision on is affordable cost. Boy, there is a bureaucratic attitude if I ever heard one. That statement is—frankly, with all due respect to those who made it—unconscionable. On February 2, Director Tenet told the Senate Armed Services Committee:

> North Korea's Taepo Dong 1 launch last August demonstrated technology that, if further developed, could give Pyongyang the ability to deliver a payload to the western edge of the United States of America.

To put it bluntly, North Korea will soon be able to strike San Diego, Los Angeles, San Francisco, Portland, and Seattle with nuclear, chemical, and biological weapons—and the President is telling us he is worried about the cost? He is worried about the cost? What is the cost of one of those missiles hitting one of those cities? What in the world is he talking about? I wish he had been as worried about having a spy continue to operate in one of our weapons labs for 3 years without doing anything about it.

I note that the combined population of just the five cities I mentioned is 30 million people. The total population from San Diego to Seattle is 50 million people. What is the cost of losing 30 to 50 million people to that kind of missile attack? With all due respect, is the President willing to go out there and look those 50 million people in the eye and say, ''We're going to check this out to see if it is affordable''? I say, if we are worried about money, then let's

take money out of someplace else in the budget and protect 50 million people along the western coast of the United States of America.

The President wants to tell U.S. citizens we cannot protect them from weapons of mass destruction until we figure out how much it might cost. I say it is the opposite. We have to defend our citizens, and worry later about the cost.

This is not an imagined threat. The CIA recently reported that China now has a dozen missiles aimed at the United States. We have all heard the reports of the Chinese general who, in 1996, warned that if we chose to defend Taiwan, we had better be willing to sacrifice Los Angeles. This, from a nation that the administration says we must engage. Those are pretty tough words from a country that we are supposed to be engaging. Maybe we ought to disengage a little bit from China when it threatens us with nuclear attack and steals our nuclear secrets from our lab at Los Alamos.

Cost is a matter of relative priorities, Mr. President. As Senator SESSIONS pointed out recently, the cost of a 3-year deployment to Kosovo could reach 50 percent of what this administration plans to spend on national missile defense. We have already spent as much in Bosnia in the past 3 years as an entire NMD program is estimated to cost. Priorities, I say to my colleagues, priorities. Kosovo, Bosnia or 50 million people along the coast of the United States? We know what the President has chosen as his priority. What is the Senate going to choose for its priority?

Let's go to the last issue, the ABM Treaty of 1972, the bible for some people in this body. The biggest fear is that we are going to undermine the ABM Treaty. What ABM Treaty? We signed the ABM Treaty with the U.S.S.R. The last time I looked, there was no U.S.S.R.

On the 20th anniversary of the ratification of the treaty, President Nixon said:

> The ABM Treaty has been overtaken by the cold war's end.

Dr. Kissinger, the primary architect of the treaty, said in 1995 in testimony before the Congress that the time had clearly come to:

> . . . consider either amending the ABM Treaty or finding some other basis for regulating the U.S.-Russian strategic relationship. The ABM Treaty now stands in the way of our ability to respond in an effective manner to the proliferation of ballistic missiles, one of the most significant post cold war threats.

That came from the architect of the treaty. He is saying that the treaty stands in the way of our ability to defend ourselves.

Even Secretary of Defense Cohen recently said before the Senate Armed Services Committee that we may have to consider withdrawing from the ABM Treaty.

I am not advocating withdrawing at this point. I am just insisting that we not let the treaty harm our national security.

How absurd would it be for us to continue to honor the treaty with Russia, preventing us from protecting ourselves from weapons of mass destruction, while all other nuclear-capable countries of the world would be free to develop their own missile defense? What would that do to American security if we could not defend ourselves, but our enemies could? Does that make sense? Am I missing something here? I just do not understand the foreign policy of this administration.

In conclusion, it would be indefensible to the American people to concede that the threat of rogue missile attacks is real and credible, but offer only a self-imposed weak defense against it. It is unconscionable. If the threat to the American people is real, then the defense against these attacks must be real; not only that, it must be aggressive, full-scale and monumental. Whatever resources are necessary, the American people deserve to be defended.

Some in the minority claim that the passage of this bill might lead to a new arms race with the Russians. But everyone knows that any missile defense currently in development would not upset the balance of power between Russia and the United States. NMD will provide defense against only limited and rogue attacks, not against incoming Russian missiles.

What about Russia's proliferation of missile technology to rogue states? Between technology transfers to Iran, India, and perhaps even China, Russia is a large part of the reason we are here debating this bill today, because they are selling their technology around the world. Proliferation is already a growing threat, independent of this bill.

Mr. President, we must pass this bill. This is not a partisan issue. It is an issue of national security. And the defense of the American homeland against a real and growing threat of ballistic missiles and our national security depends on it.

I urge my colleagues to pass this bill, and to do it today.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, thank you.

AMENDMENT NO. 74

(Purpose: To modify the policy)

Mr. BINGAMAN. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

> The Senator from New Mexico [Mr. BINGAMAN] proposes an amendment numbered 74.
>
> On page 2, strike lines 7 through 11 and insert the following:
>
> It is the policy of the United States that a decision to deploy a National Missile Defense system shall be made only after the Secretary of Defense, in consultation with the Director of Operational Test and Evaluation of the Department of Defense, has determined that the system has demonstrated operational effectiveness.

Mr. BINGAMAN. Mr. President, let me explain my amendment and then hopefully discuss with the two managers, the chief sponsor of the bill, my friend from Mississippi, and the manager on the Democratic side, my friend from Michigan, their understanding of what the underlying bill provides and the appropriateness of my amendment.

We had a hearing the other day in the Armed Services Committee. Mr. Gansler was there, and he testified that the administration's plan, with regard to this national missile defense program, is to handle this as they would handle other major weapons programs, weapons systems; that is, they would proceed with development, but they would not go the next step, they would not go into full production and deployment until they had done the necessary operations tests to determine the effectiveness of the system.

I have had some concerns, frankly, about this legislation. I opposed this in the last Congress because of those concerns, concerns that we were, in this legislation, changing those ground rules on the Department of Defense and saying to them, ''No, you should not do the appropriate testing. In this case, you should go ahead and proceed to deploy the system regardless of how ready it is for prime time.''

I guess that has been the concern that has prompted me to offer this amendment. In private discussions with the manager of the bill, the sponsor of the bill, he has assured me that he does not see it that way. I want to just ask, if I could, the Senator from Mississippi if he could just respond to a question sort of directly on this.

I was encouraged, frankly, by the statements I just heard from the Senator from New Hampshire, where he said that it is his understanding and his intention, clearly, by this legislation, that we would not be requiring the Department of Defense to do anything by way of full production or deployment until they were convinced that this weapons system was operationally effective. Is that the understanding of the Senator from Mississippi also?

Mr. COCHRAN. Mr. President, if the Senator would yield, it seems to me clear from the language in the bill that we contemplate the development of a system that is effective. We use that word—an ''effective'' ballistic missile defense, and that the deployment would take place when it is technologically possible. So when the technology is matured, it is proven to work, and we know the missile system would be effective to defend against ballistic missile attack. That is what the sentiment is. That is the policy that is reflected in the language that is used in the bill.

So that is consistent with the intent that this Senator has, as an author of

the bill. And in discussing it with other cosponsors, I think that is the sentiment of the Senate and would be reflected in future authorization and appropriations measures. That is another part to this as well. And one of the concerns, I think, with the amendment that the Senator has sent to the desk is that it could be construed, with a delegation of authority to the executive branch, to remove Congress from the decisionmaking process. We think Congress has a very important role to play in oversight and also in the authorization of deployment and the funding of deployment decisions that will be made in this weapons system development and deployment.

So those are my reactions, my sentiments. I hope that they are not inconsistent with the concerns of the Senator from New Mexico. And I really do not think they are.

Mr. BINGAMAN. I thank the Senator from Mississippi very much for that explanation. I agree with him that clearly Congress needs to maintain its oversight of this program, as well as all other programs. And this is a very high priority for many of us here in Congress and everyone, I think, who is concerned about national security issues. So I would not want, by my amendment, to bring into question the ability of Congress to maintain that oversight. I do not believe the language of my amendment does that.

I am encouraged to hear that the Senator believes that operational effectiveness is an essential part of what has to be established before we go ahead and actually deploy something.

I want to just ask, in order to sort of complete the circle here, my good friend, the ranking member on the Armed Services Committee, which I have the privilege of serving on, Senator LEVIN, if he has any thoughts about the underlying bill.

Again, I guess the question is, Is there, in the language of the underlying bill, essentially a requirement that the Department of Defense treat this weapons system and this program the way it treats other major programs; and that is, to put them through the appropriate operational tests before they go forward with any deployment?

Mr. LEVIN. To my good friend from New Mexico, I say there is no prohibition in this bill against them using the regular procedures. So it is my assumption they would use those procedures given the absence of any prohibition.

Secondly, the word ''effective'' that is in the bill, it seems to me, does include the critical operational effectiveness concept which the Senator has referred to. Indeed, the word ''effective'' could cover a number of elements of effectiveness, but surely one of them is, I believe—and the sponsor of the bill has just confirmed this, I believe—that ''operational effectiveness'' would be included in the concept of ''effectiveness.''

Mr. BINGAMAN. I appreciate that explanation as well.

The Senator from Mississippi, I see, is on the floor. If he has any additional comment, I would be anxious to hear it.

Mr. COCHRAN. Mr. President, if the Senator would yield, I appreciate his allowing me to comment further.

So the RECORD is complete, I would like to read into the RECORD some comments that I wrote down after considering the amendment of the Senator from New Mexico.

This bill is intended to establish a broad policy, stating the intent of the United States to defend itself against limited ballistic missile attack. It does not seek to micromanage the Defense Department's conduct of the program. It gives the Department of Defense flexibility in determining whether the national missile defense system is effective and technologically ready for deployment. That decision will be made with congressional involvement and oversight provided by the appropriate committees.

The Under Secretary of Defense for Acquisition and Technology has stated in testimony before the Armed Services Committee that the criteria to be used by the Defense Department in making such determinations are tailored to the needs of individual programs and the urgency of the threat they are intended to address.

So I think with those further statements we show what we consider to be the meaning of the bill, the effect of the bill, and its relationship between the Congress and the administration.

Mr. BINGAMAN. I thank the Senator from Mississippi for that additional explanation.

Mr. President, in order that I not delay or further confuse the RECORD, let me take those assurances that I have heard from the Senator from Mississippi and the Senator from Michigan and state that I do believe with those assurances the bill does provide for this requirement that operational effectiveness be demonstrated. That has been my primary concern as we considered this bill in the previous Congress, and I am glad to have that resolved.

AMENDMENT NO. 74 WITHDRAWN

Mr. BINGAMAN. Mr. President, I will at this point withdraw the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 74) was withdrawn.

Mr. LEVIN. Mr. President, let me just thank the Senator from New Mexico. He has raised a very important issue which was the subject of major discussion at the Armed Services Committee the other day; that is, the importance that any weapon system, before it is deployed, be shown to be operationally effective. I think his sensitivity to that issue has been longstanding, and I want to thank him for clarifying the RECORD relative to this bill.

So that it is clear to Senator BINGAMAN and to all of the Members, the word ''effective'' in the bill includes the concept of operational effectiveness. There are other elements of effectiveness which could also be covered, but surely it includes the operational effectiveness concept which the Senator has championed for so long.

I thank the Senator.

Mr. HAGEL addressed the Chair.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Mr. President, I rise today to support S. 257, the National Missile Defense Act, and to thank my friend and colleague, the distinguished senior Senator from Mississippi, for his continued leadership on this issue—not today, not last year, but over a sustained period of time—to help educate America as to why this issue is so important to our future. I thank the cosponsor of this bill, Senator INOUYE from Hawaii, who has joined over the years with Senator COCHRAN in leading the debate and, hopefully, moving this body to a decisive action today on passing the National Missile Defense Act.

Mr. President, the security of the American people is the first and most important responsibility of the National Government. One of the primary threats facing our national security in the 21st century is the proliferation of weapons of mass destruction and advanced, sophisticated missile technology.

Surveys show that many Americans think our Armed Forces can shoot down any missile fired at the United States today. As the debate has pointed out over the last few days, that, in fact, is not the case; it is a myth. We don't have a missile defense system today, we won't have a missile defense system tomorrow, and we won't have a missile defense system next year. Yet the nations who are developing their own weapons of mass destruction are not waiting. Last year, two new countries entered the nuclear club, India and Pakistan. Other nations whose motives are less than friendly toward the United States and our allies are aggressively pursuing these weapons and the ability to launch, the ability to deliver, a nuclear weapon.

As technology spreads throughout the world, the threat increases not only from rogue states but also from terrorist organizations. For years, America was assured by our intelligence agencies that the ability to strike the U.S. mainland by any rogue state was years away and that we would easily have enough time to develop a new missile defense system before that possibility would occur.

Last July, a bipartisan commission headed by the distinguished former Secretary of Defense, former Chief of Staff to the President, former Member of the House of Representatives, Don Rumsfeld, sounded an alarm: All was not quiet on the ballistic missile front. The Rumsfeld Commission examined the emerging and current ballistic missile threat to the United States. As

Secretary Rumsfeld testified last October before the Senate Foreign Relations Committee:

We concluded unanimously that we are now in an environment of little or no warning.

The Rumsfeld Commission report contains several alarming conclusions.

One, Russia and China continue to pose threats. Both possess intercontinental ballistic missile capability of reaching the United States mainland. We must be prepared for the possibility of an accidental launch—an accidental launch. In addition, and even more deadly in terms of the threat it poses, both Russia and China have emerged as major suppliers of technology to a number of rogue nations and other countries.

Two, the Rumsfeld Commission found that North Korea and Iran could each pose a threat to the United States within 5 years of a decision to do so.

Three, Iraq was estimated to be certainly within 10 years of posing a threat. Whether we have been effective at limiting this development with our airstrikes is unknown in Iraq because Iraq is now able to continue its work without the oversight of UNSCOM inspectors. These nations are not isolated; they work together. As Secretary Rumsfeld stated with regard to North Korea:

They are very, very active marketing ballistic missile technologies.

Iran alone received technology assistance from Russia, China, and North Korea, which gives it a wider array of options.

And perhaps one of most striking comments made by Secretary Rumsfeld in his testimony in October was one that rang true with plain, straightforward common sense. Again I quote Secretary Rumsfeld:

We have concluded that there will be surprises [deadly surprises]. It is a big world, it is a complicated world, and deception and denial are extensive. The surprise to me is not that there are and will be surprises, but that we are surprised that there are surprises.

The Rumsfeld Commission report was greeted with some skepticism by the intelligence community. Then on October 31 of last year, the myth that technology was years away was shattered when North Korea launched a Taepo Dong I missile, a three-stage rocket, over Japan and into the Pacific. This is a missile that, with upgrades, could have delivered a small payload, a nuclear payload, to Hawaii or Alaska. We know that the North Koreans are in the advanced stage of developing a Taepo Dong I intercontinental missile with the capability of delivering a nuclear payload to the American interior.

Finally, last month the CIA reversed itself saying the threat was real, imminent, and very dangerous. In testimony before the Senate Armed Services Committee, CIA Director George Tenet stated:

I can hardly overstate my concern about North Korea. In nearly all respects, the situation there has become more volatile and more unpredictable.

Why has it taken us this long to wake up to the threats facing our Nation? How many more intelligence reports and missile test firings do we need? Vast oceans in time protected America at the beginning of World War II. Oceans in time will not protect America today. Time has run out.

I was very pleased to see news reports this morning, Mr. President, that President Clinton has dropped his threat now to veto this bill. However, the administration continues to raise concerns about whether a national missile defense system fits within the framework of the 1972 ABM Treaty with the old Soviet Union—the imploded Soviet Union, a country that no longer exists.

Much has been made by the opponents of this bill on how Russia would perceive our development of a national missile defense. I visited Russia in December. I spent 10 days in Russia and met with leaders throughout Russia. I was in Siberia. I asked about this question. This question is about the relevancy of our national interest, as all questions of national security are about the relevancy of our national interest, as Russia's questions are about their national interest. The Foreign Relations Committee will hold a hearing on the ABM Treaty in April, and a continued set of hearings on into May, leading up to the June 1 deadline by which Chairman HELMS has asked the administration to submit the ABM Treaty amendments.

It is completely inconsistent for the administration to raise concerns about building a national missile defense system under this current 1972 treaty and then not submit the ABM Treaty amendments to the Senate. This administration has yet to send amendments to the ABM Treaty, nor has it given any indication that it will. The President should submit amendments and allow the Senate to debate this issue. We need to determine whether this 1972 treaty is still relevant to America's security in the 21st century. The security of our people cannot be held hostage to an outdated treaty with a country that no longer exists. The most fundamental responsibility of this Government, of each of us who have the privilege to serve in this body, is to assure the freedom and security of this Nation; to do less not only abrogates our responsibility, but makes us less than worthy of serving the people of this country.

As Secretary Rumsfeld stated:

The new reality makes threats such as terrorism, ballistic missiles, and cruise missiles more attractive to dictators. They are cheaper than armies and air forces and navies. They are attainable. And ballistic missiles have the advantage of being able to arrive at their destination undefended.

We need an effective missile defense system, and we need to get at it now.

I conclude with what President Reagan said in 1983. He said:

If history teaches anything, it teaches simple-minded appeasement or wishful thinking about our adversaries is folly—it means the betrayal of our past, the squandering of our future, and the squandering of our freedom.

Mr. President, I urge my colleagues to support the National Missile Defense Act, S. 257.

I yield the floor.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

AMENDMENT NO. 75

(Purpose: To require a comparative study of relevant national security threats.)

Mr. HARKIN. Mr. President, I have an amendment that I will offer and then I will engage in a colloquy with the distinguished Senator from Mississippi. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN] proposes an amendment numbered 75.

Mr. HARKIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end, add the following:

SEC. 4. COMPARATIVE STUDY OF RELEVANT NATIONAL SECURITY THREATS.

(a) REQUIREMENT FOR STUDY.—Not later than January 1, 2001, the President shall submit to Congress the comparative study described in subsection (b).

(b) CONTENT OF STUDY.—(1) The study required under subsection (a) is a study that provides a quantitative analysis of the relevant risks and likelihood of the full range of current and emerging national security threats to the territory of the United States. The study shall be carried out in consultation with the Secretary of Defense and the heads of all other departments and agencies of the Federal Government that have responsibilities, expertise, and interests that the President considers relevant to the comparison.

(2) The threats compared in the study shall include threats by the following means:

(A) Long-range ballistic missiles.

(B) Bombers and other aircraft.

(C) Cruise missiles.

(D) Submarines.

(E) Surface ships.

(F) Biological, chemical, and nuclear weapons.

(G) Any other weapons of mass destruction that are delivered by means other than missiles, including covert means and commercial methods such as cargo aircraft, cargo ships, and trucks.

(H) Deliberate contamination or poisoning of food and water supplies.

(I) Any other means.

(3) In addition to the comparison of the threats, the report shall include the following:

(A) The status of the developed and deployed responses and preparations to meet the threats.

(B) A comparison of the costs of developing and deploying responses and preparations to meet the threats.

Mr. HARKIN. Mr. President, again, for the information of Senators, I intend to withdraw this amendment after talking about it and engaging in somewhat of a colloquy with Senator COCHRAN, and I think Senator LEVIN also wanted to speak on this.

Basically, let me describe what the amendment does. It requires that not later than January 1 of 2001, the President will submit to Congress a comparative study. It is a study that would provide a quantitative analysis of the relevant risks and the likelihood of the full range of current and emerging national security threats to the territory of the United States.

This says:

> It shall be carried out in consultation with the Secretary of Defense and the heads of all other departments and agencies of the Federal Government that have responsibilities, expertise, and interests that the President considers relevant to the comparison.

Then I listed a number of items, including long-range ballistic missiles; bombers and other aircraft; cruise missiles; submarines; surface ships; biological, chemical, and nuclear weapons; and any other weapons of mass destruction that are delivered by means other than missiles, including covert means and commercial methods, such as cargo aircraft, cargo ships, trucks, and any other means.

I would like to describe what I am getting at here. As we look at the bill before us, S. 257, which is kind of narrowly drawn in terms of ballistic missile defense, we seem to be getting kind of overfocus on this, a focus that if only we build some kind of a ballistic missile defense system, it will secure us from the weapons of mass destruction that threaten us. But I am not so certain that is really the major threat that we face, and whether or not all of the money put into that, all of our eggs into that basket, so to speak, really would protect us from what I consider to be more viable and determinable threats to our national security.

For example, what about some of the key threats we hear about every day? Well, I have a chart that lists some of the typical types of national security threats facing our Nation today.

Mr. President, I ask unanimous consent to print the chart in the RECORD.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

NATIONAL MISSILE DEFENSE: NO SOLUTION TO KEY THREATS

	Theater missile defense solution	Theater missile defense solution
Truck bomb attack on U.S	Ineffective	Ineffective.
Chemical weapons attack in U.S	do	Do.
Biological weapons attack in U.S	do	Do.
Cruise missile attack on U.S	do	Do.
Bomber attack on U.S	do	Do.
Loose nukes in former Soviet Union	do	Do.

Mr. HARKIN. For example, a national missile defense system would be ineffective against a truck-bomb attack on the United States. Of course, we have had some experience, regrettably, in that area. It would not be effective against a chemical weapons attack in the United States. Now, we haven't had that, but Japan has. What about biological weapons that would be delivered by a terrorist? No small threat. It seems like there is an anthrax incident every week here in the country. Again, if there is an anthrax scare, the first line of defense is going to be the local police and firefighters struggling to deal with the threat, and our State and local public health officials, and other health care people.

However, a national missile defense system is no solution to combat this very viable threat. The list goes on with a cruise missile attack. It is much cheaper for a country to engage in; it would be launched offshore. Yet, a national missile defense would be ineffective. Even a bomber attack, coming in under our radar screens, would be ineffective for missile defense; and even some of the ''loose nukes'' in the former Soviet Union, if in fact there were to be warheads smuggled out of the Soviet Union and enter the country by boat, plane, or truck across our borders. A missile defense is totally ineffective. Also listed is the theater missile defense, which would also be ineffective against those threats.

General Shelton of the Joint Chiefs of Staff agrees and has said:

> There are other serious threats out there in addition to that posed by ballistic missiles. We know, for example, that there are adversaries with chemical and biological weapons that can attack the United States today. They could do it with a briefcase—by infiltrating our territory across our shores or through our airports.

I am just concerned that we are focusing so much on this national ballistic missile defense that we are forgetting about these other more determinable and viable threats.

My amendment seeks to provide for a study, sort of a comparative study, and a quantitative analysis of these risks: What is the risk of a ballistic missile attack on the United States? What is that? And what is the risk of, say, a biological weapons attack on the United States? What do we have, either deployed or in development, to protect against each one of those?—thinking about the relative risk. I wanted this study to be done by January 1, 2001, before we go rushing down the road investing more billions of dollars into a ballistic missile defense that would prove absolutely defenseless against these other viable threats.

That is what I was seeking to do with this amendment.

I have had some conversations with the Senator from Mississippi about this. I yield for any colloquy that we might engage in on this.

Mr. COCHRAN. Mr. President, with respect to the amendment of the Senator from Iowa, I thank him for discussing the amendment with managers before offering it. As I understand the amendment, it calls for a report on a wide variety of threats facing the United States. S. 257, the pending legislation, is intended to address one of these threats—a limited ballistic missile attack against us for which we have no defense.

While these other threats are important, they are not the subject of this bill. We have tried to keep this bill focused on a specific policy question—whether the United States will defend itself against ballistic missile attack. We have tried not to entangle this question in the details of other defense issues, however important they may be.

If a report on the many other threats from weapons of mass destruction would be useful, the defense authorization or appropriations bills would be appropriate vehicles for directing such reporting requirements. As a matter of fact, it is our understanding that a similar requirement for a study is being conducted and is being complied with in response to a directive in the intelligence authorization bill for fiscal year 1999.

In conclusion, just because there are some threats that we cannot defend against perfectly doesn't mean we should not defend against others.

So, while being sympathetic with the suggestion that the Senator is making, we think this can be accomplished; the goal can be accomplished that he has pointed out by using the vehicles of the Intelligence Committee authorization, as is now being done to some extent, and the authorization and appropriations bills that will later be considered by the Senate this year.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I appreciate the remarks of my friend from Mississippi. I understand that in the intelligence community that they only look at possible threats but they don't make a comparative analysis, nor do they deal with the status of how the United States counters the threats.

Again, I am saying we need also to engage those agencies on the front line, not just the Pentagon. But I am talking about the Department of Justice, FBI, and HHS—all of these agencies that handle biological, chemical threats. We need to engage them in this comparative quantitative analysis.

Again, I want to make it clear to my friend from Mississippi that I basically was not going to support the bill because I felt that the words ''technologically feasible'' in the bill and saying that we should deploy as soon as technologically possible—that that was kind of putting the cart before the horse.

I was also concerned a little bit about what this might mean for further negotiations on arms control, our START II and possibly the START III, and the ABM Treaty. But with the adoption of the Landrieu amendment last night, I think that puts a balance here. I don't mind the research and stuff that goes into looking at a possible ballistic missile defense. I think we have to examine all of these. But it has to be done in a balanced way and in a way that sort of takes into account what those threats are to our national security on kind of a quantitative basis without putting everything in just sort of one basket, so to speak.

But I think with the adoption of the Landrieu amendment that it is much more balanced. And I therefore support the bill. I wanted to offer this amendment to try to again put that balance in the bill while looking at these other possible threats. I understand what the Senator says—that perhaps this is more amenable, or a more likely prospect for the armed services authorization bill. I take that in good faith.

I spoke with the chairman of the Armed Services Committee, Senator WARNER, and also ranking member, Senator LEVIN, about this. I think I can represent that Senator WARNER was open to the idea, without knowing more about it and without having had an opportunity to really fully look at it.

Mr. LEVIN. Mr. President, will the Senator yield for a question?

Mr. HARKIN. I am delighted to yield.

Mr. LEVIN. Mr. President, I would like to briefly make a statement before asking the question, so he doesn't lose his right to the floor.

The Senator has put his finger on a very significant issue—and it is one that all of us should struggle with, and many of us have struggled with. His effort here is to focus the attention of this body on a range of threats that we face. And to attempt to see if we can't get a better handle on the likelihood of those threats actually emerging is a very important action on his part. The chart he has used demonstrates what the problem is. There are many threats which are much more likely than a ballistic missile attack against us for which we have no defense. Perhaps we should devote resources to those, and then what would be the relationship between the costs of defending against those more likely threats compared to the cost of defending against a missile attack of the kind that could come from North Korea, theoretically.

General Shelton phrased the issue this way. This was on January 5. He said:

> there are two aspects of the National Missile Defense [issue] that we have to be concerned with. Number one is: is the technology that allows us to deploy one that is an effective system, and within the means of this country money-wise?

This is General Shelton, Chairman of our Joint Chiefs saying this.

> Secondly is the threat and whether or not the threat, when measured against all the other threats that we face, justifies the expenditure of that type of money for that particular system at the time when the technology will allow us to field it?

Those are the factors that the Chairman of our Joint Chiefs wants to consider, and those are some of the issues which the good Senator from Iowa is addressing our attention to.

I asked General Shelton to give us what we call a ''threat spectrum'' and asked him to try to give us a continuum of threats in terms of the most likely and less likely.

The least likely is in the upper right-hand corner, strategic missile attack, 6,000 Russian warheads. The next least likely is the rogue missile. The next least likely, major theater wars, such as in Korea. The next least likely is information wars, attacks on our satellites, or our power systems, or similar assets. The next least likely, but now becoming more and more likely, are terrorist attacks in the United States, some of which for instance the Senator from Iowa is talking about, and then terror attacks abroad, regional conflicts, and so forth.

This is the issue which the Senator from Iowa is really focusing our attention on today. But his amendment goes significantly beyond this chart, which, by the way, was prepared by General Shelton. The amendment of the Senator from Iowa would get us into a greater element of comparative risk in terms of trying to get a range of likelihood of the risks, not just whether one risk is more likely than another. But his amendment, the way it is drafted, would consider how much more or how much less likely is one threat than another.

That is very valuable information, and General Shelton is attempting to work on that issue now. But the amendment of the Senator from Iowa puts it in a very precise and useful form.

In addition, it would be very helpful for us to know what would the range of costs be to defend against the various threats, if we can do so. And all I can do is assure my good friend from Iowa that we on the Armed Services Committee will take a good look at his amendment. It has my very strong support, and as he mentioned, the chairman of the Armed Services Committee said he would be open to such an amendment on the defense authorization bill.

I think that is a very appropriate place for the amendment to go, and I think he would find, hopefully, bipartisan support on the committee for this kind of a study, because it really addresses an issue which I think every Member of this body would like to see addressed.

I thank him for his effort and assure him of my support on the armed services bill. As a member of the Intelligence Committee, I would support an expansion of what we are doing to include the kind of factual analyses for which his amendment would call.

I thank him for the amendment and just assure him, if he does not offer it here, there will be a major effort to get it or something very close to it on the authorization bill.

Mr. HARKIN. Mr. President, I thank my friend from Michigan, the ranking member on the Armed Services Committee, a leader in this area and, obviously, way ahead of me on this topic, who has done a lot of research and work on this. I appreciate that and the kind of information he has given out with this chart he has developed. In taking that assurance, I would withdraw my amendment.

How much more time do I have, Mr. President?

The PRESIDING OFFICER. The Senator has 15 minutes.

Mr. HARKIN. I will just take about 5 more minutes.

I cannot resist the opportunity to talk a little bit about this concept of the ballistic missile defense system. I was just reading the history of what happened in France prior to World War II. I got to thinking; someone described this ballistic missile defense as sort of our new Maginot Line, so I said I want to find out about the Maginot Line, really what it was.

Louis Snyder wrote the ''Historical Guide to World War II.'' It is a basic reference work for anyone studying the history of World War II. I recommend that my colleagues read through this volume of history, especially the story of the Maginot Line.

In the late 1920s and 1930s, France constructed a huge series of fortifications on its border with Germany. It was named after Andre Maginot, French minister of war who started the project. A huge workforce constructed the fortifications that were considered impregnable by the French military. More than 26 million cubic feet of cement was used to build a series of giant pillboxes, gun turrets, and dragons teeth. Elevators led to underground passages that included living quarters, hospitals, cafeterias, and storehouses. It sounds like our missile silo bunkers.

More than $1 billion was spent by the French military. That is in 1930s dollars. Factored today that would be $12 billion they spent to build the Maginot Line, and from a nation much smaller than the United States. It was truly an awesome endeavor intended to thwart a great threat to France; that is, an invasion by Germany.

Of course, there was just one problem. The German military high command were no fools. They developed an adequate counter. They simply went around the Maginot Line. By going through Belgium, the Maginot Line proved almost useless in defending the French homeland, and it did nothing to counter the blitzkrieg tactics used by the Germans to counter static defenses.

I might also add here that Gen. Charles de Gaulle, who I believe was not a general at that time but a colonel, opposed the Maginot Line, but the French Government, I am sure, probably in sort of a working relationship with concrete people and builders and those who wanted to make a lot of money building this huge fortification, decided to go down that road. Charles de Gaulle warned of the blitzkrieg coming and that the Maginot Line would do nothing to protect them against it.

I think the analogy of the Maginot Line to ballistic missile defense is startling. Are we going to spend tens of billions of dollars on a defense against a single threat? Will our enemies simply go around the ballistic missile defense, our Maginot Line? Of course, they will. The counter is simple. Truck bombs, weapons of mass destruction slipped

into our country by plane, boat, or truck would all go around the ballistic missile defense.

Perhaps some of my colleagues want a simple answer to real and potential threats from around the world. We want a simple silver bullet defense against a dangerous world. We may spend billions of dollars for this new Maginot Line, but the result will be the same as it was for the French 60 years ago. Life is just more complicated than what a national missile defense could counter.

In fact, the Maginot Line analogy applies, I think, to the psychology of missile defense. As Louis Snyder wrote, ''The French public, too, had an almost mystical faith in the Maginot Line and believed its defense to be absolute and total.''

Mr. President, I hope we don't fall in the same trap, but ever since star wars started under the Reagan administration, we have had this sort of concept that we could build some kind of a dome over the United States that would be impregnable, that would totally and fully protect all of our citizens. That is mythical. There is no such dome. A truck bomb, a terrorist attack by boat, a suitcase, anthrax poisoning, that missile shield would never protect us from anything such as that.

So I hope and trust that the authorizing committee will take a look at all these other threats, I think much more real, much more determinable, and I believe much more effectively countered other systems than a national ballistic missile defense system.

So that, again, was the purpose of my amendment. It was to try to bring balance. I appreciate the fact that this bill is focused on one area. But I still believe that this is the way we ought to go if we are going to make any rational decisions around here on how we spend our taxpayers' dollars on defense.

I think we need this kind of study, and I appreciate what Senator LEVIN has said. I appreciate his leadership. In my conversation with Senator WARNER from Virginia, the chairman, he was open to this, and I hope and trust that the Armed Services Committee will proceed down that line and provide us with the kind of balanced information we need on the Appropriations Committee before we go down this road of spending billions of dollars on a ballistic missile defense.

AMENDMENT NO. 75 WITHDRAWN

Mr. President, with that, I ask unanimous consent to withdraw my amendment.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn.

The amendment (No. 75) was withdrawn.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I start out by extending my appreciation and praise to the Senator from Mississippi, Senator COCHRAN, who has done an incredible job on this legislation. He has, for years, advocated a capability of this Nation to defend itself against missile attack. Without his dedication and hard work we would not be here today. The Senator from Mississippi has performed a signal service, not only for the people of Mississippi but the people of this Nation, including all 50 States rather than just 48. I thank him for the marvelous job he has done.

I also think it is worthy of note that the persuasiveness of his arguments have caused the administration to significantly shift their position on this very important issue. So, again, my congratulations to the Senator from Mississippi and my sincere appreciation.

Mr. President, the question of whether to deploy defenses against ballistic missiles has been a contentious and unresolved issue for over 40 years. As a result, Americans today are vulnerable to destruction by a missile attack on our soil. The bill before us today, the National Missile Defense Act of 1999, resolves this national policy debate by calling for the deployment of an effective missile defense system when technologically possible to protect our citizens from the threat of a ballistic missile attack on the U.S.

Secretary of Defense Bill Cohen announced in January that the Clinton Administration, after years of discounting the existence of a missile threat to the U.S., will now support and provide the necessary funding for development and deployment of a ballistic missile defense system. On the surface, this appears to be one of the President's more propitious policy reversals. Yet, the Clinton Administration threatened to veto this bill, which establishes in law the missile defense policy the Administration now claims to support.

While I am pleased that the Administration has lifted its veto threat, I question the interpretation of the passage of yesterday's amendment that reportedly provided the basis for this latest reversal of position. The United States should proceed with deployment of a missile defense system irrespective of whether Russia agrees to reduce its nuclear force levels in accordance with the START II agreement. How many times do we have to point out that the requirement for missile defenses is predicated upon a much broader threat that the Administration apparently still doesn't fully comprehend.

Mr. President, since its inauguration, the Clinton Administration has demonstrated an approach to national defense that can only be described as disengaged and minimalist. Administration officials have sought not to maximize our military strength within reasonable fiscal constraints, but to find ways to minimize defense spending at the expense of military capability and readiness, and in so doing, they have endangered our future security.

Our late colleague and a man I greatly admired, Senator John Tower, stressed time and again that the size and composition of our Armed Forces, and thus the amount of our budgetary resources that are devoted to defense, must be determined by the level and nature of the threat. The Clinton Administration's long-standing opposition to missile defenses, as well as its continued refusal to provide adequate levels of defense spending, are the complete antithesis of Senator Tower's sound advice. Consequently, our nation is vulnerable right now to the threat of an accidental or unauthorized missile launch from Russia or China, and will be vulnerable to additional threats in the near future from North Korea and other rogue nations implacably hostile to America and governed by unpredictable leaders.

Mr. President, one of the principal reasons for our country's vulnerability to ballistic missile attack is not lack of money or technology. It is the 1972 ABM Treaty.

In the 1960s, at the height of the Cold War, then-Secretary of Defense Robert McNamara developed the theory of Mutual Assured Destruction as a means of deterring nuclear war between the U.S. and the Soviet Union. This concept relied on the assumption that, so long as both the U.S. and the Soviet Union were confident of their ability to retaliate against each other with assurance of enormous destruction, nuclear war would be averted and there would be no incentive to build more offensive nuclear weapons.

The 1972 Anti-Ballistic Missile Treaty was an essential component of this ''balance of terror'' concept. It prohibits the deployment of effective defensive systems which were perceived as undermining the concept of mutually assured destruction. In effect, the ABM Treaty was designed to keep the citizenry of both the U.S. and the former Soviet Union equally vulnerable to destruction in a nuclear exchange.

The ten years following ratification of the ABM Treaty, however, witnessed the greatest expansion of Soviet offensive strategic nuclear forces in history, destroying the basic premise of the MAD doctrine, and the ABM Treaty as well. Yet, the Treaty's proponents cling to it with an almost theological reverence.

It was President Reagan who finally called into question the wisdom of continuing to deprive ourselves of missile defenses in the face of overwhelming evidence that the Soviet Union was pursuing the capability of launching a debilitating strike against the U.S. His March 1983 speech set the stage for the first serious discussion of defensive systems in over a decade. If his vision of a global system was technologically and financially unrealistic, his dream of protecting the American public from the threat of foreign missiles was prescient, and the Strategic Defense Initiative—the butt of many a joke by

arms control theorists—was instrumental in bringing down the Soviet Union without firing a shot.

Since work began in earnest in the Reagan Administration to develop missile defenses for our nation, the threat has changed. The end of the Cold War and the emergent threat of ballistic missile proliferation have fundamentally altered the approach this country must take to the issue of missile defenses. In fact, the imperative to deploy effective systems is greater now because of the unpredictability of the potential threats.

Throughout the Bush Administration, as our overall defense strategy and budget were being adjusted to reflect the changes in the world, so too was our plan for ballistic missile defenses revised to address the changed threat.

Unfortunately, the Clinton Administration has retained allegiance to the outmoded ABM Treaty and, over the years, has significantly cut the funding and restricted the objectives of the ballistic missile defense program.

Remember, back in 1994, when the President evoked considerable laughter from his audience at a campaign rally when he said:

> Here's what they [the Republicans] promise . . . we're going to increase defense and we're going to bring back Star Wars. And then we're going to balance the budget.

The Clinton Administration's attitude for the past six years has been to ridicule efforts to develop and deploy a system to effectively defend our nation against a ballistic missile strike. The result has been a significant and dangerous delay in ending the ''terror'' of a nuclear strike.

Now, the President has belatedly agreed, at least rhetorically, to the agenda he formerly ridiculed. While I applaud the President's words, I remain more than mildly skeptical about his true commitment to protecting our nation from the clear threat of missile attack.

The President's budget proposal, which was submitted to the Congress on February 1, proves skeptics correct.

While the President was pledging more funding for development of a national missile defense system on one hand, his other hand was taking $250 million out of the program to pay for the Wye River Agreement. At the same time, the Administration decided to push back the deployment date for missile defenses from 2003 to 2005, with no justifiable reason for doing so.

If the President is truly getting serious about missile defense, why would he show us the money, and then snatch it back and slip the deployment date two additional years beyond its already much-delayed timetable?

Another indication of the Administration's disingenuous embrace of missile defenses are the qualifications attached to its support in two areas: questions about the nature of the threat, and continued deference to the restrictions of the ABM Treaty.

No fewer than 30 times over the last several years, President Clinton has gone before the public and boasted that, thanks to his policies, the American people, for the first time since the dawn of the Cold War, can go to sleep at night without the threat of missiles targeted against their country. Clearly, the Administration has been existing in a virtual state of denial about the expanding and diverse threat of ballistic missiles.

I urge the President to take another look at the report of the Commission to Assess the Ballistic Missile Threat to the United States, known as the Rumsfeld Commission. It is a completely nonpartisan and very sobering look at the threats we face. The Commission concluded that the threat is here now, and that traditional methods of determining the nature and scale of the threat need to be examined.

The Rumsfeld Commission's meticulous examination of the growing threat to the U.S. of ballistic missiles, with its emphasis on the difficulties inherent in determining when serious threats will appear and the tendency of such threats to materialize sooner than anticipated, should have shaken the White House out of its fatuous complacency. Apparently, that is not the case.

A recent article in Inside the Pentagon pointed out that, even after the Rumsfeld Commission report was released in July 1998, the Administration predicted the absence of a rogue nation threat, excepting North Korea, before 2010. And in a February 3 letter to the Chairman of the Senate Armed Services Committee, the President's National Security Advisor, Sandy Berger, wrote that, prior to a decision to deploy a national missile defense system, ''the President and his senior advisers will need to confirm whether the rogue state ballistic missile threat to the United States has developed as quickly as we now expect. . . .''

Apparently North Korea's launch last August of an intercontinental ballistic missile over Japan, Iran's ongoing efforts with Russian assistance to develop such a missile, and Iraq's continuing efforts in that regard do not constitute a threat.

Equally disturbing is the Administration's view of the ABM Treaty. In his February 3 letter, Mr. Berger reiterated that ''the ABM Treaty remains a cornerstone of strategic stability''—a reminder that we are dealing with an Administration that is imbued with an unquestioned adherence to an outdated treaty. While I am mindful of arguments that deployment of national missile defenses may be perceived by some nations as a potentially hostile act, theories of nuclear deterrence that were of questionable value during the Cold War clearly do not apply today or in the foreseeable future and should not be permitted to stand in the way of going forward.

If the Administration supports deployment of an effective national missile defense system, it cannot remain wedded to the ABM Treaty. Make no mistake, the ABM Treaty was intended to and does preclude our ability to deploy nation-wide missile defenses. Construction of a missile defense facility at the one treaty-permissible site cannot be expanded for national coverage without violating the terms of the treaty. While the original 1972 treaty permitted each country two sites, it stipulated that they had to be deployed so as to preclude even regional coverage.

Deploying a national missile defense system, therefore, requires either unilateral abrogation of the ABM Treaty or an expeditiously negotiated revision of it. As the treaty clearly prohibits us from providing for the common defense—our most fundamental constitutional responsibility—I urge the Administration to proceed without delay to achieve the needed changes to the treaty, or move for its abrogation.

Questionable in its utility even at the time it was negotiated, the ABM Treaty was signed with a totalitarian regime that no longer exists and which violated the treaty at every opportunity. Its day is past. If Russia will not agree to negotiate changes to the treaty that will permit deployment of national missile defenses, then we must exercise our authority to withdraw from the treaty to protect our national interests.

Mr. President, let me take a moment to talk about the larger problem, of which the Administration's refusal to recognize the clear threat posed by proliferating ballistic missile development is but one aspect.

I have long been critical of many aspects of the Clinton Administration's national security policies. This is an Administration that has never been comfortable with the conduct of foreign policy, and so has little grasp of the role of military force in guaranteeing our place in world affairs. Both our policies and the force structure needed to support them seem to be decided in this Administration on the basis of what we can afford after taking care of all other priorities, instead of what is necessary to protect our interests.

We can honestly debate the merits of the numerous contingencies to which the Administration has deployed military force, but no one can deny that the combination of over 10 years of declining defense budgets and longer and more frequent force deployments has stretched the Services perilously close to the breaking point. What is at risk, without exaggeration, are the lives of our military personnel and the security of the United States.

After years of denying the obvious, in the face of compelling testimony before Congress from the Joint Chiefs of Staff, the Administration has finally begun to concede that we have serious readiness problems in our Armed Forces. Those of us who have been criticized for sounding alarm bells about military readiness now have the

empty satisfaction of seeing the Administration admit there is more to maintaining a strong defense than their history of falsely promising to do so.

After six years of short-changing the Armed Forces, the President proposed adding money to the defense budget—another stunning policy reversal—for readiness, modernization, and even national missile defense. Once again, though, his rhetoric far exceeds his actions.

Last fall, the President asked for $1 billion in immediate, emergency funding to redress readiness problems—a mere drop in the bucket compared to what the Service Chiefs said was required. Congress added another $8 billion, but then wasted most of that on pork-barrel spending. The result—a band-aid solution to a serious readiness crisis.

The same minimal approach is reflected in the President's budget submission for Fiscal Year 2000. After promising a budget increase of $12.6 billion, the President only asked for $4.1 billion in his budget request, and most of that will be needed to pay for ongoing contingencies in Bosnia and southwest Asia and desperately needed military pay raises and benefits. The rest of the so-called increase comes from ''smoke and mirrors'', like anticipated lower inflation and fuel costs, cuts in previously funded programs, and an economically unsound incremental funding plan for military construction projects. And even if everything works as planned, the Administration budget short-changes the military next year and every year thereafter.

There is a pattern here, Mr. President, of promising everything and delivering very little. Whether it's protecting our citizens from a ballistic missile attack, or maintaining modern, prepared armed forces, this President seems incapable of following through on his commitments.

Mr. President, I am uncomfortable with a conclusion that the President does not care about the common defense. I must assume, instead, that he simply fails to understand the imperative of establishing policies and providing needed resources to protect our nation's interests and our citizens.

The National Missile Defense Act of 1999 establishes a national policy that we must protect Americans from a clear and present danger—the threat of ballistic missile attack. The President was correct to withdraw his veto threat and join with the Congress to put in place both the policy and the resources that will make our citizens safe.

Mr. President, I yield the floor.

Mr. CONRAD. Mr. President, I rise in support of S. 257. Although this bill is not as comprehensive or detailed as I would prefer, I have come to the conclusion that S. 257, as amended, sends an important signal of our country's commitment to defending itself from ballistic missile attack from a rogue state.

As my colleagues are aware, I am an advocate for national missile defense, and have authored legislation that has advanced the NMD program. I urge the Administration to include funding in the budget that would allow for NMD deployment, and am pleased that $6.6 billion was added to the future years defense plan for this purpose.

Increasingly, I am convinced that we need NMD sooner rather than later. Last July, the Rumsfeld Commission reported that several rogue states could develop an ICBM capable of threatening our country before we expect it. Recent missile tests by North Korea and Iran have confirmed the essence of the Rumsfeld panel's findings. I was disturbed by these developments, but have long said that we should be prepared before we are surprised.

Our country needs to move forward aggressively with NMD. But because our NMD program does not exist in a vacuum, it needs to be guided by what I call three common sense criteria: compatibility with arms control, affordability, and use of proven, tested technology.

As introduced last year S. 257 did not address these concerns, and its authors were refusing to entertain amendments. For these reasons, in 1998 I opposed this measure.

I am pleased that the bill's authors decided to support improving S. 257 through the amendment process. With the addition of the amendments offered by Senators COCHRAN and LANDRIEU, today I am prepared to support S. 257. Allow me to briefly discuss the impact of these amendments.

Yesterday the Senate, on a 99–0 vote, approved an amendment offered by Senator COCHRAN that will ensure that considerations of affordability and use of proven technology will not be neglected. By stating that funding the NMD will be subject to Congressional authorization and appropriations, the Cochran amendment indicates that no final decisions about deployment, funding levels, or the system's technological maturity have been made. I thank my esteemed colleague from Mississippi for his comments on this point during his colloquy with Senator BINGAMAN earlier today. Let me repeat: as amended, S. 257 is not the final word on NMD cost and use of proven technology.

Even more significant was the amendment offered by the distinguished ranking member of the Armed Services Committee's Strategic Forces Subcommittee, Senator LANDRIEU. In affirming that it is our nation's policy to pursue continued negotiated reductions to Russian nuclear forces, the Landrieu amendment makes unmistakably clear that as our NMD program moves forward we will take into account our arms control agreements and objectives. Because there can be little hope of Russian agreement to further nuclear reductions in the absence of continued United States support for the ABM Treaty, following through on the Landrieu amendment will require continued adherence to the ABM Treaty.

I would also like to note that I have been assured by the President's advisors that in no way will S. 257 by interpreted by our nation's arms control negotiators as a repudiation of the ABM Treaty. Administration officials continue to make it clear that the ABM Treaty remains the ''cornerstone of strategic stability,'' and that the Administration has a ''strong commitment to the ABM Treaty.''

I cannot understate the importance of these amendments. Without them, I would again vote against S. 257.

It is true that I would have preferred that the Senate would today be passing a more comprehensive NMD bill, one that is more explicit about the importance of our arms control agreements and offers specific guidance on affordability, system component selection, and technology development and deployment. It is my intention to introduce legislation which will describe in more detail how the NMD program should proceed.

For the time being, however, I regard S. 257 as a constructive contribution to our NMD program. It will do no harm to our nation's security, and will put our nation's potential enemies on notice that we are working aggressively to establish a defense against ICBMs. As amended, S. 257 will also help ensure that concerns of arms control, cost, and use of proven technology will be carefully considered. This is a good bill, and will have my support.

Mr. LUGAR. Mr. President, during the Cold War, the United States co-existed with the Soviet Union in a strategic environment characterized by high-risk but low-probability of a ballistic missile exchange between the two countries involving nuclear, chemical and biological weapons.

Today, however, with the dissolution of the Soviet Union and the end of the cold war, the opposite is the case—we live in a lower-risk but higher-probability environment with respect to ballistic missile exchanges. In other words, even as the probability of a large-scale nuclear exchange between the United States and Russia has mercifully declined, the probability that one or several weapons of mass destruction might be used to attack the American homeland or American forces at home or abroad has increased.

Indeed, absent a U.S. response to the proliferation of ballistic missiles and weapons of mass destruction that is as focused, serious, and vigorous as America's cold war deterrent strategy to protect the American homeland and the West, Americans can anticipate the threatened as well as the actual use of diverse weapons delivery systems to attack the U.S. homeland in the future.

Missile defense must be a part of that response. For that reason, I am pleased to be an original cosponsor of the legislation before us and commend Senator COCHRAN for his leadership on this issue.

Let me explain my strong support for this bill.

Missile defense is not a silver bullet that, by itself, can adequately protect the United States from the enhanced threats posed by ballistic missile proliferation and the spread of weapons of mass destruction. But it is an important component that gives added credibility to the other elements of our strategy.

I approach the response to these threats to American security through the prism of ''defense in depth.'' There are three main lines of defense against emerging ballistic missile threats and weapons of mass destruction. Together, they help form the policy fabric of an integrated defense in depth.

The first line of defense is preventing proliferation at potential sources abroad. The second is deterring and interdicting the flow of illicit trade in these weapons and materials. The third line of defense is ''homeland defense'' and involves programs that run the gamut from preparing domestically for WMD crises to protection against limited ballistic missile attacks.

With respect to the initial line of defense, the United States is implementing programs that address the threat posed by weapons of mass destruction at the greatest distance possible from our borders and at the most prevalent source, the former Soviet Union. While much more remains to be done, the Nunn-Lugar Scorecard is impressive. Nunn-Lugar has facilitated the destruction of 344 ballistic missiles, 286 ballistic missile launchers, 37 bombers, 96 submarine missile launchers, and 30 submarine launched ballistic missiles. It also has sealed 191 nuclear test tunnels. Most notably, 4,838 warheads that were on strategic systems aimed at the United States have been deactivated. All at a cost of less than one-third of one percent of the Department of Defense's annual budget. Without Nunn-Lugar, Ukraine, Kazakstan, and Belarus would still have thousands of nuclear weapons. Instead, all three countries are nuclear weapons-free.

The second line of defense against these threats involves efforts to deter and interdict the transfer of such weapons and materials at far-away borders. Nunn-Lugar and the U.S. Customs Service is working at the borders of former Soviet states to assist with the establishment of export control systems and customs services. In many cases these nations have borders that are thousands of miles long, but local governments do not have the infrastructure or ability to monitor, patrol, or secure them. These borders are particularly permeable, including points of entry into Iran on the Caspian Sea and other rogue nations.

We must continue to plug these porous borders abroad. These nations are seeking our help and it is in our interests to supply it. Secure borders in this region of the world would strengthen our second line of defense and serve as another proliferation choke-point.

The third line of defense involves the United States preparing domestically to respond to these threats. That is the purpose of the 1996 Nunn-Lugar-Domenici Defense Against Weapons of Mass Destruction Act. This law directs professionals from the Department of Defense, Federal Bureau of Investigation, Department of Health and Human Services, the Federal Emergency Management Agency, and others to join into partnerships with local emergency professionals in cities across the country. The Pentagon intends to supply training and equipment to 120 cities across the country over the next four years. To date, 52 metropolitan areas have received training to deal with these potential threats.

We must take those steps necessary to protect the American people from these threats and Nunn-Lugar and Nunn-Lugar-Domenici make powerful contributions to our efforts. We have made significant progress in reducing these threats and constructing a defense-in-depth. But a complete defense-in-depth must include protection from missile attack.

I was pleased to see this commonsense, bipartisan approach to the missile defense issue embodied in the Cochran bill. The bill states: ''It is the policy of the United States to deploy as soon as technologically possible a national missile defense system capable of defending the territory of the United States against limited ballistic missile attack.''

This bill offers a new approach to the missile defense policy debate. It does not specify a specific system architecture or deployment dates which have bogged down previous legislative proposals.

The national missile defense system promoted both in this legislation would not be capable of defending against thousands of warheads being launched against the United States. Rather, we are planning a system capable of defending against the much smaller and relatively unsophisticated ICBM threat that a rogue nation or terrorist group could mount as well as one capable of shooting down an unauthorized or accidentally launched missile.

At minimum, the recent revelations over Chinese nuclear espionage suggests that China is intent on building its military capabilities to a point that exceeds the projections and assessments of the U.S. military and intelligence community. The Cox committee findings have done for American appreciation of the potential Chinese nuclear threat what the Rumsfeld Commission did for our knowledge of North Korean and Iranian capabilities. And like the latter, the former may highlight the need to review the impact of such enhanced nuclear capabilities on our existing assumptions and requirements with respect to a limited ballistic missile defense system. Illicit acquisition and testing of the design for the W–88 nuclear warhead strongly suggests that the Chinese are modernizing their strategic force and using such tests to develop mobile missiles to possibly penetrate missile defense.

Acquisition of United States nuclear warhead technology will give China a major boost in its strategic capability when added to other recent improvements to its long-range missiles. Indeed, possession of the design of the W–88 would have helped China advance toward key strategic goals. Equally important, China's possession of the design of advanced United States warheads poses a proliferation risk. Such warheads have features that could prove useful to aspiring nuclear weapons states. In brief, if China shared W–88 warhead design information with nations like North Korea, Pakistan, or Iran, they could develop and deploy a more potent nuclear force in a shorter period of time.

Lastly, lighter, smaller warheads in the Chinese nuclear arsenal will increase the range of Chinese missiles and make it easier for submarine-launched ballistic missiles to hit the United States. And this, in turn, could make a strategic difference if the United States and China were once again to come to odds over Taiwan. Certainly, it could have an impact on the efficacy of any American plans to include Taiwan—or Japan for that matter—in any regional missile defense system.

In short, these recent revelations should force us to reconsider a number of the assumptions and resulting requirements that underlie our thinking both on theater as well as national missile defense. The recent report by the Rumsfeld Commission raised serious doubts about the core assumptions that undergird administration policy for developing a national missile defense systems and for considering amendments to the ABM Treaty. The Cox committee report not only called into question other core assumptions but also the requirements for an effective, if limited, national missile defense system.

The Rumsfeld Commission took an independent look at the critical question of warning time and not only dissented from the intelligence community's estimates but struck at the core of the administration's ''3+3'' policy by finding that a ballistic missile threat to the United States could emerge with little or no warning over the next 5 years.

Even before the Rumsfeld Commission issued its report, Senator COCHRAN, along with Senator INOUYE, introduced the legislation before us. It directs the deployment of effective anti-missile defenses of the territory of the United States as soon as ''technologically feasible.'' By making a missile defense deployment decision dependent on technical readiness as opposed to intelligence estimates about emerging threats and warning time, this legislation appeared to many to take an approach to missile defense that is fundamentally different from

the administration's policy. Indeed, critics of the Cochran bill have gone out of their way to try and paint major differences with the administration's policy.

The Cochran bill attempts to determine whether and how our current policy on national missile defense should be changed in light of the growing disutility of warning time and intelligence estimates as triggers for deployment decisions. While critics may argue that the Cochran bill neither provides a clear answer to that question or a clear policy alternative to that of the administration, it does propose that a deployment decision rest on more than whether a national missile defense system simply is ''technologically feasible''. The Cochran bill also sensibly insists that the national missile defense system be effective ''against limited ballistic missile attacks (whether accidental, unauthorized, or deliberate)'' before it is deployed.

The Cochran bill is a statement of intentions, not a policy map, and it represents not an escape from but rather a recognition of the difficult intelligence and policy problems with respect to the kinds of emerging ballistic missile threats, the time-frame for their emergence, and what we should do about them.

So the Cochran bill recognizes that there will remain the tough policy and intelligence questions that cannot be ducked. The 1972 ABM Treaty was intended to preclude the kind of nationwide missile defenses that could undermine the credibility of a large second strike deterrent, using measures based on technology over 25 years ago. In 1999, both the threats and the technology have changed. The threat posed by the proliferation of ballistic missiles is clearest, ant the ABM Treaty should not be allowed to interfere with programs to deploy effective defenses.

Equally important, there is nothing in the Cochran bill that would prevent us from engaging the Russians in discussions about modifying the ABM Treaty to permit effective national defenses against the kinds of missile attacks that should constitute the post-cold-war threat of concern to both countries. If these exchanges are not successful, then consideration can be given to withdrawing from the agreement.

Finally, critics of the Cochran bill complain both about the timing of the bill as well as the message its sends to the Russians. Three points are worth making. First, for the critics there is never a good time to take up missile defense and in this they are joined by the Russians. And to the great surprise of absolutely no one, the Russians have announced that the Duma might be prepared to take up START II again. With Russian Prime Minister Primakov on his way to Washington, I would say that the timing is just about right.

The administration must be more forthcoming with Russia on the issue of missile defense. It must explain to Moscow that this defense is not meant as a threat or an attempt to neutralize Russia. Rather, we are attempting to protect ourselves from the machinations of rogue states and terrorist groups. In my trips to Russia and in visits with Russian legislators and members of the Yeltsin Government, I have continued to inform them of a simple fact: America will protect itself.

The Russians—and the world—need to understand that we will proceed with non-proliferation, domestic preparedness, and missile defense to protect the American people against an attack from a rogue state or terrorist group or an accidental or unauthorized attack by another nation.

Secondly, Russian nuclear reductions and eliminations are continuing and even accelerating with American help despite the absence of START II ratification. To the extent that those eliminations become constrained, it will be for reasons of resources, not lack of Duma approval of START II.

Thirdly, critics of the Cochran bill would argue that the congressional expression of intent embodied in the legislation regarding deployment of a limited missile defense system will prejudice any chances of negotiating appropriate adjustments in the ABM Treaty with the Russians to accommodate such defenses. There I disagree! It is precisely because many Russians have doubted the serious intent of the Clinton administration in actually proceeding with a limited deployment under the ''3+3'' plan that we have been treated to dire predictions out of Moscow about the ''end of arms control'' were the United States to ultimately proceed with missile defense.

Rather than prejudicing any opportunity to negotiate changes in the ABM Treaty, I believe that the statement of intent embodied in this legislation to ultimately defend ourselves against limited ballistic missile attacks is a prerequisite to successful ABM modification negotiations. It has never been our technological prowess nor our ability to amass and apply resources to a problem that the Russians have doubted; it has been our political will that has been suspect in Russian eyes when the choices to be made were difficult ones.

In conclusion, the ballistic missile threat to our security interests is real. But it is also complex. The Cochran bill recognizes these realities. But the bill also recognizes that it is not the only threat we face nor can it be addressed in isolation from other major security issues and policies.

As Senator COCHRAN said, this legislation represents not the end of the missile defense policy and program debate but rather the beginning. If I recall correctly where the two parties stood on the issue of missile defense even a year or two ago, I am struck by the efforts of a few dedicated Members on both sides to bridge the gap in our legislative approaches in the interest of addressing the growing vulnerability of the American homeland to ballistic missile attacks. We have come a considerable distance in the last year in narrowing our differences. Senate passage by a strong majority of this expression of policy intent with regard to the ultimate deployment of an effective limited missile defense system is a measured but essential first step.

Mr. BYRD. Mr. President, the security of this nation in an increasingly insecure world remains the highest priority of the United States government. To that end, we support and finance the most powerful military in the world. Our troops have the most advanced weapons available. We have gifted and dedicated military strategists at the helm.

And yet we remain vulnerable, in some ways perhaps more so today than we were at the height of the Cold War. The increased sophistication, radicalization, and financial acumen of terrorist organizations have escalated the threat of terrorist attacks on U.S. soil. The increased interdependence and complexity of computer networks has intensified the threat of potentially devastating cyber attacks on critical defense and domestic communications systems. And despite the end of the Cold War, the proliferation of nuclear weapons technology, particularly among rogue states, has brought with it a renewed threat of nuclear attack on our homeland.

North Korea, Iraq, and Iran are all working furiously to produce nuclear weapons systems that could threaten the sovereign territory of the United States. To our dismay, we have discovered that North Korea, one of the most belligerent outlaw nations in the world, is much further along than previously thought in its efforts to produce a nuclear warhead capable of reaching our shores. The threat from North Korea is sooner rather than later; here rather than there. China, with whom our relations are increasingly strained, has boasted of its possession of a ballistic missile that could reach Los Angeles. Russia, with an arsenal of thousands of nuclear weapons left over from the Cold War, is faced with a crumbling military infrastructure and increasingly empty assurances regarding the security of its nuclear stockpile.

In short, we are living in dangerous times. The Administration has taken a number of steps in recent months to accelerate its efforts to protect the U.S. mainland from attack. As part of that effort, the President has budgeted an additional $6.6 billion dollars to develop a National Missile Defense, or NMD. The legislation that we are considering today, S. 257, the National Missile Defense Act of 1999, puts the United States Senate firmly on record as endorsing the urgency of that program. As a result of several carefully crafted amendments that have been overwhelmingly adopted, this bill has gained strong bipartisan support. Senators COCHRAN, LEVIN, LANDRIEU, and

the many others who have worked to reach consensus on this bill are to be commended.

I support the National Missile Defense Act of 1999 as amended. But, from the vantage point of many years of experience, I also offer a few words of caution. Let us not allow the determination to press for a ballistic missile shield to blind us to other, perhaps greater, threats of sabotage. The technology exists, and is available to those same rogue nations, to develop and deploy chemical and biological weapons without the need for a ballistic missile delivery system. A few vials of anthrax, a test tube full of the smallpox virus, some innocuous canisters of sarin gas, could wreak chaos of unimaginable proportion in the United States. These threats are as real as the threat of a ballistic missile attack, and, if anything, more urgent.

A second cautionary note: let us not allow our eagerness to develop a missile defense system blind us to the cost of developing such a system. In our zeal to erect a national missile shield, the danger exists of committing such a vast array of resources—money, people, research priorities—that we could shortchange other necessary initiatives to protect our national security. We need a balanced national security program, of which a missile defense is but one element.

We have gone down the road of throwing money at this threat before, with the ABM system in the 1970's and SDI in the 1980's. Both efforts cost us billions of dollars, oceans of ink, years of wasted effort. Neither, in the end, made one iota of difference to our national security. Technological feasibility should be the starting point, not the defining element, of a missile defense system. Let us learn from the past. Invest wisely. Test carefully. Assess constantly. This is not the arena in which to allow partisan politics or political one-upmanship to hold sway. This is a matter of far too great consequence to this and future generations. The bipartisan negotiations and the spirit of compromise that have marked the Senate debate over this bill give me cause to hope that this time, we will do it right. Let us continue to work together toward an effective, realistic, and prudent national defense system.

Finally, let us not for a moment forget the importance of working actively and diligently to reduce the number of existing nuclear warheads and curb the proliferation of nuclear weapons. A national missile defense system that precipitates a global arms race is in no one's best interest.

We cannot safely assume that today's geopolitical alliances will be the same tomorrow. A weak and politically chaotic Russia may be not seen as much of a threat to our security today—at least not intentionally—but as it has done before, the situation in Russia could change in the blink of an eye. We have at hand the means and the will and the opportunity to work with Russia to reduce nuclear warheads. Yes, we must take all necessary precautions to protect our security, but we must not be so shortsighted as to let this opportunity for meaningful arms control be muscled aside through misguided belligerence.

With care and planning, we can make progress in both arms control and missile defense. How well we will succeed on both fronts remains to be seen, but S. 257 as amended is a good first step.

Mr. HATCH. Mr. President, there is little doubt that the moment of truth regarding a missile defense of U.S. territory is fast approaching.

The need for it was not unseen. Since 1983, there has been a steady flow of evidence that the post-cold-war era would not be the single superpower cakewalk that many expected. In place of the single adversary nuclear threat, we see a fragmented threat environment populated by mentalities more given to terrorism than the mass attack, direct confrontational strategies of the cold war.

The cloudy grasp that we have of the true threat is not helped by the Clinton administration. They lack a strategic approach to a threat that they don't really know or understand.

They rely on the prevention policies. Arms control and non-proliferation agreements are of questionable value. Disarmament assistance to the former Soviet Union has not kept nuclear, missile, or warhead technology from slipping abroad and has had its most adverse impact on our own U.S. steel workers and the United States rocket launch industry. United States industry has been encouraged to purchase Russian launch vehicles, technologies, and services to keep them from slipping out of the country. The administration is reluctant to squelch illegal Russian steel imports into the United States for fear of causing civil strife among Russian steel workers. Multilateral export controls are not multilaterally enforced, and the framework agreement with North Korea is neither a framework for cooperation nor an agreement.

Second, there is deterrence. However, there is sufficient doubt in the world today about this administration's resolve to use force.

This leaves us with the third element of administration missile defense policy: the missile defense force itself. Supposedly, that is our fall back position when prevention and deterrence fail. But when the force structure depends on a strategy that does not address a threat because the threat is unknown, one seems forced toward the very disturbing conclusion that the easiest way to avoid the messier aspects of the problem, like tampering with the ABM Treaty, is simply to politicize the threat. For too long it has appeared that this administration underestimates the threat in order to preserve the sanctity of a treaty increasingly irrelevant to the contemporary threat environment.

Let me say more about this last issue. In starker terms this means denial, even wishing the real threat away. One would think that it was embarrassing enough for the Clinton threat team to make the sudden and very recent admission that there is a missile threat to U.S. territory. And, by the way, this now includes Alaska and Hawaii, which the administration had chosen to place outside of U.S. territorial boundaries to give academic weight to its anti-development and deployment arguments. If they are seriously seeking the truth, they do not demonstrate it by re-examining the ABM Treaty restraints. Here the administration has a rare opportunity for leadership on a badly understood and very divisive issue. The President acknowledged just this January that, with the long-range missile threat to U.S. territory better understood, progress on developing our defenses would be pursued by renegotiating rather than abandoning the ABM Treaty.

I do not intend to await the outcome of administration negotiations on ABM modifications and amendments, which will take some time given traditional Russian Duma management of the treaty ratification process. In the meantime, I will urge the strongest possible pursuit of conceptual strategies, like the sea-based missile defense force, as well as land-force and space-based missile defense components.

Inaction is eclipsing administration options. Since I join many colleagues as well as other experts outside of official circles in believing China, Russia, Iraq, Iran, India, Pakistan, and South Africa, among others, have real threat capabilities, I want something done by way of creating a viable defense of U.S. territory. For this very reason, I have joined my good friends, Senators COCHRAN and INOUYE as a cosponsor of the National Missile Defense Act of 1999.

Mr. KENNEDY. Mr. President, on balance, I believe this legislation deserves bipartisan support. There is a clear need to do more to protect our country from the threat of missile attacks. This bill avoids most of the problems of previous versions and is consistent with our responsibility to continue working with Russia to reduce the immense threat from their nuclear arsenal.

The bill declares that it is the policy of the United States to deploy a limited national missile defense system as soon as it is technologically possible, but it also stresses that it is the policy of the United States to continue to negotiate with Russia to reduce our nuclear arsenals.

There is no doubt that the United States is facing a growing threat to our country and our interests from rogue nations that possess increasingly advanced missile technology. We must prepare for these threats more effectively by making greater investments in research and development to produce a missile defense system able to defeat these threats.

But, before we decide to actually deploy such a system, we must ask ourselves the following questions:

What is the specific threat we are countering with this system?

Will the system be effective?

What impact will the deployment of the system have on the nuclear arms reduction and arms control agreements we currently have with the Russians?

What will be the cost of the system?

The Rumsfeld Report in 1998 clearly demonstrated the growing missile threat from rogue nations. In spite of international agreements to control the spread of missile technology, these nations are resorting to whatever means it takes to acquire this capability. Because of this growing threat, we must do more to decide whether a defense is practical and can deliver the protection it promises.

Many of us continue to be concerned that the step we are about to take could undermine the very successful nuclear arms reduction treaties and other arms control agreements that we have with Russia. Our purpose in developing a limited national missile defense system is not directed at Russia. It is intended to protect our country against the growing missile threat from rogue nations.

Russia's strategic nuclear force would easily overpower the limited missile defense system that is currently proposed. But the fact remains that the United States and Russia are parties to the Anti-Ballistic Missile Treaty. Without changes to that treaty, our ability to fully test and deploy this defense system cannot occur.

The ABM Treaty is also the foundation for the SALT I and SALT II nuclear arms reduction treaties, which paved the way for the START I and START II treaties. The Russian Duma is again preparing to debate the ratification of the START II treaty, and will do so when Russian Prime Minister Primakov returns from his visit to the United States. President Clinton has already sent a delegation to Russia to discuss changes in this treaty. We must work closely with the Russians to make mutually acceptable changes to the ABM Treaty in order to accommodate a missile defense system. The ABM Treaty is simply too important to abandon.

We also need to work with Russia to develop a joint early warning system, so that false launch alarms can be avoided. We need to strengthen the Cooperative Threat Reduction programs at the Department of Defense. We need to strengthen the Nuclear Cities programs and the Initiaitve for Proliferation Prevention program at the Department of Energy so that we can reduce the danger that nuclear material will end up on the hands of rogue nations or terrorists.

Finally, we must continue to strengthen other counter-terrorism programs. It is far more likely that if terrorists use nuclear, chemical, or biological weapons against Americans at home or abroad, they will be delivered by conventional mathods rather than by a ballistic missile launch from another country. These threats must weigh at least equally—if not more heavily—in our defense decisions.

These are very important defense decisions that go to the heart of our national security. I look forward to working with my colleagues to ensure that we counter these threats in the most effective ways in the years ahead.

Mr. BROWNBACK. Mr. President, I am pleased to express my support for S. 257, the National Missile Defense Act of 1999. As an original cosponsor, I want to impress upon the Members of the Senate that now is the time for passage of this bill.

For over 200 years, the United States has been fortunate to enjoy a high level of security provided by, among other things, our geographic location. In the past, the Atlantic and Pacific oceans have served well in preventing a direct attack on the United States. However, as we approach the twenty-first century and new technology, we find that the proliferation of missile technology has taken this geographic sanctuary away from us.

S. 257 will establish that it is the policy of the United States to deploy as soon as is technologically possible an effective national missile defense system capable of defending the territory of the United States against limited ballistic missile attack.

This bill focuses on one important factor for conditioning deployment: technological capability. Other important factors exist including cost, threat, and treaty commitments. These factors, while important, should not be the final determining factor in deciding on national policy to deploy a missile defense.

I am concerned about the cost of such a weapon system and will continue to carefully monitor the costs of a NMD system. However, with this bill, we are not just addressing concerns about protecting America's interests around the globe, but about protecting the American homeland itself. We are not talking about foreign lands and obscure interests, or about some distant, remote, or highly unlikely threat. We are talking about preventing ballistic missiles from shattering the communities in which we all live—we are talking about protecting our families, our cities, and our nation from potential destruction at the hands of a rogue regime anywhere around the world.

The threat of a ballistic missile attack on the United States is real. We face a growing threat from rogue nations which have increased their capabilities due to increased access to missile technology; as demonstrated by the recent successful flight test demonstrations of North Korea, and the flow of technology from Russia to Iran. These countries are making investments to do one thing—intimidate their neighboring states, the U.S. and our allies.

For example, North Korea is working hard on the Taepo Dong 2 (TD–2) ballistic missile. Our national technical experts have determined this missile can reach major cities and military bases in Alaska. They further state that lightweight variations of this missile could reach 6,200 miles; placing at risk western U.S. territory in an arc extending from Phoenix, Arizona, to Madison, Wisconsin. This includes my home state of Kansas.

As if that weren't enough, North Korea poses an additionally even greater threat to the United States, because it is a major seller of ballistic missile technology to other countries of concern, such as Iran and Iraq, Syria and others.

These countries have regional ambitions and do not welcome the U.S. presence or influence in their region. Acquisition of missile weapon systems is the most effective way of challenging the United States.

Mr. President, we should not and must not wait for these weapons to be used against us, the stakes are too high. We must move forward with the development and deployment of a national missile defense to protect our shores from hostile attack.

The bill will send a clear message that we are determined to defend ourselves and will not be deterred from our national and international commitments. An effective and dependable system must be in place before such a threat can be used against us, or the results could be disastrous. We will not get a second change.

The Department of Defense has requested funding to develop a viable missile defense system. I encourage the administration not to back away from this critical defense issue. The world has changed; we must move ahead and change the way we think about the defense of our nation.

It has been argued on this floor that the adoption of S. 257 will make reductions in nuclear weapons more difficult and would place the United States in breach of the ABM Treaty. I too am concerned about honoring our treaty commitments. However, this bill states our intent to protect our homeland. We will have ample time to continue to work with Russia on these treaty issues, and I am confident we will reach an equable position. We must be clear, the threat goes beyond our agreements with other countries.

America has a leadership role in the world. We represent the hope for peace and opportunity. I believe this is one of the most important defense issues facing the United States. To vote against this bill would be to ignore the number one responsibility of the Federal government—the defense of our nation.

Mr. JEFFORDS. Mr. President, the spectrum of emerging missile threats to our national security cannot be ignored. I am very concerned about the implications of the North Korean missile recently launched over Japan. Research and testing on similar missile

systems likely continue in Iran, Iraq, China, and other countries. These circumstances suggest that the Senate should carefully consider our ability to appropriately counter these threats.

I am concerned, however, that the existing national missile defense (NMD) technology has not yet proven to be effective, could be very expensive to deploy and has the potential to adversely affect Anti-Ballistic Missile treaty negotiations with Russia. These concerns should serve to caution us against premature deployment of NMD systems. However, I am now satisfied that amendments to the bill address these concerns. One amendment makes funding for deployment subject to the annual appropriations process and therefore up to Congress to set the appropriate level each year. Another amendment provides that the United States will continue to seek reductions in Russian nuclear forces, and the Administration now states that it can move cautiously on deployment so as to stay within our commitments to the ABM treaty. The bill has consequently become a policy guiding deployment, rather than a decision to deploy.

I have long supported a full program of research, testing and development and resisted a premature decision to deploy. I hope that research will lead to some technological breakthroughs or ways to counter ballistic missiles. Their proliferation, especially in the hands of irresponsible leaders such as North Korea's Kim Jung II, requires that we actively investigate possible defenses, but we must not rush to build, at great cost, the first system that passes a flight test. There is still a great deal of research and development work to be done.

The fledgling NMD systems now being contemplated for deployment simply do not compare in priority to many of our other military needs, such as our need to immediately recruit, train and retain quality men and women for our military. This is why the Soldiers', Sailors', Airmen's and Marines' Bill of Rights, the military pay, education and benefits bill, was the first major legislation considered this session, and it swiftly passed the Senate with overwhelming support. Well-educated Americans in uniform comprise the foundation upon which we maintain the strong defense of this country. While the Senate unanimously agreed on the urgency of enacting this legislation, it still has found no way to pay for it. In my mind this takes priority over deployment of expensive and unproven NMD technology.

Given the competing demands on our finite budget and the high costs to deploy a NMD system, we cannot afford to get it wrong. I hope that this vote will not be seen as endorsement of a rush to deployment, but rather a set of policy guidelines governing an eventual decision to deploy. I will do what I can to ensure this ultimate decision is not made in haste.

Mr. DODD. Mr. President, I rise to express my views on the National Missile Defense bill as it was amended yesterday. I am glad that Senator COCHRAN and Senator LEVIN were able to agree to changes in this bill. The unanimous votes on the amendments and nearly unanimous vote on final passage are tributes to Senator COCHRAN's and Senator LEVIN's resolve to seek common ground on this important issue that has long divided this body along party lines. Thankfully, instead of a partisan battle, the Senate produced a strong statement of this nation's resolve to develop and deploy a national missile defense system in the context of other budget priorities, national security concerns, and the U.S.-Russian arms control process.

The initial bill stated that the United States would deploy a national missile defense system as soon as technologically possible. I stood with the administration and this nation's military leaders in opposing that legislation because it did not consider other important factors such as cost, the specific missile threat, effectiveness of the system, and the impact on the arms control process.

The amendments that were added address some of those other issues. The first amendment explicitly requires that the national missile defense program be subject to the annual authorization and appropriations process despite the bill's requirement to deploy a system ''as soon as technologically possible.'' The amendment stresses the fact that this nation is not committed to giving the missile defense program a blank check. In other words, notwithstanding the Senate's commitment to protect this nation against rogue state missiles, this body will balance the importance of national missile defense with other national security priorities. For example, we have an attack submarine fleet that continues to shrink as the result of a low build rate. That issue and many others need to be considered by our national defense leadership. Furthermore, the first amendment highlights the fact that this body will balance the need for a national missile defense system with the need to provide our citizens with strong and effective domestic programs.

The second amendment, sponsored by Senator LANDRIEU, was absolutely necessary for the passage of this legislation. The amendment reminds us that the United States remains wholly committed to nuclear arms control. The ABM Treaty and START Treaties are basic elements of nuclear arms control, and this bill is not meant to impinge on the effectiveness of those treaties. This nation will not ignore, but instead seek modifications to, the ABM Treaty to allow for a limited national missile defense system. Also, this nation awaits ratification of START II by the Russian Duma and looks forward to agreement on the provisions of START III.

In sum, this legislation does not alter the administration's present policy with respect to national missile defense. This nation will develop and deploy a national missile defense system, but the costs of the system, the specific rouge nation missile threat, the impact on arms control, and our technological ability to field such a system will all be carefully considered. For those reasons, I have decided to support this bill.

Mr. SESSIONS. Mr. President: I rise to make a few remarks concerning S. 257, The National Missile Defense Act.

S. 257 will establish that it is the policy of the United States to deploy as soon as it is technologically possible an effective National Missile Defense (NMD) system capable of defending the territory of the United States against limited ballistic missile attack whether accidental, unauthorized, or deliberate.

Many have asked why would we want to do this as soon as technologically feasible. The answer finally came earlier this year when the Administration finally admitted that the Threat is here and now, not some indefinite number of years down the road.

The Threat, is upon us. According to CIA Director George Tenet's testimony on February 2, page 6, ''theater-range missiles with increasing range pose an immediate and growing threat to US interests, military forces, and allies—and the threat is increasing. This threat is here and now.''

If we look at what the Iraqi's have or will have in the near future, why would we delay given that we are conducting an aggressive air campaign against Iraqi air defense targets daily?

If we look at the improvements the Chinese have made in their missile program at our expense, why would we delay waiting for the Chinese to prove in some scenario yet undefined that they have the capability to destroy an American city or two?

If we look at the proliferation of technology leaving Russia to rogue states because they provide the hard currency to Russian scientists that the West cannot, why then would we wait?

There are some who say that we should wait and work the ABM problem out with the Russians. They say that if we move forward with a deployment this will make the Russians angry. Mr. President, the Russians have strongly objected to any US deployment to Kosovo, yet I do not see the Administration holding back on its desire to send upwards of 4000 troops to the region. Isn't protection of the United States more important that Kosovo?

Our goal in the effort to deploy a National Missile defense System has two crucial impacts on our security:

First, it will signal to nations that aspire to possess ballistic missiles with which to coerce or attack the United States that pursuit of such capabilities is a waste of both time and resources.

Second, if some aspiring states are not deterred, a commitment to deploy an NMD system will ensure that American citizens and their property are protected from a limited attack.

The Rumsfeld Commission report stated that, ''the warning times the US can expect are being reduced. Under some plausible scenarios the US might have little or no warning before operational deployment.'' This is a statement from a very creditable commission. It suggests that America ought to move quickly to defend itself. A NMD system deployed now is the step in the right direction. We cannot afford to debate the ''what could be's or should be's any longer.'' This Congress must act, and act now. I doubt if the American public would forgive this Congress if a situation arises for which we are not prepared.

Lastly, I have a comment about the Chinese spying incident. I have been in two meetings with Secretary Richardson in the last two days. My feeling on this issue is:

We have now learned of improved Chinese Missile guidance system capability due to US computers—sold to the Chinese by two US firms.

Chinese spying has provided that nation with the instructions on how to fabricate compact warheads (MIRV's)

Both of these acts should never have happened.

Mr. President, America cannot tolerate continued slackness in security and we need to press forward with protecting our nation—not tomorrow, not next month, not five years from now. We need to move the NMD program forward as soon as technically feasible.

Mr. ROBB. Mr. President, I support a national missile defense. I have voted—repeatedly—to fund research and development that would make such a defense not just a theoretical hope but a reality. In the past, however, I have also opposed legislation identical to S. 257, the National Missile Defense Act of 1999 as it was introduced. I voted against it when it was reported from the Armed Services Committee. I did so, even though I unequivocally support providing our nation a real defense against missile attack, because I believed that as introduced the bill would not advance that objective and could possibly move us in the opposite direction. While it is imperative for the United States to deploy a defense against missile attacks by North Korea and other rogue nations, it is equally imperative that we consider affordability, operational effectiveness, and treaty implications when determining how best to proceed on such a major acquisition program.

Mr. President, the Department of Defense, in testimony before the Armed Services Committee, has made it very clear that we can't accelerate the national missile defense program beyond what we're doing right now even if we spend significantly more money on it. Yet the original legislation implied that money is no object, that we should forgo our basic responsibility of getting the best defense possible for the taxpayer's dollar. I am concerned—as are many of our colleagues—about numerous, severe problems our military faces today, that can be resolved with proven technologies. Our forces are operating at OPTEMPOS unheard of even during the Cold War. Their equipment is often older than the operators, and spare parts are regularly in short supply. It is no wonder that we are facing one of the most pressing recruiting and retention challenges since the hollow force of the seventies. Passing blank check legislation is not, in my view, responsible, and not in the best interest of our military.

Fortunately, changes were made to the original legislation that addressed some of my concerns. The Cochran amendment subjects national missile defense deployment to the normal authorizing and appropriating process, allowing us to retain fiscal control over the program. This reinforces the need to ensure that any system we approve be affordable and operationally effective before deployment.

Mr. President, the bill in its original form was silent on arms controls. It is clear from hearing the comments of several Senators in support of this bill that they believe the ABM Treaty is of marginal consequence when compared to deploying a missile defense capability. The virtual certainty that the Russians will retain thousands of nuclear warheads if we undermine the ABM Treaty has been brushed aside as a minor annoyance. No matter that the existence of these thousands of additional weapons greatly increases the likelihood of the kind of accidental launch that a national missile defense would defend against. No matter that, by undermining the strategic arms control process, we prompt China and other nations—including so-called rogue regimes—to develop or expand their nuclear arsenals and create the very kind of threat that our limited missile defense is supposed to protect against.

The Landrieu amendment, by reinforcing the need for continued arms reduction efforts with the Russians, addressed this short-coming in the original legislation.

As a result of these modifications, I am now willing to support this bill. I caution, however, that this legislation really accomplishes nothing that will have a meaningful, positive impact on the pace and quality of our missile defense development efforts. While it is appealing to declare a policy, such a declaration doesn't move us closer to the goal, and may in fact cause the American people to gain a false sense of security. We should acknowledge the risk that we could be giving the American people the false impression that by passing this legislation we are somehow approving deployment of a protective shield to safeguard them from nuclear missile attack. At best we'll get a very limited defensive capability. At worst, we will have spent tens of billions on top of the $40 to $80 billion already spent on missile defense since 1983, our troops will continue to struggle with a high OPTEMPO and inadequate equipment due to inadequate funding, the Russians will not honor START II limits—even after ratification of the treaty, and we will have a system that is not operationally effective.

Regardless of the outcome of the vote on this legislation, we will continue to develop a missile defense to protect our nation. The issue surrounding missile defense is not that we don't want such a system—the problem is we don't yet know how to build one we can afford. I remind my colleagues of the Pentagon's dramatic claims of success by our Patriot missile batteries during the Gulf War. It was only after the war that we learned that there were very few if any effective intercepts of the Iraqi Scuds. The technology wasn't here then and it has a long way to go today—especially when it comes to ICBMs.

And we should not let our focus on providing such a defense divert our attention away from the other crucial element in protecting America from missile attack: reducing the number of missiles aimed at our nation. A number of colleagues shared my concern about the effect of this legislation on our efforts to reduce the Russian arsenal through the START II process.

Mr. President, I will support this legislation because we have addressed the largest potential down-sides and because I support the objective of providing our nation with an effective missile defense, but we still have a long way to go before we actually solve the challenges we face and we ought to be up front with the American people in describing where we are in this process.

Mr. KOHL. Mr. President, none of us who sit here in the Senate today is unaware of the potential dangers that face this country from rogue nations with ballistic missiles carrying weapons of mass destruction. There are many nations around the world that are eagerly pursuing weapons that can reach the United States and deliver devastating damage. I, like many of my colleagues, was stunned when I heard the news that North Korea had launched a three stage rocket with technology that many in the intelligence community had said the North Koreans would not possess for many years. All this evidence leads me to agree with Secretary Cohen when he says that the threat to the United States is ''real and growing.'' Because of the danger we face, and our solemn vow to protect this nation, I will vote to support Senator COCHRAN's bill, S. 257, to deploy a missile defense as soon as technologically possible.

With threats looming on the horizon it would be irresponsible not to pursue the development and deployment of a national missile defense. The Administration has responded to the threat by expanding the program. The President has increased funding by $6 billion over five years. They will make a decision next year whether an effective national missile defense can be deployed by 2005.

Negotiations with the Russians have already begun in an effort to reach agreement on amendments to the Anti-Ballistic Missile Treaty. The President has now reversed his previous opposition to this bill by withdrawing his veto threat. The United States is moving forward on missile defense, and this legislation will add momentum.

However, I do have reservations about this bill. A national missile defense system is not a sure thing. Currently there is no technology capable of destroying an ICBM, and we don't know when the technology will be developed. But we do know that developing this technology will be costly. To date we have spent almost sixty-seven billion dollars on developing missile defenses since the early 1980's without anything to show for it. I am concerned that by making a decision to build a system as soon as technologically possible the Congress may commit itself to an expensive project that the General Accounting Office has deemed ''high risk.'' The Pentagon is infamous for underestimating the cost of weapons systems. Right now the Administration plans on spending ten billion dollars over six years on NMD, but I expect that as the project moves forward the cost will rise. We must be careful not to let our commitment to missile defense blind us from our duty to oversee this program and guard against waste and profligate spending so common in the Department of Defense.

While I am very concerned about the costs of the program and the impact on our relations with Russia, I believe we should build a national missile defense to protect our nation in this dangerous and uncertain time. The United States should move swiftly, but with prudence, to safeguard our citizens from the threats of rogue nations and the fear of accidental launches.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, was there a unanimous consent agreement that the Senator from Mississippi wanted to propound?

Mr. COCHRAN. Mr. President, if the Senator will yield, we were trying to nail down a time for a vote on final passage at 2. Why don't you go ahead and use whatever time you want to use.

Mr. WELLSTONE. I thank my colleague.

Mr. President, I rise to speak today on the floor of the U.S. Senate to express my opposition to this resolution that is before us.

I may be standing alone on this vote. I hope not. I appreciate the efforts of my colleague from Louisiana to offer an amendment that would ensure that this bill states, or this resolution, because that is really what it is, that it is still the policy of the United States to pursue arms reduction negotiations. I think that was an important statement. I do not honestly and truthfully believe that that amendment is enough. It does not directly tie a decision to deploy a national missile defense directly to its impact on arms reduction agreements. That is what I am worried about.

I think my good friend, the Senator from Michigan, had it right in his substitute amendment—before a decision to deploy, the administration and the Congress should review the impact of that decision on nuclear arms reductions and on arms control agreements.

I think this is right. The decision to deploy—and that is what this resolution instructs us to do—should be made carefully, at the right time, after we are sure of its impact on important arms control and arms reduction decisions. I know my colleague from Michigan, who I think is one of the truly great Senators, has concluded that the Landrieu language is sufficient, but I have to respectfully disagree.

This resolution talks about deploying missile defense. I have supported in the past efforts to develop such a system to at least do research, but I have never voted for a resolution that says we go forward with deployment.

I would not oppose, again, the research and the focus on the possibility of needing a missile defense system if this was done hand in hand with an emphasis on the importance of arms reduction agreements. But I do not believe that this resolution before us is at all evenhanded in this respect.

Our colleague from Mississippi, a colleague for whom I also have a great deal of respect, Senator COCHRAN, was quoted in the Washington Times today saying that the Landrieu amendment was an important step—and he meant this in very good faith; he means everything in good faith—of an important national security goal. But the inclusion of the national missile defense policy and arms reduction policy in the same bill ''does not imply that one is contingent on the other.''

I think they should be, and that is why I do not think the language is sufficient. That is why I will vote against this bill.

Actually, I do not know whether to call it a bill or a resolution. There is no money. It is just a statement. We say this will be the policy. It is a declaration by the Senate.

We ought to be focusing on the reduction of existing missiles. We ought to be focusing on nonproliferation efforts to stop the spread of existing technology of weapons of mass destruction. We should not be saying that it is the policy of the United States to spend billions of dollars on unproven systems to defend ourselves against phantom missiles from hypothetical rogue states.

We have spent already $120 billion on this antimissile defense system. I heard my colleague from Arizona, who is a colleague for whom I have tremendous respect, talking about some of the ways in which he thinks the administration has been a bit disingenuous about how we can balance the budget and spend money here or do this, that, and the other. I understand what my colleague was saying. In all due respect, I have to raise questions about this.

First of all, I have to say that I believe that this vote today is a profound mistake. I think the vote today, if it is an overwhelmingly strong vote for this resolution, jeopardizes years of work toward achieving nuclear arms control and arms reduction, and that will not increase our security. That will not increase the security of my children or my grandchildren.

I am very concerned about our national defense. I am very concerned about our security. I am very concerned about the security of my children and my grandchildren. I believe the best single thing we can do to assure that security is to maintain a commitment to arms control agreements.

Some of my colleagues do not agree with what we did with the ABM Treaty. They are not so focused on where we need to go with the START agreements. I argue that these arms control agreements and everything and anything we can do to stop the proliferation of these weapons and to engage the former Soviet Union—Russia today—in arms control agreements, reducing the nuclear arsenals, less missiles, less warheads, less of a possibility of a launching of these weapons is what is most in our national security. I do not believe that this resolution takes us in that direction at all.

There is a distinction between talking about the development of a missile defense system and actually the language in this resolution which talks about deploying. There is a distinction between saying we only go forward, but before a decision to deploy, the administration and the Congress should review the impact of this decision on nuclear arms reductions and arms control agreements.

There is a distinction between such language, and I believe what the amendment that my colleague from Louisiana offered yesterday, which says that it is our policy to pursue arms reduction negotiations—oh, how I would like to see a connection. Oh, how I want to see a nexus. You cannot imagine how much I want to vote for a resolution like this, which is going to have such overwhelming support, and I would if I did not believe that what is only a resolution will be used next year when we come to authorization and appropriations to say that there was unanimous—no, there won't be unanimous support; there will be at least one vote against it—near unanimous support to go forward with missile defense. And then the request will come in for the money.

What will the cost be? This resolution, or this piece of legislation, should be called the ''Blank Check Act,'' because that is what we are doing. We are authorizing a blank check for tens of

billions, maybe hundreds of billions of dollars for all I know, for a missile defense system in the future. At what cost?

Mr. President, $120 billion already, tens of billions of dollars a year, I don't know how long in the future, is going to go for a missile defense system, and this vote is going to be used as the rationale for doing so. Maybe not with this administration, because I think the administration has made it clear it is committed to an arms control agreement. But what about the next administration? I hope it will be a Democratic administration, but I do not know and I do not want to vote for a blank check for tens of billions of dollars for such a system which I think puts into jeopardy arms control negotiations and arms control reductions.

Mr. President, for a senior citizen in the State of Minnesota who cannot afford to pay for a drug that has been prescribed by her doctor—this is a huge problem for elderly people in our country, many of whom are paying up to 30 percent of their annual monthly budget just for prescription drugs—for that senior citizen to not be able to afford a prescription drug that her doctor prescribes for her health is a lot bigger threat to her than that some missile is going to hit her in the near future or in the distant future.

Yet, we are being told that we cannot afford to make sure we have prescription drug costs for elderly citizens in this country. But now what we are going to do, I fear, is adopt a resolution that will be used later on as a rationalization and justification for spending tens of billions of dollars on top of $120 billion for unproven systems to defend us against phantom missiles from hypothetical rogue states.

Our focus should be on the arsenal of nuclear weapons that Russia has now and how we can have arms control agreements with Russia. We ought not to be putting ABM and START in jeopardy. We ought not to be putting arms control in jeopardy. We ought not to be putting our efforts at stopping the proliferation of weapons of mass destruction in jeopardy, and I believe that is what this resolution does. That is my honestly held view. The administration has apparently changed its position. I wish they had not.

My colleague from Michigan, Senator LEVIN, has a different interpretation. I think he believes that this resolution puts the emphasis that needs to be there on arms control reductions. I hope and pray he is right. I think he believes this resolution has language, through the annual review process in appropriations bills, that makes it clear that this has to be technologically feasible to go forward. I hope he is right. But, quite frankly, I do not think that is really what this resolution says.

I am not going to err on the side of voting for a resolution that now gives credibility to spending tens of billions of dollars, over the years to come, on a questionable missile defense system that puts arms control agreements in jeopardy and does not speak to the very real national security that we have in our own country.

I would like to finish this way, Mr. President. Since I heard some of my colleagues on the other side talk about the President's budget, I would like to ask my colleagues, What exactly do you propose to do with your budget caps, your tax cuts, and wanting to increase the Pentagon budget $140 billion over the next 6 years?

And that goes for far more than just increasing the salaries of our men and women in the armed services, who should have their salaries increased; and that is much more far-reaching than just dealing with quality-of-life issues for men and women in the armed services, who deserve all our support in that respect. Now we are talking about laying the groundwork, on top of $120 billion that has already been spent, for tens of billions of dollars. This could end up being $40 billion-plus just for this missile defense system.

So my question is, After we do this, what do you say to senior citizens in your State who say, ''Can't you make sure that we can afford prescription drug costs?'' I know what you are going to say. ''We can't afford it.'' What are you going to say to people who say, ''Can't you invest more in our children in education?'' We are going to say, ''We can't afford it.''

What do you say to people in the disabilities community who were in my office yesterday, saying, ''Can't you invest in home-based health care so that we can live at home in as near as normal circumstances as possible with dignity?'' We are going to say, ''We can't afford it.'' What are we going to say to people who say, ''We can't afford affordable housing''? We are going to say, ''We can't afford it.''

I will tell you something; the real national security of our country is not to vote for this resolution that could very well put arms control agreements in jeopardy. And I am not willing to err on that side. If we do that, it will be a tragic mistake. It will be a tragic mistake for all of our children.

The real national security for our country is to not spend billions of dollars on unproven systems to defend us against phantom missiles from hypothetical rogue states. The real national security for our country will be the security of local communities, where there is affordable child care, there is affordable health care, there is affordable housing, people find jobs at decent wages, and we make a commitment to education second to none so that every boy and every girl can grow up dreaming to be President of the United States of America. That is the real national security of our country.

Mr. President, I think this resolution is a profound mistake. And if I am the only vote against it, so be it, but I will not vote for the resolution.

I yield the floor.

Mr. President, my colleague, Senator STEVENS, had made the request he be able to speak right after I finished. I do not see him right now, but could I ask unanimous consent that he be allowed to speak next? I know he was anxious to do so. He should be here in a moment.

Mr. COCHRAN. Mr. President, if the Senator would yield, I think Senator STEVENS is planning to speak. I was going to suggest the absence of a quorum. Here is our colleague from Michigan. He may want to use some time on the bill.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I support the passage of this bill with the two amendments we have adopted. We have made a number of very important changes in the bill which now cause me to support the bill because, very specifically, we now have two policies that are set forth in the bill, no longer just one.

The first amendment that we have adopted, which was an amendment saying that the funding for national missile defense is subject to the annual authorization and appropriation of funds for this system, makes it clear explicitly, specifically, that this bill does not authorize anything. This is not an authorization of anything. It is not an appropriation of funds.

Perhaps somebody could argue before that amendment was adopted that this bill did authorize or did commit us to appropriate funds. But after the adoption of that first amendment yesterday, it cannot be argued that this authorizes anything or appropriates funds for any system.

This bill now states two policies of the United States. That is very different from a bill which commits us to authorize funds or to appropriate funds for a particular system.

So the first amendment made an important difference. It is an amendment which the Senator from Mississippi offered with a number of cosponsors on both sides of the aisle. It seems to me it made it very clear that we are not committing to deploy a national missile defense system in this bill. We are stating now two policies in this bill. The first amendment I referred to makes it clear that the authorization to deploy a national missile defense system would come only if and when we act on funding to deploy such a system through the normal authorization and appropriation process. We are not doing that in this bill.

One of the things this bill says is, before a deployment decision is made, there must be an effective system. That word ''effective'' clearly means, in the view of the military—and I think reasonably—an operationally effective system. That is one of the clear meanings of the word ''effective'' in this bill. And there was a colloquy earlier today between the Senators from Mississippi and New Mexico relating to that issue. An effective national missile defense system means, among

other elements of ''effectiveness,'' an operationally effective system.

The second amendment that has made a major change and a major improvement in this bill is the Landrieu amendment. Until Senator LANDRIEU's amendment was adopted, this bill ignored the crucial importance to our national security of continuing reductions in Russian nuclear weapons. Without the Landrieu amendment, this bill would have put nuclear reductions at risk—reductions that have been negotiated before and are now being implemented, reductions that have been negotiated before and are hopefully about to be ratified in the Duma.

Without the Landrieu amendment, this bill ignored those reductions. It would have put such reductions at risk and increased the threat of proliferation of weapons of mass destruction. That greater threat would have resulted from the larger number of nuclear weapons being on Russian soil, with the greater likelihood, in turn, that there would be leakage of such weapons to a terrorist state or a terrorist group.

The Landrieu amendment adds a second policy to this bill. It is a most crucial policy statement, that it is our policy to seek continued negotiated reductions in Russian nuclear forces. This critically important change in the bill states that we understand the value of continuing the nuclear arms reductions which have been negotiated before and that, hopefully, will continue to be negotiated in START III, and that those reductions improve our security by reducing the numbers of nuclear weapons on Russian soil.

Mr. President, without those two amendments, I would not have supported this bill. As I stated in my opening statement, it is critically important, in my opinion, that we continue to see reductions in nuclear weapons in this world, and most specifically, reductions in nuclear weapons in Russia.

I think many of our colleagues, if not all of us, see the importance of those reductions. Now we have a specific policy statement equal to the policy statement relative to deploying an effective limited national missile defense subject to authorization and appropriations. The second policy statement which is critically important says that it is the policy of the United States to continue to negotiate reductions in the number of nuclear weapons on Russian soil.

Because of these amendments, the President's senior national security advisers will now recommend that the President not veto the bill if it comes to him in this form. That is an important measure of the significance of these changes in this bill. The White House has not changed its position on national missile defense anymore than I have.

The bill has been changed in two significant ways. I think the bill has been vastly improved. It has been improved because of the efforts of many people. I want to thank the Senator from Mississippi, the author of this bill, for his cooperation in including both the Cochran amendment and the Landrieu amendment. And I particularly want to commend and thank the Senator from Louisiana, Senator LANDRIEU, who is now the ranking member on the Strategic Forces Subcommittee of the Armed Services Committee, for her hard work and her dedication in bringing about the adoption of an amendment which made such an important difference in this bill.

I yield the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER (Mr. VOINOVICH). The Senator from Alaska.

Mr. STEVENS. Mr. President, I am here today to join two of my closest friends, Senators COCHRAN and INOUYE, to support this bill that is before the Senate. I believe that Senator COCHRAN and Senator INOUYE have championed this measure for some time now in the face of very strong opposition. I am pleased to see that opposition is now fading away.

I cannot fathom anyone being opposed to deploying the defenses that are necessary to protect this Nation. Recent events clearly warn that our Nation must prepare for the worst possible scenario. We have watched reports that India and Pakistan have detonated nuclear devices. Each of these countries have very solid, demonstrated capabilities in building ballistic missiles. Our U.S. intelligence community admitted surprise after those demonstrations.

Unrest in Indonesia and turmoil in other Pacific nation economies demand the attention of the United States and the world. Those nations increasingly look to develop or acquire a range of ballistic missiles. The threat that troubles me the most is North Korea. North Korea's missiles can already reach parts of Alaska and Hawaii, and perhaps beyond.

When I visited North Korea 2 years ago, I was struck by the contrast there. Their people live a life of sacrifice, but many of their limited resources are diverted to military investments. The United States should not underestimate the determination of the North Koreans nor the risks the threats pose to the United States and our Pacific allies.

Now, new reports indicate that North Korea may launch another rocket, possibly a satellite or possibly a longer-range ballistic missile. The world's ability to monitor North Korea now is limited. We all know that. Certainly almost no one in the intelligence community anticipated the recent launch of the multistage booster that we saw.

Just as in World War II, the first to be threatened in the Pacific will be the States of Hawaii and Alaska. My constituents, the residents of Alaska, ask me, Why should it not be the policy of the United States to deploy a national missile defense system as soon as it is technically feasible? I can state categorically that after my recent trip home I know Alaskans want these defenses now.

Indeed, the Alaska Legislature has already passed a joint resolution calling on the President of the United States to deploy a national missile defense system. I know, as more Americans recognize that this threat is here today—and I believe the whole country will wonder what is wrong with us; I believe they are going to even wonder why we have to have this debate this long on this issue.

I am confident that Members of the Senate should be familiar with the congressionally established commission of evaluating the ballistic missile threat to the United States, known as the Rumsfeld Commission, which completed a thorough review of the missile technologies existing in other countries. More importantly, that Commission recognizes the fact that missile technologies are increasingly available to any nation with money and determination to use them.

Protecting our Nation requires building a national missile defense system that will protect every square inch of every State, including Alaska and Hawaii, and the 48 contiguous States. When this issue first came before the Defense Appropriations Subcommittee, the administration projected a system that would defend almost all of the 48 States but did not include Alaska and Hawaii and the tips of Maine and Florida. At that time, I expressed concern about that. I am pleased to see we all are now considering a truly national missile defense system.

In recent weeks, I was fully briefed on the Defense Department's efforts to develop a national missile defense, a defense which would provide our Nation's only capability against these missiles. I have been reassured of the commitment to protect all 50 States by Lieutenant General Lyles, the Director of the Ballistic Missile Organization. I can also tell the Senate that some of the best engineers in this Nation are working on the current national missile defense program under the direction of Brigadier General Nance, a very capable officer and knowledgeable program manager.

I believe this team, and any of the ballistic missile defense organization program managers, would tell the Senate that building this defense system is technically feasible today. That is good news. We have it within our reach and our means to build a missile defense system to protect our entire Nation from ballistic missiles.

Last year, we added $1 billion as emergency funds for the development of the missile defenses to protect the United States as well as its deployed forces. This Cochran-Inouye bill makes clear that these funds are available only for enhanced testing, accelerated development, construction, integration, and infrastructure efforts in support of ballistic missile defense systems.

The taxpayers' money being made available on an emergency basis was put up for the purpose of encouraging the availability of this system and to reward success in the efforts. I believe we have to have the ability to defeat the threat that is posed by ballistic missiles as soon as possible. Many Senators will recall the criticisms made last year of our ballistic missile defense programs—too little testing, schedules that didn't ask for the dollars available, and many other concerns expressed.

I am pleased to report to the Senate that the $1 billion emergency increase has become a catalyst for the national missile defense program—allowing this program to add testing, fully fund development, and to rebut the critics who say it is not possible for such a system to be deployed.

The administration has stated that it will match these funds and budget the necessary additional funds to develop and deploy a national missile defense system. I am still concerned that the funds budgeted by the administration, however, will allow a missile defense system to be deployed about 2005.

On March 14, 1995, Defense Secretary Perry testified before our Defense Appropriations Subcommittee that:

> On the national missile defense system, that system would be ready for deployment in 3 years on the basis of this program projection, and then 3 years later than that it would be operational.

He said it would be operational in 3 years.

> So we are about 6 years away from deployment of national missile defense systems.

That was 1995. In responding to my question during a hearing in June of 1995, Lt. Gen. Malcolm O'Neill noted Secretary Perry's promise and went on to add:

> I think the timeframe (Secretary Perry) talked about was 3 years of development and then 3 years to deploy. So that would mean a 2001 scenario, and that would get a system in position before the Taepo Dong 2.

Mr. President, that is the Korean missile that we are all so worried about now. The Taepo Dong 2 is ready now but we are still developing a system. The national missile defense system that should be in place by 2001 will not be there in 2001, and we were promised an operational national missile defense system as early as 2001. As one who has watched this system now develop over a period of years, I have been frustrated that it has slipped now, apparently, to 2005. The track record is one of continual delays and slips as far as the deployment date is concerned.

I believe that this Nation must get ahead of the threats. The risks are too great.

Again, I basically come here to commend these two Senators for their very hard work on this bill.

Senator COCHRAN and Senator INOUYE deserve the entire support of the Senate. I am pleased that these matters which had previously looked like they might delay this bill might be resolved. I congratulate the managers of this bill and its author for their wisdom and determination. I hope the Senate will proceed rapidly to approve it.

Mr. MURKOWSKI. Mr. President, I rise in strong support of S. 257, the National Missile Defense Act of 1999. This is an extremely important initiative, which really goes to the heart of our national security policy. The bill simply declares that it is the policy of the United States to deploy, as soon as technologically possible, a national missile defense system which is capable of protecting the entire territory of the United States from a limited ballistic missile attack.

Why is this important? For one, because most Americans mistakenly believe that we already have a system in place which can intercept and shoot down incoming missiles. We do not. While we can, in some instances, tell in advance if an adversary is likely to launch a ballistic missile strike at the United States, our ability to thwart the attack is limited to diplomatic efforts or, alternatively, to a quick strike military capability of our own.

In the case of an unauthorized or accidental missile strike, we have no deterrent capability. Imagine the horror, Mr. President, of knowing a missile strike against an American city was underway and there was nothing we could do to stop it.

This is the same bill that Senate Democrats filibustered twice during the 105th Congress. So, why the change of heart? I think that the main reason is that they can no longer sustain the argument that we do not face a threat credible enough to justify deployment of a national missile defense system. They now acknowledge that we face a number of real threats from many different parts of the globe. Most of these threats are the byproduct of 6 years of flawed administration foreign policy initiatives which have actually increased, not decreased, the likelihood of the post-cold-war threat.

What are the threats that we currently face? China comes to mind. While I for one do not consider China an adversary, I am particularly concerned by the wide range of espionage allegations connected to China. First, our military experts believe that China's missile guidance capabilities were enhanced significantly by the Loral/Hughes incidents. And more recently, there are chilling allegations that China has stolen some of our most closely held secrets on miniaturizing warhead technology, thereby exponentially increasing the threat that China poses to the United States and many of our key allies in the Asia/Pacific theater.

Last summer, it was widely reported that 13 of China's 18 long-range strategic missiles are armed with nuclear warheads and targeted at American cities. What's more Chinese officials have suggested that we would never support Taiwan in a crisis ''because the United States cares more about Los Angeles than it does Taipei.'' If this type of declaration, on its own, is not justification for deploying a national missile defense system, Mr. President, than nothing is.

Let's examine the case of North Korea. This is a country which continues to defy rational behavior, and which seems to be encouraged by this administration's bankrupt North Korea policy. Just yesterday, Secretary Albright announced that the United States would pay North Korea hundreds of millions in food aid to gain access to an underground facility north of Pyong Yong which we believe is connected to their nuclear regime. Plain and simple bribery at it's best.

Last year, North Korea fired a multistage missile over Japan. No warning and unprovoked. Why? Presumably to show that they have the capability.

Iran and Iraq speak for themselves. Additional concerns are the inability of the former Soviet Republics to keep good track of the ICBM's which they inherited from the breakup of the Soviet Union. Be it accidental or deliberate, if these weapons fall into the wrong hands, we will have new foreign policy concerns the likes which none of us have ever seen or will care to address.

We are vulnerable, Mr. President, and we need to act to prevent a catastrophe of horrific proportions. The best way to do this is to do what should have been done long ago—deploy a national missile defense system.

There are a number of ballistic missile defense programs at various stages of development. Ideally, the United States would pursue a dual track system, namely a sea-based system which could be deployed to various theaters as the need arises. The aim here being to protect our troops and allies which may be at the front line of a confrontation. And a ground based system based in Alaska, which is the only place in all the United States from which true, 100 percent protection of all the United States and her territories can be achieved.

By basing a system in Alaska, we will have the added advantage of being close to both the Asian and European theaters. Our aim should be not only to intercept a launched missile, but in being able to intercept it in the still early stages—preferably while it is still over the territory of the aggressor country.

As many of my colleagues are aware, we have 80,000 American troops in the Asia/Pacific theater alone. Many of these troops are already well within the range of current North Korean missile capability. As their missile development program advances, we can expect American lives and American soil to be exponentially at risk. We simply cannot stand idly by and wait. We need to be prepared, so that we can protect the American people from such a strike, be it deliberate, unauthorized or accidental.

Finally, Mr. President, there are those who argue that S. 257 should be

rejected because it sends the wrong signal to Russia and raises flags about the future of the ABM Treaty. Let me say unequivocally that this is not about Russia, and the Russians know it! The ABM Treaty was a product of a different era, an age when the United States and the Soviet Union were alone in their ability to launch intercontinental ballistic missiles. This age passed quickly with the breakup of the Soviet Union, and a much more unsettling world has been left in her place. Today, there are many, many threats and ignoring them will not make them go away.

This is not about Russia. This is about the United States and our constitutional and moral duty to protect the people whom we have been elected to represent. Mr. President, I strongly support this measure and commend Senators COCHRAN and INOUYE for their untiring efforts to see that this bill becomes law.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I rise in opposition to the bill. Could the Chair inform me of the time limitations, if any on, debate?

The PRESIDING OFFICER. There are no time limits on debate.

Mr. DURBIN. Mr. President, I can recall this concept when it was first suggested by President Reagan. It was a concept that was alluring. The notion that we could somehow put a protective umbrella of defense over the United States against nuclear missiles would certainly be an effort that would allay the fears of many that a missile might be launched from some nation like Russia. This idea of a strategic defense initiative, Star Wars, or whatever you might characterize it as, has always had a certain appeal to me and I am sure to anyone who hears it. I have been skeptical from the start as to whether or not this was feasible. Now I think there are more fundamental policies that should be addressed.

First, let us take a look at the history of the early part of the century.

After World War I, the French—determined never to let the Germans invade their country again—set up a series of ''impregnable'' fortifications along their border from Switzerland to Belgium called the Maginot Line. When Hitler decided to invade France he passed north of the Maginot Line via Belgium, swept behind the line, and captured it from behind. France was totally defeated in 6 weeks.

The national missile defense plan is our Maginot Line. It would give us a false sense of security and be completely ineffective in countering threats that simply go around it—like the terrorist with chemical, biological or nuclear weapons in his suitcase. It could be totally overwhelmed by intercontinental ballistic missiles (ICBMs) held by Russia, and its existence would encourage nuclear countries to defeat it with devastating force. The star wars Strategic Defense Initiative in the 1980's faced these same problems. The current plan is ''star wars lite,'' a shrunken relic of the cold war.

THE ROGUE STATES

No one is underestimating the capacity for so-called rogue nations to act in ways that seem irrational to us. However, in deciding that we must spend billions of dollars to build a missile defense system to protect ourselves against these third-rate powers, we are making one of two assumptions. Either we are tacitly admitting that we would not respond to an attack by one of them against us with overwhelming force—whether nuclear or conventional—or else we are assuming that these leaders are so crazy that they would risk the destruction of their nations and the loss of their own power or lives for one shot at the United States.

The leaders of the rogue nations, like Iraq and North Korea, may be isolated and seem irrational to us, but survival, not suicide, has been their overarching goal. It is much more likely that terrorists would do these nations' dirty work for them in a way that is difficult to link to a particular nation, to avoid a retaliatory strike. National missile defense would not help against terrorist attacks, which are far more likely to be delivered by truck than by missile.

The danger of missile attacks from rogue nations is much more acute against our military forces in the Persian Gulf and Asia than against U.S. cities.

During the gulf war we made it quite clear that if Saddam Hussein used his weapons of mass destruction against our forces, he would suffer an overwhelming response. He did not use those weapons. We have made it clear to the whole world that we will respond to any use of weapons of mass destruction against us, while leaving the type of weapon, nuclear or convention, ambiguous.

Our massive arsenal should be as capable of deterring a rogue nation as it was to deter the Soviet Union for 50 years. Are thousands of weapons now ineffective against one or two or three or four or five missiles in North Korea or some other country?

Nonetheless, the enormous cost in lives of even one missile strike against one U.S. city, no matter how unlikely, could lead us to decide to deploy a national missile defense system at some point in the future—if that would mean that our country would be more secure. That is why Congress has consistently supported research into missile defense technology for theater and national applications. We should continue to research with deliberate speed and reasonable funding, but we must not make the decision to deploy prematurely. We must not make the leap which this resolution would lead us to.

ARMS CONTROL IMPLICATIONS

Deciding to deploy a missile defense system without getting Russian agreement to changes in the Anti-Ballistic Missile (ABM) Treaty not only would in effect abrogate that treaty, it would also be the end of the Strategic Arms Reduction Talks (START) process that is the basis for the strategic stability between the United States and Russia. Strategic stability means that neither side is willing to engage in a first strike against the other.

If a missile defense system is deployed without regard to its effect on strategic stability with Russia, our own security will be imperiled. The United States and Russia still have thousands of nuclear warheads poised to launch at each other with just a few minutes between targeting and launch. If arms control breaks down because of our deployment of a missile defense system, we would be encouraging nuclear countries to use multi-warhead ICBMs to defeat it. It would seem a fairly irrational decision on our part to trade away a strategic balance that has kept the peace for 50 years in order to protect us against a hypothetical threat. The threat of 6,000 Russian and some 400 Chinese missiles is not hypothetical.

We are at peace with Russia and the cold war is over. A first strike seems quite unlikely at this time. The danger today is from an unauthorized launch from Russia, or, because parts of Russia's early warning system do not work, that Russian leaders could falsely think the United States had started a first strike and would launch a retaliatory strike. A national missile defense system could not stop those missiles.

Since Russia is having difficulty maintaining its nuclear arsenal now, it is in our vital national interest to see reductions in the number of missiles on both sides—rather than pursuing a policy that would put the START process on ice and could lead to redeploying multiple warheads instead.

Our broader nuclear nonproliferation goals could also be undermined by the demise of arms control. The grand bargain forged when the Nuclear Nonproliferation Treaty (NPT) was negotiated was that the nuclear countries would work toward nuclear disarmament, in return for the non-nuclear countries foregoing them.

If we take a unilateral action that undermines the START process, there will be no grand bargain, and we will have no argument against any country, including the rogue states, acquiring nuclear weapons.

The Maginot Line of national missile defense will not only encourage countries to go around it, or to overwhelm it, it could also become the Trojan Horse that lets our enemies into the nuclear club.

COSTS

While we must make this decision on its merits, we cannot ignore the costs of making it. We have spent over $40 billion on national missile defense since 1983 with virtually nothing to show for it. That figure does not include the $52 billion spent before 1983

on various missile defense systems, like the Nike and Safeguard systems of the 1960's and 1970's. Estimates vary greatly on how much a limited missile defense system would cost, and these estimates depend greatly on what system would be chosen. I think it is safe to say that no one really knows yet how much a system would cost.

I listened to the debate earlier today from some of my colleagues. One of them raised the specter of vulnerability of nations on the west coast as well as Hawaii in terms of attack from new members of the missile nuclear club. One of the people speaking said if we know that threat is out there, and we know the damage that could take place, isn't it a given that we would spend any amount of money to protect our coast? Isn't that a responsibility? That is an interesting argument, and it certainly is one that would suggest that we would spend any amount of money on this national missile defense system, that there are no limits to spending.

In fact, as I read it, the only limitation in this bill is that it has to be somehow technologically possible to have a national missile defense system. I would like to suggest that it is interesting that this would be the standard which we would use to determine defense spending.

I wonder if I introduced a resolution into the Senate which asks if it would be the policy of the United States to spend as much money as necessary if we found that it was technologically possible to cure cancer, how many votes we would get on the floor of the U.S. Senate. We have made more progress in the war against cancer than we have on any national missile defense system. Yet, when it comes to that kind of courage with respect to virtually every American family, that is not considered really food for thought or even an issue for debate. The same question could be asked when it comes to education. If it is technologically possible to educate children in America better, should we make it our policy to spend whatever is necessary to achieve that? I doubt that I could muster a majority vote in the Senate for that suggestion. Or the elimination of drugs in America, if it is technologically possible to end the scourge of drugs in our country, should we spend whatever is necessary?

I have given you three examples which come to mind, and many more could be produced. But it is interesting to me that when it comes to defense spending we apply standards which are totally different than the priorities which many Americans would identify as important to us and important to all families.

In May 1996 the Congressional Budget Office estimated that it would cost $31–60 billion through 2010 to acquire a system outlined in the Defend America Act of 1996, plus an additional $2–4 billion per year to operate and maintain it. The National Security Council estimated that a two-site, ground-based system would cost $23 billion to deploy. The General Accounting Office reported that the Ballistic Missile Defense Office estimated that limited deployments in North Dakota and Alaska would cost between $18–28 billion. The Congressional Budget Office estimated that it would cost $60 billion to build a ''high end system,'' including space-based lasers. Given the history of defense cost over-runs, it is quite likely that these figures are the floor, not the ceiling of what these costs may be.

No matter how many amendments are adopted—and some I have supported, and some are very good—the bottom line is the U.S. Senate with this vote is virtually giving a blank check to this project. There are no limitations on cost. As long as it meets the threshold requirement of being technologically possible, it can go forward.

We must not forget that, if we push ahead with deploying a national missile defense system without seeking Russian agreement with changes to the Anti-Ballistic Missile Treaty, the nuclear arms reduction process will be moribund.

Let me salute my colleagues in the House.

Senator LANDRIEU offered an important amendment that at least reiterates America's commitment to negotiating some type of disarmament. I support it. Virtually every Member did. I think that is a positive step. But to simply adopt that amendment and ignore the bill that is before us, I think, is folly. We have to be consistent. We have built into this bill an inconsistency. On the one hand, we are going to move forward with the national missile defense system, even if it violates existing treaties, and then an amendment which says we are going to continue to negotiate these START treaties. I don't know what the negotiating partner would believe, if they read this bill after this debate.

That means we would also be bearing the costs of maintaining our current level of 6,000 nuclear weapons, instead of being able to reduce to START II levels of 3,500 warheads, or START III levels of 2,500 warheads, or even 1,000 warheads. We now spend about $22 billion on maintaining and supporting our current nuclear force levels, including $8 billion per year maintaining nuclear warheads.

Would it not be in the best interests of the United States of America and its future to continue the arms control negotiations to reduce the nuclear warheads not only in the United States but around the world? I think that is the best course of action. I am afraid this bill is inconsistent with that strategy.

In March 1998, the Congressional Budget Office estimated that reducing warheads to START II levels by the end of 2007 would save $700 million per year through 2008 and about $800 million a year in the long run (in constant dollars). Making these reductions by 2003 would yield an additional $700 million through 2008.

Reducing warheads to START III levels would save $1.5 billion per year in the long run, provided weapons platforms are also retired. If warheads were reduced to 1,000, savings would increase to $2 billion per year in the long run. Talk about a peace dividend. This $2 billion per year savings—25 percent of the current costs of maintaining nuclear warheads—does not include huge savings that would result if nuclear platforms, such as submarines, were retired to reflect the reduced number of warheads.

Thus, in considering the costs of deciding to deploy a national missile defense system, we must add not only the $35-60 billion or more that it would cost to deploy it, but also the opportunity cost of billions of dollars every year of foregone savings from not being able to reduce our nuclear arsenal.

If Russia reverts to deploying multiple warhead missiles in response to our decision to deploy a national missile defense system, we may then feel that we must do the same—potentially creating a new arms race. The cost fighting the proliferation of nuclear weapons that could occur if the Nuclear Nonproliferation Treaty is undermined is incalculable.

Deciding today that it is our policy to deploy a national missile defense system is an expensive and bad idea that will lower, not improve our national security.

I yield the remainder of my time.

Ms. SNOWE. Mr. President, I rise in strong support of S. 257, the National Missile Defense Act of 1999. I am also honored to serve as an original cosponsor of this bill since it makes a straightforward but vital statement of policy regarding the core mission of the Defense Department to protect the United States from an accidental or deliberate ballistic missile attack.

Our bill this year, introduced on a bipartisan basis once again by the distinguished Senators from Mississippi and Hawaii, establishes a guideline without dictating its implementation. The so-called Cochran-Inouye measure simply urges the United States to deploy ''as soon as it is technologically possible'' a national missile defense system.

Why should Congress pass a sentence-long policy endorsing the deployment of national missile defenses? We float in an ocean of evidence that documents the emerging threat of a multistage ballistic missile attack against the United States.

Last summer, former Defense Secretary Donald Rumsfeld led a distinguished bipartisan panel in finding that North Korea and Iran, thanks to the support of Chinese and Russian technicians, could hit the far western territories of the United States with a multistage rocket by 2003. Iraq, the commission also informed us, could obtain this capability in a decade.

Several months before the completion of the Rumsfeld Report, the Air

Force released an updated ballistic missile threat assessment noting that the number of countries producing land-attack cruise missiles will increase from two to nine early in the next decade.

A 1995 National Intelligence Estimate cautioned that about 25 countries could threaten U.S. territory in less than 14 years if they acquired launch and satellite capabilities from the sky or seas.

Two years later, the CIA Director testified that Iran could have a medium-range ballistic missile by 2007. The following year, India and Pakistan exploded more powerful nuclear devices, and a North Korean multistage rocket soared over Japan.

The nonpartisan Congressional Research Service informs us that 21 countries overall possess or have ready access to chemical warheads. Another 10 nations harbor or seek inventories of biological weapons.

And among all of these states, only four lack the ballistic missiles to fire these terrifying munitions. Several more countries without weapons of mass destruction, such as Afghanistan, Algeria, Belarus, Bulgaria, Ukraine, and Yemen, nevertheless have the launchers to deliver them far beyond their borders.

Senators COCHRAN and INOUYE wisely recognize this real and expanding security threat while leaving the scientific and budgetary issues involved with the deployment of missile defensive hardware to the technicians of the Pentagon who have devoted their careers to this cause.

But the Congress as a whole must take responsibility for framing priorities of policy, and no priority could loom larger than the protection of our homeland. And on this fundamental front, supporters of the Cochran-Inouye bill have extensive reinforcements.

The first reinforcement comes from the President of the United States. A 1994 Executive order declared that nuclear, biological, and chemical weapons proliferation poses an ''unusual and extraordinary threat'' to our national security.

Another reinforcement comes from the President's deputies. Echoing the main theme of a bill still opposed by the administration, General Joseph Ralston told the Senate Armed Services Committee last summer that the Pentagon would field a national missile defense system as soon as ''technologically practical.''

In this fiscal year 2000 budget submission statement increasing missile defense accounts by $6.6 billion over 5 years, Secretary Cohen concluded that such programs remained ''critical to a broader strategy seeking to prevent, reduce, deter, and defend against weapons of mass destruction.''

If the Secretary of Defense tells Congress that curbing the capacity of rogue governments to assault the United States is a ''broad'' security ''strategy,'' who can doubt that the administration already has a policy of making a missile defense system operational sooner rather than later?

While this evidence of proliferation mounts by the month, our colleagues from the minority have blocked the Senate from exercising its majority will on the pending legislation because they believe that it would undermine the 1972 Anti-Ballistic Missile (ABM) Treaty between the United States and the Soviet Union.

But this bill addresses the prospect of a destructive weapons attack at any time of any intensity from any source. It primarily reflects the Second and Third World missile launch capabilities of tomorrow, not just the cold war arsenals of yesterday.

These capabilities also do not always discriminate on the basis of nationality. Russia, just as unpredictably as America, could one day fall under the threat of attack from a rogue state.

So instead of rejecting a fundamental statement of national defense, we should modernize the ABM Treaty in partnership with Moscow to ensure that both countries enjoy adequate protection against an accidental or deliberate ballistic missile strike.

As the President's Acting Under Secretary of State for Arms Control told a Senate Governmental Affairs Subcommittee nearly 2 years ago, ''the determinant of our national missile defense program . . . is going to be what the threat requires.'' And the Threat, Mr. President, requires both the United States and Russia to prepare workable defensive networks.

At the same time that we build safeguards against attack, we must support the thirty-year negotiating process, pursued by administrations of both parties, of reducing and eliminating the prime agents of attack: long-range nuclear weapons.

For this reason, I was pleased to join Senator LANDRIEU in sponsoring an amendment to S. 257 reinforcing the United States arms control process with Russia. Despite Moscow's economic difficulties, a demoralized Russian Strategic Rocket Forces Command still maintains thousands of nuclear warheads subject to an accidental launch and the black markets of the Third World.

Our amendment, endorsed on a roll-call vote by 99 Senators, simply reaffirms the ''policy of the United States to seek continued negotiated reductions in Russian nuclear forces.''

As a result, S. 257 now provides America with the best defense: a twin policy to deflect a short-notice missile strike against our homeland and to redouble our efforts at reducing the size and lethality of the world's two largest nuclear arms inventories.

Finally, Mr. President, I want to highlight the relationship between an affordable and robust national missile defense system and our military modernization agenda.

We pursue modernization to harmonize technology development with anticipated security threats. Missile defense programs embody this process since the president and his experts have diagnosed an evolving but real threat in ballistic arms proliferation.

Modernization objectives require us to build new systems against a new ballistic missile threat that is less graphic than the one posed by the Soviet Union, but just as menacing to our strategic interests and economic vitality.

In this light, Mr. President, a national missile defense system will bring the United States to the threshold of defense modernization. The Cochran-Inouye bill fully acknowledges that the architecture, components, and the budget for this program, like any other one scrutinized by Congress, must pass the test of practicality without jeopardizing other important priorities such as the Pentagon's planned increase in procurement spending to $60 billion by 2001.

Beyond this responsibility, however, we have the obligation to reconcile public policy with the evidence of arms proliferation.

Let's listen to the president, his analysts, his Defense Secretary, and his scientists.

Let's awaken to an uncertain world rumbling with launchers, warheads, and satellites whose range and power grow by the year.

And let's understand that the treaties of yesterday fail to help us shield the country against the potential attacks of tomorrow.

The statement of policy proposed by the Cochran-Inouye bill would represent a compelling step by Congress to counter the growing ballistic missile threat to America's most precious assets: her land and her people. I therefore urge all of my colleagues to vote in favor of the National Missile Defense Act of 1999.

Ms. LANDRIEU. Mr. President, the need for a national missile defense system is real. The North Korean Taepo Dong tests, the Iranian Shahab III project and the uncertainty resulting from unexpected nuclear tests in India and Pakistan underscore the palpable threat that we now confront. Today, we signify that the United States has no intention to allow its foreign and national security policies to be held hostage to weapons of terror. In this sense, this bill will provide a real incentive against nuclear proliferation. By embracing a system of counter-measures that will grow progressively stronger in the next century, we tell the North Koreans, the Iranians and any other country thinking of threatening this nation with ballistic missiles, that those efforts will fail. They may as well spend their modest resources on something constructive for their people, because the United States intends to commit whatever resources necessary to ensure our security. That we will be able to send this message with bipartisan resolve, makes it that much stronger.

I would also like to thank my colleagues Senators LEVIN and COCHRAN for providing their leadership, guidance and wisdom on this issue. It was their flexibility and negotiation that made yesterday's amendment possible. The amendment that we adopted by a vote of 99 to nothing shows the consensus that this body shares regarding the importance of nuclear arms control. By setting deployment of a limited national missile defense and future reductions of nuclear stockpiles on equal footing, this legislation emphasizes the complimentary nature of those two key national security concerns. They are equally important, and we cannot lose site of one for the other.

Finally, I think the compromise we have reached will signal to our Russian partners that we are serious about maintaining the progress that we have achieved. A limited national missile defense is not a threat to Russia, I would not support such an act. Instead this bill helps move both countries beyond cold war thinking. It should hearten the Russian Government to know that we will deploy a missile defense system which preserves the Russian nuclear deterrent. Again, it demonstrates how far our countries have come. It is concrete evidence that we have moved beyond a national security policy centered on containing Russian influence and countering every Russian capability.

Mr. President, I am very proud of this legislation and proud of this institution. I hope that we will use the momentum gained here for further bipartisan efforts to address serious threats to our national security.

Mr. President, I thank my ranking member, Senator LEVIN, and our sponsor, Senator COCHRAN, and my colleague, Senator SNOWE for working through this important piece of legislation.

Thank you, Mr. President.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER (Mr. BUNNING). The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I understand from both sides that those who are listed under the order to permit them to offer amendments do not intend to offer the amendments, and I know of no other Senators who are seeking recognition. I would suggest that we have come to the time when we could have third reading of the bill.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. COCHRAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. ASHCROFT). The bill having been read the third time, the question is, Shall the bill pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 97, nays 3, as follows:

[Rollcall Vote No. 51 Leg.]

YEAS—97

Abraham	Feingold	Mack
Akaka	Feinstein	McCain
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Mikulski
Baucus	Gorton	Moynihan
Bayh	Graham	Murkowski
Bennett	Gramm	Murray
Biden	Grams	Nickles
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Robb
Breaux	Harkin	Roberts
Brownback	Hatch	Rockefeller
Bryan	Helms	Roth
Bunning	Hollings	Santorum
Burns	Hutchinson	Sarbanes
Byrd	Hutchison	Schumer
Campbell	Inhofe	Sessions
Chafee	Inouye	Shelby
Cleland	Jeffords	Smith (NH)
Cochran	Johnson	Smith (OR)
Collins	Kennedy	Snowe
Conrad	Kerrey	Specter
Coverdell	Kerry	Stevens
Craig	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Thurmond
DeWine	Lautenberg	Torricelli
Dodd	Levin	Voinovich
Domenici	Lieberman	Warner
Dorgan	Lincoln	Wyden
Edwards	Lott	
Enzi	Lugar	

NAYS—3

Durbin	Leahy	Wellstone

The bill (S. 257), as amended, was passed, as follows:

S. 257

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Missile Defense Act of 1999''.

SEC. 2. NATIONAL MISSILE DEFENSE POLICY.

It is the policy of the United States to deploy as soon as is technologically possible an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack (whether accidental, unauthorized, or deliberate) with funding subject to the annual authorization of appropriations and the annual appropriation of funds for National Missile Defense.

SEC. 3. POLICY ON REDUCTION OF RUSSIAN NUCLEAR FORCES.

It is the policy of the United States to seek continued negotiated reductions in Russian nuclear forces.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I have an amendment at the desk to the title of the bill and I ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

Amend the title to read as follows: ''The Cochran-Inouye National Missile Defense Act of 1999''.

The PRESIDING OFFICER. The question occurs on agreeing to the amendment to amend the title.

The amendment was agreed to.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator for that kind gesture and express again my appreciation for his assistance in the development of the legislation and the passage of this bill.

By this vote, the Senate has done what has never been done before. It has passed legislation making it the policy of the United States to deploy a national missile defense system capable against rogue-state threats as soon as the technology to do so is ready.

By this action, the Senate has sent an unmistakable message around the world:

To rogue states, that America will marshal its technological resources and refuse to be vulnerable to their ballistic missile threats of coercion;

To our allies, that the United States will continue to be a reliable alliance partner;

To other nations, that no country will have any form of veto over America protecting its security interests;

To those working on the development of a national missile defense, that their work is valued and the system will be deployed just as soon as it is ready to protect America;

And most of all, to the American people, who will no longer have cause to wonder if their Government intends to fulfill its most fundamental responsibility.

In my opening statement I said we have heard many statements that have been made to reassure us about the willingness of the United States to defend itself. But there is always an ''if'' attached—if the threat appears, if we can afford it, if other nations give us their permission. By our actions today, we have removed what Winston Churchill called ''the terrible ifs.''

Without doubt, there will be other challenges ahead for national missile defense. There will be test failures as well as successes, but we will not be deterred from continuing to test until we develop a system that works.

There will be discussions with other nations on arms control issues. But now these discussions will not begin with the question of whether America will protect itself. By this vote we have taken the necessary first step to protecting the United States from long-range ballistic missile attack.

I thank the distinguished Senator from Michigan, Mr. LEVIN, the ranking minority member on the Armed Services Committee, for his cooperation as floor manager for the minority. I also thank all Senators who came to the floor to speak on the bill, and especially those Senators who cosponsored the bill. And finally, I thank my staff members, Mitch Kugler and Dennis Ward, whose excellent assistance to me

and other supporters of this legislation has been very helpful indeed.

Mr. President, I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I ask unanimous consent that I may speak out of order for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

HAPPY BIRTHDAY TO SENATOR DANIEL PATRICK MOYNIHAN

Mr. BYRD. Mr. President, today we celebrate the life of the patron saint of Ireland known popularly as Saint Patrick. Saint Patrick's given name was actually Maewyn and he was born in Wales about 385 A.D. Many of us, whether we have a drop of bonafide Irish blood or not, will have donned something green today, in honor of the great spirit and rich traditions of the Irish people, and of their substantial contributions in all walks of life to this, their adopted homeland.

Right here in the Senate we can see the brilliant legacy of the Irish gene pool personified in the physical presence of some of our most outstanding Members.

I note that one of these sons of Ireland celebrated his 72nd birthday on yesterday—merely a young lad in my eyes. That illustrious son of Ireland is none other than the Honorable DANIEL PATRICK MOYNIHAN. Although I am honored to wish this amazing gentleman the happiest of birthdays, my heart hangs heavy with the knowledge that all too soon this incredible man will be leaving this body. He has announced his retirement from the United States Senate, commencing with the end of this Congress.

In this coming year, we will celebrate his life and his achievements, but I cannot emphasize enough what a loss this body will have suffered when the senior Senator from New York, Mr. MOYNIHAN, no longer graces this Chamber. He is, quite literally, irreplaceable.

PAT MOYNIHAN is, in every sense of the word, a giant. He has written more books than most of us have read. Often his observations have been astoundingly prophetic. From his towering intellect, to his wry wit, to the breadth of his experience in governing, to his contributions to his country, and to the world, Senator MOYNIHAN is almost without parallel in our times. He is that rare commodity to which superlatives may be applied without hesitation, and in complete honesty. Time will only enhance his legacy and his reputation.

When my own time comes to leave this august body or even to leave this beautiful blue sphere we call the great, good earth, I will count among my proudest, most important and enjoyable experiences, that of having served with the gentleman from New York.

So today, on St. Patrick's Day, I thank his ancestral nation for sending this phenomenal gentleman to us, and I congratulate DANIEL PATRICK MOYNIHAN for a life of excellence. What pride we have in him as one of our own, what pride, indeed.

I yield the floor and 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. 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.

INTERIM FEDERAL AVIATION ADMINISTRATION REAUTHORIZATION ACT

Mr. McCAIN. Mr. President, we are seeking a UC, which I expect to get sometime relatively soon—at least I hope so. If not, we will have just had a good discussion. But I think we are fairly near to making sure that it is agreeable to all Senators.

In the meantime, the Senator from Virginia is missing a very important hearing that concerns some China issues. I would like to have him recognized at this time since he has to leave the floor.

The issue is a short-term extension of 60 days of the FAA authorization, with two amendments. We are awaiting approval from the other side of the aisle before we proceed.

I yield the floor so that the Senator from Virginia can speak.

Mr. WARNER. Mr. President, I thank my colleague.

Mr. President, Senator McCAIN and I met with the majority leader, Senator LOTT, in the past day or so to discuss the bills relating to the Nation's airports. I specifically in each of these meetings raised those pieces of legislation that pertain specifically to National and Dulles Airports. The Senator and I have worked together for decades. We are old shipmates in some respects; slight difference in time, but, nevertheless, shipmates. We have our differences.

The purpose of this legislation today is to enable, at the request of the majority leader, a short-term, 60-day measure to go forth to extend existing legislation. But I have filed two bills with the Senate. I am going to ask now that the second bill be made a part of this extension of 60 days.

There are approximately some $200 million currently in escrow for the combined reconstruction programs at National and Dulles Airports. That sum is yet to be disbursed. I am working to get it disbursed.

So, for the moment, Senator McCAIN and I have agreed, together with Senator LOTT, that $30 million of that fund can now be released subject to adoption by the Senate of this legislation, and, of course, with the concurrence in the House; but can be released to begin some very needed projects at these airports.

Mr. President, I am going to depart the floor. I have to go to the Senate Intelligence Committee. Senator McCAIN will put this amendment in on my behalf. I think he is going to be a cosponsor on it. But essentially we are making some progress towards the release of these funds.

I thank the distinguished chairman and my good friend.

I will enter no objection to the 60-day legislation going forward.

I thank the Chair.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER (Mr. ENZI). The Senator from Arizona.

Mr. McCAIN. Mr. President, as the Senator from Virginia leaves the floor, I will support his amendment, which allows the Metropolitan Washington Airports Authority to collection $30 million of the PFC charge and Airport Improvement Funding Program to complete projects at the Reagan National and Dulles Airports. Full funding for those projects has been delayed until we are able to put in place our corresponding agreement on the reauthorization of the FAA.

Mr. President, I have no desire to hold up progress at either airport. I will be proposing, if we get agreement from the other side, the amendment on behalf of Senator WARNER. We have reached an agreement.

I thank the Senator.

Mr. WARNER. Mr. President, I thank my colleague.

I think it would be wise, I say to our distinguished chairman of the Commerce Committee, to advise the Senate with regard to the discussions he has had with me and others as to the future timing of the major piece of legislation in which I have another very specific interest.

Mr. McCAIN. Mr. President, I believe that we should be able to pass this FAA reauthorization in its entirety very quickly through the floor of the Senate. We spent 2 weeks on it last year. This bill is fundamentally the same as it was last year. I am hopeful that the majority leader will seize the time after the recess to spend a day or so on it.

I would like to remind my colleague from Virginia that we reached an agreement on flights from Reagan National, Chicago O'Hare, Kennedy, and LaGuardia, the slot-controlled airports last year. And also we had agreement on the perimeter rule.

It is not that we can't reach agreement, because we already did. It appears to me that, with the agreement of the majority leader, sometime well within the next 30 days we should get this passed, because we would have to go to conference with the House. As you know, the House bill may contain some rather controversial provisions, including taking the entire aviation trust fund off budget, which is an issue which will be addressed, frankly, by the majority leader, and the chairman of the Budget Committee and others, because it is one that transcends aviation itself.

I thank the Senator.

Mr. WARNER. Mr. President, on that point, when the major piece of legislation comes up, as I advised the majority leader himself, I will likely have further amendments to that piece of legislation. We discussed that the other day.

I thank the Chair. I yield the floor. I thank my colleague.

Mr. McCAIN. I thank the Senator from Virginia.

Mr. President, I want to support this proposal to reauthorize the aviation improvement fund for 2 additional months. The Aviation Improvement Program is the Federal program that provides much-needed grants to airports throughout the country. This program will expire on March 31, unless Congress takes some type of action to keep the program going.

I remind my colleagues that the majority leader has scheduled to take up the budget all of next week, and it is my understanding that there is a recess after that. So I think we would be well to get this 2-month extension passed today, if we could, since the other body will have to pass it as well. The only change that would be made would be, as we just discussed with the Senator from Virginia, that some of the money that is not being used at this time would proceed with projects at the Reagan National and Dulles Airports.

This two-month extension will give the Congress enough time to complete work on comprehensive aviation proposals that are working their way through each chamber. As my colleagues are aware, the Commerce Committee recently reported out S. 82, the Air Transportation Improvement Act. That bill includes numerous provisions that would help the federal government to maintain and improve the safety, security, and capacity of our nation's airports and airways. Furthermore, S. 82 would make great strides in enhancing competition in the airline industry—something that is much needed.

Mr. President, I want to point out again that one of the reasons why we should not have a lengthy extension reauthorization is that there are several provisions in the bill that directly affect airline safety. It is not in our interest not to have those provisions enacted into law, not to mention the compelling need that we have to modernize our air traffic control system.

I would prefer to have the Senate take up consideration of S. 82 rather than this short-term extension. But I understand that there is other important business pending before the Senate that prevents us from debating it at this time. Given these existing time constraints and the looming expiration of the AIP, there simply may not be enough time for both chambers to pass comprehensive aviation legislation. Therefore, this extension has become necessary.

Nevertheless, I look forward to bringing the complete reauthorization bill to the Senate floor for a full debate as soon as possible. Because S. 82 is very similar to the Federal Aviation Administration (FAA) reauthorization bill that passed the Senate last year by a vote of 92 to 1, I am confident that we will be able to move it swiftly soon after the Easter-Passover recess.

Despite the immediate need for this extension, the Senate and House are close to meeting our mutually shared goals of enacting significant legislation to improve the state of aviation in this country. A few weeks should give everyone more than enough time to complete this effort.

I would now like to outline what is contained in this short-term extension of the AIP. Most important, it would allow the FAA to continue supporting important safety and capacity projects at hundreds of airports around the nation. It also includes several technical amendments requested by the FAA to ensure that the program can be properly managed until we have the opportunity to reauthorize it on a multi-year basis. Authorizations would also be provided for the FAA's Operations account and its Facilities and Equipment programs through the end of this fiscal year.

In addition, this proposal would extend the Aviation Insurance Program, which is commonly known as war risk insurance. This program provides insurance for commercial aircraft that are operating in high risk areas, such as countries at war or on the verge of war. Commercial insurers usually will not provide coverage for such operation, which are often required to further U.S. foreign policy or national security policy.

This short-term extension would also correct a technical oversight related to the Military Airport Program, which provides grants for the conversion of military aviation facilities to civilian use. When the AIP was extended for six months in last year's omnibus appropriations bill, the MAP was not specifically reauthorized. Consequently, the program is not currently eligible to receive funds. This extension would remedy the situation.

I also want to express my appreciation to Majority Leader LOTT and the leadership of the Appropriations Committee for allowing this AIP extension to move through the Senate so quickly.

I know the Senate schedule is quite full. I strongly urge my colleagues to support this 2-month extension of the AIP. It will give us sufficient time to fulfill our larger responsibility to enact substantive aviation legislation. I think we owe it to the American people to keep aviation policy high on our list of national priorities.

Mr. President, I would like to address the amendment that I will offer on behalf of Senator WARNER, if we get agreement to move forward on this legislation.

I support his amendment, which is $30 million for the passenger, use of the passenger facility charge for the Airport Improvement program funding that is applied to complete projects at Reagan National and Dulles Airports. Full Federal funding for these projects will be delayed until we are able to put in place our corresponding agreement on new flights at Reagan National.

To his credit, my colleague from Virginia has demonstrated that certain capacity-related, perhaps safety-related projects at National and Dulles should not remain unfunded. I agree we should not allow our negotiations to get in the way of these improvements.

Mr. President, my new colleague from Illinois, Senator FITZGERALD, has been involved in this issue for some time. Senator FITZGERALD has previously represented a district in the Illinois State Legislature, the residents of which had a significant involvement in this issue. There are some complicated issues out in the State of Illinois concerning the need for or not the need for an additional airport in Illinois. That has somewhat complicated this issue as regards to Chicago O'Hare Airport.

I have had several meetings with Senator FITZGERALD.

Senator FITZGERALD is doing his utmost to see if we can't arrive at a reasonable resolution of this issue. I appreciate his immediate attention to this issue, and I am impressed with his in-depth knowledge of this important situation.

I look forward to working with him during the period, if we are able to pass it, of this 2-month extension.

I note that my friend from Virginia, Senator ROBB, is here. He and I have had a great deal of friendly combat on this issue, and I hope that Senator ROBB would agree to this 2-month extension so that we can continue this friendly but very spirited discussion that he and I have been having for several years. Since Senator ROBB has arrived in the Chamber, I will reserve the remainder of my remarks and yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Virginia.

Mr. ROBB. I thank the Chair. I thank my friend from Arizona. And he is, indeed, my friend. On most issues we are as one, particularly as it relates to our Nation's defense, and many other areas, sometimes taking on some tough issues.

This is one of those areas where we disagree. We have a fundamental disagreement with respect to the scope of the legislation that we passed some 13 years ago, and whether or not Congress should still have its hands in and control of the local regional airport authority. But I thank my friend from Arizona for not offering an amendment that I was told about an hour ago he was going to offer which would in effect have told the local airport authority not only that they could not have their nominees approved, that they had to have additional slots and change the perimeter, but tell them exactly how

to spend the money that they were going to get.

I thank my friend from Arizona for not doing that because that, frankly, would be an additional insult to the authority that Congress granted to the local authority some 13 years ago. We are going to have a significant discussion about the wisdom of Congress meddling in the local airport authority's jurisdiction to determine its own fate and make its own decisions with respect to the number of flights, the impact that the number of flights has on noise pollution, on safety, on the convenience of customers, and a number of other factors that are involved, and whether or not we ought to allow the two airports, working together, to work out a plan that helps both of them grow and both of them to serve the greater Metropolitan Washington area.

But for now, recognizing that there is a longstanding, legitimate need to release some of the airport improvement funds, I thank my friend from Arizona for at least allowing us to get what I understand—and I haven't still read the entire amendment—is about $30 million, which is $10 million more than we had a little while ago and with less strings attached. For increasing the number—it is not the $200 million that the airports are owed, but it is $30 million that will allow them to get started on much delayed, very important projects, particularly out at Dulles International—I thank my friend from Arizona for this modified amendment.

I join not only my friend from Arizona, but the distinguished senior Senator from Virginia and urge its passage as soon as it is the will of the Senate to do so. With that, Mr. President, I thank the Chair and, again, I thank my friend from Arizona. We will have more opportunity to discuss the full merits of this legislation at a later time.

Mr. McCAIN. Mr. President, I would like to say to my friend, Senator ROBB, that it shows I am just an easy mark and pushover; whatever the Senator from Virginia and the good folks out at the Metropolitan Washington Airports Authority want, I always try to do. I am sure the Senator is aware of that.

Seriously, I do look forward to this debate with Senator ROBB. We may never agree on it, because I know how strongly held his views are, and I believe he is reflecting the views of many of his constituents. But I do want to emphasize that the respectful level of debate, the friendship that exists between us, I think, has been important to me because this has been very emotional. My motives have been probably impugned more than in some years about why I support this legislation.

My friend from Virginia has never alleged anything but that we just have different views, and I am very appreciative of that. And I know that the other aspect of the approach of the Senator from Virginia is that he is willing, and has shown in the past an eagerness to debate the issue openly and fairly, taking whatever time is necessary, and then we put it to a vote of the Senate.

That is the way we should work around here, and that is the way, to my knowledge, the Senator from Virginia has always operated. So I thank the Senator from Virginia.

I yield for the Senator from Virginia.

Mr. ROBB addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, if I might respond to the Senator from Arizona, I thank him for his compliments. I do have enormous personal respect for him. It has not been personal. I disagree with him not on the basis of whatever motivation he has, but on the impact that it has on the regional authority that this institution authorized some 13 years ago and on which I worked during the end of my term as Governor with then former Governor Holton, then-Secretary of Transportation Elizabeth Dole, then-Senator WARNER, then other members of the local delegation, and others. But it is a merit-based discussion, and I do look forward to having that with Senator MCCAIN at the appropriate time. But for right now it is important to have the $30 million available to us.

Again, I thank my friend from Arizona.

With that, Mr. President, I yield the floor.

UNANIMOUS CONSENT AGREEMENT

Mr. McCAIN. I ask unanimous consent that it now be in order to proceed to the consideration of S. 643, which is at the desk. I further ask that it be considered under the following limitations: 30 minutes for debate on the bill equally divided in the usual form; the only first-degree amendment in order to the bill be an amendment by Senator WARNER regarding airport funding, and the debate on that amendment be limited to 30 minutes equally divided in the usual form; no other amendments or motions be in order to the bill. I further ask unanimous consent that following the disposition of the above-listed amendment, the bill be read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The clerk will report the bill.

The assistant legislative clerk read as follows:

A bill (S. 643) to authorize the Airport Improvement Program for 2 months, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 76

(Purpose: To release $30 million of the funds available to the Metropolitan Washington Airports Authority for passenger facility fee/airport development projects)

Mr. McCAIN. Mr. President, I made my remarks already about the necessity for this bill, so I would like to now send to the desk the amendment offered by Senator WARNER, for himself, and Mr. ROBB.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for Mr. WARNER, for himself, Mr. MCCAIN, and Mr. ROBB proposes an amendment numbered 76.

Mr. McCAIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill, add the following:

SEC. . RELEASE OF 10 PERCENT OF MWAA FUNDS.

(a) IN GENERAL.—Notwithstanding sections 49106(c)(6)(C) and 49108 of title 49, United States Code, the Secretary of Transportation may approve an application of the Metropolitan Washington Airports Authority (an application that is pending at the Department of transportation on March 17, 1999) for expenditure or obligation of up to $30,000,000 of the amount that otherwise would have been available to the Authority for passenger facility fee/airport development project grants under subchapter I of chapter 471 of such title.

(b) LIMITATION.—The Authority may not execute contracts, for applications approved under subsection (a), that obligate or expend amounts totalling more than the amount for which the Secretary may approve applications under that subsection, except to the extent that funding for amounts in excess of that amount are from other authority or sources.

Mr. McCAIN. Mr. President, rather than take up the time of the Senate on this amendment, I have described it, both Senators from Virginia have described it, so I note there is no further debate on the amendment.

The PRESIDING OFFICER. Is all time yielded back?

Mr. McCAIN. I yield the remainder of my time; on behalf of the other side, I yield the remainder of their time.

THE PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 76) was agreed to.

Mr. McCAIN. Mr. President, finally, I look forward to bringing forward the complete reauthorization bill to the Senate as soon as possible for debate. It is very similar to the FAA reauthorization bill that passed the Senate last year by a vote of 92 to 1. I am confident we will be able to move it soon after the Easter/Passover recess.

Mr. President, we are committed to getting this done. I will not reopen the debate with Senator ROBB, as I mentioned. But it was a Federal law that caused a situation where, according to the Department of Transportation, the General Accounting Office, and every other outside organization in this Nation that has observed this situation, they all agree that in the present situation, where the perimeter rule is in place and the slot rule is in place, there is a decrease in competition and higher air fares. That is indisputable. That is

indisputable: higher air fares, less competition.

We have had a tremendous increase in complaints by people from all over the country about the air service in America today. Many of those complaints are a direct result of a lack of competition, because the one thing we know, no matter where a service is provided, in what area of the public sector, if there is not competition, there is a commensurate decrease of service. That happens to prevail whether it be selling hamburgers or whether it be department stores or whether it be public transportation or the cable industry or any other. And when we have the deplorable conditions which have provoked an outcry all over America, which has then motivated Senator HOLLINGS, Senator WYDEN and me, with almost unanimous agreement from the entire Commerce Committee, to introduce a bill called the Passengers Protection Act, then it is clear there is something badly wrong with the service that is provided in America today.

You can trace it back to lack of competition. When you are the only game in town, you can give about whatever service you want to give. That is the case at National Airport, because there is no fear that there will be additional flights to compete with those that are flying out of National Airport. So I believe very strongly we need to lift this congressionally approved perimeter rule.

I will say, without referring to anything that has happened in the past, it is more than coincidental that it happens to reach the western edge of the runway at the Dallas-Fort Worth Airport. But I will not go into that debate and discussion at this time.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

UNANIMOUS-CONSENT AGREEMENT

Mr. McCAIN. Mr. President, to complete the unanimous-consent agreement, I ask consent that following the disposition of the amendment, that the bill be read a third time and the Senate proceed to a vote on passage of the bill with no intervening action or debate.

I finally ask consent that following that vote, the Senate proceed to the consideration of Calendar No. 15, H.R. 99, and all after the enacting clause be stricken and the text of S. 643, as amended, be inserted in lieu thereof, and the bill be read a third time and passed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question is on the bill.

Mr. McCAIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. McCAIN. Mr. President, I ask unanimous consent the vote take place at 4:15.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN. Mr. President, I yield the remainder of my time, and I yield the remainder of Senator HOLLINGS' time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. McCAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. THOMAS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ROCKEFELLER. 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. ROCKEFELLER. Mr. President, in the couple of moments remaining before the 4:15 vote, I rise in strong support of the 2-month extension of the Federal Aviation Administration's Airport Improvement Program. The AIP, as it is known, Airport Improvement Program, is absolutely basic to virtually all of our Nation's airports, and in rural States it is particularly important.

We were unable to complete our work on this last year for a variety of reasons that I am not going to dwell on, but I do want to emphasize how important it is that we pass this 2-month reauthorization extension.

Airports in West Virginia, South Dakota, I would presume Wyoming, and all other places are going to need this money in the planning of runway projects, in terms of resurfacing and repairing runways, infrastructure. And all of that is tremendously important.

I think people often tend to underestimate the power of the growth of the aviation industry and the enormous consequences that go along with that. We tend to think that it is a large industry, but we do not really know whether it is growing or not that much. It is one of the most dynamic. It is not up there quite with the Internet in its growth, but it is not that far behind. Americans are flying in absolute record numbers, and the growth in air traffic alone will be just under 4 percent for each of the next 12 years. People are getting on airplanes; 600 million people this year in this country. That is going to go up to 820 million in several years. When you get that kind of growth, you cannot just leave what you have been using in place unchanged and unrenovated. It has to be modern. It has to work. It has to be safe.

This year the FAA, and in particular its Airport Improvement Program, is being forced to do this kind of improvement work in a very piecemeal fashion. That is not good. That is not safe. It is not modern and, when you are playing around with the world of aviation, it is very, very unwise. The short-term extension is what we are doing, frankly, because that is the best we can do. It doesn't mean it is the best that we could do; it is the best that we can do. In Congress, sometimes, you have to do that.

I am very committed, as I know Chairman MCCAIN is, Senator HOLLINGS, and Senator GORTON, to enacting a full and comprehensive reauthorization of the FAA and airport improvement bill this year. That will come. There will be discussions and controversy, but that will come. We passed a bill out of the Commerce Committee, so we are on our way on that.

We have other things we have to look at. We have to look at the modernization of the FAA system itself, our air traffic control system. We happen to have an absolutely superb individual, Mr. President, running the FAA in the person of Jane Garvey—absolutely superb. In working with her, you can just see all kinds of good things happening. But we have to reauthorize so that we can get on to modernizing our air traffic control system, modernizing certain parts of the FAA itself, its institutional structure, and dealing with the whole question of how we allocate aviation dollars.

For the moment, what we need is what we have at hand, the pending measure, a 2-month extension of the reauthorization. I hope soon my colleagues will go along with that.

I thank my friend, the distinguished Presiding Officer. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the question is, Shall the bill, S. 643, as amended, pass? The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 52 Leg.]

YEAS—100

Abraham	Brownback	Craig
Akaka	Bryan	Crapo
Allard	Bunning	Daschle
Ashcroft	Burns	DeWine
Baucus	Byrd	Dodd
Bayh	Campbell	Domenici
Bennett	Chafee	Dorgan
Biden	Cleland	Durbin
Bingaman	Cochran	Edwards
Bond	Collins	Enzi
Boxer	Conrad	Feingold
Breaux	Coverdell	Feinstein

Fitzgerald	Kohl	Rockefeller
Frist	Kyl	Roth
Gorton	Landrieu	Santorum
Graham	Lautenberg	Sarbanes
Gramm	Leahy	Schumer
Grams	Levin	Sessions
Grassley	Lieberman	Shelby
Gregg	Lincoln	Smith (NH)
Hagel	Lott	Smith (OR)
Harkin	Lugar	Snowe
Hatch	Mack	Specter
Helms	McCain	Stevens
Hollings	McConnell	Thomas
Hutchinson	Mikulski	Thompson
Hutchison	Moynihan	Thurmond
Inhofe	Murkowski	Torricelli
Inouye	Murray	Voinovich
Jeffords	Nickles	Warner
Johnson	Reed	Wellstone
Kennedy	Reid	Wyden
Kerrey	Robb	
Kerry	Roberts	

The bill (S. 643), as amended, was passed, as follows:

S. 643

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Interim Federal Aviation Administration Authorization Act''.

SEC. 2. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 48103 of title 49, United States Code, is amended by striking from ''$1,205,000,000'' through the period and inserting ''$1,607,000,000 for the 8-month period beginning October 1, 1998.''.

(b) OBLIGATIONAL AUTHORITY.—Section 47104(c) of such title is amended by striking ''March'' and inserting ''May''.

(c) LIQUIDATION-OF-CONTRACT AUTHORIZATION.—The Department of Transportation and Related Agencies Appropriations Act, 1999 is amended by striking the last proviso under the heading ''Grants-in-Aid for Airports, (Liquidation of Contract Authorization), (Airport and Airway Trust Fund)'' and inserting ''*Provided further,* That not more than $1,300,000,000 of funds limited under this heading may be obligated before the enactment of a law extending contract authorization for the Grants-in-Aid for Airports Program beyond May 31, 1999.''.

SEC. 3. AIRWAY FACILITIES IMPROVEMENT PROGRAM.

Section 48101(a) of title 49, United States Code, is amended by adding at the end thereof the following:

''(3) $2,131,000,000 for fiscal year 1999.''.

SEC. 4. FAA OPERATIONS.

Section 106(k) of title 49, United States Code, is amended by striking from ''$5,158,000,000'' through the period and inserting ''$5,632,000,000 for fiscal year 1999.''.

SEC. 5. REMOVAL OF THE CAP ON DISCRETIONARY FUND.

Section 47115(g) is amended by striking paragraph (4).

SEC. 6. EXTENSION OF AVIATION INSURANCE PROGRAM.

Section 44310 of title 49, United States Code, is amended by striking ''March'' and inserting ''May''.

SEC. 7. MILITARY AIRPORT PROGRAM.

Section 124 of the Federal Aviation Reauthorization Act of 1996 is amended by striking subsection (d).

SEC. 8. DISCRETIONARY FUND DEFINITION.

(a) AMENDMENT OF SECTION 47115.—Section 47115 of title 49, United States Code, is amended—

(1) by striking ''25'' in subsection (a) and inserting ''12.5''; and

(2) by striking the second sentence in subsection (b).

(b) AMENDMENT OF SECTION 47116.—Section 47116 of such title is amended—

(1) by striking ''75'' in subsection (a) and inserting ''87.5'';

(2) by redesignating paragraphs (1) and (2) in subsection (b) as subparagraphs (A) and (B), respectively, and inserting before subparagraph (A), as so redesignated, the following:

''(1) one-seventh for grants for projects at small hub airports (as defined in section 41731 of this title); and

''(2) the remaining amounts based on the following:''.

SEC. 9. RELEASE OF 10 PERCENT OF MWAA FUNDS.

(a) IN GENERAL.—Notwithstanding sections 49106(c)(6)(C) and 49108 of title 49, United States Code, the Secretary of Transportation may approve an application of the Metropolitan Washington Airports Authority (an application that is pending at the Department of Transportation on March 17, 1999) for expenditure or obligation of up to $30,000,000 of the amount that otherwise would have been available to the Authority for passenger facility fee/airport development project grants under subchapter I of chapter 471 of such title.

(b) LIMITATION.—The Authority may not execute contracts, for applications approved under subsection (a), that obligate or expend amounts totalling more than the amount for which the Secretary may approve applications under that subsection, except to the extent that funding for amounts in excess of that amount are from other authority or sources.

The PRESIDING OFFICER. Under the previous order, H.R. 99 is amended by substituting the text of S. 643, is read a third time, and passed.

The bill (H.R. 99) as amended, was passed.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BAUCUS. 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. BAUCUS. Mr. President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHINA'S WTO ACCESSION AND THE VISIT OF PREMIER ZHU RONGJI

Mr. BAUCUS. Mr. President I rise to offer some thoughts on our relations with China, and in particular the prospects of China's WTO membership, as the visit of Premier Zhu Rongji to the United States next month approaches.

CONTEXT OF RELATIONSHIP

Let me begin, however, with some context.

During this decade, the Senate and the country as a whole has had an intense debate on China policy. Participants in this debate have taken radically different views on the prospects of our relationship, and on the trade, security and human rights policies we should adopt in it.

But virtually all participants have held one basic assumption: that is, that economic growth in China will inevitably continue at a very rapid rate for many years to come, and that consequently, China is a ''rising'' regional power which is likely to become a superpower economy and military power on a par with ourselves.

For some time I have been skeptical of this assumption. In the past year, as the Asian financial crisis has affected China more and more deeply, another possibility has become quite clear: China's immediate future may be one of protracted economic difficulties and social instability rather than unbroken ascendance.

Within the past year, China's growth appears to have dropped significantly. Foreign investment commitments have dropped. Signs of financial crisis have emerged in Guangdong Province. China's exports overall seem to have dropped due to the contraction of Asian economies.

And unemployment in cities has risen sharply.

This has coincided with growing strains in our relationship. A number of Chinese actions—notably arrests of a number of people associated with the Chinese Democracy Party, and a series of statements by Chinese officials about American research on theater missile defense—have raised a great deal of concern, and rightly so.

These have been combined with inflammatory reports in the press on clandestine Chinese efforts to gain access to American military technology, including nuclear weapons design.

U.S. RESPONSE

How do we respond?

First of all, we should not simply set these issues aside and we should not be intimidated. In our bilateral relationship, I do not, for example, agreed with those who say that spying—especially in areas as sensitive as nuclear technology—is a natural and tolerable activity by foreign governments and that the only fitting response is better security in the U.S. Spying is intolerable and a breech of national security of this magnitude deserves the most serious attention and swiftest of action.

And I do not agree with Chinese contentions that policies to defend American troops abroad, our treaty allies and our homeland from missile attack are destabilizing and provocative.

And with respect to Taiwan, our goal must always be prevention of conflict in the Strait, and the more China threatens Taiwan with missiles, the more Taiwan will need to provide for security against missiles.

Likewise, we should continue to develop our relationship with our Asian allies and the Pacific region generally.

Special priorities this year should be ratification of the newly developed defense guidelines in our alliance with Japan; passage of the legislation allowing joint military exercises with the Philippine Senate; conclusion of the negotiations toward a commercial

agreement and normal trade relations with Vietnam; and broader efforts toward economic recovery in Asia.

At the same time, however, we should avoid seeing the present strains in relations with China as signs of inevitable confrontation. They likely reflect growing fears of domestic unrest and loss of confidence in China's future strength, rather than an arrogance born of security and success.

And while we should be firm, we must also avoid being wilfully provocative or unwilling to seek out common interests.

U.S. INTERESTS IN WTO ACCESSION

That brings me to the largest single item of common interest on our agenda: China's potential accession to the WTO.

Such an accession would have immense potential benefits for both America and China.

From our perspective, it can create a more reciprocal trade relationship; promote the rule of law in China; and accelerate the long-term trend toward China's integration into the world economy and the Pacific region.

This integration is, we should always remember, immensely important to our long-term security interests.

To choose one example, twenty-five years ago China would likely have seen the Asian financial crisis as an opportunity to destabilize the governments of Southeast Asia, South Korea and perhaps even Japan. Today it sees the crisis as a threat to its own investment and export prospects and has thus contributed to IMF recovery packages and maintained currency stability.

Thus China's policy has paralleled and complemented our own; and as a result, the Asian financial crisis remains an economic and humanitarian issue rather than a political and security crisis.

From China's perspective, WTO entry has the long-term benefits of strengthening guarantees of Chinese access to foreign markets and promoting competition and reform in the domestic economy; and the short-term benefit of creating a new source of domestic and foreign investor confidence at a time of immense economic difficulty.

COMMERCIALLY MEANINGFUL ACCESSION ESSENTIAL

Neither of us, however, will win the full benefits of WTO accession unless the accession agreement is of commercially meaningful quality.

Thus Congress should be vigilant about the details of such an agreement. Broadly speaking, this means:

Significant tariff reductions and other measures to liberalize trade in goods;

Market access for agriculture, including the elimination of phony health barriers of Pacific Northwest wheat, citrus, meats and other products.

Liberalization of service sectors including distribution, telecommunications, finance, audiovisual and others;

This requires a lot from China. It is not entirely clear that China will make a commercially meaningful offer to us. and if they do not, we should be willing to wait rather than push forward with this accession.

ACCESSION MUST BE JUDGED ON TRADE POLICY MERITS

However, if they are ready to make such an offer, the United States should clearly be willing to say yes. That should include the permanent normal trade relations we offer virtually all WTO members.

Congress would, of course, have to vote on permanent normal trade relations. Because Congress already holds all the cards with respect to the Normal Trade Relations vote, I am concerned about proposals to create a second vote, which would delay accession by requiring a prior vote on admission. This raises a number of troubling questions.

First, I think we need to be prepared to move quickly if and when we get the desired commercially acceptable accession package—simply put, we must be prepared to strike when the iron is hot. Such an important step should not be hamstrung by requiring a separate vote by Congress.

Second, the proposal raises constitutional and precedential questions. Congress has not voted on any of the previous 100 GATT and WTP accessions since 1948, since WTO accessions are executive agreements which generally require no U.S. concessions.

But most important, a vote on WTO accession would more likely be a judgment on the immediate state of our overall relationship with China than on the trade policy details of the accession.

China's accession to the WTO is about whether China is ready to trade openly and fairly with the United States. Whether China will accept rule of law and abide by that rule of law.

In effect, we would likely hold a set of unilateral trade concessions by China to the United States hostage to every other concern we have about China—from human rights to security, environment, labor policies and much more. The likely result would be an immense loss to the United States. Therefore, I do not favor such a proposal and will oppose it on the floor.

CONCLUSION

In conclusion, Mr. President, China policy must not be considered simply in isolation.

Premier Zhu's visit offers us an immensely important opportunity, both to right the overall course of our relationship and to conclude the specific talks over WTO membership for China on the right, commercially meaningful basis. I welcome this and hope our colleagues will do the same.

But this relationship is only one piece—important, but only one piece—in our broader relationship with the Pacific region and our Asian allies.

If we are to develop these other relationships carefully; if we are firm with China when necessary but also willing to seek out areas of common interest; if we react to difficult periods with confidence in our own strength and commitment to our own interests, we can expect a very good future.

I am fully confident that this is what we will do because we have some very important opportunities here to be sure to secure that relationship.

I thank the Chair and I yield the floor.

UNANIMOUS-CONSENT AGREEMENT—S. 544

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now turn to Calendar No. 28, S. 544, the supplemental appropriations bill, and the only tobacco amendments be relative to the Medicaid tobacco recoupment provision.

I further ask that Senator SPECTER be recognized to offer an earmarking amendment, that all debate conclude on the amendment this evening, with the exception of 90 minutes to be equally divided, and the Senate resume the amendment on Thursday at 9:30. I further ask that the vote occur on or in relation to the earmarking amendment at 11 a.m. on Thursday and that no further amendments be in order prior to that 11 a.m. vote.

I further ask that following that vote Senator HUTCHISON of Texas be recognized to offer her amendment relative to Kosovo.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. In light of that agreement, there will be no further votes this evening. However, Senators will be reminded that the next vote will occur at 11 a.m. on Thursday.

I thank the chairman of the committee, the managers of the bill, and the Senator from West Virginia for being ready to go, on relatively short notice, on this important matter.

I yield the floor, Mr. President.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR FISCAL YEAR 1999

Mr. STEVENS. Mr. President, is the supplemental bill before the Senate?

The PRESIDING OFFICER. The clerk will report the bill.

The legislative clerk read as follows:

A bill (S. 544) making emergency supplemental appropriations and rescissions for recovery from natural disasters, and foreign assistance, for the fiscal year ending September 30, 1999, and for other purposes.

The Senate proceeded to consider the bill.

Mr. STEVENS. Mr. President, this afternoon the Senate will consider a supplemental appropriations bill that includes both emergency and nonemergency spending for the fiscal year.

Over the past 3 months, the Office of Management and Budget has transmitted to Congress several supplemental budget requests, totaling $2 billion.

These requests seek funding for agricultural relief, implementation of the Wye River Accords and recovery in Central America from the damage caused by Hurricane Mitch.

Each of the subcommittees has examined the requests under their jurisdiction, and closely reviewed other emergent agency needs.

In addition, the administration proposed deep cuts in defense funds to offset additional foreign assistance sought for Jordan, Israel and the Palestinian Authority.

This proposed offset re-opened issues settled in the omnibus bill in October, and violated the spirit of the firewalls that govern discretionary spending for fiscal year 1999.

In total, the bill reported by the committee provides $1.538 billion in emergency appropriations and $332 million in non-emergency appropriations.

These new appropriations are matched by $1.87 billion in rescissions and program deferrals.

The recommendations made by the committee nearly double the administration's request for agricultural relief, providing a total of $285 million.

That bill proposes $100 million in funding this year for Jordan, to provide additional support for a vital ally during a period of transition and tension in the region.

The deferral of the remaining $800 million in funding to implement the Wye agreements does not reflect opposition to that request.

After consultation with the administration, it was determined that those amounts can await consideration later this year. This committee has a long record of support for the Middle East Peace Process—our friends in the region know they can count on us.

The amounts requested for Hurricane Mitch relief respond to the truly desperate conditions facing our neighbors in Central America.

The Department of Defense, and the U.S. Southern Command, led by Gen. Charles Wilhelm, deserve great credit for their efforts to respond to the immediate crisis late last year.

We must backfill the amounts spent by the Department to ensure our ability to respond to future crises is not diminished—especially in respect to drawdown authorities and overseas humanitarian assistance.

In addition, we must address the needs of our friends in Honduras, Guatemala, El Salvador, Nicaragua, and the Dominican Republic to rebuild from this disaster. These funds provide a good first step in that effort.

Recognizing the considerable amount of emergency spending provided in the omnibus bill in October, I recommended that all new appropriations in this bill be offset by rescissions of other available funds.

These rescissions include defense and non-defense discretionary appropriations, mandatory appropriations, emergency appropriations and funding deferrals.

There were very few good choices to consider. I'm sure every Member here might have assembled a different mix of offsets.

These rescissions, totaling $1.868 billion, reflect an effort to balance competing needs.

Only defense funds were rescinded to offset defense spending, and only non-defense amounts to balance the non-defense spending.

Some of these will be controversial, but our intention is to reduce only funds that are not likely to be obligated this year, or are of a low priority.

We are at or over the budget caps for 1999. We have no headroom or flexibility to make any non-emergency appropriation unless it is fully offset in both budget authority and outlays.

For that reason, any amendment to this bill must be accompanied by offsets. I must insist that even emergency spending amendments be accompanied by budget authority offsets.

Finally, many Members have raised various legislative amendments this week.

I hope that controversial amendments can again be deferred. Every Member has a right to propose amendments, but this is a supplemental appropriations bill, and deals with some very real emergency needs.

In my judgment, we need to complete final action and try to send this bill to the President before the Easter recess which commences a week from tomorrow. I believe we must pass the bill in the Senate this week to meet that schedule.

Mr. President, compared to previous emergency supplemental appropriations bills presented to this body, this bill does not respond to the kind of domestic disasters we faced in 1997 or 1998.

This is a modest bill, that is fully offset in terms of new budget authority.

It extends an important hand of friendship and support to our neighbors in Central America, and a closer partner in the Middle East Peace Process, Jordan.

Mr. President, it is our goal to complete this bill by Friday, no later than 11 a.m.

I yield for my good friend from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, S. 544, the Emergency Supplemental Appropriations and Rescissions Bill for Fiscal Year 1999, as reported by the committee, recommends appropriations which total some $1.9 billion, of which approximately $1.6 billion is designated as emergency spending pursuant to Section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Very importantly, in Title I of the bill, the Committee unanimously approved provisions that I included to establish the Emergency Steel Loan Guarantee Program. This initiative is designed to respond to record levels of foreign steel imports that have been illegally dumped in U.S. markets. As a result of these imports, more than 10,000 American jobs have been lost, and the United Steelworkers of America estimates that another 100,000 jobs are in peril nationwide. In my home state of West Virginia, nearly 800 men and women have been laid off from Weirton Steel. Three domestic producers have already filed for bankruptcy, and others are in dire financial straits.

If the U.S. steel industry goes under, not only will there be lost jobs, but there will also be lost communities; the domestic industrial base that underpins our security will be irreparably weakened; and the nation's defense readiness will be diminished.

This initiative, cosponsored in Committee by Senators SPECTER, DURBIN, SHELBY, and HOLLINGS, would create a revolving fund to give domestic steelmakers a sorely needed infusion of capital. The program, which is fully compliant with international trade laws, would give cash-strapped companies access to the funding they may need to keep their furnaces burning and keep workers on the job until proper trade mechanisms can be implemented to end this crisis. The loan guarantees would help to bolster the financial security of a threatened industry that is critical to this nation's economic base and domestic security.

Specifically, the guaranteed loan program would provide qualified U.S. steel producers with access to a two-year, $1 billion revolving guaranteed loan fund. The minimum loan that would be guaranteed for a single company at any one time would be $25 million, and the aggregate amount of loans that would be guaranteed for a single company over the duration of the program would be $250 million. A board, to be chaired by the Secretary of Commerce, would oversee the program and would have flexibility to determine the specific requirements for awarding the guaranteed loans. The Act protects taxpayers by requiring that a reasonable assurance for the repayment of the loans exists, and that the loans would bear market interest rates.

Finally, in Title I, the committee increased FEMA's emergency disaster assistance funding by $313.6 million, while at the same time reducing a like amount from HUD's Community Development Block Grant emergency funding. The VA/HUD Subcommittee was concerned over HUD's failure to implement an effective emergency disaster relief program. The committee felt that FEMA could more appropriately respond to unmet disaster needs throughout the nation.

Title II of the bill contains a number of appropriations for regular supplemental budget requests of the administration, including: NOAA operations research and facilities activities, $3,900,000; Salaries and Expenses of the

Supreme Court, $921,000; Bureau of Indian Affairs, $1,136,000; Office of the Special Trustee for American Indians, $6,800,000; Corporation for Public Broadcasting, $18,000,000; and Military Construction for the Army National Guard, $11,300,000.

For each of these regular supplementals, offsets have been included in the bill.

Title II also provides non-emergency supplemental appropriations of $210 million for the Department of Defense to reimburse the DOD for its assistance in Central America, as well as $80 million in non-emergency appropriations for the salaries and expenses of the Immigration and Naturalization Service to cover increased costs of handling the large influx of aliens from Central American countries. Both of these items have been requested by the administration as emergency spending, but the Defense and Commerce/Justice/State Subcommittees chose to fully offset these appropriations and to include them in Title II as non-emergency spending.

I note that Title II also contains a number of general provisions, one of which, Section 2008, extends the Airport Improvement Program which under present law, would expire on March 31, 1999. Additionally, section 2011, is a general provision which prohibits the Federal Government from recouping any of the savings to the Medicaid program achieved by the States as a result of their tobacco settlements.

Title III of the bill contains rescissions sufficient to offset all of the emergency appropriations contained in the bill. It is my personal view that emergency spending for natural disasters and for unanticipated military spending, such as the operations in Desert Fox and Kosovo, as well as the military's assistance to the disaster victims in Central America need not be offset. In fact, I participated in the creation of the provisions in the Balanced Budget and Emergency Deficit Control Act, which allow emergency spending to be provided in order to respond to natural disasters and other types of emergencies without having to come up with offsets to pay for those unpredictable events. The emergency designation was negotiated as part of the Budget Enforcement Act of 1990, in large part because the discretionary budget caps established there, and which have remained in place each year since, are very tight. I have never felt that the American people should be required to pay for spending which appropriately qualifies as emergency relief under that Budget Enforcement Act. If that is to be the case, we need not have gone to the trouble of adopting the emergency provisions I have just described.

Regarding the specific rescissions proposed in Title III of the bill now before the Senate, I know that a number of Senators have concerns about one or the other of those rescissions. I am certain that the concerns of those Senators will be expressed as the Senate progresses with this bill.

I urge my colleagues to help the managers of the bill, the distinguished chairman, Senator STEVENS, and myself, in expediting completion of Senate action in time to meet with the other body and complete conference action on the bill prior to the upcoming Easter recess.

I especially commend the work of the distinguished chairman of the Appropriations Committee, Mr. STEVENS. For many years, I have worked with the Senator from Alaska. I have always found him to be evenhanded, courteous, congenial, cooperative, and very able in handling the difficult legislation on the floor, in committee and in conference. He is my friend, has been my friend through the years, and will always be my friend. I consider it a great privilege and a honor, indeed, to be able to stand by his side and express support for this legislation. I count it a privilege to work with him. He is one of the finest Senators with whom I have ever had the pleasure of serving. I have served with almost 300 Senators in my time here. I say that without any reservations. I salute him, believe in him, trust him, and can count him not only as my friend but as a very fine Senator. The people of Alaska are to be commended for sending him here and sending him back repeatedly.

The assistance provided in this bill to the people of this country, as well as those in Central America, is desperately needed.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I say to my friend, I was looking around to see who he was talking about when he was talking about that kind, benevolent and calm fellow, but I do thank you for your courtesy and kindness. It is a pleasure to work with you. Mr. President, I studied under Senator BYRD so long I think I imitate his ways. I have tried to anyway.

Mr. President, it is now time to have an amendment offered by the Senator from Pennsylvania, Mr. SPECTER. It is my hope, and I want to announce to the Senate it is my hope, we will get an agreement tomorrow that will require amendments to this bill to be filed no later than 5 o'clock. We don't have that agreement yet. It has not been cleared. But if we are to finish this bill and get it ready to go immediately to the House after the House passes their bill on Monday, it will be necessary to complete this bill on Friday. I am hopeful we will complete it in time to allow those people who have to catch planes to go West, so they can make their schedules.

I yield to the Senator from Pennsylvania. There is a time agreement for tomorrow on this amendment, is my understanding, but there is no time limit this evening. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

The Senator from Pennsylvania.

AMENDMENT NO. 77

(Purpose: To permit the Secretary of Health and Human Services to waive recoupment of Federal government medicaid claims to tobacco-related State settlements if a State uses a portion of those funds for programs to reduce the use of tobacco products, to improve the public health, and to assist in the economic diversification of tobacco farming communities)

Mr. SPECTER. Mr. President, I send an amendment to the desk on behalf of myself, Senator HARKIN, Senator JEFFORDS, and Senator KENNEDY, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER], for himself, Mr. HARKIN, Mr. JEFFORDS, and Mr. KENNEDY, proposes an amendment numbered 77.

Mr. SPECTER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Beginning on page 35, strike line 13 and all that follows through line 24 on page 36 and insert the following:

SEC. 2011. WAIVER OF RECOUPMENT OF MEDICAID TOBACCO-RELATED RECOVERIES IF RECOVERIES USED TO REDUCE SMOKING AND ASSIST IN ECONOMIC DIVERSIFICATION OF TOBACCO FARMING COMMUNITIES. (a) FINDINGS.—Congress makes the following findings:

(1) Tobacco products are the foremost preventable health problem facing America today. More than 400,000 individuals die each year as a result of tobacco-induced illness and conditions.

(2) Each day 3,000 young individuals become regular smokers. Of these children, 1,000 will die prematurely from a tobacco-related disease.

(3) Medicaid is a joint Federal-State partnership designed to provide to provide health care to citizens with low-income.

(4) On average, the Federal Government pays 57 percent of the costs of the medicaid program and no State must pay more than 50 percent of the cost of the program in that State.

(5) The comprehensive settlement of November 1998 between manufacturers of tobacco products and States, and the individual State settlements reached with such manufacturers, include claims arising out of the medicaid program.

(6) As a matter of law, the Federal Government is not permitted to act as a plaintiff in medicaid recoupment cases.

(7) Section 1903(d) of the Social Security Act (42 U.S.C. 1396b(d)) specifically requires that the State reimburse the Federal Government for its pro rata share of medicaid-related expenses that are recovered from liability cases involving third parties.

(8) In the comprehensive tobacco settlement, the tobacco companies were released from all relevant claims that can be made against them subsequently by the States, thereby effectively precluding the Federal Government from recovering its share of medicaid claims in the future through the established statutory mechanism.

(9) The Federal Government has both the right and responsibility to ensure that the Federal share of the comprehensive tobacco settlement is used to reduce youth smoking, to improve the public health, and to assist in the economic diversification of tobacco farming communities.

(b) AMENDMENT TO SOCIAL SECURITY ACT.—Section 1903(d)(3) of the Social Security Act (42 U.S.C. 1396b(d)(3)) is amended—

(1) by inserting ''(A)'' before ''The''; and

(2) by adding at the end the following:

''(B) Subparagraph (A) and paragraph (2)(B) shall not apply to any amount recovered or paid to a State as part of the comprehensive settlement of November 1998 between manufacturers of tobacco products (as defined in section 5702(d) of the Internal Revenue Code of 1986) and States, or as part of any individual State settlement or judgment reached in litigation initiated or pursued by a State against one or more such manufacturers, if (and to the extent that) the Secretary finds that following conditions are met:

''(i) The Governor or Chief Executive Officer of the State has filed with the Secretary a plan which specifically outlines how—

''(I) at least 20 percent of such amounts recovered or paid in any fiscal year will be spent on programs to reduce the use of tobacco products using methods that have been shown to be effective, such as tobacco use cessation programs, enforcement of laws relating to tobacco products, community-based programs to discourage the use of tobacco products, school-based and child-oriented education programs to discourage the use of tobacco products, and State-wide awareness and counter-marketing advertising efforts to educate people about the dangers of using tobacco products, and for ongoing evaluations of these programs; and

''(II) at least 30 percent of such amounts recovered or paid in any fiscal year will be spent—

''(aa) on Federally or State funded health or public health programs; or

''(bb) to assist in economic development efforts designed to aid tobacco farmers and tobacco-producing communities as they transition to a more broadly diversified economy.

''(ii) All programs conducted under clause (i) take into account the needs of minority populations and other high risk groups who have a greater threat of exposure to tobacco products and advertising.

''(iii) All amounts spent under clause (i) are spent only in a manner that supplements (and does not supplant) funds previously being spent by the State (or local governments in the State) for such or similar programs or activities.

''(iv) Before the beginning of each fiscal year, the Governor or Chief Executive Officer of the State files with the Secretary a report which details how the amounts so recovered or paid have been spent consistent with the plan described in clause (i) and the requirements of clauses (ii) and (iii).''.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) apply to amounts recovered or paid to a State before, on, or after the date of enactment of this Act.

Mr. SPECTER. Mr. President, parliamentary inquiry. It is my understanding that the unanimous consent agreement provides for argument, debate this afternoon, and then 90 minutes equally divided tomorrow morning, between 9:30 and 11?

The PRESIDING OFFICER. That is correct.

Mr. SPECTER. So, whatever time is used this afternoon does not count against the 90 minutes which will be equally divided tomorrow?

The PRESIDING OFFICER. There are 90 minutes tomorrow.

Mr. SPECTER. Mr. President, this amendment seeks to require that the States allocate a portion of the funds recovered under the tobacco settlement for purposes relating to tobacco—smoking cessation education for children, 20 percent; and some 30 percent to be allocated for public health matters.

The origin of this issue arose when there was a settlement in November of last year where 46 States agreed to accept $206 billion over 25 years. The settlement grew out of lawsuits that primarily sought the recovery of Medicaid costs, although there is a contention that there were some other allegations in the cause of action. The current law requires the States to share Medicaid recoveries from third parties with the Federal Government. The Federal Government's share of Medicaid costs is generally 57 percent, but varies from State to State.

Under the existing law, only the States have the authority to bring suits for the recoveries. During the course of the litigation, the States, as I understand the legal documents, released all of the claims which the Federal Government would have for these Medicaid funds. An amendment to the appropriations bill was offered by the distinguished Senator from Texas, Senator HUTCHISON, to provide that all of the funds would be paid over to the States, specifically prohibiting the Federal Government's recoupment of funds recovered by States from the tobacco companies.

At the appropriations markup, some concerns were expressed by this Senator and by others. On Monday of this week, March 15, we held a hearing, participated in by Senator HUTCHISON and myself, where we heard from the Governor of Kentucky and the attorneys general of Pennsylvania, Texas, and Iowa. At that time, the assertion was made by the Governor and the three attorneys general that all of these funds should be retained by the States, and a representation made that there were other claims involved in the settlement besides Medicaid funds.

Senator HARKIN and I worked together to craft the amendment which is now before the Senate, joined, as I noted, by Senator JEFFORDS and Senator KENNEDY; Senator HARKIN and I taking the lead because of our positions as chairman and ranking member of the appropriations subcommittee having jurisdiction over the Department of Health and Human Services.

It is a fact that we are very limited in the funding which is available for health care. Our subcommittee has a budget which has to be divided among education matters and also the Department of Labor, which implicates many issues of worker safety, so that every dollar is of vital importance and we must make an application to purposes of health care.

The problem of tobacco in America is well recognized and the statistics are really very, very stark. Some 400,000 people die each year from tobacco-related illnesses. Approximately 5 million Americans under 18 are projected to die from smoking if the current trend continues. Some $72 billion a year constitute the health care expenditures in the United States on tobacco-related illnesses; some $7.3 billion annually total Medicaid payments directly related to tobacco, and between $1.4 and $4 billion constitute expenditures for infant health and developmental problems caused by mothers who smoke. It is a matter of overwhelming importance.

There is a very pervasive mantra in America today that the Federal Government should not dictate to the States how the funds are to be used. In accordance with the principles of federalism, I believe in leaving as much control as is possible to the State governments and also to local governments, as they carry out their responsibilities.

But when you have a very major settlement involving $206 billion and where the Federal Government has a very strong claim to 57 percent of those monies and the existing law provides that an allocation shall be determined by the discretion of the Secretary of Health and Human Services, it is my view that it is preeminently reasonable to ask States to make a commitment to spend at least a portion of these funds—50 percent, I think, would be a reasonable sum—on matters which are related to tobacco. The cause of the damages involves tobacco, and that is why we are asking that 50 percent be allocated, as we have said—20 percent for smokers cessation and education; and 30 percent for public health programs.

We do not propose an elaborate series of regulations, we do not propose micromanaging in any way what the States will be doing, but require only a certification from the States. We have already seen announcements from officials in a number of States on plans to spend these monies for other purposes; for example, for highways. Highways are very important. States would have latitude to spend part of the money for highways, but certainly should not have unfettered discretion to spend the total sum of the money on highways. Other funds are proposed to be spent for mental health services—here again, a very, very important item. Perhaps some of the mental health services are reasonably related to tobacco causes. That contention can be made and may well be honored.

Another State official is talking about eliminating the State debt, which is certainly a worthwhile matter. Again, 100 percent of the funds ought not be used for that purpose, nonrelated to tobacco. Other proposals are to increase teacher pay. Perhaps some of that is allocable for drug education. In another State, the officials propose using the funds to finance tax relief. That, again, is a worthwhile objective, but there ought to be some assurance that on a matter like this, some of the funds ought to be used for tobacco-related purposes.

Other States propose scholarships, which may be related, if the educational portion is to be assigned to tobacco-related education. We see that in the very short term, there are a great many purposes where the States have a need for funds where they would like to have unfettered discretion. In a perfect world, we would like to see them have $206 billion. But with a very, very substantial Federal claim, there ought to be at least some allocation for public health, which we are proposing in this amendment.

If this legislation is not enacted, it is possible that there could be very bitter, protracted, and expensive litigation, with the Federal Government asserting its claim under existing law, which could take a great deal of time. The Governor of Kentucky and three attorneys general who testified on Monday at the hearing and I agreed that we ought to try to resolve the matter so they would know what is going to happen and their planning would be firm. This, we think, is a preeminently reasonable approach to a very, very difficult issue.

I am joining with my colleagues, Senator TOM HARKIN, Senator JIM JEFFORDS, and Senator KENNEDY in introducing an amendment to the fiscal year 1999 supplemental appropriations bill concerning the State tobacco settlements. In November 1998, 46 States agreed to a settlement with the tobacco industry that totals $206 billion over 25 years. If focused in the right direction, these settlement funds could serve as a significant resource for improving the quality of life in the 21st century.

Each year, the total health care expenditures in the USA directly related to smoking is $72 billion. $7.3 billion is spent by Medicaid for smoking-related illnesses. Smoking-related diseases claim an estimated 430,700 American lives each year. Despite all of what we know about the consequences of smoking, it is estimated that every day 3,000 young people become regular smokers and it is believed that approximately 89 percent of smokers begin to smoke by or at the age of 18. And finally, it is reported that cigarette smoking kills more Americans than AIDS, alcohol, car accidents, violence, illegal drug use, and fires combined.

On March 15, 1999, the Labor, Health and Human Services, and Education Subcommittee, which I chair, held a hearing to discuss the State tobacco settlements. We heard from the National Governors' Association, States' Attorneys General, a teen smoking prevention advocacy group, and the Deputy Administrator of the Health Care Financing Administration to review the policy implications of how the tobacco settlement funds will be used and whether the Federal Government should receive a share of these funds for programs to reduce the use of tobacco products as well as programs for the public health.

Michael Hash, Deputy Director of the HCFA, testified that the comprehensive settlement of November 1998 between manufacturers of tobacco products and States, and the individual State settlements reached with these manufacturers, included claims arising out of the Medicaid program. Mr. Hash explained that as a matter of law, the Federal Government is not permitted to act as a plaintiff in Medicaid recoupment cases. 42 U.S.C. section 1396a provides that ''the State or local agency administering such plan will take all responsible measures to ascertain the legal liability of third parties . . . to pay for care and services available under the plan. . . .'' The statute further gives the State the authority to ''pursue claims against such third parties.'' The Department of Justice, in interpreting this statute, has determined that the State has the sole power to take action against third parties, and that the Federal Government has no authority to take this action. During his testimony, Deputy Director Hash further explained that Section 1903(d) of the Social Security Act specifically requires that the State reimburse the Federal Government for its pro rata share of Medicaid-related expenses that is recovered from liability cases involving third parties.

In a letter addressed to me dated March 15, 1999, Secretary Shalala expressed the Administration's strong opposition to the provision approved by the Senate Appropriations Committee as part of the FY 1999 supplemental appropriations bill that would prohibit the Federal Government from recouping its share of the Medicaid funds from the settlement with the tobacco companies. She noted that ''by releasing the tobacco companies from all relevant claims that can be made against them subsequently by the states, the settlement effectively precludes the federal government from recovering its share of Medicaid claims in the future through the established statutory mechanism.'' Specifically, in section XII of the Master Settlement Agreement, the States and tobacco companies agreed to the following:

> Under the occurrence of State-Specific Finality in a Settling State, such Settling State shall absolutely and unconditionally release and forever discharge all Released Parties from all Released Claims that the Releasing Parties directly, indirectly, derivatively or in any other capacity ever had, now have, or hereafter can, shall or may have.

During the hearing, we also heard from representatives of the states. Governor Paul Patton of Kentucky and Attorney Generals' Mike Fisher of Pennsylvania, John Cornyn of Texas and Tom Miller of Iowa argued that because the states took the risk and burden of the tobacco lawsuits on their own, they are entitled to all of the tobacco funds.

While I agree with the Governor and Attorney Generals' that the Federal Government should not micromanage the use of the funds, I am not prepared to turn all of this money over to the states carte blanche to use on matters unrelated to tobacco. Several of my colleagues have proposed creating a bureaucratic system that would strictly dictate how the states must spend the tobacco funds. I do not think this is a wise approach. However, I think it is entirely appropriate for the Federal Government to set general standards to ensure that the federal share of the tobacco funds is spent to advance the public health.

Medicaid is a joint Federal-State partnership designed to provide health care to citizens with low-income. On average, the Federal Government pays 57 percent of the costs of the Medicaid program, and no State must pay more than 50 percent of the cost of the program in that State. The Federal government has both the right and the responsibility to ensure that the federal share of the comprehensive tobacco settlement is used to reduce youth smoking, to improve the public health and to assist in the economic diversification of tobacco farming communities.

The amendment that I am introducing today would require states to use at least 20% of the total funds received in the settlement for tobacco reduction and education programs. Further, my amendment would require states to use at least 30% of the total funds received in the settlement for public health programs or to assist tobacco farmers. The amendment contains a provision that these funds must supplement and not supplant funds already being spent on similar activities in the State. Finally, in order to ensure that we do not create an unnecessary bureaucracy to implement this program, each Governor would merely have to certify to the Secretary of HHS each year how the funds have been used.

It is vital that we act now to ensure that these funds are used to protect public health. During the discussion which is currently occurring in the states on how to use the tobacco funds, a wide variety of uses have been proposed. Specifically, I understand that states have plans to spend funds on roads, mental health services, to assist tobacco farmers, and to eliminate the State debt, increase teacher pay, other proposed uses include financing tax relief, and using these revenues to fund a new Merit Award Trust Fund. While all of these goals may be noble, I am convinced that states, who sued tobacco companies to reimburse state health costs as a result of smoking, have a fiduciary duty to use these funds to reduce smoking and to support public health.

The Federal Government has both the right and the responsibility to ensure that the federal share of the comprehensive tobacco settlement is used to reduce youth smoking, to improve the public health and to assist in the economic diversification of tobacco farming communities. I urge my colleagues to support this amendment.

I ask unanimous consent to print a March 15, 1999, letter from Secretary Shalala.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF HEALTH AND HUMAN SERVICES,
Washington, DC, March 15, 1999.

Hon. ARLEN SPECTER,
Chairman, Appropriations Subcommittee on Labor, HHS, Education and Related Agencies, U.S. Senate, Washington, DC.

DEAR SENATOR SPECTER: I am writing to express the Administration's strong opposition to the provision approved by the Senate Appropriations Committee as part of the FY 1999 supplemental appropriations bill that would prohibit the federal government from recouping its share of Medicaid funds included in the states' recent settlement with the tobacco companies. The Administration is eager to work with the Congress and the states on an alternative approach that ensures that these funds are used to reduce youth smoking and for other shared state and national priorities.

Under the amendment approved by the committee, states would not have to spend a single penny of tobacco settlement funds to reduce youth smoking. The amendment also would have the practical effect of foreclosing any effort by the federal government to recoup tobacco-related Medicaid expenditures in the future, without any significant review and scrutiny of this important matter by the appropriate congressional authorizing committees.

Section 1903 (d) of the Social Security Act specifically requires that the states reimburse the federal government for its pro-rata share of Medicaid-related expenses that are recovered from liability cases involving third parties. The federal share of Medicaid expenses ranges from 50 percent to 77 percent, depending on the state. States routinely report third-party liability recoveries as required by law. In 1998, for example, states recovered some $642 million from third-party claims; the federal share of these recoveries was $400 million. Over the last five years, federal taxpayers recouped over $1.5 billion from such third-party recoveries.

Despite recent arguments by those who would cede the federal share, there is considerable evidence that the state suits and their recoveries were very much based in Medicaid. In fact, in 1997, the states of Florida, Louisiana and Massachusetts reported the settlement with the Liggett Corporation as a third-party Medicaid recovery, and a portion of that settlement was recouped as the federal share.

Some also have argued that the states are entitled to reap all the rewards of their litigation against the tobacco industry and that the federal government can always sue in the future to recover its share of Medicaid claims. This argument contradicts the law and the terms of the recent state settlement. As a matter of law, the federal government is not permitted to act as a plaintiff in Medicaid recoupment cases and was bound by law to await the states' recovery of both the state and federal shares of Medicaid claims. Further, by releasing the tobacco companies from all relevant claims that can be made against them subsequently by the states, the settlement effectively precludes the federal government from recovering its share of Medicaid claims in the future through the established statutory mechanism. The amendment included in the Senate supplemental appropriations bill will foreclose the one opportunity we have under current law to recover a portion of the billions of dollars that federal taxpayers have paid to treat tobacco-related illness through the Medicaid program.

The President has made very clear the Administration's desire to work with Congress and the states to enact legislation that resolves the federal claim in exchange for a commitment by the states to use that portion of the settlement for shared priorities which reduce youth smoking, protect tobacco farmers, assist children and promote public health. I would urge you to oppose efforts to relinquish the legitimate federal claim to settlement funds until this important goal has been achieved.

Sincerely,

DONNA E. SHALALA.

Mr. SPECTER. Mr. President, I note the presence of my distinguished colleague, the Senator from Iowa, on the floor. I yield the floor, Mr. President.

The PRESIDING OFFICER (Mr. ALLARD). The Senator from Iowa.

Mr. HARKIN. Mr. President, first of all, I want to commend and congratulate Senator SPECTER, my chairman, for taking the lead on this issue, for holding the hearings, doing all the work that is necessary to get the information that we need to come up with this amendment. Senator SPECTER has certainly been the lead in addressing this very vital issue of health in the United States, medical research, and all that goes along with making our people healthier citizens.

He has always taken a lead on this one issue of how we get tobacco use down among teenagers, which is one of the most serious health risks in our society today. I want to thank Senator SPECTER for taking the lead on this amendment. It is a very, very, very important amendment. The repercussions of this single amendment alone could do more to enhance the health of our young people in the future than perhaps anything we are going to do this year. I will get into more about that later, but this single amendment, if adopted, I maintain, will do more to enhance the well-being and health of our future citizens—the kids today—10, 15, 20 years from now, 30 years from now, than anything that we will do this year.

Why do I say that? Look at this chart. This really illustrates what is happening today and continuing to happen with the consumption of tobacco. Tobacco kills more Americans than alcohol, car accidents, suicides, AIDS, homicides, illegal drugs and fires, all combined. I use this chart a lot because I think it just spells it out in stark detail. Add up everything from alcohol to homicides to AIDS and illegal drugs. How much money do we spend every year fighting illegal drugs? Compare it to how many people die of tobacco-related illnesses. It is minute.

This is what we are going after—cutting down the illnesses and deaths caused by tobacco uses in this country. It is an epidemic. Tobacco also imposes a heavy financial cost, $50 billion a year estimated in health costs alone. And a big portion of that is borne by Federal taxpayers, who, as the Senator from Pennsylvania pointed out, pay over half the cost of Medicaid. The average, as he said, is 57 percent. Sometimes it goes as high as 77 percent. In no case is it less than 50 percent of the Federal taxes used to fund the Medicaid programs in the States.

I want to commend the States for their efforts to recover the costs that they and the Federal Government have borne related to tobacco. What our amendment does, as the Senator from Pennsylvania very correctly pointed out, is simply require the States to use 20 percent of the total settlement on reducing tobacco use, mainly going after teen smoking, because if we know we can get it there, we solve the problem, but just to use 20 percent of that and 30 percent for public health programs—again, public health broadly; we did not spell it out, we did not try to micromanage—or for tobacco farmer assistance, to help some of the tobacco farmers in some of our States in their transition away from growing tobacco to doing something else.

Again, our amendment did not in any way dictate specific programs the states can spend the money on. It did not require the Federal Government have a role in designing any initiative the states undertake. This amendment simply sets broad, commonsense parameters on a portion of the funds.

The Congressional Budget Office has estimated that the Federal share of the State's tobacco settlement would total $14 billion over the next 5 years. That is a lot of money, $14 billion.

I know there are some who are saying that the Federal Government had no role in these lawsuits; therefore, no right to these funds. I heard that argument made in the committee when the amendment was adopted. That is not true. If it were true, we would not be here today.

Keep in mind that Medicaid is a Federal-State partnership. The Federal Government pays over 50 percent of the cost of each State's Medicaid Program. But here is the real clincher. Under the Social Security Act, it is the responsibility of the States to recover any costs caused by third parties. In fact, the law says that only the States can file such suits.

It is really kind of, I think, shading the truth a little bit to say the Federal Government was not involved in the lawsuits. The Federal Government could not be involved in the lawsuits. By law, only the States can file such suits. Then the Medicaid law requires a State to turn back to the Federal Government its share of any money the State recovers. That is the law.

A, the Social Security Act says it is the responsibility of the States to recover any costs caused by third parties.

B, the law says only the States can file such lawsuits.

C, Medicaid law says the States then have to turn back to the Federal Government its share of any Federal money that they recover.

All right. What happened? The States settled this case with the tobacco companies, and in November of 1998, when

the States settled this case, even those that did not include a Medicaid claim in their suit, waived their right to any future claims under Medicaid.

Think about that. If the States, in conjunction with the tobacco companies—and I have to hand it to the tobacco companies, they have great lawyers; they have the best—they negotiated with the States that if you settle for $206 billion over 25 years, we will agree to that if you waive your right to any future claims under Medicaid.

The States said, ''We waive our rights.'' By waiving their rights, they waive our rights, the Federal Government's rights, to go out and reclaim any of those Federal tax dollars that went out. So the States have, by using the law, precluded us on the Federal end from reclaiming any of these moneys.

It is just not right. Federal taxpayers have provided over 50 percent of those Medicaid payments to those States. As I said, the law requires the States to file those lawsuits and only the States can file those lawsuits. The States then must, under the law, return those funds to the Federal Government. Yet, they made an agreement with the tobacco companies to waive all of their rights and, thus, waiving our rights.

Turning over all of the Federal share of the tobacco settlement to the States without any requirement that a penny of the funds be used to reduce teen smoking defies common sense. The whole purpose of this effort was to protect our kids and to cut down on smoking. Now that the States have settled with the tobacco companies, it only makes sense to use some of those moneys to strengthen the public health system and to fight tobacco use.

As the Senator from Pennsylvania said, I have to ask the questions: Did the States file their lawsuits against the tobacco companies because the tobacco companies were not building highways in their States?

Did the States file a lawsuit against the tobacco companies because they were not building enough prisons in their States?

Did the States file the lawsuit against the tobacco companies because you, tobacco companies, were not building a sports arena in our State?

Did they file the lawsuit because you, tobacco companies, were not building enough highways in our State?

No, that was not the basis of the lawsuit. The basis of the lawsuit was the health impact on its citizens from smoking.

Now we hear from the States, oh, now they want to use the money for highways, they want to use the money to build some prisons, they want to use the money to build a sports arena, they want to use the money for tax relief, and on and on and on and on. That was not the basis for the lawsuits.

The basis for the lawsuits were to recoup the costs that Medicaid spent taking care of the health impacts of smoking on our people. It had nothing to do with paving a highway or building a prison or anything else.

Again, we are not even saying that the States have to use their money for that. If the States want to use their share of the money to build a prison, that is their business. I can tell you, if I were a citizen of a State, and our State legislature and Governor were spending money that way, I would be vocal about it in my State, and I assume other people would be in their States. But that is not for us here at the Federal level. It is for us at the Federal level to say how about the Federal portion. What should you do with that? Should we be allowed to build highways with it when the basis of the lawsuit had to do with the health impact and the deaths of people that we paid for on Medicaid to take care of them because they got hooked on tobacco, because they were lied to by the tobacco companies?

All we are saying is that the Federal share be used to attack tobacco use and to protect the public health. How much are we saying? Fifty percent: 20 percent to reduce teen smoking, 30 percent for a broad variety of public health programs to reduce smoking or to assist farmers, to assist the tobacco farmers.

No State receives less than 50 percent of its Medicaid money from the Federal Government. Some States receive as high as 77 percent. The average is 57 percent. So actually we are being somewhat generous in this amendment. We are not saying you have to spend even all of your Federal moneys.

Some States are going to get a windfall. Those States that are getting 70 percent of their Medicaid moneys paid for by the Federal Government, if our amendment is adopted, will have at least 20 percent of that Federal money that they can use as they see fit. Rather than trying to draw the line in each State, we just settled on the 50 percent and said that is fair for everybody. It gives some States, I will admit, a bit of a windfall. Again, it does not take away from any State any more than the Federal shares that they already get.

Mr. President, this is a bipartisan, commonsense amendment. I hope all of our colleagues can support it. It will be a dramatic step forward in saving lives and protecting children and saving billions of dollars in future health care costs.

I know you are going to hear talk about how all the Governors support the Hutchison amendment that was added in committee. By the way, it should not even be on this bill. It should be in the Finance Committee. All the Governors support it. I said to myself, ''If I was Governor, I probably would support it, too.'' But I am not a Governor.

I represent my State, but we all have to represent the national interest here. More than that, we have to represent the interest of those people who are getting hooked on tobacco and what this tobacco lawsuit was all about. So I think we ought to keep that in mind as the debate goes forward. I know we will hear some more this evening, but tomorrow morning we will have more debate on the amendment and we will have more to say at that time.

Again, what we have to keep in mind is the basic underlying fact: Why was the lawsuit brought? On what basis? On the health basis, Medicare expenditures to pay for the sickness and illness and death of people. Who put the money into Medicaid? The Federal Government, 57 percent average; States, 43 percent average.

Law requires the States to file the lawsuits. Law requires the States to return to the Federal Government the Federal Government share of those lawsuits.

Law—only the States can file those lawsuits.

Settlement facts—States settle with the tobacco companies and strike a sweetheart deal, where they waive all of our rights to ever sue again under Medicaid to recoup those costs—waive our rights. Think about that. That is why this amendment is so important, Mr. President. If this amendment is adopted, it will have a big impact on cutting down on health care costs in the future. That is what it is all about.

I yield the floor.

Mr. SESSIONS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I rise in opposition to the plan of the Senator from Iowa to mandate to the States how they will spend the money they won in litigation against tobacco companies. It went on for quite a number of years. The State attorneys general gradually, through various different theories of law—and there were lots of different theories—won those lawsuits and achieved a tremendous settlement. Basically, the tobacco companies, at some point, just capitulated and agreed to pay billions of dollars.

At this point, the Federal Government may or may not have a claim upon that money. Senator HUTCHISON of Texas has introduced legislation, which I intend to support, which would say that that money would stay with the States. They won it in the litigation. It is part of their settlements. They should keep it. And the Federal Government is not claiming it.

I understand the Senator's idea—and I know he has the highest motives behind it—is to tell the States how they should spend portions of that money, primarily under the theory that it was Medicaid money, and the Federal Government put money into Medicaid, a big chunk of the money is paid by the Federal Government for Medicaid. But let me just say why I think we would be better off not doing that.

First of all, in all the settlements, as I understand it, only one settlement, Florida's, mentions Medicaid. A large number of the cases mentioned Medicaid in their lawsuits, but a lot of

them were based on other causes of action against the tobacco companies: RICO, the racketeering charges; antitrust violations—unjust enrichment was the one in Mississippi, which I thought was astounding, to win several billion dollars on the old common law theory, equity theory, of unjust enrichment. In fact, they filed it in an equity court and did not even have a jury trial. They eventually settled it without even a trial occurring.

But at any rate, that money goes to the States, and it is their money. I suggest that the States already are planning how to spend it. I understand in Texas, according to Senator HUTCHISON, who will be back on the floor shortly, they have antismoking educational campaigns planned.

Alabama has, I believe, a good program. It is called Children First. It is a program to deal with dropouts, to deal with teen smoking and drinking and drug abuse and problem kids, preschool programs, a comprehensive plan to deal with juvenile crime and violence and delinquency, and to help place children first. The funding for it will come from the settlement of this lawsuit. They are counting on doing that.

To mandate them to spend it on entirely a new set of proposals they have never given any thought to would complicate Alabama's freedom to spend the money they won the way they want to spend it. I really believe it would be a terrible burden on the State of Alabama. I think that is going to be true in every State where these settlements have taken place.

So what we have is the Federal Government saying, ''If we can't have the money, and if we're going to lose on this amendment''—and Senator HUTCHISON has bipartisan support for it, and I am confident it will pass—''if we're going to lose on this amendment, if we don't get to bring it into our Treasury so we can spend it and do what we want to do with it, we'll just declare how the States have to spend it. By the way, if you don't satisfy us, the Secretary of HHS, Secretary Shalala, can cut off your Medicaid funding or deny you benefits under these settlements in the future.''

So I just believe that that isn't what we need to be doing here. I do not think that is good public policy. I believe that these States are already at this moment planning how to spend it.

And, by the way, these mandates are not easily achievable. Presumably, a State, to get money under it, would have to call a special session of their legislature—have to call a special session. And what if they did not want to vote to do that? What if good and decent State legislators said: We don't want to do these percentages that the Senator has just proposed. We don't want to spend our money just like that. We would like to spend it on Children First. We would like to spend it on delinquency camps or alternative schools. We want to do it on various other projects that are not precisely what is mandated here. Maybe they are already spending money on programs mandated here.

I salute the Senator from Texas. I believe she has the right approach. We need to let this money go, give it up. We did not file the lawsuits; the States filed the lawsuits. We did not win the lawsuits; the States won the lawsuits. The tobacco companies agreed to pay the money to the States. And they are going to spend it for what they believe is best for their people. I think we ought to follow that.

I want to mention one other thing. I am uncomfortable with this deal in which the Secretary of HHS would be able to review the allocation of the funds by the States and given the power to cut off funds to the States if they did not precisely allocate it as this proposal would allocate it. I do not think that is the kind of power we need to have over the States.

I think this is good legislation. The Senator from Texas, I know, will be returning to the floor in just a moment, and she will be making further comments on it. I thank the Chair for his attention and I yield the floor.

Mr. President, I suggest the absence of a quorum.

Mr. STEVENS. Will the Senator withhold that?

Mr. SESSIONS. Yes.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I have not gone into this argument before. In the committee, in dealing with this supplemental, I did vote for the Hutchison amendment. I voted for it because I do believe that, because of the circumstances of this series of settlements coming after the failure of the Congress to pass the tobacco legislation, we should not force the States to turn the money over to the Federal Government as required by law.

The Social Security Act does provide that—I ask unanimous consent that this section 1903(d)(3) be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SECTION 1903(D)(3)

(3) The pro rata share to which the United States is equitably entitled, as determined by the Secretary, of the net amount recovered during any quarter by the State or any political subdivision thereof with respect to medical assistance furnished under the State plan shall be considered an overpayment to be adjusted under this subsection.

Mr. STEVENS. This section states:

(3) The pro rata share to which the United States is equitably entitled, as determined by the Secretary, of the net amount recovered during any quarter by the State or any political subdivision thereof with respect to medical assistance furnished under the State plan shall be considered an overpayment to be adjusted under this subsection.

Clearly, that has required other States to make payments to the Federal Government to restore the amounts of money that were paid under the Federal plans and recovered by State litigation.

The difficulty with the position that I understand the Senator has just taken, Senator SESSIONS, is that the States did file their cases, but Section 1902(a)(9)(A) of the Social Security Act says:

. . . the State or local agency administering such plan will take all reasonable measures to ascertain the legal liability of third parties (including health insurers, group health plans (as defined in section 607(1) of the Employee Retirement Income Security Act. . . .

And it sets forth the duty of the State to take that action, and since we have assigned that duty to the State, the Federal Government cannot take that action.

As a consequence, while I believe that Senator HUTCHISON's amendment is correct, that we should not take this money from the States at this time, I do believe that the requirement that the States show that they will spend the money in the way envisioned by the Social Security Act is a fair compromise, and it is my intention to support the amendment offered by the Senator from Pennsylvania in order to try to see to it that we have that consideration.

Failure to do so will exacerbate the future bills that we will present to the Senate which will have to seek money to make the payments for the programs that the State will not undertake unless that requirement is there. That money, incidentally, is projected in both the President's budget and in past budgets adopted by the Senate.

So if this money stays in the hands of the State, and there is no obligation to comply with existing law, we will be in the position where we will have to come up and find more money—in effect, break the caps on the Health and Human Services bill, which is the bill that is now the largest bill that we will prepare for the Congress this year; the largest bill is no longer Defense, it is the Health and Human Services bill.

That bill is under severe stress for the future and cannot afford to see this money stay in the State hands and the money be spent in the way envisioned by the recovery; really, a recovery for moneys spent by the States using Federal taxpayer's funds in the past. If the State diverts those funds to other endeavors, we will have to make that up in future appropriations bills, in my judgment.

I intend to support the amendment of Senator SPECTER and Senator HARKIN to require the States to show that they will, in fact, make those payments. As I understand it, it will not take a great deal of trouble on behalf of the States to show that they are doing that. I think many States are doing that.

I understand my State has taken the position that they don't like Senator SPECTER's amendment. I sometimes have duties here that are contrary to that of the Governors in terms of trying to see to it that fairness is provided as far as the use of funds from the recovery that comes about because of actions such as the States have taken,

and my State was one of them—to pursue those who have brought about the great expenditures for health care that we had to face because of the scourge of excessive smoking.

I do believe that this amendment is on the right track. I intend to vote for it. I put my friends on notice that I do not believe that it is inconsistent with the position of supporting the Hutchison amendment in the first place, because I think the States should retain the money and the States should make the plan of how the money should be spent. The power of the Secretary of Health and Human Services is to approve that plan, not to dictate how it is to be spent.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, we will have time tomorrow to speak on the amendment by Senator SPECTER and Senator HARKIN, but I think it is important that we understand what we are talking about. The Federal Government had nothing to do with the lawsuits that were brought by the States. In fact, the States asked for Federal help. They asked for Federal guidance, and they got none.

It was only after the States had settled with the tobacco companies and all States were covered that the Health Care Financing Administration decided that these suits were based on Medicaid and, therefore, the Federal Government should be able to take the average of the Medicaid expenditures from the States from these tobacco settlements. It came up with a figure of 57 percent. They are relying on the part of the law that says the States are responsible for recovering Medicaid overpayments or mistakes in billing; or if a person is covered with private insurance and they get Medicaid coverage, the States would go after the private insurance companies to pay these Medicaid costs.

The Health Care Financing Administration is using that law to say that the tobacco settlement should be covered for Medicaid, and they are coming in and saying to the States that the tobacco settlement that was made should not be allowed to be kept by the States and, in fact, they want to withhold 57 percent.

The amendment that is before the Senate today would take 50 percent and tell the States how to spend this money. It doesn't even tell the States that they have to spend it on Medicaid. We are not even now talking about what the Health Care Financing Administration had hoped to get in the first place, and that is help on Medicaid payments. They are just saying that big brother Federal Government is going to tell the States that they must spend the money on health care or tobacco cessation programs or helping tobacco farmers, and they are going to allocate 50 percent of the State's money for these purposes.

Let's take the State of Ohio as an example. Say that the State of Ohio has a legislature that meets every other year. They are not in session. All of a sudden we have a Federal mandate that the States spend 50 percent of their hard-earned money on these specific program purposes and the Secretary of HHS says to the State of Ohio, ''I'm very sorry, but your program doesn't meet my standard so I'm going to withhold your Medicaid money.'' The legislature is not in session, the programs are in place. Is the legislature going to have to come into special session to try to determine how they are going to change the program to meet this test? They are going to have to because no State can absorb the loss of their Medicaid money, and, most certainly, they are not going to leave people on the streets unserved by Medicaid.

This is going to be duplicated all over America if this amendment passes. Nobody is thinking about what happens after the Federal Government says, ''This is simple, this is simple. We will say you have to spend 20 percent on tobacco cessation and 30 percent on the health-related or tobacco farmer aid programs.'' They don't say what happens after we pass this broad general guideline. But what happens is, we are going to have standards, we are going to have regulations, we are going to have certifications, and all of a sudden they have what always happens in Washington, and that is we are going to have the Federal Government encroaching on the States rights with the States' money, earned by the States; and we are going to have costly regulations and bureaucracy, and then we are going to have crisis after crisis after crisis in States that are not going to meet the test of Health and Human Services Secretaries for 25 years to come, who will be able to hold on to the Medicaid money if we don't keep the underlying bill intact.

The underlying bill is very simple. It just says that the Federal Government will not encroach on the States at all. The States are using this money for very different purposes. Most of the States—in fact, almost all of the States—did not sue on Medicaid, and if your purpose is to help Medicaid, this amendment doesn't do it.

So I hope that we can keep it simple. I hope that we can allow the States to do what they have sued to recover and achieve their purposes. Some States sued on health care. Some States sued on consumer fraud. Some States sued for RICO. There were a myriad of causes of action. But the fact of the matter is, it is the States that sued.

So I say to the distinguished chairman of the committee, if he wants to help Medicaid, this amendment doesn't do it. If he wants to help Medicaid, what he needs to do is add another amendment that requires the money go to Medicaid. He thinks that if we pass this amendment, it will keep the State budgets from growing. It won't keep the States' budgets from growing at all in Medicaid costs. What we are talking about here is 20 percent going for tobacco cessation programs and 30 percent going for health care or tobacco farmers.

So I hope, if the purpose is to give Medicaid money, that we will have a different amendment. The amendment that is before us today will be costly, it will cause more bureaucracy, more regulation, and it will cause crises in States if they don't meet the Secretary's test of what the program should be. And this Secretary of Health and Human Services will have a different interpretation, perhaps, than the next Secretary of Health and Human Services. So the States are going to fashion a program that meets Secretary Shalala's needs today, and 2 years from now they are going to have to fashion a new set of programs in order not to have the money jerked out from under their noses when they have counted on this money because their tobacco settlement was made by the States.

We have time to talk about this tomorrow. I hope Members will consider the havoc that this would wreak on the States and the fact that it will not help the Federal Government. It is putting a strain on that which has no relationship to the problem that is being alleged. If the problem is that we aren't going to share Medicaid, how are we going to help tobacco farmers and meet the Medicaid needs? It is not going to work.

This is not an amendment that has been thought through, and we have not thought of what is going to happen 2 years from now, and 4 years from now, and 6 years from now. I hope that Senators will understand that this will wreak havoc on our States. It is an encroachment on States rights, and it will not help the Federal coffers at all.

I thank the Chair. I yield the floor.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. 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. DURBIN. Mr. President, I rise in support of an amendment that is to be offered by Senators SPECTER and HARKIN relative to the tobacco settlement funds and the question of Federal recoupment.

First, let me say that I have been involved in the tobacco issue on Capitol Hill for almost as long as I have been here. As a Member of the House of Representatives, I introduced legislation

to ban smoking on airplanes, and I have addressed this issue from so many different angles that I believe I have some knowledge on the subject.

Having said that, I have to tell you that I stand here in admiration of the 42 State attorneys general who had the political courage and foresight to file these lawsuits against the tobacco giants in an effort to recoup some of the money that had been spent on tobacco-related disease and death in their States. In my own home State, our attorney general, Jim Ryan, was one of those. I have saluted him privately and I do it publicly. I am happy they did this. The money they have recouped is going to be an important resource for the State of Illinois and all of the other States.

In addition, they have forced the tobacco companies to make some major changes in the way they sell the product. Perhaps, we will see—I hope in the not-too-distant future—a decline in the number of young people who have become addicted to tobacco products. It is truly a frightening statistic to consider the impact on America's public health when you consider the percentage of high school students, and even younger, who are taking up smoking. But now that we have recovered money from the tobacco companies, the debate now is how it should be spent. I have tried to come up with a reasonable approach to it. I salute my colleagues, Senators SPECTER and HARKIN, for what I consider to be a reasonable approach as well.

Mr. President, I ask unanimous consent to be shown as a cosponsor of the Specter-Harkin amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Having said that, Mr. President, let me try to explain, if I can, the predicament we face. Many of the States that filed lawsuits against tobacco companies tried to recover in those lawsuits moneys that had been spent for Medicaid. Medicaid is, of course, health insurance for the poor and disabled. Across the United States, on average, out of every dollar spent on the Medicaid health insurance program, 57 cents of it comes from Washington, and 43 cents comes from the local State.

In my State of Illinois, it is a 50/50 split. But including all States, it is an average of 57 percent coming from the Federal Government. Now, we send the money to the States and ask them to administer the Medicaid funds. We also say to the States that if there are lawsuits to be filed relative to Medicaid, it is your responsibility as a State to do it. They are obligated to recoup any cost that they recover in these lawsuits against third parties back to the Federal Government, proportionately based on the Federal Government's contribution.

So the suggestion that a State would file a lawsuit against the tobacco company claiming expenditures for Medicaid funds and recover, and then be asked to send some of that money back to Washington is not a novice suggestion. It is not radical. It is what happens by normal course. That is what has happened in the past.

But there have been some who have argued that when it comes to the tobacco settlement we should suspend that and say that the moneys recovered by the States against the tobacco companies for Medicaid expenditures should belong entirely to the States and not come back to the Federal Government at all. I have a problem with that inasmuch as I am concerned about how the money will be spent by the States.

Some Senators have come to the floor and said it is really none of our business. The States filed the lawsuit; let them spend the money the way they want. I think that is the wrong way to approach this. The lawsuits were filed because of a public health problem with tobacco. The money that was recovered—at least a portion of it—is Federal in nature. I think it is reasonable for us to say that the money recouped from these tobacco companies should at least be spent for the public health purposes of the lawsuit. That is what the Specter-Harkin, and now Durbin, amendment seeks to achieve.

I am also concerned, because, as part of their settlement, many of the States relinquished their right to file claims in the future against tobacco companies for Medicaid expenditures. In other words, they said they would give up the right of the Federal Government to recover funds under Medicaid against tobacco companies in the future. They have, in fact, surrendered a right of the Federal Government. I think that is noteworthy, because it means that, basically having settled these future claims, we have no opportunity to pursue them if we wanted to. The Federal Government has paid, and will continue to pay, one-half or more of Medicaid costs associated with treating tobacco-caused diseases, even though the States have now waived the Federal Government's right to any further tobacco-related Medicaid recovery. This further underscores the Federal right to have, if not a share of the settlement proceeds, at least a voice in how they are spent.

Let me say that the States routinely follow the requirements of the Medicaid statutes when it comes to money that they collect.

For those who argue that the tobacco suits should be treated somewhat differently, let me give them some evidence to consider.

In March 1996, five States—Florida, Louisiana, Massachusetts, Michigan, and West Virginia—settled a lawsuit with the Liggett tobacco company. In fiscal year 1996 and fiscal year 1997, the total reported to HCFA, the Federal agency, as the Federal share, was $465,359. This is the precedent for a Federal claim for the tobacco proceeds.

It is important to keep in mind that if we don't recoup this money from the State in some form, we also create a budget problem on our own.

The Congressional Budget Office estimates, for scoring purposes, that we would recover from State tobacco suits $2.9 billion over 5 years and $6.8 billion over 10 years. Any legislation that allows the States to keep all the funds is going to require some more on our part to offset this budget priority, this budget assumption.

Having said that, let me try to address my point of view on what I believe the Specter-Harkin amendment will achieve.

It is less important to me who spends the money from the Tobacco companies than how it is spent. It is not as important to me that a Federal agency achieve the results so much as the results are achieved. And the results I am seeking are several.

First, it reduces the number of young people who are taking up tobacco and becoming addicted to it. Ultimately, one out of three die. If we can bring that percentage down by innovative, creative, and forceful State programs, that is all the better as far as I am concerned.

But I worry about suggestions in the underlying Hutchison amendment that we not be specific in terms of what we ask of the States. I am happy to see that the amendment that has been proposed by Senators SPECTER and HARKIN will try to address this by putting 20 percent of the proceeds into tobacco control to reduce the number of young people who are addicted to the product. I think that is sensible.

Second, I think it is reasonable to ask that a portion of the money recovered go toward public health purposes, particularly children's health programs. And it is my understanding that the Specter-Harkin amendment does that. It says that another 30 percent will go for those purposes.

This is consistent with the National Governors' Association, which I already identified, as their priorities at their 1999 winter meeting for the tobacco settlement money. Let me quote from the statement that they released:

> The Nation's Governors are committed to spending a significant portion of the settlement funds on smoking cessation programs, health care education and programs benefiting children.

The Specter-Harkin-Durbin amendment seeks to follow the recommendations of the National Governors' Association—to say the Federal Government will not claim a share of these proceeds so long as they are spent for this purpose, and then to make certain that we are doing something with the money that is consistent with the goals of the initial litigation.

It would be troubling to me, and to many others who have been involved in this battle for a long time, if the net result of the tobacco lawsuits by the States should result in a windfall to the State treasuries and are spent on other things that really forget these important elements, important priorities of smoking cessation, as well as children's health care.

So I will be supporting the amendment being offered by Senators SPECTER and HARKIN.

I can tell you that when the American people were asked through a poll conducted by the American Heart Association last November, that 74 percent of the voters supported at least half of the Medicaid dollars to go to tobacco addiction treatment and to efforts to educate teens about the dangers of tobacco.

I am hoping that Members on both sides of the aisle will join us in this bipartisan amendment to the supplemental appropriations bill.

At this point, I yield my time on this issue.

MORNING BUSINESS

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

I believe the Senator from Illinois has a resolution and a discussion that he wants to put forward about St. Patrick, of all things, if you can imagine that. Of course, that is a very worthy cause.

I yield the floor.

Mr. DURBIN. Mr. President, I thank the Senator from Kansas.

THE GOOD FRIDAY PEACE AGREEMENT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 64, introduced earlier today by myself.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 64) recognizing the historic significance of the first anniversary of the Good Friday Peace Agreement.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, as the Senator from Kansas has noted—and, Mr. President, your tie notes—today is St. Patrick's Day, and it is a fitting time to remember not only the Irish heritage, which so many Americans—over 40 million—claim, but also as equally important is the significant progress that has been made in this island nation over the last several months to finally bring peace. Tributes, of course, could be given to so many different people.

Today, we were meeting with Taoiseach Bertie Ahern, as well as President Clinton, and the leaders from Northern Ireland, as well as the Republic of Ireland, celebrating their courage and the fact that they have received the Nobel Peace Prize for their endeavors, and really making certain that we double our resolve so that peace can come to that land.

The Good Friday Peace Agreement that was entered into and initiated about a year ago outlined the political settlement to three decades of political and sectarian violence in Northern Ireland. It also reminds us, too, that there is a lot of hard work to be done to complete this agreement.

Over the last 30 years, more than 3,200 people have died in Northern Ireland and thousands more were injured. In 1997, the British and Irish Governments sponsored peace talks, chaired by our former colleague, Senator George Mitchell, and attended by eight political parties.

Senator Mitchell will be receiving an award this evening at the White House from the President and representatives of Ireland for his amazing role in bringing about this peace process. It is a much-deserved accolade.

An agreement was reached on April 10, 1998, that includes the formation of a Northern Ireland Assembly, a North/South Ministerial Council, and a British-Irish Council. The agreement also contains provisions on human rights, decommissioning of weapons, policing, and prisoners. Voters in both Northern Ireland and the Republic of Ireland approved the agreement on May 22. Elections to the new assembly were held on June 25. Enabling legislation has been passed by the Irish and British Parliaments, the necessary international agreements have been signed, and many prisoners have been released.

However, some contentious issues still remain before the agreement is implemented. In addition to former Senator George Mitchell, the Clinton administration and many Members of Congress and Senators have played a positive role in the peace process. Again, the parties have turned to the United States for leadership and mediation. Many party leaders from Northern Ireland will be at the White House this evening. Let me also say I attended last night a special tribute to one of our colleagues, Senator TED KENNEDY. The American-Ireland Fund presented him with their Man of the Year Award for his extraordinary contribution toward this peace process throughout his career in the U.S. Senate.

This resolution which we are considering today is cosponsored by 34 of my colleagues. It recognizes the historic first anniversary of the Good Friday peace agreement, encourages the parties to move forward to implement it, and congratulates the people of the Republic of Ireland and Northern Ireland for their courageous commitment to work together for peace. I appreciate my colleagues' support of this resolution, and I hope it will add another constructive measure of support for the meetings going on at the White House today.

I am glad the Senate, when it enacts this resolution, will be on record this year to not only celebrate the legacy of Ireland and the legacy of St. Patrick, but to look to the future of that great country, a future in peace, a future as one people.

Mr. KENNEDY. Mr. President, I strongly support this timely resolution and its tribute to the courage and vision of the political leaders of Northern Ireland who have given that land an extraodinary opportunity for peace.

By signing the historic Good Friday Peace Agreement last April, leaders such as John Hume, David Trimble, Gerry Adams, and others launched a new era of peace and reconciliation for all the people of Northern Ireland. And I commend as well the indispensable contributions to the peace process by President Clinton, our former Senate colleague George Mitchell, Prime Minister Bertie Ahern of Ireland and Prime Minister Tony Blair of Great Britain.

The goal of the peace process is to end thirty years of violence and bloodshed in Northern Ireland, reduce divisions between Unionists and Nationalists, and build new bridges of opportunity between the two communities. Through this process, they have committed themselves to finding the needle of peace in the haystack of violence—and they are finding it. When those of lesser vision urged a lesser course, the leaders in Northern Ireland acted boldly. They tirelessly dedicated themselves to the pursuit of peace, and they made difficult political choices to bring their noble vision of a peace agreement to reality.

As we all know, there are still miles to go before the victory of lasting peace is finally won. But because of what they accomplished, there is better hope for the future. They have made an enormous difference, perhaps all the difference, for peace. Their achievement in the Good Friday Peace Agreement has changed the course of history for all the people in Northern Ireland.

The task now facing all of us who care about this process is to build greater momentum for full implementation of the Agreement. There has been welcome recent progress. Last month, the Northern Ireland Assembly approved the designation of the Northern Ireland Departments and the group of cross-border bodies. Last week, Britain and Ireland signed historic treaties for closer ties. Prisoners have been released. The British have reduced their troop levels to the lowest point in twenty years. We are also heartened by the establishment of the Human Rights Commissions.

Full implementation of the Agreement offers the best way forward and the best yardstick to judge the policies and actions of all involved. The goal of peace is best served by prompt action on the Agreement. Those who take risks for peace can be assured of timely support by President Clinton, Congress, and the American people.

Mr. DURBIN. Mr. President, at this point I ask unanimous consent the resolution and preamble be agreed to en bloc, the motion to reconsider be laid

upon the table, and that any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 64) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 64

Whereas Ireland has a long and tragic history of civil conflict that has left a deep and profound legacy of suffering;

Whereas since 1969 more than 3,200 people have died and thousands more have been injured as a result of political violence in Northern Ireland;

Whereas a series of efforts by the Governments of the Republic of Ireland and the United Kingdom to facilitate peace and an announced cessation of hostilities created an historic opportunity for a negotiated peace;

Whereas in June 1996, for the first time since the partition of Ireland in 1922, representatives elected from political parties in Northern Ireland pledged to adhere to the principles of nonviolence and commenced talks regarding the future of Northern Ireland;

Whereas the talks greatly intensified in the spring of 1998 under the chairmanship of former United States Senator George Mitchell;

Whereas the active participation of British Prime Minister Tony Blair and Irish Taoiseach Bertie Ahern was critical to the success of the talks;

Whereas on Good Friday, April 10, 1998, the parties to the negotiations each made honorable compromises to conclude a peace agreement for Northern Ireland, which has become known as the Good Friday Peace Agreement;

Whereas on Friday, May 22, 1998, an overwhelming majority of voters in both Northern Ireland and the Republic of Ireland approved by referendum the Good Friday Peace Agreement;

Whereas the United States must remain involved politically and economically to ensure the long-term success of the Good Friday Peace Agreement; and

Whereas April 10, 1999, marks the first anniversary of the Good Friday Peace Agreement: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic significance of the first anniversary of the Good Friday Peace Agreement;

(2) salutes British Prime Minister Tony Blair and Irish Taoiseach Bertie Ahern and the elected representatives of the political parties in Northern Ireland for creating the opportunity for a negotiated peace;

(3) commends former Senator George Mitchell for his leadership on behalf of the United States in guiding the parties toward peace;

(4) congratulates the people of the Republic of Ireland and Northern Ireland for their courageous commitment to work together in peace;

(5) reaffirms the bonds of friendship and cooperation that exist between the United States and the Governments of the Republic of Ireland and the United Kingdom, which ensure that the United States and those Governments will continue as partners in peace; and

(6) encourages all parties to move forward to implement the Good Friday Peace Agreement.

Mr. BROWNBACK. Mr. President, I have a series of items I need to go through and a discussion I want to have, but I understand the Senator from Michigan has some comments to make, so I yield the floor to the Senator from Michigan.

TOBACCO RECOUPMENT

Mr. ABRAHAM. Mr. President, I thank the Senator from Kansas. I wanted to just briefly speak in relationship to the Harkin-Specter amendment with regard to the tobacco recoupment issue and the issue of exactly what should happen to the funds that the States are now entitled to receive as a result of the legal settlement that was achieved between 46 States and the tobacco companies.

Mr. President, this, to me, should be a pretty clear-cut result. The States entered into this litigation. They did all the work. They made the case persuasively. They were finally able to prevail on the merits, in terms of convincing the other side to engage in a settlement. So, for those reasons, it does not seem to me to be particularly difficult to conclude that the benefits, the proceeds, the settlement moneys ought to go to the States. I believe, since the States did this on their own and since the States are certainly quite knowledgeable about the needs of their constituents, that we should allow them not only to be the recipients of those funds but we should give them the discretion to make the decisions that are necessary as to what priorities to set in spending those dollars.

Let me just begin briefly with the basic case itself. The States joined together. The Federal Government did not play a role in the technical sense, or as a party to the proceedings. Indeed, in his State of the Union Address the President even indicated he was directing the Department of Justice and the Attorney General to bring a separate litigation on behalf of the people of the United States against the tobacco companies. Presumably, one would not bring that case if one did not think that the States' decisions were separate from any kind of Federal component.

Once the States won, of course, money became available. Unfortunately, at that point the Federal Government, through the Health Care Finance Administration, is attempting to intercede in the President's budget to a very substantial degree, trying to wrest control of a substantial portion of those dollars. As I recall, roughly 60 percent of the first 5 years' revenues to the States which, under the President's budget, would, instead, be diverted to Washington. The basis for their claim is, in my judgment, a weak one, predicated on the argument that Medicaid overpayments are to be returned to the States. This is not a Medicaid overpayment from the Federal Government. This is a settlement between the States and these tobacco companies, a settlement fairly reached and a settlement based on the States' belief that their citizens had been in some ways the victims of the illnesses relating to tobacco.

That said, we have now moved to a slightly different stage. In the content of this supplemental appropriation bill is language which would make it absolutely and explicitly clear that the States will receive these dollars. Now, we have before us an amendment that says: OK, if the States are going to get the money they still have to spend it on the priorities set by bureaucrats in Washington. Indeed, it is my understanding that the proposed amendment would essentially place the Secretary of Health and Human Services in a position to determine what programs qualify for, and whether States are in compliance with, these Federal mandates for 25 years. Basically, what this amendment says is approximately 50 percent, 50 percent of the settlement moneys have to be spent the way Washington dictates, and that the Secretary of Health and Human Services will decide not only what that dictation means but whether the States have done it. The States will be required to engage in extensive recordkeeping and an annual process of appealing for approval, the same kind of bureaucratic redtape that costs money and complicates, in my judgment, far too many things we do already.

If the Secretary of Health and Human Services, and it's not just this Secretary but any Secretary over the next quarter of a century, doesn't agree with the States, they can then veto, in effect, the States' expenditures costing the States as much as approximately $123 billion during that time.

The bottom line is, I think, a fairly simple one. Who knows best what the needs of the States are, the States themselves or bureaucrats in the Department of Health and Human Services? I believe the States do. I think we can trust the States to make the right decisions as to how to spend the moneys derived from the tobacco settlements. That is assuming, of course, that we have any right to tell them in the first place. I do not even acknowledge that. But assuming there even was a right of the Federal Government in some respect, I just cannot imagine why anybody here in Washington is going to do a better job than people at the State level in making these judgments.

The priorities that have been set which relate to such things as counteradvertising or youth awareness or public health priorities, are priorities virtually every State has already set for themselves. Many of the States, including I believe my own, have done great things along the way to try to discourage smoking by young people and to address public health needs. If they have done that well, the notion that they now have to spend new moneys recouped through this settlement on these programs at least in my judgment would be a grievous error.

So it comes back to something we talk about a lot around here: Who

should set priorities and who knows best? In my view, the people at the local and State level, on issues and problems like this, do know best. They ought to make the decisions as to how the money, which was rightfully won by them in these lawsuits, ought to be spent. And we in Washington ought to be happy that there is going to be an abundance of resources going to the States to address the top priorities of those States.

The notion that we have to dictate how 50 percent or even 30 percent or 10 percent of these dollars have to be spent, I think both, A, incorrectly presumes that somehow we had a stake in the lawsuit and, B, that, somehow we know better. I believe it has been proven time after time that we do not know better, particularly in these types of matters which obviously have peculiarities that differ from State to State.

So, for those reasons I rise in opposition to the amendment. I look forward to working with the Senator from Texas and with a variety of other Senators who have been working together as cosponsors of the legislation that is included in the supplemental appropriation bill, to make sure that first and foremost the States get access to all the money won in the settlements and that, second, the States have the right to make the decisions as to how to spend those dollars.

So, Mr. President, I hope we will be successful in preventing agreement to this amendment. I look forward to working on this until it is completed.

I yield the floor.

REPORT OF THE CONGRESSIONAL COMMISSION ON MILITARY TRAINING AND GENDER-RELATED ISSUES

Mr. BROWNBACK. Mr. President, I want to make note of a report that came out today that is one, I think, we are going to be seeing and hearing quite a bit more about in the U.S. Senate. It was a report of the Congressional Commission on Military Training and Gender-Related Issues.

I rise today to briefly comment on the status of the report and the testimony that was submitted today by the members of the Congressional Commission on Military Training and Gender-Related Issues, a hearing that took place in the House Armed Services Committee. While not the final report of this commission, the initial report does give indications as to their findings and, I think, warrants some discussion in the U.S. Senate.

A number of Members will recall, last year we had a spirited discussion about gender-integrated barracks during basic training. The discussion was centered around issues of, is this the most effective way to train our young men and women in the services, to have gender-integrated barracks? These are young men and women just entering into the military. They are going through basic training. There are a lot of difficult issues that they are facing, as they are being trained into a fighting force. Then on top of that, we put them in the same barracks together at night, after they have been side by side during the day. Ask yourself, are you going to be asking for problems if you have got young men and women who are put into the same barracks, right after a long day, next to each other with not a lot of other diversions at night?

We have had, unfortunately, a report of many instances of sexual harassment that have taken place, and worse, in these gender-integrated barracks. I am not speaking about basic training. I am talking about the barracks.

The report that came out today notes some progress in improving that sexual harassment and other problems that we have experienced with gender-integrated barracks during basic training, but it still invites the question of, why do we even ask for any problems at all? They are saying, the problem level is down, but why are we asking for problems at all by having these integrated barracks during basic training? Why don't we separate the genders during basic training? That was the point that a number of us made last year. A lot of people thought, let's put it off until this report. The report notes we have some progress, but we still have problems.

I think this hearing that was held today and the preliminary report that was issued merit a full hearing taking place in the U.S. Senate Armed Services Committee to review this very issue. Is this the best way? Is this the right way, and is this the way that is leading to more problems than we need to confront of the current policy of integrating the sexes in their barracks during basic training?

I think not. We will continue to have problems we just do not need to invite. I hope that the Senate will take this on as a serious problem as we start to deal with the report that comes out today.

AMTRAK ''CITY OF NEW ORLEANS'' DERAILMENT

Mr. LOTT. Mr. President, millions of Americans awoke yesterday to the tragic news of the derailment of the Amtrak ''City of New Orleans'' passenger train in Bourbonnais, Illinois. Late Monday night, the train, bound for New Orleans from Chicago, struck a tractor trailer at a highway/railroad crossing, throwing the two locomotives and 11 of the 14 cars off the tracks. More than 100 of the 196 passengers, 18 crew members, and two off-duty Amtrak employees were injured. At least eleven passengers were killed, including three Mississippians.

Both Tricia and I are keeping the families of the victims of this terrible tragedy in our prayers, especially the Bonnin and Lipscomb families of DeSoto County, Mississippi. June Bonnin of Nesbit, Mississippi was diagnosed with what doctors described as incurable cancer five years ago. However, her strong faith in God kept her going and inspired others around her. She and her granddaughter, Jessica Tickle of Memphis, Tennessee, are in God's hands now, and her daughter Ashley was severely injured. Rainey and Lacey Lipscomb, two young sisters from Lake Cormorant, Mississippi, also perished in this crash. We grieve with these families for their loss.

Mr. President, a group of students and adults from Clinton High School and Covenant Christian School in Clinton, Mississippi riding that train were returning to Mississippi after a spring-break ski trip. These young teenagers were jolted into a nightmare situation as some of the train's locomotives and cars overturned, split open, and caught fire.

I want to recognize the reactions of two of those students during this catastrophe. Clinton High School students Michael Freeman and Caleb McNair quickly recovered from the initial shock of this crash and went to the aid of their fellow students and passengers. The Jackson, Mississippi newspaper reported today that Michael located an escape route through a side window, which was now at the top of their overturned passenger coach, built a ladder from broken seats, climbed out, and pulled his fellow students out to safety. Meanwhile, Caleb searched the coach for his fellow students. They had rescued more than a dozen students by the time emergency personnel arrived on scene. Michael then assisted one of the injured students to a telephone so she could notify her parents.

Mr. President, the actions of these two young men may have prevented the other students from suffering additional injury or even death. Their reaction during this unexpected and disorienting event was truly commendable, as was the response by local, state, and Federal emergency personnel, Amtrak, and the Red Cross.

It is unfortunate that the Nation's awareness of the dangers of road/railway crossings tends to be raised by tragedies such as this, only to fade as time passes. Drivers who fail to heed rail intersection warnings place not only themselves at risk, but others as well. More needs to be done to prevent such accidents. I intend to work with my colleagues this year to do just that.

MESSAGES FROM THE HOUSE

At 12:25 p.m., a message from the House of Representatives, delivered by Mr. Hayes, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 774. An act to amend the Small Business Act to change the conditions of participation and provide an authorization of appropriations for the women's business center program.

H.R. 807. An act to amend title 5, United States Code, to provide portability of service credit to persons who leave employment

with the Federal Reserve Board to take positions with other Government agencies, and for other purposes.

H.R. 819. An act to authorize appropriations for the Federal Maritime Commission for fiscal year 2000 and 2001.

H.R. 858. An act to amend title 11, District of Columbia Code, to extend coverage under the whistleblower protection provisions of the District of Columbia Comprehensive Merit Personnel Act of 1978 to personnel of the courts of the District of Columbia.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 24. Concurrent resolution expressing congressional opposition to the unilateral declaration of a Palestinian state and urging the President to assert clearly United States opposition to such a unilateral declaration of statehood.

The message further announced that pursuant to section 3 of Public Law 94–304, as amended by section 1 of Public Law 99–7, the Speaker appoints the following Members of the House to the Commission on Security and Cooperation in Europe: Mr. WOLF of Virginia, Mr. SALMON of Arizona, Mr. GREENWOOD of Pennsylvania, and Mr. FORBES of New York.

ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

H.R. 540. An act to amend title XIX of the Social Security Act to prohibit transfers or discharges to residents of nursing facilities as a result of a voluntary withdrawal from participation in the Medical Program.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 807. An act to amend title 5, United States Code, to provide portability of service credit to persons who leave employment with the Federal Reserve Board to take positions with other Government agencies, and for other purposes; to the Committee on Governmental Affairs.

H.R. 819. An act to authorize appropriations for the Federal Maritime Commission for fiscal years 2000 and 2001; to the Committee on Governmental Affairs.

H.R. 858. An act to amend title 11, District of Columbia Code, to extend coverage under the whistleblower protection provisions of the District of Columbia Comprehensive Merit Personnel Act of 1978 to personnel of the courts of the District of Columbia; to the Committee on Commerce, Science, and Transportation.

MEASURE PLACED ON THE CALENDAR

The following concurrent resolution was read and placed on the calendar:

H. Con. Res. 24. Concurrent resolution expressing congressional opposition to the unilateral declaration of a Palestinian state and urging the President to assert clearly United States opposition to such a unilateral declaration of statehood.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–2222. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans: Oregon'' (FRL6307–5) received on March 11, 1999; to the Committee on Environment and Public Works.

EC–2223. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans: Kentucky; Approval of Revisions to Basic Motor Vehicle Inspection and Maintenance Program'' (FRL6307–8) received on March 11, 1999; to the Committee on Environment and Public Works.

EC–2224. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Section 112(1) Authority for Hazardous Air Pollutants; Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks; State of California'' (FRL6236–9) received on March 11, 1999; to the Committee on Environment and Public Works.

EC–2225. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plan; Illinois'' (FRL6308–2) received on March 11, 1999; to the Committee on Environment and Public Works.

EC–2226. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plan; Ohio: Designation of Areas for Air Quality Planning Purposes; Ohio'' (FRL6234–3) received on March 11, 1999; to the Committee on Environment and Public Works.

EC–2227. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule regarding emissions standards for furniture coating operations and ship building and repair operations in Texas (FRL6239–5) received on March 11, 1999; to the Committee on Environment and Public Works.

EC–2228. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Uniformed Financial Reporting Standards for HUD Housing Programs; Technical Amendment'' received on February 9, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–2229. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Disposition of HUD-Acquired Single Family Property; Final Rule'' received on February 9, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–2230. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Electronic Submission of Required Data by Multifamily Mortgagees to Report Mortgage Delinquencies, Defaults, Reinstatements, Assignment Elections, and Withdrawals of Assignment Elections'' (FR–4303) received on February 9, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–2231. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Nondiscrimination in Programs and Activities Receiving Assistance Under Title I of the Housing and Community Development Act of 1974'' (FR–4092) received on February 9, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–2232. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Due Date of First Annual Performance Report Under the Native American Housing Assistance and Self-Determination Act of 1996'' (RIN2577–AB93) received on February 9, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–2233. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Home Equity Conversion Mortgages; Consumer Protection Measures Against Excessive Fees'' (FR–4306) received on February 9, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–2234. A communication from the President and Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, notice of a financial guarantee to support the sale of two Boeing 737–700 aircraft to Royal Air Maoc; to the Committee on Banking, Housing, and Urban Affairs.

EC–2235. A communication from the Managing Director of the Federal Housing Finance Board, transmitting, pursuant to law, the Board's report on base salary structures for Executive and Graded employees for 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–2236. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' (Docket FEMA–7707) received on March 10, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–2237. A communication from the Chief Counsel of the Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Weapons of Mass Destruction Trade Control Regulations: Implementation of Executive Order 13094'' received on February 17, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–2238. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's report on the impact of the requirements for double-hull tankers; to the Committee on Environment and Public Works.

EC–2239. A communication from the Under Secretary of Defense for Acquisition and Technology, transmitting, pursuant to law, the report on Department of Defense reimbursement of contractor environmental response action costs; to the Committee on Environment and Public Works.

EC–2240. A communication from the Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants;

Determination of Endangered Status for Catesbaea melanocarpa'' (RIN1018–AE48) received on March 12, 1999; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 243: A bill to authorize the construction of the Perkins County Rural Water System and authorize financial assistance to the Perkins County Rural Water System, Inc., a nonprofit corporation, in the planning and construction of the water supply system, and for other purposes (Rept. No. 106–18).

S. 291: A bill to convey certain real property within the Carlsbad Project in New Mexico to the Carlsbad Irrigation District (Rept. No. 106–19).

S. 292: A bill to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of the Interior to provide assistance (Rept. No. 106–20).

S. 356: A bill to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District, and for other purposes (Rept. No. 106–21).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 366: A bill to amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail (Rept. No. 106–22).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 382: A bill to establish the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes (Rept. No. 106–23).

H.R. 171: A bill to authorize appropriations for the Coastal Heritage Trail Route in New Jersey, and for other purposes (Rept. No. 106–24).

H.R. 193: A bill to designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System (Rept. No. 106–25).

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

H.R. 92: A bill to designate the Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, as the ''Hiram H. Ward Federal Building and United States Courthouse.''

H.R. 158: A bill to designate the Federal Courthouse located at 316 North 26th Street in Billings, Montana, as the ''James F. Battin Federal Courthouse.''

H.R. 233: A bill to designate the Federal building located at 700 East San Antonio Street in El Paso, Texas, as the ''Richard C. White Federal Building.''

H.R. 396: A bill to designate the Federal building located at 1301 Clay Street in Oakland, California, as the ''Ronald V. Dellums Federal Building.''

S. 67: A bill to designate the headquarters building of the Department of Housing and Urban Development in Washington, District of Columbia, as the ''Robert C. Weaver Federal Building.''

S. 272: A bill to designate the Federal building located at 1301 Clay Street in Oakland, California, as the ''Ronald V. Dellums Federal Building.''

S. 392: A bill to designate the Federal building and United States courthouse located at West 920 Riverside Avenue, in Spokane, Washington, as the ''Thomas S. Foley Federal Building and United States Courthouse,'' and the plaza at the south entrance of that building and courthouse as the ''Walter F. Horan Plaza.''

S. 437: A bill to designate the United States courthouse under construction at 338 Las Vegas Boulevard South in Las Vegas, Nevada, as the ''Lloyd D. George United States Courthouse.''

S. 453: A bill to designate the Federal building located at 709 West 9th Street in Juneau, Alaska, as the ''Hurff A. Saunders Federal Building.''

S. 460: A bill to designate the United States courthouse located at 401 South Michigan Street in South Bend, Indiana, as the ''Robert K. Rodibaugh United States Bankruptcy Courthouse.''

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BINGAMAN:

S. 638. A bill to provide for the establishment of a School Security Technology Center and to authorize grants for local school security programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

S. 639. A bill to prevent truancy and reduce juvenile crime; to the Committee on Health, Education, Labor, and Pensions.

S. 640. A bill to establish a pilot program to promote the replication of recent successful juvenile crime reduction strategies; to the Committee on the Judiciary.

By Mr. SARBANES (for himself, Mr. DURBIN, Mr. DODD, and Mr. FEINGOLD):

S. 641. A bill to amend the Truth in Lending Act to provide for enhanced information regarding credit card balance payment terms and conditions, and to provide for enhanced reporting of credit card solicitations to the Board of Governors of the Federal Reserve System and to Congress, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself, Mr. BAUCUS, Mr. ROBERTS, Mrs. HUTCHISON, Mr. BURNS, Mr. BREAUX, Mr. HATCH, Mr. KERREY, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. CRAIG, Mr. SESSIONS, Mr. ALLARD, Mr. LUGAR, Mr. GRAMM, Mr. CAMPBELL, Mr. HAGEL, Mrs. MURRAY, and Mr. GRAMS):

S. 642. A bill to amend the Internal Revenue Code of 1986 to provide for Farm and Ranch Risk Management Accounts, and for other purposes; to the Committee on Finance.

By Mr. MCCAIN:

S. 643. A bill to authorize the Airport Improvement Program for 2 months, and for other purposes; read twice.

By Mr. INOUYE:

S. 644. A bill for the relief of Sergeant Phillip Anthony Gibbs; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 645. A bill to amend the Clean Air Act to waive the oxygen content requirement for reformulated gasoline that results in no greater emissions of air pollutants than reformulated gasoline meeting the oxygen content requirement; to the Committee on Environment and Public Works.

By Mr. ROTH (for himself and Mr. BAUCUS):

S. 646. A bill to amend the Internal Revenue Code of 1986 to provide increased retirement savings opportunities, and for other purposes; to the Committee on Finance.

By Mr. MACK (for himself and Mr. GRAHAM):

S. 647. A bill to provide for the appointment of additional Federal district judges in the State of Florida, and for other purposes; to the Committee on the Judiciary.

By Mr. KERRY (for himself and Mr. GRASSLEY):

S. 648. A bill to provide for the protection of employees providing air safety information; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROTH (for himself and Mr. BAUCUS):

S. 649. A bill to amend the Internal Revenue Code of 1986 to provide increased retiremnet savings opportunities, and for other purposes; to the Committee on Finance.

By Mr. WELLSTONE (for himself and Mr. KENNEDY):

S. 650. A bill to amend the Occupational Safety and Health Act of 1970 to provide for coverage under that Act of employees of the Federal Government; to the Committee on Health, Education, Labor, and Pensions.

S. 651. A bill to amend the Occupational Safety and Health Act of 1970 to modify the provisions relating to citations and penalties; to the Committee on Health, Education, Labor, and Pensions.

S. 652. A bill to amend the Occupational Safety and Health Act of 1970 to protect employees against reprisals from employers based on certain employee conduct concerning safe and healthy working conditions; to the Committee on Health, Education, Labor, and Pensions.

S. 653. A bill to amend the Occupational Safety and Health Act of 1970 to further protect the safety and health of employees; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WELLSTONE:

S. 654. A bill to strengthen the rights of workers to associate, organize and strike, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LOTT (for himself, Mr. MCCAIN, Mr. STEVENS, Mr. BURNS, Mrs. HUTCHISON, Mr. FRIST, Mr. MACK, Mr. MURKOWSKI, Mr. WARNER, Mr. SHELBY, Mr. BENNETT, Mr. INHOFE, Mr. SESSIONS, and Mr. GRAMS):

S. 655. A bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles; to the Committee on Commerce, Science, and Transportation.

By Mr. HATCH (for himself, Mr. CLELAND, Mr. ABRAHAM, Mr. ALLARD, Mr. ASHCROFT, Mr. BAUCUS, Mr. BOND, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. CAMPBELL, Ms. COLLINS, Mr. COVERDELL, Mr. CRAIG, Mr. CRAPO, Mr. DEWINE, Mr. DOMENICI, Mr. ENZI, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. FRIST, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HELMS, Mr. HOLLINGS, Mr. HUTCHINSON, Mrs. HUTCHISON, Mr. INHOFE, Mr. JOHNSON, Mr. KYL, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MACK, Mr. MCCAIN, Mr. MURKOWSKI, Mr. NICKLES, Mr. REID, Mr. ROBERTS, Mr. ROTH, Mr. SANTORUM, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of New Hampshire, Ms. SNOWE, Mr. SPECTER, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND, and Mr. WARNER):

S.J. Res. 14. A joint resolution proposing an amendment to the Constitution of the

United States authorizing Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon) as indicated:

By Mr. DURBIN (for himself, Mr. KENNEDY, Mr. BIDEN, Mr. MOYNIHAN, Mr. DODD, Mr. FITZGERALD, Mr. SCHUMER, Mr. LAUTENBERG, Mr. REID, Mr. STEVENS, Mrs. BOXER, Mr. LIEBERMAN, Mr. LEAHY, Mr. LEVIN, Mr. WELLSTONE, Mr. ROCKEFELLER, Mr. CLELAND, Mr. TORRICELLI, Mr. GRAMS, Mr. SANTORUM, Mr. DASCHLE, Ms. MIKULSKI, Mr. KERREY, Mr. COCHRAN, Mr. DORGAN, Mr. THURMOND, Ms. LANDRIEU, Ms. COLLINS, Mr. BURNS, Mr. MCCAIN, Mr. LOTT, Mr. BAYH, Mr. VOINOVICH, Mrs. LINCOLN, Mr. BINGAMAN, and Mr. WYDEN):

S. Res. 64. A resolution recognizing the historic significance of the first anniversary of the Good Friday Peace Agreement; considered and agreed to.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 65. A resolution to authorize testimony, document production, and legal representation in Dirk S. Dixon, et al. v. Bruce Pearson, et al; considered and agreed to.

S. Res. 66. A resolution to authorize testimony, documentary production, and representation of employees of the Senate in United States v. Yah Lin ''Charlie'' Trie; considered and agreed to.

S. Res. 67. A resolution to authorize representation of Secretary of the Senate in the case of Bob Schafer, et al. v. William Jefferson Clinton, et al; considered and agreed to.

By Mrs. BOXER (for herself and Mr. BROWNBACK):

S. Res. 68. A resolution expressing the sense of the Senate regarding the treatment of women and girls by the Taliban in Afghanistan; to the Committee on Foreign Relations.

By Mr. ASHCROFT:

S. Con. Res. 18. A concurrent resolution expressing the sense of the Congress that the current Federal income tax deduction for interest paid on debt secured by a first or second home should not be further restricted; to the Committee on Finance.

By Mr. CAMPBELL (for himself, Mr. LAUTENBERG, Mr. SMITH of Oregon, Mr. ABRAHAM, Mr. BROWNBACK, Mr. REID, Mr. BURNS, Mr. TORRICELLI, Mr. CLELAND, and Mr. FEINGOLD):

S. Con. Res. 19. A concurrent resolution concerning anti-Semitic statements made by members of the Duma of the Russian Federation; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN:

S. 638. A bill to provide for the establishment of a School Security Technology Center and to authorize grants for local school security programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SAFE SCHOOL SECURITY ACT

By Mr. BINGAMAN:

S. 639. A bill to prevent truancy and reduce juvenile crime; to the Committee on Health, Education, Labor, and Pensions.

TRUANCY PREVENTION AND JUVENILE CRIME REDUCTION ACT

By Mr. BINGAMAN:

S. 640. A bill to establish a pilot program to promote the replication of recent successful juvenile crime reduction strategies; to the Committee on the Judiciary.

SAFER COMMUNITIES PARTNERSHIP ACT

Mr. BINGAMAN. Mr. President, I rise today to introduce three measures that are linked together by a common theme—the desire to create a safer environment for young people to grow up in.

Two of these bills are designed to help communities better combat juvenile crime and the related problem of truancy. The third proposal will help better protect students from violence in the school building through the use of technology.

It's clear that in order to create a safer environment for young people, we must not only reduce the number of children who commit crimes, but also the number of children who are victims of crime.

Before I outline these specific bills, I'd like to put them in a larger context. Mr. President, I'd like to spend just a minute discussing the broader question of what children need—in addition to safe surroundings—in order to grow into healthy, productive adults.

Let me start by describing my own childhood. I grew up in a small mining town in southwestern New Mexico called Silver City. Both my parents were teachers, so naturally a top concern was that I got a solid education. Fortunately, the local schools were good, and when I graduated with my classmates from what is now Silver High, we felt we could compete with just about any other student in the country.

Silver City was also relatively safe. People tended to know their neighbors and while no town is completely crime-free, we felt secure in our homes, around town, and in school.

Finally, Silver City was by no means a wealthy town. But I'm sure I'm not the only one who grew up optimistic that a person could work hard, achieve a decent standard of living, and support their family without fear that one turn of bad luck would put them out on the streets.

In short, Mr. President, Silver City was a pretty good place to grow up. In fact, we used to feel sorry for people in neighboring states where the quality of life was not so good.

Even today, New Mexico is blessed with rich cultural diversity, tremendous natural beauty, strong families and a sense of tradition. All of these things make New Mexico a wonderful place to live. Each time I go home I'm astonished at the number of new people who are moving there, no doubt for some of these very reasons.

And yet, Mr. President, some things seem to have changed since I was a kid in New Mexico. I seem to hear more and more frequently from parents who tell me how hard it is to raise a child in a state where crime and unemployment rates are high, yet family income and school graduation rates are low. Where alcohol and drug abuse are widespread, but health insurance and treatment options are scarce.

Those of us from New Mexico know that a Washington-based study ranking our state as the worst place to raise children can not be taken at face-value. And yet, there is a troubling reality we must face. In many ways, our state is failing to provide what is needed to ensure all of our young people have the necessary foundation to grow into healthy, productive adults. In several key respects, New Mexico has fallen behind the other states we used to feel sorry for.

So, Mr. President, as we stand on the brink of a new century, I rise today to urge that we recommit ourselves—as elected officials, as community leaders, as parents, and as citizens— to better meeting the needs of people growing up in our state and to setting higher goals for New Mexico's future.

I began by saying that a child needs to grow up safe from harm. That means safe from family violence, safe from gang warfare, and safe in school. But a child has other needs that must be met as well. I'd like to mention three other areas that I believe are cornerstones to strong foundation for any child.

The first of these is economic security. If a child is living in poverty, or on the edge of poverty, it is very difficult for anything else to fall into place.

A child should grow up in a family whose economic circumstances are stable. This stability comes first and foremost from parents with decent job opportunities. It also comes from a family's ability to successfully juggle numerous economic demands—and to adapt to change, the only certainty in today's global economy. Our efforts in this area should center on creating more high-wage jobs and on giving families the tools to manage the unpredictable forces that can throw them into financial turmoil.

The second cornerstone is education. In America, a quality public education has long been the great leveler between the haves and the have-nots. Children need access to a quality education that will give them the skills to achieve a good standard of living.

A quality education system is one characterized by accountability and flexibility. Accountability means that clear goals are set for things like student achievement and teacher quality, information is readily available on student progress toward these goals, and schools are held accountable for this progress. Flexibility means that schools have the resources and the ability to adapt to meet the needs of students—particularly students at risk of dropping out.

Third, children must have access to affordable, quality health care. A child who is sick cannot go to school—cannot be expected to learn. And yet according to the Children's Defense Fund, no state has a greater percentage of uninsured children than New Mexico.

We have to ensure that this health care is not only promised, but delivered—and that it is just as available to rural areas as it is to urban ones.

In the coming weeks, I intend to introduce legislation and pursue strategies in each of these remaining three areas—that I hope will begin to help parents provide a strong foundation for their children. All of us who grew up in New Mexico have fond memories of those days, and we want to assure that feeling for future generations of New Mexicans so that they can grow up, raise their families, and build a future in our state.

Mr. President, I'd now like to describe the three bills I am introducing today.

While adult crime rates are declining in many areas, the juvenile crime rate continues to rise—especially drug-related crime. But there is some hope, and there are good solutions out there. Not too long ago, I heard about the success the City of Boston had in getting control of their serious juvenile crime problem. In 1992, Boston had 152 homicides—a horrendous statistic. Realizing the community had to come together to work on a common solution, the City of Boston developed and implemented a collaborative strategy to address their crime problem. Boston's strategy was very successful, and between 1995 and 1997, their homicide rate dropped significantly. Most notably, they went two years without a single juvenile homicide.

Boston got law enforcement, community organizations, health providers, prosecutors, and even religious leaders working together to tackle different aspects of juvenile crime.

The Boston strategy worked because it got people from different organizations working together on a specific set of goals—like taking guns away from felons, using probation officers to help identify and apprehend probation violators, and providing alternatives to children to keep them from getting into trouble in the first place.

Boston recognized that juvenile crime affects the entire community, and a community that pulls together to address it will have a better chance of success.

The legislation I am introducing today, called the Safer Communities Partnership Act, is patterned after a bill authored by Senator KENNEDY. It provides funding for communities that want to implement this ''Boston'' strategy. And because there is no one-size-fits-all approach that works for every community, this bill provides the flexibility to integrate this strategy into the crime-fighting efforts already occurring at the local level.

The next two proposals have two goals: (1) to keep kids in school, and (2) to keep kids in school safe.

Although truancy is often the first sign of trouble in the life of a young person, this problem has long been overlooked. Truancy not only indicates a young person's disinterest in school, it often indicates that a young person is headed for a life of crime, drugs and other serious problems.

It is clear that truancy and crime go hand-in-hand—44 percent of violent juvenile crime takes place during school hours and 57 percent of violent crimes committed by juveniles occur on school days. Most of these crimes take place at a time when we expect young people to be in school.

In most cases, parents are not aware that their children are truant. We all have to do a better job of notifying parents when kids skip school. In fact, most studies indicate that when parents, educators, law enforcement and community leaders all work together to prevent truancy at an early stage, school attendance increases and daytime crime decreases.

The Truancy Prevention and Juvenile Crime Reduction Act I am introducing today authorizes $25 million per year for local partnerships to address truancy. The funds can be used for a variety of purposes. They can be used to create penalties for truants and parents when truancy becomes a chronic problem. They can be used by schools to acquire the technology needed to automatically notify parents when their children are absent without an excuse.

Not only do we need to keep our young people in school, we need to keep our students in school safe! Most of us understand the importance of protecting our assets, yet we have neglected to protect our biggest investment of all: our school children. The third and final bill I am introducing today is intended to do just that.

We all remember the horrible tragedies that struck Jonesboro, Arkansas, Paducah, Kentucky, and other communities within the last year. At a time when violent crime in the nation is decreasing, one in ten public schools reported at least one serious violent crime during the 1996–97 school year. The school yard fist fight is no longer a child's worst fear: 71 percent of children ages 7 to 10 say they worry about being shot or stabbed. A violent environment is not a good learning environment.

Educators and law enforcement know that one way to prevent crime in our schools is through the use of technology. The Safe School Security Act would establish the School Security Technology Center at Sandia National Laboratories and provide grant money for local school districts to access the technology. Because Sandia is one of our nation's premier labs when it comes to providing physical security for our nation's most important assets, it is fitting that they would be chosen to provide security to school districts throughout our nation.

The latest technology was recently tested in a pilot project involving Sandia Labs and Belen High School in Belen, New Mexico and the results were astounding. After two years, Belen High School reported a 75 percent reduction in school violence, a 30 percent reduction in truancy, an 80 percent reduction in vehicle break-ins and a 75 percent reduction in vandalism. Moreover, insurance claims due to theft or vandalism at Belen High School dropped from $50,000 to $5,000 after the pilot project went into effect. Clearly, the cost of making our schools safer and more secure is a good investment for our nation.

Mr. President, these three bills represent only a small fraction of what should be done to ensure that children grow up safe. There is much more I hope we can do this year. For instance, no discussion of the safety of children would be complete without acknowledging the problem of drug and alcohol abuse, which is not only a problem for many young people, but is often a source of family violence committed by addicted parents.

In recent weeks, we have seen the community of Española in northern New Mexico begin to come to terms with a very serious heroin problem. In other parts of the state, federal, state and local officials are combating an increase in production and trafficking of methamphetamines, or meth. And of course, the problem of alcohol abuse continues to plague communities big and small, urban and rural.

All of these problems must be approached on two fronts—from the law enforcement side, and from the treatment side. Last year we obtained an increase of over one million dollars for New Mexico-based efforts to stop the drug trade along the Mexican border, and I recently joined in introducing a measure that will help local law enforcement crack down on the production and distribution of methamphetamines.

On the treatment side, Congress this year will update the budget for all federally-funded drug and alcohol treatment programs through the reauthorization of SAMHSA. I have already secured a commitment from the head of this agency to travel to northern New Mexico, and I plan to play a leading role in ensuring adequate funding for treatment facilities in underserved areas like our state.

Mr. President, in closing I'd like to say that I am not the only person interested in working to make New Mexico a better place to grow up. There are valiant efforts underway all across the state, and I commend those who are striving to make a difference. But this is not something that can occur overnight. This is a long term effort that requires cooperation between all levels of government, community leaders, average citizens, and of course, parents.

As we prepare to close the book on the 20th century, I'd like to suggest a

new horizon for our state that will give us the time to make the progress we all want to make. We are a little more than 12 years away from New Mexico's 100th anniversary as a state of these United States. This anniversary will occur on January 6, 2012. I say we set our sights beyond the turn of the century and focus on that year—2012. Then we can set high goals for New Mexico and the future of our children, knowing we have 12 more years to do all we can to meet them. New Mexico can still be a great place to grow up, if we all work together toward that goal.

Mr. President, I ask unanimous consent that the text of the bills be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 638

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Safe School Security Act of 1999''.

SEC. 2. ESTABLISHMENT OF SCHOOL SECURITY TECHNOLOGY CENTER.

(a) SCHOOL SECURITY TECHNOLOGY CENTER.—

(1) ESTABLISHMENT.—The Attorney General, the Secretary of Education, and the Secretary of Energy shall enter into an agreement for the establishment at the Sandia National Laboratories, in partnership with the National Law Enforcement and Corrections Technology Center—Southeast, of a center to be known as the ''School Security Technology Center''. The School Security Technology Center shall be administered by the Attorney General.

(2) FUNCTIONS.—The School Security Technology Center shall be a resource to local educational agencies for school security assessments, security technology development, technology availability and implementation, and technical assistance relating to improving school security.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section—

(1) $2,850,000 for fiscal year 2000;

(2) $2,950,000 for fiscal year 2001; and

(3) $3,050,000 for fiscal year 2002.

SEC. 3. GRANTS FOR LOCAL SCHOOL SECURITY PROGRAMS.

Subpart 1 of part A of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7111 et seq.) is amended by adding at the end the following:

''SEC. 4119. LOCAL SCHOOL SECURITY PROGRAMS.

''(a) IN GENERAL.—

''(1) GRANTS AUTHORIZED.—From amounts appropriated under subsection (c), the Secretary shall award grants on a competitive basis to local educational agencies to enable the agencies to acquire security technology for, or carry out activities related to improving security at, the middle and secondary schools served by the agencies, including obtaining school security assessments, and technical assistance, for the development of a comprehensive school security plan from the School Security Technology Center.

''(2) APPLICATION.—To be eligible to receive a grant under this section, a local educational agency shall submit to the Secretary an application in such form and containing such information as the Secretary may require, including information relating to the security needs of the agency.

''(3) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to local educational agencies that demonstrate the highest security needs, as reported by the agency in the application submitted under paragraph (2).

''(b) APPLICABILITY.—The provisions of this part (other than this section) shall not apply to this section.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2000, 2001, and 2002.''.

SEC. 4. SAFE AND SECURE SCHOOL ADVISORY REPORT.

Not later than 1 year after the date of enactment of this Act, the Attorney General, in consultation with the Secretary of Education and the Secretary of Energy, or their designees, shall—

(1) develop a proposal to further improve school security; and

(2) submit that proposal to Congress.

S. 639

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Truancy Prevention and Juvenile Crime Reduction Act of 1999''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Truancy is often the first sign of trouble—the first indicator that a young person is giving up and losing his or her way.

(2) Many students who become truant eventually drop out of school, and high school drop outs are two and a half times more likely to be on welfare than high school graduates, twice as likely to be unemployed, or if employed, earn lower salaries.

(3) Truancy is the top-ranking characteristic of criminals—more common than such factors as coming from single-parent families and being abused as children.

(4) High rates of truancy are linked to high daytime burglary rates and high vandalism.

(5) As much as 44 percent of violent juvenile crime takes place during school hours.

(6) As many as 75 percent of children ages 13 to 16 who are arrested and prosecuted for crimes are truants.

(7) Some cities report as many as 70 percent of daily student absences are unexcused, and the total number of absences in a single city can reach 4,000 per day.

(8) Society pays a significant social and economic cost due to truancy: only 34 percent of inmates have completed high school education; 17 percent of youth under age 18 entering adult prisons have not completed grade school (8th grade or less), 25 percent completed 10th grade, and 2 percent completed high school.

(9) Truants and later high school drop outs cost the Nation $240,000,000,000 in lost earnings and foregone taxes over their lifetimes, and the cost of crime control is staggering.

(10) In many instances, parents are unaware a child is truant.

(11) Effective truancy prevention, early intervention, and accountability programs can improve school attendance and reduce daytime crime rates.

(12) There is a lack of targeted funding for effective truancy prevention programs in current law.

SEC. 3. GRANTS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PARTNERSHIP.—The term ''eligible partnership'' means a partnership between 1 or more qualified units of local government and 1 or more local educational agencies.

(2) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(3) QUALIFIED UNIT OF LOCAL GOVERNMENT.—The term ''qualified unit of local government'' means a unit of local government that has in effect, as of the date on which the eligible partnership submits an application for a grant under this section, a statute or regulation that meets the requirements of section 223(a)(14) of the Juvenile Justice and Delinquency and Prevention Act of 1974 (42 U.S.C. 5633(a)(14)).

(4) UNIT OF LOCAL GOVERNMENT.—The term ''unit of local government'' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, or any Indian tribe.

(b) GRANT AUTHORITY.—The Attorney General, in consultation with the Secretary of Education, shall make grants in accordance with this section on a competitive basis to eligible partnerships to reduce truancy and the incidence of daytime juvenile crime.

(c) MAXIMUM AMOUNT; ALLOCATION; RENEWAL.—

(1) MAXIMUM AMOUNT.—The total amount awarded to an eligible partnership under this section in any fiscal year shall not exceed $100,000.

(2) ALLOCATION.—Not less than 25 percent of each grant awarded to an eligible partnership under this section shall be allocated for use by the local educational agency or agencies participating in the partnership.

(3) RENEWAL.—A grant awarded under this section for a fiscal year may be renewed for an additional period of not more than 2 fiscal years.

(d) USE OF FUNDS.—

(1) IN GENERAL.—Grant amounts made available under this section may be used by an eligible partnership to comprehensively address truancy through the use of—

(A) parental involvement in prevention activities, including meaningful incentives for parental responsibility;

(B) sanctions, including community service, or drivers' license suspension for students who are habitually truant;

(C) parental accountability, including fines, teacher-aid duty, or community service;

(D) in-school truancy prevention programs, including alternative education and in-school suspension;

(E) involvement of the local law enforcement, social services, judicial, business, and religious communities, and nonprofit organizations;

(F) technology, including automated telephone notice to parents and computerized attendance system;

(G) elimination of 40-day count and other unintended incentives to allow students to be truant after a certain time of school year; or

(H) juvenile probation officer collaboration with 1 or more local educational agencies.

(2) MODEL PROGRAMS.—In carrying out this section, the Attorney General may give priority to funding the following programs and programs that attempt to replicate one or more of the following model programs:

(A) The Truancy Intervention Project of the Fulton County, Georgia, Juvenile Court.

(B) The TABS (Truancy Abatement and Burglary Suppression) program of Milwaukee, Wisconsin.

(C) The Roswell Daytime Curfew Program of Roswell, New Mexico.

(D) The Stop, Cite and Return Program of Rohnert Park, California.

(E) The Stay in School Program of New Haven, Connecticut.

(F) The Atlantic County Project Helping Hand of Atlantic County, New Jersey.

(G) The THRIVE (Truancy Habits Reduced Increasing Valuable Education) initiative of Oklahoma City, Oklahoma.

(H) The Norfolk, Virginia project using computer software and data collection.

(I) The Community Service Early Intervention Program of Marion, Ohio.

(J) The Truancy Reduction Program of Bakersfield, California.

(K) The Grade Court program of Farmington, New Mexico.

(L) Any other model program that the Attorney General determines to be appropriate.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $25,000,000 for each of fiscal years 2000, 2001, and 2002.

S. 640

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Safer Communities Partnership Act of 1999''.

SEC. 2. PILOT PROGRAM TO PROMOTE REPLICATION OF RECENT SUCCESSFUL JUVENILE CRIME REDUCTION STRATEGIES.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—The Attorney General (or a designee of the Attorney General), in conjunction with the Secretary of the Treasury (or the designee of the Secretary), shall establish a pilot program (referred to in this section as the ''program'') to encourage and support communities that adopt a comprehensive approach to suppressing and preventing violent juvenile crime and reducing drug and alcohol abuse among juveniles, patterned after successful State juvenile crime reduction strategies.

(2) PROGRAM.—In carrying out the program, the Attorney General shall—

(A) make and track grants to grant recipients (referred to in this section as ''coalitions'');

(B) in conjunction with the Secretary of the Treasury and the Secretary of Health and Human Services, provide for technical assistance and training, in addition to data collection, and dissemination of relevant information; and

(C) provide for the general administration of the program.

(3) ADMINISTRATION.—Not later than 30 days after the date of enactment of this Act, the Attorney General shall appoint or designate an Administrator (referred to in this section as the ''Administrator'') to carry out the program.

(4) PROGRAM AUTHORIZATION.—To be eligible to receive an initial grant or a renewal grant under this section, a coalition shall meet each of the following criteria:

(A) COMPOSITION.—The coalition shall consist of 1 or more representatives of—

(i) the local or tribal police department or sheriff's department;

(ii) the local prosecutors' office;

(iii) State or local probation officers;

(iv) religious affiliated or fraternal organizations involved in crime prevention;

(v) schools;

(vi) parents or local grass roots organizations such as neighborhood watch groups;

(vii) social service agencies involved in crime prevention;

(viii) a juvenile or youth court judge; and

(ix) substance and alcohol abuse counselors and treatment providers.

(B) OTHER PARTICIPANTS.—If possible, in addition to the representatives from the categories listed in subparagraph (A), the coalition shall include 1 or more representatives of—

(i) the United States Attorney's office;

(ii) the Federal Bureau of Investigation;

(iii) the Bureau of Alcohol, Tobacco and Firearms;

(iv) the Drug Enforcement Administration;

(v) the business community; and

(vi) researchers who have studied criminal justice and can offer technical or other assistance.

(C) COORDINATED STRATEGY.—A coalition shall submit to the Attorney General, or the Attorney General's designee, a comprehensive plan for reducing violent juvenile crime. To be eligible for consideration, a plan shall—

(i) ensure close collaboration among all members of the coalition in suppressing and preventing juvenile crime;

(ii) place heavy emphasis on coordinated enforcement initiatives, such as Federal and State programs that coordinate local police departments, prosecutors, and local community leaders to focus on the suppression of violent juvenile crime involving gangs;

(iii) ensure that there is close collaboration between police and probation officers in the supervision of juvenile offenders, such as initiatives that coordinate the efforts of parents, school officials, and police and probation officers to patrol the streets and make home visits to ensure that offenders comply with the terms of their probation;

(iv) ensure that a program is in place to trace all firearms seized from crime scenes or offenders in an effort to identify illegal gun traffickers;

(v) ensure that effective crime prevention programs are in place, such as programs that provide after-school safe havens and other opportunities for at-risk youth to escape or avoid gang or other criminal activity, and to reduce recidivism; and

(vi) ensure that a program is in place to divert nonviolent juvenile offenders into substance or alcohol abuse treatment, the successful completion of which may result in a suspended sentence for the offense, and the unsuccessful completion of which may result in an enhanced sentence for the offense.

(D) ACCOUNTABILITY.—A coalition shall—

(i) establish a system to measure and report outcomes consistent with common indicators and evaluation protocols established by the Administrator and that receives the approval of the Administrator; and

(ii) devise a detailed model for measuring and evaluating the success of the plan of the coalition in reducing violent juvenile crime, and provide assurances that the plan will be evaluated on a regular basis to assess progress in reducing violent juvenile crime.

(5) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to coalitions representing communities with demonstrated juvenile crime and drug abuse problems.

(6) GRANT AMOUNTS.—

(A) IN GENERAL.—The Administrator may award a grant to an eligible coalition under this section, in an amount not to exceed the lesser of—

(i) the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year; and

(ii) $400,000.

(B) NONSUPPLANTING REQUIREMENT.—A coalition seeking funds shall provide reasonable assurances that funds made available under this program to States or units of local government shall be so used as to supplement and increase (but not supplant) the level of the State, local, and other non-Federal funds that would in the absence of such Federal funds be made available for programs described in this section, and shall in no event replace such State, local, or other non-Federal funds.

(C) SUSPENSION OF GRANTS.—If a coalition fails to continue to meet the criteria set forth in this section, the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

(D) RENEWAL GRANTS.—Subject to subparagraph (D), the Administrator may award a renewal grant to grant recipient under this subparagraph for each fiscal year following the fiscal year for which an initial grant is awarded, in an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year, during the 4-year period following the period of the initial grant.

(7) PERMITTED USE OF FUNDS.—A coalition receiving funds under this section may expend such Federal funds on any use or program that is contained in the plan submitted to the Administrator.

(8) CONGRESSIONAL CONSULTATION.—

(A) IN GENERAL.—Two years after the date of implementation of the program established in this section, the Comptroller General of the United States shall submit to Congress a report reviewing the effectiveness of the program in suppressing and reducing violent juvenile crime in the participating communities.

(B) CONTENTS OF REPORT.—The report submitted under subparagraph (A) shall include—

(i) an analysis of each community participating in the program, along with information regarding the plan undertaken in the community, and the effectiveness of the plan in reducing violent juvenile crime; and

(ii) recommendations regarding the efficacy of continuing the program.

(b) INFORMATION COLLECTION AND DISSEMINATION WITH RESPECT TO COALITIONS.—

(1) COALITION INFORMATION.—For the purpose of audit and examination, the Attorney General—

(A) shall have access to any books, documents, papers, and records that are pertinent to any grant or grant renewal request under this section; and

(B) may periodically request information from a coalition to ensure that the coalition meets the applicable criteria.

(2) REPORTING.—The Attorney General shall, to the maximum extent practicable and in a manner consistent with applicable law, minimize reporting requirements by a coalition and expedite any application for a renewal grant made under this section.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2000 through 2003, of which—

(A) not less than $1,000,000 in each fiscal year shall be used for coalitions representing communities with a population of not more than 50,000; and

(B) not less than 2 percent in each fiscal year shall be used for technical assistance and training under subsection (a)(2)(B).

(2) SOURCE OF SUMS.—Amounts authorized to be appropriated pursuant to this subsection may be derived from the Violent Crime Reduction Trust Fund.

By Mr. SARBANES (for himself, Mr. DURBIN, Mr. DODD, and Mr. FEINGOLD):

S. 641. A bill to amend the Truth in Lending Act to provide for enhanced information regarding credit card balance payment terms and conditions, and to provide for enhanced reporting of credit card solicitations to the Board of Governors of the Federal Reserve System and to Congress, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

ENHANCED CREDIT CARD DISCLOSURES

● Mr. SARBANES. Mr. President, I rise today to introduce legislation on a subject that was the focus of considerable discussion last fall, during the Senate's consideration of bankruptcy reform legislation.

During that debate, the Senate examined whether the increased rate of consumer bankruptcies in the Nation resulted solely from consumers' access to an excessively permissive bankruptcy process, or whether other factors also contributed to this increase. Ultimately it concluded that the record increase in bankruptcy filings across the nation is due not only to the ease with which one can enter the bankruptcy system, but also to the unparalleled levels of consumer debt—especially credit card debt—being run up across the country. As Senator DURBIN noted in his opening statement on the bankruptcy reform bill last fall, and as the CBO, FDIC, and numerous economists have found, the rate of increase in bankruptcy filings is virtually identical to the rate of increase in consumer debt.

This is not a coincidence. Rather, increased bankruptcies proceed directly from the fact that Americans are bombarded daily by credit card solicitations that promise easy access to credit without informing their targets of the implications of signing up for such credit.

During last fall's debate, the Senate also concluded that irresponsible borrowing could be reduced, and many bankruptcies averted, if Americans were provided with some basic information in their credit card materials regarding the consequences of assuming greater debt. A consensus emerged that credit card companies have some affirmative obligation to provide such information to consumers in their solicitations, monthly statements, and purchasing materials, in light of their aggressive pursuit of less and less knowledgeable borrowers.

As a result of this emerging consensus, last year's Senate bankruptcy bill—S. 1301—contained several provisions in the Manager's Amendment addressing credit card debt, and requiring specific disclosures by credit card companies in their payment and solicitation materials. These provisions, which I sponsored along with Senators DODD and DURBIN, were vital to the Senate's success in adopting balanced bankruptcy reform legislation that placed responsibility for the surge in consumer bankruptcies on debtors and creditors alike, and enabled the Senate to pass its bankruptcy bill by the overwhelming margin of 97–1.

Unfortunately, the House-Senate conference committee struck these disclosure provisions from its final conference report, leaving the bankruptcy bill again a one-sided document that failed to account for the role credit card companies play in the accumulation of credit card debt and in increased consumer bankruptcy rates. As a result of the conference committee's actions, the conference report died in the waning days of the 105th Congress, amid pledges by the majority to resurrect it in the early days of the 106th Congress.

Mr. President, if we are indeed going to enter again into a debate on bankruptcy legislation in the 106th Congress, it remains my firm belief that Congress must address both sides of the consumer bankruptcy equation—both the flaws in the bankruptcy system that make it easy for people to declare bankruptcy even if they have the ability to pay their debts, and the lending practices that encourage people on the economic margins to accumulate debts that are beyond their ability to repay.

I therefore rise today to introduce legislation that is similar, though not identical, to the language included in last year's Senate bankruptcy bill. It is my hope that this bill will stimulate discussion about the responsibilities of lenders in the bankruptcy equation, and that, when the time comes to debate bankruptcy reform, the nature and extent of these responsibilities will be a large part of the discussion.

In short, this legislation amends the Truth in Lending Act to require credit card companies to disclose the following basic information in each monthly statement:

(1) The required minimum payment on a consumer's monthly balance;

(2) The number of months it will take to pay off that balance if the consumer makes minimum monthly payments;

(3) The total cost, with interest, of paying off that balance if the consumer continues to make only minimum monthly payments; and

(4) The monthly payment amount if the consumer seeks to pay off the balance in 36 months.

The legislation also requires that when a debtor purchases property under a credit card plan, the retailer must disclose to the debtor, if applicable:

(1) That the creditor now has a security interest in the property;

(2) The nature of the security interest;

(3) How the security interest may be enforced in the event of non-payment of the credit card balance; and

(4) That the debtor must not dispose of the secured property until the balance on that account is fully paid.

My bill calls for the Federal Reserve Board to promulgate model forms for these disclosures and, finally, requires credit card companies to provide to the Fed, and the Fed to Congress, data regarding credit card solicitations.

This bill is not about restricting access to credit. Rather, it is about providing consumers with the information they need to make intelligent choices about whether to assume more debt. It advances the goal of consumer responsibility that should be at the heart of any efforts at bankruptcy reform by Congress, and I therefore urge my colleagues to review this legislation carefully and to draw upon it when—if—the issue of consumer bankruptcy reemerges in the 106th Congress.●

By Mr. GRASSLEY (for himself, Mr. BAUCUS, Mr. ROBERTS, Mrs. HUTCHISON, Mr. BURNS, Mr. BREAUX, Mr. HATCH, Mr. KERREY, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. CRAIG, Mr. SESSIONS, Mr. ALLARD, Mr. LUGAR, Mr. GRAMM, Mr. CAMPBELL, Mr. HAGEL, Mrs. MURRAY, and Mr. GRAMS):

S. 642. A bill to amend the Internal Revenue Code of 1986 to provide for Farm and Ranch Risk Management Accounts, and for other purposes; to the Committee on Finance.

FARM AND RANCH RISK MANAGEMENT ACT

● Mr. GRASSLEY. Mr. President, today, along with Senator BAUCUS and others, I am introducing the Farm and Ranch Risk Management Act of 1999. This bill gives farmers a necessary tool to manage the risk of price and income fluctuations inherent in agriculture. It does this by encouraging farmers to save some of their income during good years and allowing the funds to supplement income during bad years. This new tool will more fully equip family farmers to deal with the vagaries of the marketplace.

Farming is a unique sector of the American economy. Agriculture represents one-sixth of our Gross Domestic Product. It consists of hundreds of thousands of farmers across the nation, many of whom operate small, family farms. These farms often support entire families, and even several generations of a family. They work hard every day to produce the food consumed by this country and by much of the world.

Yet, farming remains one of the most perilous ways to make a living. The income of a farm family depends, in large part, on factors outside its control. Weather is one of those factors. In 1997, for instance, the income of North Dakota farmers dropped 98% due to flooding. Weather can completely wipe out a farmer. At best, weather can cause a farmer's income to fluctuate wildly.

Another factor is the uncertainty of international markets. Iowa farmers now export 40% of all they produce. But what happens, for example, when European countries impose trade barriers on beef, pork and genetically-modified feed grain? And what happens when Asian governments devalue their currencies? Exports fall and farm income declines through no fault of the farmer, but because of decisions made in foreign countries.

Today, farm families face their most severe crisis since the 1980's. Forces beyond the control of the individual farmer have led to record low prices for grain and livestock. The outlook for these families is dismal. Above normal production in 1998 led to nearly unprecedented grain surpluses. In fact, the USDA predicts soybean carry-over stocks will be 95% higher for the 1998–

99 marketing season than for the same period last year—the largest since 1986. With this much grain in the bins, a quick recovery in grain prices is highly unlikely.

At present, the only help for these farmers is a reactionary policy of government intervention. The USDA recently committed $50 million in direct aid to hog producers to help them combat the current crisis. In his State of the Union Address, the President pledged additional support for farmers. While we must do all we can to help farmers pull through the current crisis, we must also realize that this aid is merely a short-term solution. Why must farm families wait for a crisis before getting the help they need?

Mr. President, the bill I am introducing today is a proactive measure that will help farmers prevent future crises on their own. It equips them with the ability to offset cyclical downturns that are inherent in their profession without government intervention. In that way, this bill is complementary with the philosophy of the new farm program. Many farmers I have talked to are pleased with the new program, which returned business decisions to the farmers, not bureaucrats at the Department of Agriculture, and not elected officials. Under the new program, farmers determine for themselves what to plant according to the demands of the market. Likewise, the Farm and Ranch Risk Management Act allows the farmer to decide whether to defer his income for later years and when to withdraw funds to supplement his operation.

The volatile nature of commodity markets can make it difficult for family farmers to survive even a normal business cycle. When prices are high, farmers often pay so much of their income in taxes that they are unable to save anything. When prices drop again, farmers can be faced with liquidity problems. This bill allows farmers to manage their income, to smooth out the highs and lows of the commodity markets.

Mr. President, I will take just a moment to explain how the bill works. Eligible farmers are allowed to make contributions to tax-deferred accounts, also known as FARRM accounts. The contributions are tax-deductible and limited to 20% of the farmer's taxable income for the year. The contributions are invested in cash or other interest-bearing obligations. The interest is taxed during the year it is earned.

The funds can stay in the account for up to five years. Upon withdrawal, the funds are taxed as regular income. If the funds are not withdrawn five years after they were invested, they are taxed as income and subject to an additional 10% penalty.

Essentially, the farmer is given a five-year window to manage his money in a way that is best for his own operation. The farmer can contribute to the account in good years and withdraw from the account when his income is low.

This bill helps the farmer help himself. It is not a new government subsidy for agriculture. It will not create a new bureaucracy purporting to help farmers. The bill simply provides farmers with a fighting chance to survive the down times and an opportunity to succeed when prices eventually increase.

Mr. President, I ask that the bill be printed in the RECORD.

The bill follows:

S. 642

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Farm and Ranch Risk Management Act''.

SEC. 2. FARM AND RANCH RISK MANAGEMENT ACCOUNTS.

(a) IN GENERAL.—Subpart C of part II of subchapter E of chapter 1 of the Internal Revenue Code of 1986 (relating to taxable year for which deductions taken) is amended by inserting after section 468B the following new section:

''SEC. 468C. FARM AND RANCH RISK MANAGEMENT ACCOUNTS.

''(a) DEDUCTION ALLOWED.—In the case of an individual engaged in an eligible farming business, there shall be allowed as a deduction for any taxable year the amount paid in cash by the taxpayer during the taxable year to a Farm and Ranch Risk Management Account (hereinafter referred to as the 'FARRM Account').

''(b) LIMITATION.—The amount which a taxpayer may pay into the FARRM Account for any taxable year shall not exceed 20 percent of so much of the taxable income of the taxpayer (determined without regard to this section) which is attributable (determined in the manner applicable under section 1301) to any eligible farming business.

''(c) ELIGIBLE FARMING BUSINESS.—For purposes of this section, the term 'eligible farming business' means any farming business (as defined in section 263A(e)(4)) which is not a passive activity (within the meaning of section 469(c)) of the taxpayer.

''(d) FARRM ACCOUNT.—For purposes of this section—

''(1) IN GENERAL.—The term 'FARRM Account' means a trust created or organized in the United States for the exclusive benefit of the taxpayer, but only if the written governing instrument creating the trust meets the following requirements:

''(A) No contribution will be accepted for any taxable year in excess of the amount allowed as a deduction under subsection (a) for such year.

''(B) The trustee is a bank (as defined in section 408(n)) or another person who demonstrates to the satisfaction of the Secretary that the manner in which such person will administer the trust will be consistent with the requirements of this section.

''(C) The assets of the trust consist entirely of cash or of obligations which have adequate stated interest (as defined in section 1274(c)(2)) and which pay such interest not less often than annually.

''(D) All income of the trust is distributed currently to the grantor.

''(E) The assets of the trust will not be commingled with other property except in a common trust fund or common investment fund.

''(2) ACCOUNT TAXED AS GRANTOR TRUST.—The grantor of a FARRM Account shall be treated for purposes of this title as the owner of such Account and shall be subject to tax thereon in accordance with subpart E of part I of subchapter J of this chapter (relating to grantors and others treated as substantial owners).

''(e) INCLUSION OF AMOUNTS DISTRIBUTED.—

''(1) IN GENERAL.—Except as provided in paragraph (2), there shall be includible in the gross income of the taxpayer for any taxable year—

''(A) any amount distributed from a FARRM Account of the taxpayer during such taxable year, and

''(B) any deemed distribution under—

''(i) subsection (f)(1) (relating to deposits not distributed within 5 years),

''(ii) subsection (f)(2) (relating to cessation in eligible farming business), and

''(iii) subparagraph (A) or (B) of subsection (f)(3) (relating to prohibited transactions and pledging account as security).

''(2) EXCEPTIONS.—Paragraph (1)(A) shall not apply to—

''(A) any distribution to the extent attributable to income of the Account, and

''(B) the distribution of any contribution paid during a taxable year to a FARRM Account to the extent that such contribution exceeds the limitation applicable under subsection (b) if requirements similar to the requirements of section 408(d)(4) are met.

For purposes of subparagraph (A), distributions shall be treated as first attributable to income and then to other amounts.

''(3) EXCLUSION FROM SELF-EMPLOYMENT TAX.—Amounts included in gross income under this subsection shall not be included in determining net earnings from self-employment under section 1402.

''(f) SPECIAL RULES.—

''(1) TAX ON DEPOSITS IN ACCOUNT WHICH ARE NOT DISTRIBUTED WITHIN 5 YEARS.—

''(A) IN GENERAL.—If, at the close of any taxable year, there is a nonqualified balance in any FARRM Account—

''(i) there shall be deemed distributed from such Account during such taxable year an amount equal to such balance, and

''(ii) the taxpayer's tax imposed by this chapter for such taxable year shall be increased by 10 percent of such deemed distribution.

The preceding sentence shall not apply if an amount equal to such nonqualified balance is distributed from such Account to the taxpayer before the due date (including extensions) for filing the return of tax imposed by this chapter for such year (or, if earlier, the date the taxpayer files such return for such year).

''(B) NONQUALIFIED BALANCE.—For purposes of subparagraph (A), the term 'nonqualified balance' means any balance in the Account on the last day of the taxable year which is attributable to amounts deposited in such Account before the 4th preceding taxable year.

''(C) ORDERING RULE.—For purposes of this paragraph, distributions from a FARRM Account shall be treated as made from deposits in the order in which such deposits were made, beginning with the earliest deposits. For purposes of the preceding sentence, income of such an Account shall be treated as a deposit made on the date such income is received by the Account.

''(2) CESSATION IN ELIGIBLE FARMING BUSINESS.—At the close of the first disqualification period after a period for which the taxpayer was engaged in an eligible farming business, there shall be deemed distributed from the FARRM Account (if any) of the taxpayer an amount equal to the balance in such Account at the close of such disqualification period. For purposes of the preceding sentence, the term 'disqualification period' means any period of 2 consecutive taxable years for which the taxpayer is not engaged in an eligible farming business.

''(3) CERTAIN RULES TO APPLY.—Rules similar to the following rules shall apply for purposes of this section:

''(A) Section 408(e)(2) (relating to loss of exemption of account where individual engages in prohibited transaction).

''(B) Section 408(e)(4) (relating to effect of pledging account as security).

''(C) Section 408(g) (relating to community property laws).

''(D) Section 408(h) (relating to custodial accounts).

''(4) TIME WHEN PAYMENTS DEEMED MADE.—For purposes of this section, a taxpayer shall be deemed to have made a payment to a FARRM Account on the last day of a taxable year if such payment is made on account of such taxable year and is made within 3½ months after the close of such taxable year.

''(5) INDIVIDUAL.—For purposes of this section, the term 'individual' shall not include an estate or trust.

''(g) REPORTS.—The trustee of a FARRM Account shall make such reports regarding such Account to the Secretary and to the person for whose benefit the Account is maintained with respect to contributions, distributions, and such other matters as the Secretary may require under regulations. The reports required by this subsection shall be filed at such time and in such manner and furnished to such persons at such time and in such manner as may be required by those regulations.''.

(b) DEDUCTION ALLOWED IN COMPUTING ADJUSTED GROSS INCOME.—Subsection (a) of section 62 of such Code (defining adjusted gross income) is amended by inserting after paragraph (17) the following new paragraph:

''(18) CONTRIBUTIONS TO FARM AND RANCH RISK MANAGEMENT ACCOUNTS.—The deduction allowed by section 468C(a).''

(c) TAX ON EXCESS CONTRIBUTIONS.—

(1) Subsection (a) of section 4973 of such Code (relating to tax on certain excess contributions) is amended by striking ''or'' at the end of paragraph (3), by redesignating paragraph (4) as paragraph (5), and by inserting after paragraph (3) the following new paragraph:

''(4) a FARRM Account (within the meaning of section 468C(d)), or''.

(2) Section 4973 of such Code is amended by adding at the end the following new subsection:

''(g) EXCESS CONTRIBUTIONS TO FARRM ACCOUNTS.—For purposes of this section, in the case of a FARRM Account (within the meaning of section 468C(d)), the term 'excess contributions' means the amount by which the amount contributed for the taxable year to the Account exceeds the amount which may be contributed to the Account under section 468C(b) for such taxable year. For purposes of this subsection, any contribution which is distributed out of the FARRM Account in a distribution to which section 468C(e)(2)(B) applies shall be treated as an amount not contributed.''.

(3) The section heading for section 4973 of such Code is amended to read as follows:

''SEC. 4973. EXCESS CONTRIBUTIONS TO CERTAIN ACCOUNTS, ANNUITIES, ETC.''.

(4) The table of sections for chapter 43 of such Code is amended by striking the item relating to section 4973 and inserting the following new item:

''Sec. 4973. Excess contributions to certain accounts, annuities, etc.''.

(d) TAX ON PROHIBITED TRANSACTIONS.—

(1) Subsection (c) of section 4975 of such Code (relating to prohibited transactions) is amended by adding at the end the following new paragraph:

''(6) SPECIAL RULE FOR FARRM ACCOUNTS.—A person for whose benefit a FARRM Account (within the meaning of section 468C(d)) is established shall be exempt from the tax imposed by this section with respect to any transaction concerning such Account (which would otherwise be taxable under this section) if, with respect to such transaction, the account ceases to be a FARRM Account by reason of the application of section 468C(f)(3)(A) to such Account.''.

(2) Paragraph (1) of section 4975(e) of such Code is amended by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively, and by inserting after subparagraph (D) the following new subparagraph:

''(E) a FARRM Account described in section 468C(d),''.

(e) FAILURE TO PROVIDE REPORTS ON FARRM ACCOUNTS.—Paragraph (2) of section 6693(a) of such Code (relating to failure to provide reports on certain tax-favored accounts or annuities) is amended by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively, and by inserting after subparagraph (B) the following new subparagraph:

''(C) section 468C(g) (relating to FARRM Accounts).''.

(f) CLERICAL AMENDMENT.—The table of sections for subpart C of part II of subchapter E of chapter 1 of such Code is amended by inserting after the item relating to section 468B the following new item:

''Sec. 468C. Farm and Ranch Risk Management Accounts.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.●

● Mr. BAUCUS. Mr. President, I rise today to join my colleague Senator GRASSLEY in introducing the Farm and Ranch Risk Management Act of 1999.

The American farm is the cornerstone of our rich cultural heritage. Yet farming remains one of the most perilous ways to make a living. A family farmer's income depends on good weather and strong international markets. When either of these two factors turn negative, farmers have few tools at their disposal to cushion the blow.

Farm families are now suffering record low prices on grain and livestock in the most severe farming crisis since the 1980's. Who could have imagined back in 1996 when Congress passed the Freedom to Farm Act that wheat prices would drop from $4.50 a bushel to $2.81 a bushel by September 1998? As wheat and other agricultural commodity prices dipped to record lows, America's producers have been stranded without a safety net, causing a severe financial crisis.

I sincerely hope that 1999 will be the ''Year of Recovery'' for our battered farm economy. I believe we can make this happen by focusing on three goals:

We must pry open foreign markets to agricultural products.

We must help agricultural producers at home.

We must install a permanent safety net to help producers weather times of crisis.

In two other bills I have introduced, I have proposed changes to the crop insurance program in order to help rebuild this safety net for farmers. Today's introduction of the Farm and Ranch Risk Management Act is another step in this re-building process. The FARRM Act is a pro-active measure that would give farmers a five-year window to manage their money. It allows them to put aside up to 20% of their annual income for up to 5 years in a tax-deferred FARRM account. They only pay taxes on the amount set-aside when it is withdrawn from the account.

The FARRM bill allows the farmer to help himself. It allows farmers to manage their incomes, to smooth out the highs and lows of the commodity markets. It is not a new subsidy, nor is it a new government program. It is simply a new tool farmers can use to cope with an uncertain world. It provides American farmers with a fighting chance to survive the down times with an opportunity to enjoy their success during the good times.

I believe the FARRM Act is an essential strand in the safety net we must weave to protect our nation's farm families. I urge my colleagues to support the bill.●

By Mrs. FEINSTEIN:

S. 645. A bill to amend the Clean Air Act to waive the oxygen content requirement for reformulated gasoline that results in no greater emissions of air pollutants than reformulated gasoline meeting the oxygen content requirement; to the Committee on Environment and Public Works.

ELIMINATING MTBE

● Mrs. FEINSTEIN. Mr. President, today I am introducing a bill to enable the U.S. Environmental Protection Agency to eliminate the additive, MTBE, from gasoline. The goal in this bill, as in my previous three bills (S. 266, S. 267 and S. 268) is to eliminate MTBE from drinking water.

Under this bill, the U.S. Environmental Protection Agency could waive the two percent reformulated gasoline oxygenate requirement of the Clean Air Act in any state if gasoline with less than two percent or with no oxygenates does not result in greater emissions than emissions from reformulated gasoline containing two percent oxygenates.

MTBE or methyl tertiary butyl ether is added to gasoline by some refiners in response to federal Clean Air Act requirements that areas with the most serious air pollution problems use reformulated or cleaner-burning gasoline. This federal law requires that this gasoline contain two percent by weight oxygenates. MTBE has been the oxygenate of choice by some refiners.

The Clean Air Act's reformulated gas requirements have no doubt helped reduce emissions throughout the United States, but the two percent oxygenate requirement has imposed limitations on the level of flexibility that U.S. EPA can grant to states and limited the flexibility of refiners in making clean gasoline.

I am very troubled to learn from a March 16 article in the Sacramento Bee that the gasoline refiners were aware

of MTBE's dangers long before it was approved for use in California. Researchers in Maine pointed out MTBE's harms in 1986. The Bee reporter, after studying industry research documents, quotes a 1992 industry scientific paper: ''MTBE plumes are expected to move faster and further than benzene plumes emanating from a gasoline spill. Moreover, the solubility of MTBE is nearly 25 times that of benzene and its concentration in gasoline will be approximately 10 times greater.''

A spokesman for the Oxygenated Fuels Association is also quoted as saying that the chemical properties that make MTBE problematic in water ''were widely known'' in the 1980s.

Bob Reeb, of the Association of California Water Agencies, is quoted as saying, had they known of MTBE's adverse effects, ''We would have fought like hell to keep it out of gasoline. It appears to be a classic case of placing corporate profits above public health.''

The Sacramento Bee article is appended to my statement.

A number of authorities have called attention to MTBE's harm and have called for prompt action.

The American Medical Association House of Delegates and the American Public Health Association approved resolutions calling for a moratorium on the use of MTBE in 1994—1994!

The University of California released a five-volume study in November 1998, and recommended phasing out MTBE. UC found that ''there are significant risks and costs associated with water contamination due to the use of MTBE.'' The University of California study says: ''If MTBE continues to be used at current levels and more sources become contaminated, the potential for regional degradation of water resources, especially groundwater basins, will increase. Severity of water shortages during drought years will be exacerbated.''

The UC study says that oil companies can make cleaner-burning gasoline that meets federal air standards without MTBE and that they should be given the flexibility to do that. The UC study found that ''there is no significant additional air quality benefit to the use of oxygenates such as MTBE in reformulated gasoline, relative to'' California's reformulated gasoline formula.

The California Environmental Protection Agency on February 19, 23, 24 held two public hearings on the University of California report. A total of 109 people spoke at the hearings and 987 written comments (including mine) were submitted as of today, and the comment period is still open. Of the 109 speakers, 12 supported continued use of MTBE. Cal EPA is still reading the written comments.

A June 12, 1998 Lawrence Livermore National Laboratory study concluded that MTBE is a ''frequent and widespread contaminant'' in groundwater throughout California and does not degrade significantly once it is there. This study found that groundwater has been contaminated at over 10,000 shallow monitoring sites. The Livermore study says that ''MTBE has the potential to impact regional groundwater resources and may present a cumulative contamination hazard.''

The Association of California Water Agencies has detected MTBE in shallow groundwater at over 10,000 sites in the state and in some deeper drinking wells. Their December 1998 study documented MTBE contamination in many of the state's surface water reservoirs, pointing to motorized recreation as a major source.

The environmental group, Communities for a Better Environment, issued a report this month calling for a ban on MTBE in our state because it has contamined groundwater, drinking water and land.

I have received letters and resolutions opposing MTBE from 56 California local governments, water districts, and air districts.

In higher concentrations, MTBE smells like turpentine and it tastes like paint thinner. Relatively low levels of MTBE can make drinking water simply undrinkable.

MTBE is a highly soluble organic compound which moves quickly through soil and gravel. It, therefore, poses a more rapid threat to water supplies than other constituents of gasoline when leaks occur. MTBE is easily traced, but it is very difficult and expensive to cleanup. California water agencies say it costs $1 million to cleanup per well and $5 million plus for reservoirs.

Contamination of drinking water MTBE continues to grow. A December 14, 1998 San Francisco Chronicle headline calls MTBE a ''Ticking Bomb.''

The Lawrence Livermore study says that ground water has been contaminated at over 10,000 sites in my state.

South Lake Tahoe has closed 14 wells and is implementing a ban on personal watercraft. Ten plumes of MTBE released by gas stations (some from a hose torn loose, some from spills, some from underground tanks) have caused the shutdown of 35% of the districts' drinking water wells, eliminating nearly one-fifth of its water supply since September 1997. The levels of groundwater contamination there are as high as 1,200,000 parts per billion. The South Tahoe Public Utility District has spent nearly $1 million in non-budget funds on MTBE.

The February 5 Sacramento Bee reported that MTBE has been detected 30 miles away from Lake Tahoe, that ''it apparently made its way to the reservoir through South Lake Tahoe's wastewater export system. . . Six service stations working to clear MTBE from contaminated areas have been discharging water into the sewer system after a treatment process.'' The article quotes Dawn Forsythe, a Tahoe authority: ''It's going all the way through the sewer system, through the treatment system, through the export pipeline, across a stream and now it's in the reservoir.''

MTBE has been detected in drinking water supplies in a number of cities including Santa Monica, Riverside, Anaheim, Los Angeles, San Francisco, Sebastopol, Manteca, and San Diego. MTBE has also been detected in numerous California reservoirs including Lake Shasta in Redding, San Pablo and Cherry reservoirs in the Bay Area, and Coyote and Anderson reservoirs in Santa Clara.

Drinking water wells in Santa Clara Valley (Great Oaks Water Company) and Sacramento (Fruitridge Vista Water Company) have been shut down because of MTBE contamination.

In addition, MTBE has been detected in the following surface water reservoirs: Lake Perris (Metropolitan Water District of Southern California), Anderson Reservoir (Santa Clara Valley Water District), Canyon Lake (Elsinore Valley Municipal Water District), Pardee Reservoir and San Pablo Reservoir (East Bay Municipal Utility District), Lake Berryessa (Solano County Water Agency).

The largest contamination occurred in the city of Santa Monica, which lost 75% of its ground water supply as a result of MTBE leaking out of shallow gas tanks beneath the surface. MTBE has been discovered in publicly owned wells approximately 100 feet from the City Council Chamber in South Lake Tahoe. In Glennvile, California, near Bakersfield, MTBE levels have been detected in groundwater as high as 190,000 parts per billion—dramatically exceeding the California Department of Health advisory of 35 parts per billion.

While many scientists say we need more definitive research on the human health effects of MTBE, the U.S. EPA has indicated that ''MTBE is an animal carcinogen and has a human carcinogenic hazard potential.''

Dr. John Froines, a distinguished UCLA scientist, testified at the California EPA hearing on February 23 as follows:

> We in our report have concluded the cancer evidence in animals is relevant to humans.
>
> There are ''acute effects in occupationally-exposed workers, including headaches, dizziness, nausea, eye and respiratory irritation, vomiting, sensation of spaciness or disorientation and burning of the nose and throat.''
>
> MTBE exposure was associated with excess cancers in rats and mice, therefore, multi-species,'' citing multiple, ''endpoints, lymphoma, leukemia, testicular cancer, liver and kidney.
>
> All four of the tumor sites observed in animals may be predictive of human cancer risk.

He further testified:

> The related question is whether there is evidence which demonstrates the animal cancers are not relevant to humans. The answer developed in detail in our report is no. There is no convincing evidence that the data is specific to animals. That is our conclusion. Nobody has come forward to tell us a basis to change that point of view.

These, to me, are troubling statements from a reputable authority.

While the data is incomplete, we do know that MTBE is showing up in other states. U.S. EPA funded a study by the University of Massachusetts last year, which was not able to collect data from every state, but which reported that 25 states have reports of private drinking water wells contaminated with MTBE. Nineteen states reported public drinking water wells contaminated with MTBE. EPA experts concluded, ''MTBE detections by most state programs is common'' and ''MTBE may contaminate groundwater in unexpected locations and in unexpected ways, such as at diesel fuel sites or from surface dumping of small amounts of gasoline.'' (Soil and Groundwater Cleanup, August/September 1998, ''Study Reports LUST Programs Are Felling Effects of MTBE Releases.'')

Here are some examples of problems in other states:

A Maine survey found that 15 percent of drinking wells had detectable amounts of MTBE and 5,200 private wells may contain MTBE above the state's drinking water standard.

MTBE has contaminated the well water for over 200 homes in New York.

In Blue Bell, Pennsylvania, MTBE was detected in tap water, suspected from a leak from a gas station tank.

Texas, with over 21,000 leaking underground fuel tanks, is finding MTBE in drinking water.

MTBE has been detected in drinking water in Kansas and Virginia.

Clearly, MTBE is a problem in many states.

The California Air Resources Board in 1994 adopted a clean gas formula that is called a ''predictive model,'' a performance-based program that allows refiners to use innovative fuel formulations to meet clean air requirements.

The predictive model provides twice the clean air benefits required by the federal government. With this model, refiners can make cleaner burning gasoline with one percent oxygen or even no oxygen at all. The federal two percent oxygenate requirement limits this kind of innovation. In fact, Chevron, Tosco and Shell are already making MTBE-free gasoline.

Since the introduction of the California Cleaner Burning Gasoline program, there has been a 300-ton-per-day decrease in ozone forming ingredients found in the air. This is the emission reduction equivalent of taking 3.5 million automobiles off the road. California reformulated gasoline reduces smog-forming emissions from vehicles by 15 percent.

I have now offered to the Congress 4 approaches to getting MTBE out of our drinking water.

I introduced S. 266 on January 20, a bill to allow California to apply its own clean or reformulated gasoline rules as long as emissions reductions are equivalent or greater. California's rules are stricter than the federal rules and thus meet the air quality requirements of the federal Clean Air Act. This bill is the companion to H.R. 11 introduced by Rep. BILBRAY on January 6, 1999.

S. 267, my second bill, requires the U.S. Environmental Protection Agency to make petroleum releases into drinking water the highest priority in the federal underground storage tank cleanup program. This bill is needed because underground storage tanks are the major source of MTBE into drinking water and federal law does not give EPA specific guidance on cleanup priorities.

The third bill, S. 268, will move from 2006 to 2001 full implementation of EPA's current watercraft engine exhaust emissions requirements. The California Air Resources Board on December 10, 1998, adopted watercraft engine regulations in effect making the federal EPA rules effective in 2001, so this bill will make the deadline in the federal requirements consistent with California's deadlines. In addition, the bill will require an emissions label on these engines consistent with California's requirements so the consumer can make an informed purchasing choice. This bill is needed because watercraft engines have remained essentially unchanged since the 1930s and up to 30 percent of the gas that goes into the motor goes into water unburned.

Dr. John Froines, testified that in California, ''. . . essentially every citizen of California is breathing MTBE daily.''

MTBE is not needed to produce clean air. By allowing the companies that supply our state's gasoline to use good science and sound environmental policy, we can achieve the goals set forth by the Clear Air Act, without sacrificing California's clean water. I believe U.S. EPA should give all states this flexibility.

MTBE is not needed. Refiners can make gasoline that is clean—Chevron, Tosco and Shell are already doing that in my state.

MTBE is an animal carcinogen and a potential human carcinogen.

Let's end it.

Mr. President, I ask unanimous consent that the text of the bill and article from the Sacramento Bee be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 645

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

SECTION 1. WAIVER OF OXYGEN CONTENT REQUIREMENT FOR CERTAIN REFORMULATED GASOLINE.

Section 211(k)(2)(B) of the Clean Air Act (42 U.S.C. 7545(k)(2)(B)) is amended—

(1) in the first sentence, by striking ''The oxygen'' and inserting the following:

''(i) REQUIREMENT.—The oxygen''; and

(2) in the second sentence—

(A) by striking ''The Administrator'' and inserting the following:

''(ii) WAIVERS.—The Administrator'';

(B) by striking ''area upon a'' and inserting the following: ''area—

''(I) upon a'';

(C) by striking the period at the end and inserting ''; or''; and

(D) by adding at the end the following:

''(II) if the Administrator determines, by regulation, that reformulated gasoline that contains less than 2.0 percent by weight oxygen and meets all other requirements of this subsection will result in total emissions of ozone forming volatile organic compounds and toxic air pollutants, respectively, that are not greater than the total emissions of those compounds and pollutants resulting from reformulated gasoline that contains at least 2.0 percent by weight oxygen and meets all other requirements of this subsection.''.

[From the Sacramento Bee, Mar. 16, 1999]

MTBE RISK TO DRINKING WATER WAS KNOWN FOR YEARS

(By Chris Bowman and Patrick Hoge)

America's fuel industry knew about the risk to drinking water from MTBE years before domestic refineries more than doubled the chemical's volume in gasoline, but manufacturers marketed the product as an environmental improvement anyway.

In technical papers and conference presentations, environmental engineers for refineries and government regulators alike predicted that MTBE could become a lingering groundwater menace as its usage increased.

Sixteen years before MTBE-rich gasoline was approved for statewide use in California to combat air pollution, oil companies knew from their first experience with the fuel additive in New England how quickly methyl tertiary butyl ether can migrate from leaking storage tanks to drinking water wells, company records and technical journals show.

At the time, the pollution specialists stressed that MTBE was in many ways more worrisome than gasoline's cancer-causing benzene.

''MTBE plumes are expected to move faster and further than benzene plumes emanating from a gasoline spill,'' three Shell researchers said in an internal 1992 paper. ''Moreover, the solubility of MTBE is nearly 25 times that of benzene, and its concentration in gasoline will be approximately 10 times greater.''

These papers, recently obtained by The Bee, have renewed importance today in California where the spotlight on the fuel controversy is about to turn on industry.

Later this month, Gov. Gray Davis is expected to announce that MTBE presents a public health threat and should be phased out of California, sources in his administration say. Such an action would not end the public debate, but rather shift it to the question of who will pay to clean up MTBE and how much cleanup should occur.

Even if the synthetic compound were banned overnight—a highly unlikely prospect—California would still have to defend its water supplies for many years against MTBE-laced groundwater from past fuel leaks.

MTBE is a key component of a ''cleaner-burning gasoline'' that has been used in most of California's 27 million vehicles for the past three years. While the gasoline has been credited for removing 300 hundred tons of tailpipe poisons every day in the state, it also has created a Pandora's box underground.

Increasingly, the compound has found its way into underground reservoirs, in stormwater runoff, in recreational lakes and in wells across the country. In California, MTBE has contaminated 10,000 groundwater sites and tainted Tahoe, Donner, Shasta and several other lakes. It also has knocked out wells in several communities. In South Lake Tahoe, more than a dozen wells have been shut down due to MTBE contamination.

While scientists are still studying MTBE's health effects—the federal government classifies it as a ''possible'' cancer-causing agent

in humans—minute amounts of the pollutant can spoil wells by imparting a bitter taste and solvent-like ordor.

Already some marina-related businesses have taken an economical hit due to water utilities banning fuel-spitting power craft from reservoirs tapped for drinking water. Filtration plants can't remove MTBE without expensive treatment upgrades.

But the biggest MTBE bill is yet to come, and, one way or another, consumers will ultimately pay for it. That will be in the cleanup of MTBE-laden fuel that has spilled and leaked from pipelines and storage tanks. The restoration is expected to take many years, at a cost of tens of millions to hundreds of millions of dollars a year, a major University of California study recently concluded.

Makers of gasoline and MTBE put the onus on tank owners and the environmental officials who regulate the tanks and the fuels.

Officials at Shell Oil Co. headquartered in Houston told The Bee that its 1992 paper describing the environmental downside of MTBE was hardly news.

''(It) was in the public domain and already accessible to regulators,'' the company said in a prepared statement. A spokeswoman said it was based on information disseminated at a 1986 pollution control conference co-sponsored by the American Petroleum Institute.

In the 1980s, the chemical properties making MTBE problematic in water ''were widely known,'' said Charlie Drevna, chief spokesman for Oxygenated Fuels Association, which represents makers of MTBE and other oxygen-bearing fuel components. ''What wasn't known was that the (underground storage tank) program in this country was in total shambles.''

But the leaking tanks problem has been widely reported for at least the past decade when the U.S. Environmental Protection Agency ordered the tanks replaced or upgraded. Most major brand gasoline stations in California complied by the federal deadline last December.

California motorists have been paying for a good part of the cleanups from leaking tanks since 1992. They pay about 1.2 cents per gallon at the pump toward a $180 million-a-year state cleanup fund that reimburses mostly small businesses.

The argument that industry should bear more responsibility for the MTBE pollution is beginning to grow. In the past few months, attorneys suing oil companies on behalf of individuals and utilities over MTBE pollution in California, South Carolina and Maine have joined forces. The common allegation is that the oil companies knew or should have known that adding more MTBE to gasoline posed a major threat to drinking water sources.

''It would have been astonishing for corporations of this size and complexity not to have known the risk that an additive to a product that would become so widespread would pose to the environment and to the public,'' said Victor Sher, a Sacramento attorney representing the South Tahoe Public Utility District.

Sher said his lawsuit, filed in 1999, is the first in the nation by a public water supplier that goes after fuel makers on grounds of product liability.

While the environmentally troublesome properties of MTBE were noted in technical papers from the oil industry and federal regulators, Sher said he has yet to find evidence that the oil industry ever raised those problems before policy-makers as they deliberated the rules for the cleaner-burning gasoline.

''They should have been telling the regulators, and they should have been looking for alternatives,'' Shea said.

Shell Oil officials say EPA regulators had plenty of notice in the 1980s, well before 1992 when refiners began to substantially increase the chemical's use to meet the new federal cleaner-burning fuel rules.

''The literature then available indicated to government regulators, manufacturers of MTBE and to gasoline manufacturers, including Shell, that the then perceived benefits outweighed the then perceived risks,'' the company statement said.

Liability aside, the knowledge of MTBE's downside could have changed what ended up in the gas tanks of millions of motorists. The gasoline additive is now the fourth top selling chemical in the United States, with more than 9 million tons of it sold annually.

Water suppliers say they certainly would have raised a fuss.

''We would have fought like hell to keep it out of gasoline,'' said Bob Reeb, of the Association of California Water Agencies. ''It appears to be a classic case of placing corporate profits above public health.''

If that's the case, Assembly Speaker Antonio Villaraigosa, D-Los Angeles, said, ''We can make the argument that this industry has a very high level of responsibility to provide the cleanup of this contamination.''

MTBE's critics point out that the trail of responsibility can be traced back at least to 1986 when three researchers from Maine laid out the basic characteristics of MTBE in discussion today: that it moves farther and faster in groundwater, last longer, and is much more difficult to filter out than other gasoline compounds.

The presentation was at a Houston conference attended by dozens of regulators and industry scientists on ground-water pollutants. It was sponsored by the American Petroleum Institute and the National Well Water Association.

Two of the Maine paper's authors said their presentation didn't seem to make much of an impact on regulators and industry.

''There just seemed to be a feeling that there wasn't anything that was necessary to do now, which puzzles me in retrospect,'' said Peter Garrett, one of the authors. ''I think it was because MTBE was hailed as being the chemical of the future because of its potential to cut down on air pollution.''

Co-author Marcel Moreau, now an expert on underground tanks, said all of the technical information about the chemical's characteristics was freely supplied by ARCO.

But as momentum was building on Capitol Hill toward requiring oxygenated compounds like MTBE in gasoline to combat smog, no such environmental concerns surfaced in the public debate either from industry, environmentalists or regulators, according to interviews with key participants.

MTBE's many critics express amazement that a chemical could have been introduced into the environment on such a massive scale with so little data on its toxicology or behavior in the environment.

When first added to premium gasoline in 1979, scientists had produced no studies on MTBE's long-term health effects.

''It is astonishing that such a technological process could have been started without sufficient technological information that would have enabled us to expose possible adverse health effects of the compound,'' wrote Fiorella Belpoggi, lead researcher in a 1995 investigation of MTBE's cancer-causing potential.

The recent study of MTBE done by the University of California similarly found that regulators did not do enough to assess MTBE's potential environmental impacts before allowing its huge rise.

In California, health officials testified recently before the state Legislature that they did not realize that MTBE posed a major groundwater threat until 1995, when Santa Monica reported contamination of one of its wells.

Ironically, companies like ARCO continued to spend lavishly in 1996 to promote MTBE as an environmentally friendly product that made gasoline burn cleaner.

The lack of toxicology data remains even today, more than three years after MTBE's introduction in California on a massive scale.

Industry representatives insist that expensive upgrades of underground tanks already mandated under law will curtail the MTBE problem.

But others say evidence shows too many other ways that MTBE can get into water wells.

James Giannopoulos, principal engineer with the state Water Resources Control Board, made a similar point during a recent MTBE hearing in Sacramento.

''Even a small failure rate of the more than 50,000 upgraded tanks, we believe constitutes a good water quality reason to eliminate MTBE from gasoline,'' he said.●

By Mr. ROTH (for himself and Mr. BAUCUS):

S. 646. A bill to amend the Internal Revenue Code of 1986 to provide increased retirement savings opportunities, and for other purposes; to the Committee on Finance.

RETIREMENT SAVINGS OPPORTUNITY ACT OF 1999

● Mr. ROTH. Mr. President, one question many Americans ask themselves is this: Will I have enough to live on when I retire. According to a study published by the Employee Benefit Research Institute, about one third of Americans are not confident that they will have enough to live on in their retirement years. Social Security is an important component of an individual's retirement income, but savings—whether through personal accounts or through employer-provided retirement plans—will help provide for a better life at retirement. Another troubling factor is that if you are employed by a small business you are far less likely to be eligible for a retirement plan. There must be ways to get more Americans interested in providing for their retirement years and to get small businesses interested in providing retirement benefits for their employees. This is a concern that spreads across party lines; everyone knows that there must be incentives for promoting retirement savings.

Despite these concerns, we have a strong system of tax favored savings plans in place. For savings through the workplace, there are 401(k) plans, 403(b) plans and 457 plans, each of which can be sponsored by different types of employers. For individual savings, there is either the traditional IRA or the Roth IRA. And all these different savings vehicles have different limits on how much individuals can save. However, our current system can do more and the limitations that we placed on retirement savings in times of budgetary restraints should be re-examined now. In addition, we should capitalize on some of the successful savings incentives and use them to broaden our savings base.

Both Senator BAUCUS and I are pleased to introduce a new bill, the Retirement Savings Opportunity Act of 1999, which will build upon the strengths of our current system, yet provide new opportunities for people to save for retirement. In addition, this bill would also increase the incentives that would help small businesses start and maintain retirement plans for its employees. These are issues that Senator BAUCUS is very concerned about and I join him in providing these important incentives for small businesses. The provisions of this bill are as follows:

Increase IRA dollar limit. The maximum contribution limit for IRAs (both traditional IRAs and Roth IRAs) is $2,000. This limit, which has been in place since 1982, has never been indexed for inflation. If the IRA limit were indexed for inflation it would be close to $5,000. In this bill, the limit for all IRAs (both traditional IRAs and Roth IRAs) will be increased to $5,000 per year. In addition, this limit will be adjusted annually for cost of living increases, in $100 increments, so that the amount that taxpayers can save with an IRA will never again be reduced due to the impact of cost of living increases.

It is important to remember who makes IRA contributions. An estimated 26 percent of American households how own a traditional IRA, according to a 1998 survey by the Investment Company Institute. In 1993 (the most recent year for which comprehensive aggregate data is available) 52 percent of all IRA owners earned less than $50,000. This same group made about 65 percent of all IRA contributions in 1985.

We know that people at all income levels are limited by the $2,000 cap on contributions. For example, IRS statistics show that the average contribution level in 1993 for people with less than $20,000 in income was $1,500. Clearly this means that there were lower income people who wanted to make contributions of more than the $2,000 limit.

In addition, IRAs are the only tax-favored savings vehicle for many taxpayers. According to the Bureau of Labor Statistics, only 48 percent of individuals who work in small business establishments were eligible for any retirement plan in 1994. This is a problem that both Senator BAUCUS and I try to address elsewhere in this bill by providing greater incentives to business for establishing employer-sponsored retirement savings plans. However, regardless of the incentives that we may provide, not all employers will establish retirement plans for their employees. Furthermore, not all employees will stay with one employer long enough to receive a benefit. Under current law, the maximum amount that an individual can save is too low to provide adequate savings for retirement. In order to spur an increase in savings, we believe that an increase in the IRA limit is warranted.

Increase IRA income caps. There are different and confusing caps on contributions to traditional and Roth IRAs. They are as follows:

Tax deductible contributions to traditional IRAs. If an individual is an active participant in an employer provided pension plan, the amount of a deductible contribution that an individual can make is confusing. First of all the $2,000 contribution amount is reduced if the adjusted gross income of the taxpayer is over $51,000, if the taxpayer is filing a joint return. If the taxpayer is a single or head of household filer, the $2,000 contribution amount is reduced if adjusted gross income exceeds $31,000. These income limits are scheduled to increase annually until the year 2007 when the joint filer limit will be $80,000 and the single and head of household filer limit will be $50,000. Married taxpayers who file separately are precluded from making deductible contributions if their adjusted gross income is above $10,000, unless the couple has not lived together for the entire year. Finally, if an individual is not an active participant in an employer's plan and the individual's spouse is, an individual is not able to make a deductible contribution to an IRA if the couple's income is $150,000 or above. These are too many restrictions.

The bill will eliminate these conflicting and confusing income limits for deductible IRAs. What this will mean is that all individuals who have earned income can make full deductible contributions to a traditional IRA. In addition, a homemaker without earnings will be able to make IRA contributions.

Contributions to Roth IRAs. A full $2,000 contribution can only be made to a Roth IRA if a single taxpayer's adjusted gross income is less than $95,000 and married taxpayer's adjusted gross income is less than $150,000. If a taxpayer is married and files separately from his or her spouse, the taxpayer cannot make a Roth IRA contribution if his or her adjusted gross income exceeds $10,000, unless they live apart for the entire year. The bill will eliminate these income limits for Roth IRA contributions, so that all taxpayers can make a contribution to a Roth IRA. Remember, however, that a taxpayer cannot make a full contribution to a Roth IRA and also make a full contribution to a traditional IRA; amounts contributed to one type of IRA reduce the amounts that can be contributed to the other type of IRA.

Conversion to Roth IRAs. In order to convert to a Roth IRA, an individual's adjusted gross income must not exceed $100,000 regardless of whether the individual is married filing jointly or single. Married individuals who are filing separately cannot convert to a Roth IRA, unless they live apart for the entire year. The bill will raise the income cap for conversions to $1 million.

The current income limitations relating to IRAs are needlessly complex and are confusing to taxpayers. As we heard at the recent Senate Finance Committee hearing on retirement savings, these limits are confusing to taxpayers with the result that taxpayers do not fully utilize these products. By eliminating these income limitations, which affect only a small percentage of taxpayers, we can increase the use of IRAs. When Congress restricted the deductibility of IRA contributions in 1986, the IRS reported that the level of IRA contributions fell from $38 billion to $14 billion in 1987.

Will taxpayers increase the amount of their savings to IRAs if the savings opportunities were increased? According to a 1997 survey conducted on behalf of the Savings Coalition, increasing the IRA limits would result in more savings for retirement. Sixty-four percent said that they would increase the rate of their personal savings with IRAs.

Economic studies also have shown that increasing the tax incentives for savings should result in substantial increases in savings due to increases in the net return. See, for example, Lawrence H. Summers, ''Capital Taxation and Accumulation in a Life Cycle Growth Model,'' American Economic Review, 71, September 1981. The staff of the Joint Committee on Taxation noted in its description of Present Law and Background Relating to Tax Incentives for Savings prepared for the Finance Committee hearing (JCX–7–99), there are many reasons for this increase in savings due to increased limits, including the psychological incentives to save and the increased advertising by banks and other financial institutions of tax-benefitted savings vehicles may influence people's savings decisions.

Increase other dollar-based benefit limitations. Currently, the maximum pre-tax contribution to a 401(k) plan or a 403(b) annuity is $10,000. In addition, the maximum contribution to a 457(b) plan (a salary deferral plan for employees of government and tax exempt organizations) is $8,000. Finally, the maximum contribution to a SIMPLE plan (a simplified defined contribution plan available only to small employers) is $6,000. These limits are indexed for cost of living increases. There has traditionally been a differential in contribution limits among the various types of plans: IRAs (which are individual plans) having the lowest limits; SIMPLE plans having a greater limit—but not as much as a 401(k) plan; and 401(k) and 403(b) plans having the highest limits, but the greatest number of regulations. Since the IRA limit will be raised to $5,000, the bill will increase limits for 401(k) and 403(b) plans to $15,000 and for SIMPLE plans to $10,000; thereby continuing the differential. The limit for 457(b) plans for government employees will increase to $12,000.

As stated before, there is a clear need to increase the IRA limit above the current $2,000 contribution level. But increasing that level without increasing the savings opportunity levels for

employer provided plans will result in some business owners eliminating their employer provided plans and saving only for themselves in an IRA. By increasing the employer provided plan limits, business owners will still have the incentive to maintain a plan for employees if only to avail themselves of the higher plan limits for employer provided plans.

This does not mean that business executives can automatically take advantage of these higher contribution limits. First, it is important to remember that contributions can only be made on the first $160,000 of compensation. In addition, in order for a business owner or other highly compensated employee to take advantage of these limits, a number of non-highly compensated employees must also benefit under the plan. An example should show how these non-discrimination rules work. In a company, there is one person—let's say the owner of the business—who makes over $160,000 and that person wants to contribute the full $15,000 to the company 401(k) plan. He could only contribute the full $15,000 if (i) low paid employees as a group contribute 8% of their compensation to the 401(k) plan, (ii) all low paid employees receive a fully vested contribution from the employer equal to 3% of their compensation or (iii) all low paid employees would be eligible to receive matching contributions of 100% of their contribution to the 401(k) plan of their first 3% contribution and 50% of their next 2% of compensation contribution. Clearly, business owners and high paid employees cannot benefit with this new higher contribution limits unless the amount of savings that low paid people make—either on their own or with the help of the employer—increases.

Roth 401(k) or 403(b) plan. We have heard testimony before the Finance Committee that the results of the first year of the Roth IRA has been successful. And we have all seen the television and print ads touting the benefits of the Roth IRA. The opportunity for tax-free investment returns has clearly caught the fancy of the American people. In less than five months after the Roth IRA became available, the Investment Company Institute estimated that approximately 3 percent of American households owned a Roth IRA. In addition, the survey found that the typical Roth IRA owner was 37 years old, significantly younger than the traditional IRA owner who is about 50 years old, and that 30 percent of Roth IRA owners indicated that the Roth IRA was the first IRA they had ever owned. This bill will harness the power of the Roth IRA and give it to participants in 401(k) plans and 403(b) plans.

Companies will have the opportunity to give participants in 401(k) plans and 403(b) plans the ability to contribute to these plans on an after-tax basis, with the earnings on such contributions being tax-free when distributed, like the Roth IRA. More than the maximum Roth IRA contribution amount can be contributed under this option; employees would be limited to the maximum 401(k) or 403(b) contribution amount. The regular non-discrimination rules that apply to 401(k) and 403(b) plans will also apply to these after-tax contributions. Consequently, in order for business owners and highly compensated employees to take full advantage of these new savings opportunities, low paid employees must also benefit.

The regular distribution rules (rather than the Roth IRA distribution rules) would apply to these types of plans. However, these after-tax accounts could be rolled into a Roth IRA when the individual retires. And unlike Roth IRAs, there would not be an opportunity for 401(k) or 403(b) plan participant to convert their current 401(k) and 403(b) account balances into the new non-taxable balances.

Catch-up contributions. This provision will provide an additional savings opportunity to those individuals who are close to retirement. According to a study by the Employee Benefit Research Institute, older workers tend to have their contributions constrained by maximum limits which are either plan limits on how much can be contributed or legal limits on how much can be contributed. EBRI believes that this is probably due to the fact that they are more focused on retirement and are thus more likely to contribute at a higher level. We all know that there can be other pressing financial needs earlier in life—school loans, home loans, taking time off to raise the kids—which limit the amount that we may have available to save for retirement. The closer that we get to retirement, the more we want to put away for those years when we are not working. However, the current law limitations on how much may be contributed to tax qualified savings vehicles may restrict people's ability to save at this time in their lives.

The bill will give those who are near retirement—age 50—the opportunity to contribute an additional amount in excess of the annual limits equal to an additional 50% of the annual limit. Catch-up contributions will be allowed in 401(k) plans, 403(b) plans, 457(b) plans and IRAs. For IRAs, this will mean that someone age 50 could contribute $7,500 each year rather than $5,000.

For employer provided plans, the catch contribution will be available to anyone who is age 50 or above and who is limited in the amount that he or she can contribute to the plan by a plan limit, the maximum contribution limit or the nondiscrimination rules that apply to highly paid employees. This additional catch-up contributions to employer provided plan will not be subject to the normal non-discrimination rules for other contributions. Consequently, if a highly paid employee is limited by the nondiscrimination rules to only contributing $9,000 to a 401(k) plan, the employee will be able to contribute an additional $7,500 annually in the years after he attains age 50. This way, an employee is able to make contributions to provide for his or her retirement security when he or she is best able to afford to make these contributions and not be limited because other younger employees do not make contributions.

Small business incentives. According to the most recent Bureau of Labor Statistics figures, only 48 percent of employees in a small business are likely to be covered by any retirement plan, while 78 percent of employees of large or medium size businesses are likely to be covered. Since employees of small businesses are less likely to be covered by a retirement plan, we needed to find incentives for small businesses to want to establish plans. This is an issue that Senator BAUCUS is particularly interested in and these small business incentives represent some of his ideas on how to expand the small business market for retirement plans. The bill will assist small businesses in establishing retirement plans in the following ways:

Tax credit for start-up costs. A non-refundable tax credit of up to $500 would be available to small businesses with up to 100 employees to defray the administrative costs of establishing a new retirement plan. This credit would only be available for the first three years of operation of the plan. This credit could be carried back for one year or forward for 20 years (the general business credit carryover rules).

Tax credit for contributions. A non-refundable tax credit equal to 50% of employer contributions made on behalf of non-highly compensated employees would be available to small businesses with 50 or less employees during the first 5 years of a plan's operation. Only contributions of not more than 3% of compensation are eligible for the credit. This credit could be carried back for one year or forward for 20 years.

Small business defined benefit plan. This plan will provide employees of small businesses with a secure, fully portable, defined retirement benefit without imposing the complex rules and regulations of normal defined benefit plans. This plan, called the Savings Are For Everyone (SAFE) plan, will provide a fully vested benefit that is fully funded, using conservative actuarial assumptions. The benefit will be based on an employee's salary and years of service and could be structured so that years of service prior to the establishment of the plan can be used in determining the benefit—which helps older, long service employees. The SAFE plan is meant to complement the successful SIMPLE defined contribution plan that is available for small businesses.

Elimination of 25 percent of compensation limitation. Currently, the maximum amount that can be contributed to a defined contribution plan on behalf of an individual participant is the lesser of $30,000 or 25 percent of

compensation. This includes both employee contribution and any matching contributions or profit sharing contributions made by the plan sponsor. This bill will eliminate the 25 percent of compensation limit, so that the maximum contribution that is made on behalf of any individual is $30,000. With the additional savings opportunities provided for all employees under this bill, it would be much more likely for employees—especially low paid employees—to exceed this 25 percent of compensation limitation. This change will make sure that those employees will not be limited in fully providing for their retirement security, especially, if the employer also contributes toward the employee's retirement plan.

Tax deduction for employee deferrals. Under current law, an employee pre-tax deferral is treated as employer contribution and is subject to the limits on how much an employer can take as a tax deduction on qualified plan contributions. With the increased amount of pre-tax savings that we anticipate employees will make after enactment of this bill, there is a concern that the maximum limit on deductible contributions will be reached. This bill will permit employer to fully deduct any employee pre-tax deferrals, without regard to the maximum limit on deductions. Other employer contributions to a plan, however, will continue to be subject to this deduction limitation.

IRA contributions to an employer plan. The bill gives employers the opportunity to accept traditional IRA contributions as part of their regular employer plan. In addition, it gives employees the ability to have IRA contributions made directly to the employer-sponsored IRA as a payroll deduction. One advantage of using an employer plan as an IRA account is that the administrative costs in an employer plan are usually much less than the costs in a privately maintained plan. Another advantage is that contributions to the IRA will be made on a payroll deduction basis, which makes it more likely that the contributions will be made.

Full funding limit increase. Defined benefit pension plans are also an important source of retirement income. Currently, amounts that can be deducted as contributions to a pension plan is limited to the lesser of the actuarial funding requirement amount or 150 percent of the current liability amount of the plan. The current liability amount does not take into account projected pension benefits. This 150 percent of current liability limitation is eliminated in this bill. This will result in better funded pension plans, since the articial limitation of 150 percent of current liability no longer applies.

Both Senator BAUCUS and I hope that other Senators will join us in this effort to increase savings opportunities for all working Americans.●

● Mr. BAUCUS. Mr. President, I rise to join my colleague, Senator ROTH, Chairman of the Senate Finance Committee and fellow Montanan, in introducing this important bill. Mr. President, I have agreed to join Chairman ROTH in introducing this bill for one reason—I believe we must increase the level of personal savings in our country.

Personal savings have been on a precipitous decline during the last 2 decades. Net personal savings have dropped from 9.3% of Gross Domestic Product in the 1970's to one-half of one percent in 1999. This is the lowest rate of personal savings since 1933. If we are to reverse this decline, and help Americans plan for their retirement years, we must create a culture of savings in our country.

The Retirement Savings Opportunity Act is one piece of a much broader effort to reverse this trend. Another important part of this puzzle is represented by the package of regulatory reforms I have been working on with Senators GRAHAM and GRASSLEY, in a bill that will be introduced shortly. Yet another approach is represented by the President's proposal to create Universal Savings Accounts for all working Americans. I support the President's commitment to dedicate a portion of our projected budget surpluses to helping Americans save for their retirement, though I am modifying his proposal to take advantage of our existing pension system and enhance it. All of these proposals, when taken together in a comprehensive package, will help Americans of all income levels save for the future.

My particular concern is in pension coverage for small businesses and their employees. Less than one in every five Americans working for small businesses have access to pension plans through their workplace. This represents 40 million working Americans who do not have pension coverage. And since virtually all of the net new jobs being created in this country are being created by small businesses, their retirement security must not be neglected. We simply must make it easier for small businesses to start pension plans, and to provide pension coverage to their employees.

I am particularly pleased with the small business incentives included in the Retirement Savings Opportunity Act. This bill contains a tax credit to help defray the administrative costs small businesses incur when they start up new pension plans. It also includes an additional tax credit as an incentive for small business owners who contribute money on behalf of their employees into new plans. Finally, the bill includes a new, simplified defined benefit plan for small businesses. These are not by any means the only ways we can help small businesses provide pensions for their workers, but they are a good start down that road. The increased limits that are included in the bill will also help this process by making it easier for employers to save, thus making it more likely they will also provide benefits to their lower paid workers.

I am very excited that we are finally engaging in a public policy debate about retirement security. Only by elevating this debate to the highest levels will we be able to make the changes necessary to truly make the American dream a reality for everyone. We must help Americans make their Golden Years truly golden, so they can look forward to a secure financial future. This bill, as part of a comprehensive solution that includes other proposals directed toward lower-income workers, will help make retirement security a reality for all Americans.●

By Mr. MACK (for himself and Mr. GRAHAM)

S. 647. A bill to provide for the appointment of additional Federal district judges in the State of Florida, and for other purposes; to the Committee on the Judiciary.

THE FLORIDA FEDERAL JUDGESHIP ACT OF 1999

● Mr. MACK. Mr. President, I come before the Senate today with my esteemed colleague and friend, Senator GRAHAM, to introduce the Florida Federal Judgeship Act of 1999. I would not be here today if I did not wholeheartedly believe that the problem facing the court system in the Middle and Southern Districts of Florida is one of the most acute judgeship problems in the nation. If judicial resources are not increased in these two districts, the problem will become irreversible. Mr. President, the situation that presently exists in Florida rises to the level of an emergency and thus, the problem needs attention today.

The legislation that Senator GRAHAM and I are introducing would create seven new judgeships for the state of Florida. The Middle District would receive five new permanent judgeships, and the Southern District would receive two new permanent judgeships. These numbers were officially recommended by the United States Judicial Conference earlier this week.

The Middle District of Florida is nearly 400 miles, spanning from the Georgia border on the northeast side to the south of Naples on the southwest coast of Florida. This district includes, among others, the cities of Jacksonville, Orlando, and Tampa. The Southern District encompasses Ft. Lauderdale and Miami, along with other cities in the southern portion of the state.

Additional judgeship positions have not been created for these districts since 1990. Since this time, the Middle District alone has had a 62 percent increase in the total number of cases filed. Moreover, Florida's population has increased nearly twice as fast as the nation during the 1990s. By 2025, the United States Census Bureau projects Florida will surpass New York as the third largest state with 20.7 million residents.

Each year, Florida becomes a winter home to people from all over the United States and the world. In addition, the Middle and Southern Districts

are home to major tourist attractions such as Disney World, Universal Studios, Sea World, Busch Gardens, and South Beach. The heavy flow of both winter residents and tourism, along with Florida's growing number of permanent residents, causes the needs of these two judicial districts to be unique in this nation.

In addition, the Middle District contains the federal correctional center at Coleman. When the penitentiary is completed in Spring 2001, this will be one of the largest prison complexes in the country and the largest in the state of Florida. The capacity at Coleman will be approximately 4,700 inmates and all complaints filed by these prisoners regarding the facilities and their individual care will be sent to the Middle District for resolution.

To add to the problem, a portion of the Middle District has been designated a High Intensity Drug Trafficking Area. While I am pleased that Florida will be receiving additional assistance in the war against drugs, we also must recognize that this law enforcement initiative is expected to dramatically impact narcotic related arrests and therefore, prosecutions in the Middle District.

Thus, it is apparent that without the addition of new judges, access to justice will no longer be swift in the Middle and Southern Districts. To provide Floridians with a safe environment and access to justice, a court system must be put in place which can handle the demands of this dynamic and growing part of our country. Accordingly, I urge the Judiciary Committee and the full Senate to consider and pass this legislation expeditiously.●

● Mr. GRAHAM. Mr. President, I am extremely pleased to join with my distinguished colleague from Florida, Senator MACK, in introducing the Florida Federal Judgeship Act of 1999. This legislation will create seven additional U.S. District Court judgeships in Florida—two in the Southern District and five—in the fast-growing Middle District of Florida.

I want to thank Senator ORRIN HATCH, chairman of the Senate Judiciary Committee, for his recognition of the overcrowding problem facing Florida's federal district courts and for his good-faith pledge to work with Senator GRASSLEY to consider this issue early this year. I look forward to working with all my Senate colleagues in considering this important issue.

Because our number of judgeships is too small to meet the increasing demand of Florida's rapidly growing population, judges face overwhelming caseloads. Prosecutors and law-enforcement personnel are stymied in their efforts to mete out swift justice. Civil litigants are forced to endure unreasonable waits to bring their cases to resolution.

Mr. President, make no mistake: Florida's federal courts are in the midst of a full-blown crisis. Prominent legal and judicial officials all over Florida have told us that this is not a tenable situation. But Floridians are not alone in their concern about overcrowded court dockets in the Southern and Middle Districts of Florida. Yesterday, March 16th, the Judicial Conference of the United States—the principal policy-making body of the federal judiciary, which is chaired by the Chief Justice of the Supreme Court and composed of federal judges from throughout the United States—asked Congress to create 33 permanent and 25 temporary additional district judgeships. Senator MACK and I are introducing our bill so that Congress can meet the needs of Florida by providing the additional judicial resources needed for these two U.S. District Courts to meet their increasing caseload.

On three previous occasions since 1976, Congress has authorized new Federal judgeships in numbers that each time exceeded the request of the Judicial Conference thus recognizing the dire needs of our court systems. The last recommendation, made in March of 1997, followed recommendations that were unheeded in September of 1992 and September of 1994. There have simply been no new judgeships since December 1, 1990. We cannot allow this new request to go unheeded again.

Mr. President, many states have justifiable concerns about overcrowded federal district court dockets. However the urgent nature of Florida's judicial crisis makes our state a special case. Its Southern and Middle Districts deserve immediate attention for three main reasons.

First, Florida has one of the highest caseloads per judge in the nation, a condition that has continued to worsen over the last year. Currently, the Judicial Conference has proposed all recommendations for increased judgeship based on weighted filings—a number that takes into account both the total number of cases filed per judge and the average level of case complexity. Currently the standard for each Federal district judge is 430 weighted cases per year. When the caseload exceeds 430, that district is entitled to be reviewed for purposes of an additional judge.

As of September 30, 1998, the Southern District's weighted filings stood at 608 per judge. This is 41 percent above the standard and 18 percent above the national average of 516 weighted filing per judge. In the Middle District, the story was even worse—805 weighted filings per judge, a figure that ranks sixth highest in the entire nation. Middle District's weighted filings per judge from September 1996 to September 1998, a two year period, jumped from 45 percent above the standard to 87 percent above the standard and 56 percent above the national average.

As of January 30, 1999, over 1,100 criminal defendants have cases pending in the Middle District. The story is even worse on the civil side of the docket, where more than 5,900 cases have yet to receive final disposition. Florida's caseload isn't going to experience a slowdown in growth anytime soon, and the judicial backlog will get worse unless Congress takes preventative action for the long-term.

Second, this legislation recognizes that Florida's largest federal judicial districts are responsible for a massive area that includes nearly 80 percent of Florida residents. Last year the state's population reached 15 million, growing 15.9 percent since the 1990 census of 12.9 million. The Southern and Middle Districts combined jurisdiction stretches from key West—the southernmost city in the continental United States—north to include Miami, Ft. Lauderdale, West Palm Beach, Melbourne, Fort Myers, Sarasota, Tampa, St. Petersburg, Orlando, and Jacksonville.

Between 1980 and 1995, the Middle District grew by a whopping 52%. It is expected to increase by an addition 21% in the next decade. However, since 1990, the last time the Judicial Conference recommended and Congress approved more judges for Florida, our U.S. District Courts have not received any additional resources from the federal government to cope with that growth.

Third, this proposal will assist the work of law enforcement officials and personnel. If we are committed to ensuring that criminals face punishment in a swift manner, we must be willing to provide resources to all aspects of the judicial system.

In both of these districts, drug prosecutions and other serious criminal cases make up a large percentage of the overall caseload. For example, both the Southern and Middle Districts contain High intensity Drug Trafficking Areas (HITDAs). These anti-drug zones generate a substantial number of lengthy, multi-defendant prosecutions, and the additional of judges will help law enforcement officials and prosecutors in their fight against drug crimes.

In addition, federal prosecutors and law enforcement officials throughout Florida, but especially in the Southern District, are being forced to spend more time combatting the cheats, fly-by-night operators, and other criminals who are engaged in a systematic campaign to defraud Medicare and other health care programs. It has been estimated that nearly twenty percent of all Medicare dollars spent in South Florida are lost to fraud. In fact, nearly 30 percent of all Medicare fraud nationwide takes place in Florida.

Mr. President, it is vital that we act quickly to resolve this crisis. From 1990, in Middle District, and 1993, in Southern District, the total number of filings have gone up 62 percent. With a state population growth rate predicted to exceed 300,000 residents per year, these trends are unlikely to reverse. The addition of these judgeships will still leave both districts well above the weighted filings per judgeship standard.

U.S. Federal District Courts are the first stop for all citizens involved in the federal judicial system. Most federal cases are disposed at this level and

it is essential that these citizens have their claims heard in a timely manner. Congress and the White House must be vigilant in their shared responsibility for recommending, nominating, and confirming federal judicial nominees. Senator HATCH's leadership, and his determination to address Florida's special needs, are very much appreciated by the residents of our state.

Our legislation is simple, sound, and will serve the interests of all Floridians. I look forward to working with Senator MACK and members of the Judiciary Committee on this matter. I urge all my colleagues to support the passage of this much needed legislation. Further delay in this matter will only serve to deny timely justice for thousands of crime victims and civil litigants in Florida's Southern and Middle Judicial Districts.

I ask unanimous consent that a letter I have received from Chief Judge Edward B. Davis of the Southern District of Florida be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES DISTRICT COURT,
SOUTHERN DISTRICT OF FLORIDA,
Miami, FL, February 23, 1999.

Hon. D. ROBERT GRAHAM,
U.S. Senate, Hart Office Building,
Washington, DC.

DEAR SENATOR GRAHAM: I am writing to reaffirm our need for the two additional judgeships this court has been seeking since 1995. The Judicial Conference approved that request in 1996 and reaffirmed it in 1998. It did so based on the weighted filings per judgeship. During the last three years, the weighted filings per judgeship have averaged 601 which is 171 filings above the standard of 430 per judgeship.

The Conference Committee on Judicial Statistics again analyzed the Judiciary's judgeship needs last year and again recommended to the Judicial Conference the two additional judgeships. The following are the highlights of that analysis:

Since 1993, filings have increased by more than 50%. Most of the increase has been in civil cases which have risen 62 percent;

Prisoner petitions have nearly doubled since 1993;

Criminal filings have fluctuated over the last five years, growing to a high of 102 per judgeship in 1996 (this figure will be even higher in the present statistical year based on current trends);

The heavy criminal caseload is reflected in both the weighted filings and the number of lengthy trials;

Over the last three years, the Court has averaged 34 trials per year in excess of 10 days, with an average of 9 in excess of 20 days (almost 10% of the Federal Judiciary's total);

With the addition of two judgeships, the Court's weighted filings per judgeship would only fall to approximately 520, still well above the standard of 430.

I also note that in the Southern District we: had 57% more criminal trials than the next highest district (Central California) in the federal system; and had more criminal cases pending in 1998 in the Southern District than in 92 other federal district courts and in the entire 1st and 7th Circuits.

Despite your incredible assistance in filing our judicial vacancies, we have not had a full complement of Judges since October of 1988. I think the ongoing impact of the vacancies and the above data continues to support this Court's need for the two additional judgeships that were requested in 1995 as part of the 1996 Biennial Judgeship Survey.

If you have any questions or need additional information, please telephone me at (305) 523–5150.

Sincerely,

EDWARD B. DAVIS,
Chief Judge.●

By Mr. KERRY (for himself and Mr. GRASSLEY):

S. 648. A bill to provide for the protection of employees providing air safety information; to the Committee on Health, Education, Labor, and Pensions.

AVIATION SAFETY PROTECTION ACT

● Mr. KERRY. Mr. President, today I am introducing the Aviation Safety Protection Act of 1999 with Senator GRASSLEY to increase overall safety of the airline industry by establishing whistleblower protection for aviation workers. I am honored to work on this important issue with Senator GRASSLEY, who has long been a leader on whistleblower legislation.

The Occupational Safety and Health Act (OSHA) properly protects both private and federal government employees who report health and safety violations from reprisal by their employers. However, because of a loophole, aviation employees are not covered by these protections. Flight attendants and other airline employees are in the best position to recognize breaches in safety regulations and can be the critical link in ensuring safer air travel. Currently, those employees who work for unscrupulous airlines face the possibility of harassment, negative disciplinary action, and even termination if they report violations.

Aviation employees perform an important public service when they choose to report safety concerns. No employee should be put in the position of having to choose between his or her job and reporting violations that threaten the safety of passengers and crew. For that reason, we need a strong whistleblower law to protect aviation employees from retaliation by their employers when reporting incidents to federal authorities. Americans who travel on commercial airlines deserve the safeguards that exist when flight attendants and other airline employees can step forward to help federal authorities enforce safety laws.

This bill would provide the necessary protections for aviation employees who provide safety violation information to federal authorities or testify about or assist in disclosure of safety violations. This legislation provides a Department of Labor complaint procedure for employees who experience employer reprisal for reporting such violations, and assures that there are strong enforcement and judicial review provisions for fair implementation of the protections.

I want to acknowledge the leadership of Representative SHERWOOD BOEHLERT, Republican from New York, and Representative JAMES CLYBURN, Democrat from South Carolina, who have introduced the companion bill in the House. I also want to thank the Administration for their support of this legislation.

This bill will provide important protections to aviation workers and the general public. I urge my colleagues on both sides of the aisle to join Senator GRASSLEY and me in supporting it.

Mr. President, I ask unanimous consent that the test 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. 648

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Aviation Safety Protection Act''.

SEC. 2. PROTECTION OF EMPLOYEES PROVIDING AIR SAFETY INFORMATION.

(a) IN GENERAL.—Chapter 421 of title 49, United States Code, is amended by adding at the end the following:

''SUBCHAPTER III—WHISTLEBLOWER PROTECTION PROGRAM

''§ 42121. Protection of employees providing air safety information

''(a) DISCRIMINATION AGAINST AIRLINE EMPLOYEES.—No air carrier or contractor or subcontractor of an air carrier may discharge an employee of the air carrier or the contractor or subcontractor of an air carrier or otherwise discriminate against any such employee with respect to compensation, terms, conditions, or privileges of employment because the employee (or any person acting pursuant to a request of the employee)—

''(1) provided, caused to be provided, or is about to provide or cause to be provided, to the Federal Government information relating to any violation or alleged violation of any order, regulation, or standard of the Federal Aviation Administration or any other provision of Federal law relating to air carrier safety under this subtitle or any other law of the United States;

''(2) has filed, caused to be filed, or is about to file or cause to be filed, a proceeding relating to any violation or alleged violation of any order, regulation, or standard of the Federal Aviation Administration or any other provision of Federal law relating to air carrier safety under this subtitle or any other law of the United States;

''(3) testified or will testify in such a proceeding; or

''(4) assisted or participated or is about to assist or participate in such a proceeding.

''(b) DEPARTMENT OF LABOR COMPLAINT PROCEDURE.—

''(1) FILING AND NOTIFICATION.—

''(A) IN GENERAL.—In accordance with this paragraph, a person may file (or have a person file on behalf of that person) a complaint with the Secretary of Labor if that person believes that an air carrier or contractor or subcontractor of an air carrier discharged or otherwise discriminated against that person in violation of subsection (a).

''(B) REQUIREMENTS FOR FILING COMPLAINTS.—A complaint referred to in subparagraph (A) may be filed not later than 90 days after an alleged violation occurs. The complaint shall state the alleged violation.

''(C) NOTIFICATION.—Upon receipt of a complaint submitted under subparagraph (A),

the Secretary of Labor shall notify the air carrier, contractor, or subcontractor named in the complaint and the Administrator of the Federal Aviation Administration of the—

''(i) filing of the complaint;

''(ii) allegations contained in the complaint;

''(iii) substance of evidence supporting the complaint; and

''(iv) opportunities that are afforded to the air carrier, contractor, or subcontractor under paragraph (2).

''(2) INVESTIGATION; PRELIMINARY ORDER.—

''(A) IN GENERAL.—

''(i) INVESTIGATION.—Not later than 60 days after receipt of a complaint filed under paragraph (1) and after affording the person named in the complaint an opportunity to submit to the Secretary of Labor a written response to the complaint and an opportunity to meet with a representative of the Secretary to present statements from witnesses, the Secretary of Labor shall conduct an investigation and determine whether there is reasonable cause to believe that the complaint has merit and notify in writing the complainant and the person alleged to have committed a violation of subsection (a) of the Secretary's findings.

''(ii) ORDER.—Except as provided in subparagraph (B), if the Secretary of Labor concludes that there is reasonable cause to believe that a violation of subsection (a) has occurred, the Secretary shall accompany the findings referred to in clause (i) with a preliminary order providing the relief prescribed under paragraph (3)(B).

''(iii) OBJECTIONS.—Not later than 30 days after the date of notification of findings under this paragraph, the person alleged to have committed the violation or the complainant may file objections to the findings or preliminary order and request a hearing on the record.

''(iv) EFFECT OF FILING.—The filing of objections under clause (iii) shall not operate to stay any reinstatement remedy contained in the preliminary order.

''(v) HEARINGS.—Hearings conducted pursuant to a request made under clause (iii) shall be conducted expeditiously and governed by the Federal Rules of Civil Procedure. If a hearing is not requested during the 30-day period prescribed in clause (iii), the preliminary order shall be deemed a final order that is not subject to judicial review.

''(B) REQUIREMENTS.—

''(i) REQUIRED SHOWING BY COMPLAINANT.—The Secretary of Labor shall dismiss a complaint filed under this subsection and shall not conduct an investigation otherwise required under subparagraph (A) unless the complainant makes a prima facie showing that any behavior described in paragraphs (1) through (4) of subsection (a) was a contributing factor in the unfavorable personnel action alleged in the complaint.

''(ii) SHOWING BY EMPLOYER.—Notwithstanding a finding by the Secretary that the complainant has made the showing required under clause (i), no investigation otherwise required under subparagraph (A) shall be conducted if the employer demonstrates, by clear and convincing evidence, that the employer would have taken the same unfavorable personnel action in the absence of that behavior.

''(iii) CRITERIA FOR DETERMINATION BY SECRETARY.—The Secretary may determine that a violation of subsection (a) has occurred only if the complainant demonstrates that any behavior described in paragraphs (1) through (4) of subsection (a) was a contributing factor in the unfavorable personnel action alleged in the complaint.

''(iv) PROHIBITION.—Relief may not be ordered under subparagraph (A) if the employer demonstrates by clear and convincing evidence that the employer would have taken the same unfavorable personnel action in the absence of that behavior.

''(3) FINAL ORDER.—

''(A) DEADLINE FOR ISSUANCE; SETTLEMENT AGREEMENTS.—

''(i) IN GENERAL.—Not later than 120 days after conclusion of a hearing under paragraph (2), the Secretary of Labor shall issue a final order that—

''(I) provides relief in accordance with this paragraph; or

''(II) denies the complaint.

''(ii) SETTLEMENT AGREEMENT.—At any time before issuance of a final order under this paragraph, a proceeding under this subsection may be terminated on the basis of a settlement agreement entered into by the Secretary of Labor, the complainant, and the air carrier, contractor, or subcontractor alleged to have committed the violation.

''(B) REMEDY.—If, in response to a complaint filed under paragraph (1), the Secretary of Labor determines that a violation of subsection (a) has occurred, the Secretary of Labor shall order the air carrier, contractor, or subcontractor that the Secretary of Labor determines to have committed the violation to—

''(i) take action to abate the violation;

''(ii) reinstate the complainant to the former position of the complainant and ensure the payment of compensation (including back pay) and the restoration of terms, conditions, and privileges associated with the employment; and

''(iii) provide compensatory damages to the complainant.

''(C) COSTS OF COMPLAINT.—If the Secretary of Labor issues a final order that provides for relief in accordance with this paragraph, the Secretary of Labor, at the request of the complainant, shall assess against the air carrier, contractor, or subcontractor named in the order an amount equal to the aggregate amount of all costs and expenses (including attorney and expert witness fees) reasonably incurred by the complainant (as determined by the Secretary of Labor) for, or in connection with, the bringing of the complaint that resulted in the issuance of the order.

''(4) FRIVOLOUS COMPLAINTS.—A complaint brought under this section that is found to be frivolous or to have been brought in bad faith shall be governed by Rule 11 of the Federal Rules of Civil Procedure.

''(5) REVIEW.—

''(A) APPEAL TO COURT OF APPEALS.—

''(i) IN GENERAL.—Not later than 60 days after a final order is issued under paragraph (3), a person adversely affected or aggrieved by that order may obtain review of the order in the United States court of appeals for the circuit in which the violation allegedly occurred or the circuit in which the complainant resided on the date of that violation.

''(ii) REQUIREMENTS FOR JUDICIAL REVIEW.—A review conducted under this paragraph shall be conducted in accordance with chapter 7 of title 5. The commencement of proceedings under this subparagraph shall not, unless ordered by the court, operate as a stay of the order that is the subject of the review.

''(B) LIMITATION ON COLLATERAL ATTACK.—An order referred to in subparagraph (A) shall not be subject to judicial review in any criminal or other civil proceeding.

''(6) ENFORCEMENT OF ORDER BY SECRETARY OF LABOR.—

''(A) IN GENERAL.—If an air carrier, contractor, or subcontractor named in an order issued under paragraph (3) fails to comply with the order, the Secretary of Labor may file a civil action in the United States district court for the district in which the violation occurred to enforce that order.

''(B) RELIEF.—In any action brought under this paragraph, the district court shall have jurisdiction to grant any appropriate form of relief, including injunctive relief and compensatory damages.

''(7) ENFORCEMENT OF ORDER BY PARTIES.—

''(A) COMMENCEMENT OF ACTION.—A person on whose behalf an order is issued under paragraph (3) may commence a civil action against the air carrier, contractor, or subcontractor named in the order to require compliance with the order. The appropriate United States district court shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce the order.

''(B) ATTORNEY FEES.—In issuing any final order under this paragraph, the court may award costs of litigation (including reasonable attorney and expert witness fees) to any party if the court determines that the awarding of those costs is appropriate.

''(c) MANDAMUS.—Any nondiscretionary duty imposed by this section shall be enforceable in a mandamus proceeding brought under section 1361 of title 28.

''(d) NONAPPLICABILITY TO DELIBERATE VIOLATIONS.—Subsection (a) shall not apply with respect to an employee of an air carrier, or contractor or subcontractor of an air carrier who, acting without direction from the air carrier (or an agent, contractor, or subcontractor of the air carrier), deliberately causes a violation of any requirement relating to air carrier safety under this subtitle or any other law of the United States.

''(e) CONTRACTOR DEFINED.—In this section, the term 'contractor' means a company that performs safety-sensitive functions by contract for an air carrier.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 421 of title 49, United States Code, is amended by adding at the end the following:

''SUBCHAPTER III—WHISTLEBLOWER PROTECTION PROGRAM

''42121. Protection of employees providing air safety information.

(c) CIVIL PENALTY.—Section 46301(a)(1)(A) of title 49, United States Code, is amended by striking ''subchapter II of chapter 421,'' and inserting ''subchapter II or III of chapter 421,''.●

By Mr. WELLSTONE (for himself and Mr. KENNEDY):

S. 653. A bill to amend the Occupational Safety and Health Act of 1970 to further protect the safety and health of employees; to the Committee on Health, Education, Labor, and Pensions.

SAFER WORKPLACES ACT OF 1999

By Mr. WELLSTONE:

S. 654. A bill to strengthen the rights of workers to associate, organize and strike, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

RIGHT-TO-ORGANIZE ACT OF 1999

● Mr. WELLSTONE. Mr. President, I rise today to introduce two pieces of legislation that I believe would represent a giant step forward for working Americans. The first bill, which I am calling the ''Safer Workplaces Act of 1999,'' contains four provisions that would extend health and safety protections for workers in the workplace. The second bill, the ''Right to Organize Act of 1999,'' would go a long way toward correcting some of the flagrant abuses

of the law that have resulted in workers being denied their right to organize and bargain collectively.

THE SAFER WORKPLACES ACT OF 1999

In recent years some of my colleagues have argued that the Occupational Safety and Health (OSH) Act already goes too far in protecting the right of employees to work in a safe and healthy environment. I have a different view. I believe that, in several fundamental ways, the OSH Act does not go far enough.

There are still too many workers injured on the job in America today. There are still too many tragic cases of workers losing their lives because their employers deliberately chose to break the law. When workers go to work in the morning, they have every right to expect that they'll come home at night in one piece—not maimed or killed on the job because of their employer's wrongdoing. I don't think that's a lot to ask.

Of course it's not. In fact, I know many of my Republican friends couldn't agree more. This is not, and should not be, a partisan issue. The four provisions of my ''Safer Workplaces Act,'' which I am also introducing individually as separate legislation, have all enjoyed bipartisan support in the past. I don't see any reason why they shouldn't enjoy bipartisan support in this Congress, as well. I hope we can sidestep some of the more bitter controversies surrounding the OSH Act and focus instead on meaningful changes that will make a real difference in the lives of American workers.

The first provision in my Safer Workplaces Act, which I am introducing separately as the ''Safety and Health Whistleblowers Protection Act,'' would encourage employees to step forward and identify hazards in the workplace without fear of retaliation from their employers. In theory, workers are already protected from retaliation under Section 11(c) of the OSH Act, but we know that this protection is all too often meaningless. As Assistant Secretary of Labor Charles Jeffress recently testified before the Employment, Safety, and Training Subcommittee, ''The provisions in place today in Section 11(c) of the Act are too weak and too cumbersome to discourage employer retaliation or to provide an effective remedy for the victims of retaliation.''

Many, if not most, employees are simply afraid that they'll be punished or fired if they complain. And they have every reason to be afraid. In 1997 the Labor Department's Inspector General, Charles C. Masten, concluded that

Workers, particularly with small companies, are vulnerable

to reprisals by their employers for complaining about

unsafe, unhealthy work conditions. The severity of the

discrimination is highlighted by the fact that for 653 cases

included in our sample, nearly 67 percent of the workers who

filed complaints were terminated from their jobs.

The IG further found that workers who complain to their employer first—rather than to OSHA—are particularly vulnerable; that workers in small firms are the most vulnerable; that employer retaliation is often severe, most frequently in the form of firing; that OSHA procedures to investigate complaints are inadequate; that there are significant delays in OSHA's decision-making in 11(c) cases; and that the Department is failing to seek effective remedies for employees.

GAO reached similar conclusions. Of the Compliance Safety and Health Officers (CSHOs) surveyed by GAO, 26 percent thought workers have little or no protection when they report violations to OSHA. According to almost 50 percent of these officers, workers themselves believe they have little or no protection. But only 10 percent thought workers faced no real danger of retaliation.

When employees are too intimidated to identify workplace dangers, we end up with workplaces that are more dangerous than they should be. The Labor Department Inspector General concluded that, ''Based on the worker termination rates in the 11(c) cases, many employers are not receptive to requests for abatement of workplace hazards and feel free to discipline workers who seek abatement.'' So hazards go unreported and more workers get injured or killed.

The problems with Section 11(c) are widely acknowledged. In the 103rd Congress, the House Education and Labor Committee issued a stinging critique of current law, and many of its criticisms were echoed by OSHA itself in 1998. These are some of the shortcomings they identified. There's too little time for workers to file a complaint, since many don't even learn of their legal rights within 30 days of retaliation. There's no protection for employees who refuse to work when they have good reason to think they're in danger. Workers have to rely on the Department to take their cases to court, and there are no real time limits for doing that. While their cases are pending, workers have no job and no paycheck. And there are no penalties for employers who retaliate against workers.

My legislation is designed to correct these flaws. It gives workers 6 months, rather than 30 days, to file a grievance for retaliation. It protects not only workers who report unsafe conditions, but also employees who refuse to work when they have good reason to think they might be harmed or injured. To expedite the process, my bill provides for prompt hearings before an administrative law judge. It would allow dissatisfied workers to then take their case to a federal appeals court themselves, not having to rely on the Department. And it would provide for reinstatement during these proceedings, as well as compensatory damages and exemplary damages when the employer's behavior has been particularly outrageous.

These common-sense improvements should not be contentious or controversial. In fact, a bipartisan consensus has already emerged in support of similar whistleblower reforms. In July 1988, Reagan Administration Secretary of Labor Ann McLaughlin recommended legislation allowing airline employees to refuse work when they have a reasonable belief that they might be injured or killed, as well as providing a six month grievance filing period, hearings before an administrative law judge, and a temporary reinstatement remedy. Labor Secretary Elizabeth Dole agreed that ''limitation periods shorter than 180 days have proved too short for effective protection of whistleblower rights.''

In 1989 President Bush said that reinstatement must be available for whistleblowers in cases involving waste, fraud, and abuse because ''Standard make-whole remedies * * * will be meaningless, in practice, if whistleblowers are crushed personally and financially while legitimate complaints are caught in procedural limbo.'' In 1991, Gerard Scannell, Assistant Secretary for OSHA under President Bush, testified that ''we know there is a need to improve whistleblower protection and we have been working closely with the Congress on this issue.''

In the 104th Congress, Republican Congressman CASS BALLENGER introduced an OSHA reform bill that would have strengthened whistleblower protections by lengthening the grievance filing period from 30 to 60 days, and by giving employees the right to take their cases to court if the Labor Department refuses to act.

Republicans and Democrats agree that Section 11(c) is woefully inadequate and cries out for immediate reform. To ensure a safe and healthy work environment for all workers, we must count on employees to actively participate in identifying and correcting workplace hazards. But they're not going to do that if it means putting their jobs on the line. It's that simple. These courageous individuals need more protection, not less, and that's what my legislation is all about.

The second provision of my Safer Workplaces Act, which I am introducing separately as the ''Wrongful Death Accountability Act,'' would make it a felony to commit willful violations of the OSH Act that result in death of an employee. Unbelievably, these criminal violations are only a misdemeanor under current law. Under virtually every other federal safety and health or environmental statute, by contrast, criminal violations are a felony.

Because the penalty is so insignificant, the Justice Department rarely prosecutes. There are not a lot of cases where willful violations lead to the death of an employee, but some of them involve egregious behavior that needs to be prosecuted. We need to send

a message. Employers who cause the death of their employees by deliberately violating the law should be held accountable with something more than a slap on the wrist.

Before a recent hearing of the Employment, Safety, and Training Subcommittee, Assistant Secretary of Labor Charles Jeffress testified, ''We would urge that these violations not be classified as misdemeanors, but felonies, which carry with them the possibility of incarceration for periods in excess of one year. Classifying willful workplace safety and health violations that lead to an employee's death as misdemeanors is woefully inadequate to address the harm caused. Classifying such crimes as felonies would more justly reflect the severity of the offense.''

This is another reform that has enjoyed bipartisan support in the past, and deserves bipartisan support in this Congress. In 1990 the Bush Administration testified in support of making these criminal violations felonies. Several Republicans on the Labor Committee—Brock Adams, Jim Jeffords, and David Durenberger—all supported such legislation.

The third provision of the Safer Workplaces Act, which I am introducing separately as the ''Federal Employees Safety Enhancement Act,'' would extend full OSHA protections to employees of the federal government. Federal employees have been excluded from OSHA coverage for almost 30 years. While a 1980 executive order required federal agencies to comply with OSHA standards, it provides no real enforcement authority.

As Assistant Secretary of Labor Charles Jeffress recently testified before the Employment, Safety, and Training Subcommittee, ''the OSH Act currently does not adequately protect Federal employees. * * * OSHA has little ability to require positive change on the part of public employees. As a consequence, this limited authority hinders OSHA's success in reducing illness, injuries, and fatalities on the job.''

Again, this is a common-sense reform that should be bipartisan and uncontroversial. In 1994, Republican Congressman CASS BALLENGER proposed to cover federal employees in his OSHA reform legislation. Last year, under the leadership of Senator ENZI, the Senate voted unanimously to extend OSHA coverage to the U.S. Postal Service. On introducing his Postal Employees Safety Enhancement Act of 1998, Republican Senator ENZI indicated that all federal employees should ultimately be covered: ''This important legislation is an incremental step in the effort to ensure that the 'law of the land' applies equally to all branches of government as well as the private sector—and everything in-between.''

Finally, my Safer Workplace Act would also extend OSHA protections to employees of state and local government. State and local public employees are now covered only if their state happens to have a state plan. But in 27 states that do not have a state plan, 8.1 million state and local public employees are not protected by OSHA.

There's no reason why these employees should be treated as second-class citizens. They face workplace hazards just like workers in the private sector, sometimes more. Their health and their lives are just as much at risk as those of private sector workers. In fact, in 1997, 624 public sector workers were killed on the job. In several states, the injury rate is higher for public employees than for private sector employees.

At a recent hearing of the Employment, Safety, and Training Subcommittee, Assistant Secretary of Labor Charles Jeffress testified. ''There are numerous examples of on-the-job tragedies that occurred primarily because safety and health protections do not apply to public employees. These tragedies could have been prevented by compliance with OSHA rules.''

Once again, this is a common-sense, bipartisan proposal. The Bush Administration supported OSHA coverage for state and local public employees in 1991. I understand there is interest on the other side of the aisle in this particular provision, and I welcome it.

Taken together, the four provisions in this legislation would make a real difference for American workers. Fewer of them would be exposed to workplace hazards, fewer would be injured or harmed on the job, and fewer would be forced to pay with their lives. The Safer Workplaces Act would encourage employees to be involved in identifying workplace hazards and correcting them before tragedy occurs. It would deter employers from putting their employees lives' in danger through deliberate violations of the law. And it would give federal employees and state and local public employees the same health and safety protections that workers in the private sector have long enjoyed. This is a sensible package of bipartisan reforms, and I would encourage my colleagues on both sides of the aisle to join me in passing this legislation in the 106th Congress.

THE RIGHT-TO-ORGANIZE ACT OF 1999

As Ranking Democrat on the Health, Education, Labor and Pensions (HELP) subcommittee with jurisdiction over the National Labor Relations Act (NLRA), I am also introducing legislation that would more fully recognize the right of American working men and women to organize and bargain collectively.

Workers across America who want to organize a union and bargain collectively with their employer are finding that the rules are stacked against them in crucial ways. This is clear to any labor organizer, and to many workers who have made the effort. To give workers a fair chance to organize and bargain collectively, we need fundamental labor law reform.

My ''Right-to-Organize Act of 1999'' will target some of the worst abuses of labor law that have become increasingly common in recent years. First, employees are being subject to flagrant coercion, intimidation, and interference during certification election campaigns. Second, employers are simply firing employees who attempt to organize a union, and they're doing so with virtual impunity. In fact, despite the fact that the NLRA prohibits firing of employees for trying to organize a union, as many as 10,000 Americans lose their jobs each year for doing just that. The 1994 Dunlop Commission found that one in four employers illegally fired union activists during organizing campaigns. And third, there is a growing problem of employers refusing to bargain with their employees even after a union has been certified.

The Right-to-Organize Act of 1999 tackles these problems with the following provisions:

First, it would help employees make fully informed, free decisions about union representation by providing labor representatives and management equal opportunity to disseminate information to employees.

Second, it would expand the remedies available for employees who are wrongfully discharged—for union organizing, for example. Specifically, it would expand the remedies available to the National Labor Relations Board to include three times back pay, and it would allow employees to recover punitive damages in district court when the Board has determined that they were wrongfully discharged.

Third, if protecting the right to join a union and bargain collectively is to have any meaning, there must be safeguards to ensure that newly certified unions have a reasonable opportunity to reach an agreement with their employer. My legislation would provide for mediation and arbitration when employers and employees fail to reach a collective bargaining agreement on their own within 60 days of a union's certification.

While these provisions are all much-needed to level the playing field, I am the first to admit that much more still needs to be done. This legislation is very much a work in progress. I will be considering additional provisions to strengthen the authority of the National Labor Relations Board's (NLRB) to sanction willful violations of the law and to prevent abuses that too often string out election campaigns for months and months while worker representatives are thoroughly intimidated, organizers are fired, and the organizing campaign dies an early death.

I believe very strongly that the Right to Organize is terribly important—not only for the workers who want to join together and bargain collectively, but for all Americans. One of the most important things we can do to raise the standard of living and quality of life for working Americans, raise wages and benefits, improve health and safety in the workplace, and give average

Americans more control over their lives is to enforce their right to organize, join, and belong to a union. We know that union workers are able to earn up to one-third more than non-union workers and are more likely to have pensions and health benefits. That's why more than four in ten workers who are not currently in a union say they would join one if they had the chance.

When workers join together to fight for job security, for dignity, for economic justice and for a fair share of America's prosperity, it is not a struggle merely for their own benefit. The gains of unionized workers on basic bread-and-butter issues are key to the economic security of all working families. Upholding the Right to Organize is a way to advance important social objectives—higher wages, better benefits, more pension coverage, more worker training, more health insurance coverage, and safer workplaces—without drawing on any additional government resources.

I believe that the Right to Organize is one of the most important civil rights and human rights causes of the 1990s. Unfortunately, this cause has received too little attention in this Congress. I hope I can do something to remedy that situation, but this legislation is only a first step.

By Mr. LOTT (for himself, Mr. MCCAIN, Mr. STEVENS, Mr. BURNS, Mrs. HUTCHISON, Mr. FRIST, Mr. MACK, Mr. MURKOWSKI, Mr. WARNER, Mr. SHELBY, Mr. BENNETT, Mr. INHOFE, Mr. SESSIONS, and Mr. GRAMS):

S. 655. A bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles; to the Committee on Commerce, Science, and Transportation.

NATIONAL SALVAGE MOTOR VEHICLE CONSUMER PROTECTION ACT OF 1999

Mr. LOTT. Mr. President, today I am introducing legislation to combat the growing and costly fraud of title washing. Title fraud is a deceptive practice that costs consumers more than $4 billion dollars annually and places millions of structurally defective vehicles back on America's roads and highways. These are millions of unsafe cars and trucks sharing the roads with your loved ones.

The National Salvage Motor Vehicle Consumer Protection Act encourages states to adopt uniform titling and registration standards to protect used car buyers from unknowingly purchasing totaled and subsequently rebuilt vehicles. It is a sound and reasonable measure that enhances consumer disclosure and aids state motor vehicle administrators throughout the nation by giving them identical points of reference to describe salvage vehicles.

Let us be very clear on this, there are no uniform definitions and standards in place today and this leads to a hodgepodge of disclosure approaches throughout the country. Unscrupulous automobile rebuilders take advantage of inconsistencies in state titling definitions and procedures to purchase damaged vehicles at a low cost, rebuild them, oftentimes by welding the front and back of two different cars together, and then retitling the vehicle in another state. The new ''clean'' title bears no indication of the vehicle's previous damage record. As a result, consumers in your states are being sold previously totaled cars and trucks without having any knowledge that the vehicle they purchased, sometimes at a very high price, was severely damaged. A vehicle where only minor damage could cause it to fall apart. The unwitting purchasers of these vehicles experience significant economic loss. They and other motorists may also suffer bodily harm from these wrecks on wheels.

Mr. President, the title branding bill offered today will promote greater disclosure to potential used car buyers than occurs today. It establishes uniform definitions for salvage, rebuilt salvage, nonrepairable, and flood vehicles based upon the recommendations of the Motor Vehicle Titling, Registration and Salvage Advisory Committee. This congressionally mandated task force, overseen by the U.S. Department of Transportation, included the U.S. Attorney General's Criminal and Civil Justice Divisions, State motor vehicle officials, motor vehicle manufactures, auto dealers, recyclers, insurers, salvage yard operators, scrap processors, the U.S. Treasury Department, police chiefs and municipal auto theft investigators, and other interested and affected parties. The uniform definitions and standards contained in this bill are theirs, not mine. Their recommendations are based on a wealth of day-to-day experience dealing with consumer fraud, vehicle titling, and automobile theft. The Salvage Advisory Committee's recommendations struck an appropriate balance between consumers' economic interests and their personal safety.

The National Salvage Motor Vehicle Consumer Protection Act requires rebuilt salvage vehicles to undergo a theft inspection in addition to any required state safety inspection. To further promote disclosure to potential used car buyers, the legislation also requires rebuilt salvage vehicles to have a decal permanently fastened to the driver's doorjamb and a sticker would be affixed to the windshield disclosing the vehicle's status. Additionally, a written disclosure statement must be provided to buyers and the vehicle's title would be branded with the statement ''rebuilt salvage.''

The bill also requires that the brands included on state vehicle titles be carried forward to each state where the vehicle is retitled.

So if your state wants to add additional requirements—they can. And these items will be a permanent part of the title.

In an effort to take aim at automobile theft, the bill requires the tracking of Vehicle Identification Numbers (VIN) of irreparably damaged vehicles. This provision ensures that VINs are not simply swapped from damaged cars to stolen cars to mask their identity.

Mr. President, Congress came very close to enacting title branding legislation last year. The original Senate measure received the formal bipartisan support of 57 Senators, and a similar bill passed the House of Representatives by a vote of 333 to 72. Throughout the legislative process, a number of significant changes were made to the bill to address the concerns expressed by consumer groups and some state attorneys general.

The title branding bill before you today retains all of the changes approved by the House of Representatives last October and it includes additional pro-consumer, pro-states rights modifications received from states and the Administration.

Under this revised bill, states are free to adopt disclosure standards beyond those provided for in the bill. Let me say again that nothing in this bill prohibits states from providing unlimited disclosure to their citizens. This important legislation merely creates a basic minimum national standard while giving participating states the flexibility to adopt more stringent provisions and additional disclosure requirements.

The bill also does not create a federal mandate on the states as some big government advocates would have it. My colleagues are well aware that the Supreme Court ruled in *New York* v. *United States* [505 U.S. 144 (1992)] that states cannot be forced by Congress to execute programs that should be administered by the U.S. government. In the New York decision, the Justices upheld ''access incentives'' which allow states to decide whether they want to use federal standards.

This legislation follows the Supreme Court's ruling by offering incentive grants, as proposed by the U.S. Department of Transportation, to states that voluntarily choose to participate in the uniform titling regime for salvage vehicles. Thus, states that enact the bill's uniform titling definitions and procedures will be eligible for conformance funding. They can use the authorized funds to issue new titles, to establish and administer vehicle theft or safety inspections, for enforcement activities, and for other related purposes. While I believe most states will decide to participate in this completely voluntary program, rest assured no state will be penalized for choosing not to participate, or for adopting only some of the bill's provisions.

I would also like to point out that the revised bill no longer links state adoption of uniform titling standards to the National Motor Vehicle Title Information System (NMVTIS) funding or participation. Again, there is no penalty for nonparticipation.

The bill merely identifies and defines the minimum number of terms that should be used by states to characterize damaged vehicles. The use of nationally and consistently recognized terms will help consumers make informed decisions wherever they purchase a used vehicle. Whether in Mississippi, Utah, Florida, Montana, Texas, Virginia or any other participating state.

Mr. President, let me tell our colleagues this bill is about a commission's recommendations. Quite frankly, I took the recommendations from a commission created by Congress and codified their ideas. The ideas of the experts. The ideas of all the stakeholders. As we all know, many commission reports gather dust. I do not want this one to gather dust because motorists could be driving used cars which are literally wrecks. This is the commission's bill and I am proud to be associated with its sponsorship.

The bill fully adopts the federal task force's ''salvage'' vehicle definition as a vehicle that sustains damage in excess of 75% of its pre-accident value. This figure is lower than the House's proposal during the 105th Congress which would have set the uniform salvage threshold at 80%. The revised bill also gives states the flexibility to establish an even lower threshold if they choose. A state may set its salvage threshold at 70%, for example. The bill does not, however, set the uniform standard at an arbitrarily low minimum salvage threshold, such as 65%, when no state in the union currently has such a standard. No state. Not one.

The bill defines a flood vehicle as one that suffers water damage that inhibits the electrical, computerized, or mechanical functions of the vehicle. This definition expands upon the recommendation of the Advisory Committee by taking into account real world experience. State's found that merely being exposed to water alone does not in and of itself threaten the structural integrity, safety, or value of a vehicle. A car or truck should not be branded a flood vehicle just because its carpeting and floor mats are wet. If it were the case, none of us would drive our cars through the rain or snow. It is only when water damage impairs a vehicle's operating functions and the electrical, mechanical or computerized components have not been repaired or replaced, that the vehicle should be classified as a flood vehicle. The revised bill also goes beyond the task force's recommendations by including any vehicle acquired by an insurer as part of a water damage settlement.

A nonrepairable vehicle is one that is incapable of being driven safely and has no resale value except as a source for parts or scrap. This is similar to the nonrepairable definition used by California, our nation's largest state. This is also the common sense definition the Advisory Committee wisely chose in lieu of an arbitrary percentage based definition that would force otherwise repairable vehicles into the scrap heap. It should be noted that only five states have a percentage based nonrepairable definition. I find it troubling that these same five states have been far less successful in reducing automobile thefts than the nation as a whole and accident related deaths higher than the forty five states that do not have a percentage based nonrepairable definition. Coupled with the negative economic effects on consumers, these are additional reasons not to adopt a percentage based definition for nonrepairable vehicles.

Mr. President, my colleagues should also be aware that this legislation allows states to use additional terms in their titling regimes such as ''reconstructed'', ''unrebuildable'', and ''junk vehicles'' in addition to the terms defined in this measure. If a state that chooses to conform to the federal standard also wants to use a percentage based definition to describe a ''parts only'' vehicle, it can use a term synonymous to nonrepairable.

The National Salvage Motor Vehicle Consumer Protection Act also allows states to cover any vehicle, regardless of age. It allows older vehicles to be designated as a ''older model salvage vehicle.'' This is a change recommended by a state attorneys general representative to provide states with even more flexibility. Again, the age of a vehicle is no longer an issue under this revised title branding bill.

This legislation even grants state attorneys general the ability to sue on behalf of consumers victimized by rebuilt salvage fraud and to recover monetary judgments for damages that citizens may have suffered.

Two new prohibited acts are included in the bill—one related to failure to make a flood disclosure and the other related to moving a vehicle or title across state lines for the purpose of avoiding the bill's requirements.

Mr. President, I have just gone over a number of changes that I incorporated into the bill. I have reached out to accommodate a number of issues, but there is a point where making changes defeats the purpose of the bill which is to promote consumer disclosure through uniformity.

Mr. President, this bill does nothing to inhibit a consumers ability to pursue private rights of actions available under state law. Moreover, states are free to continue or adopt new civil and criminal penalties against individuals or companies that defraud consumers. The bill does not, however, negatively impact the already overburdened Federal courts. This bill is about disclosure. If your son or daughter is buying a used car, you want them to know right up front whether the vehicle they are about to purchase has been severely damaged. Getting relief after several years of litigating in a U.S. Court does not protect consumers. It does not turn the clock back for someone who has been killed or seriously injured in a structurally unsafe vehicle.

Mr. President, I would also like to reiterate some key points concerning The National Salvage Motor Vehicle Consumer Protection Act:

State participation is completely voluntary. V-O-L-U-N-T-A-R-Y.

There is no preemption of state law. None whatsoever. None. None. None. State legislatures can fully enact the bill's provisions, enact only some of the uniform definitions and standards, or take no action whatsoever.

States that choose to participate in the minimal uniform definitions and standards identified in this bill will be entitled to conformance funding.

There is no penalty for non-participation by a state. None whatsoever. None. None. None. And, no linkage to state National Motor Vehicle Title Information System (NMVTIS) funding or participation.

It mirrors recommendations of the Motor Vehicle Titling, Registration and Salvage Advisory Committee.

The bill's definitions and standards are the minimum necessary for a voluntary uniform salvage titling framework. M-I-N-I-M-U-M.

This legislation does not force states to adopt standards or definitions that not even one state currently has in place.

The bill does not unnecessarily devalue vehicles or cause otherwise repairable automobiles to be junked. This is key because some will talk about greater protection, but these proposals threaten the car's value for no good reason and this makes no sense

The revised bill includes many additional technical corrections provided to me by the U.S. Department of Transportation, the National Association of Attorney's General, and others. I want to personally thank them for their time and effort in going over the bill with me—line by line. Their thoughts were invaluable and helpful. Throughout the legislative process, I have made several good faith efforts to reach out to all groups interested in this legislation and where possible, I included reasonable changes in the bill.

It is widely supported by state motor vehicle administrators, law enforcement agencies, state legislators, consumers, and the automobile and insurance industries. Widely supported.

Experts on the front lines, those who deal with titling issues everyday, have described other proposals that have been floated recently as confusing, or overly complex, or unworkable, or unwise, or counter productive. In many instances, these proposals have been flatly rejected by state legislatures.

The National Salvage Motor Vehicle Consumer Protection Act represents a fair, balanced, and workable approach to dealing with the issue of title fraud. It provides a voluntary framework for states to provide much needed disclosure to potential used-car purchasers. It would help close the many loopholes that exist in state titling rules. This measure maintains a state's ability to provide more disclosure, to take direct

and timely action against dishonest parties, and to adopt more stringent rules and procedures should they decide to do so. It is both pro-consumer and pro-states rights. This bill protects the safety and well-being of consumers and motorists across America.

I urge the more than fifty of my colleagues from both sides of the aisle who formally supported this title branding legislation during the last Congress to cosponsor this important bill again. I ask the rest of my colleagues also to protect their constituents by lending their support to this much needed consumer protection measure.

The time has come for Congressional action. Repeated hearings have been held on this issue in both chambers over several years. The record is clear. Title fraud is a significant problem across the country. It continues unabated. The solution is more consumer disclosure based on the use of appropriate and rational national standards. This legislation is a win-win solution for consumers, states, and industry.

You know the time has come for Congressional action when the Department of Transportation's crash test cars are rebuilt, title washed, and back on America's roads and highways. Remember, these are deliberately wrecked vehicles. Yes, the time has come for action.

Let us work together to move this measure forward. To keep dishonest rebuilders from taking advantage of even one more used car purchaser in your state.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 655

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Salvage Motor Vehicle Consumer Protection Act of 1999''.

SEC. 2. MOTOR VEHICLE TITLING AND DISCLOSURE REQUIREMENTS.

(a) AMENDMENT TO TITLE 49, UNITED STATES CODE.—Subtitle VI of title 49, United States Code, is amended by inserting a new chapter at the end:

''CHAPTER 333—AUTOMOBILE SAFETY AND TITLE DISCLOSURE REQUIREMENTS

''Sec.
''33301. Definitions.
''33302. Passenger motor vehicle titling.
''33303. Disclosure and label requirements on transfer of rebuilt salvage vehicles.
''33304. Report on funding.
''33305. Effect on State law.
''33306. Civil penalties.
''33307. Actions by States.
''33308. Incentive Grants.

''§ 33301. Definitions

''(a) DEFINITIONS.—For the purposes of this chapter:

''(1) PASSENGER MOTOR VEHICLE.—The term 'passenger motor vehicle' has the same meaning given such term by section 32101(10), except, notwithstanding section 32101(9), it includes a multi-purpose passenger vehicle (constructed on a truck chassis or with special features for occasional off-road operation), a truck, other than a truck referred to in section 32101(10)(B), and a pickup truck when that vehicle or truck is rated by the manufacturer of such vehicle or truck at not more than 10,000 pounds gross vehicle weight, and it only includes a vehicle manufactured primarily for use on public streets, roads, and highways.

''(2) SALVAGE VEHICLE.—The term 'salvage vehicle' means any passenger motor vehicle, other than a flood vehicle or a nonrepairable vehicle, which—

''(A) is a late model vehicle which has been wrecked, destroyed, or damaged, to the extent that the total cost of repairs to rebuild or reconstruct the passenger motor vehicle to its condition immediately before it was wrecked, destroyed, or damaged, and for legal operation on the roads or highways, exceeds 75 percent of the retail value of the passenger motor vehicle at the time it was wrecked, destroyed, or damaged;

''(B) is a late model vehicle which has been wrecked, destroyed, or damaged, and to which an insurance company acquires ownership pursuant to a damage settlement (except in the case of a settlement in connection with a recovered stolen vehicle, unless such vehicle sustained damage sufficient to meet the damage threshold prescribed by subparagraph (A)); or

''(C) the owner wishes to voluntarily designate as a salvage vehicle by obtaining a salvage title, without regard to the level of damage, age, or value of such vehicle or any other factor, except that such designation by the owner shall not impose on the insurer of the passenger motor vehicle or on an insurer processing a claim made by or on behalf of the owner of the passenger motor vehicle any obligation or liability.

Notwithstanding any other provision of this chapter, a State may use the term 'older model salvage vehicle' to designate a wrecked, destroyed, or damaged vehicle that does not meet the definition of a late model vehicle in paragraph (9). If a State has established or establishes a salvage definition at a lesser percentage than provided under subparagraph (A), then that definition shall not be considered to be inconsistent with the provisions of this chapter.

''(3) SALVAGE TITLE.—The term 'salvage title' means a passenger motor vehicle ownership document issued by the State to the owner of a salvage vehicle. A salvage title shall be conspicuously labeled with the word 'salvage' across the front.

''(4) REBUILT SALVAGE VEHICLE.—The term 'rebuilt salvage vehicle' means—

''(A) any passenger motor vehicle which was previously issued a salvage title, had passed State anti-theft inspection, has been issued a certificate indicating that the passenger motor vehicle has passed the required anti-theft inspection, has passed the State safety inspection in those States requiring a safety inspection pursuant to section 33302(b)(8), has been issued a certificate indicating that the passenger motor vehicle has passed the required safety inspection in those States requiring such a safety inspection pursuant to section 33302(b)(8), and has a decal stating 'Rebuilt Salvage Vehicle—Anti-theft and Safety Inspections Passed' affixed to the driver's door jamb; or

''(B) any passenger motor vehicle which was previously issued a salvage title, had passed a State anti-theft inspection, has been issued a certificate indicating that the passenger motor vehicle has passed the required anti-theft inspection, and has, affixed to the driver's door jamb, a decal stating 'Rebuilt Salvage Vehicle—Anti-theft Inspection Passed/No Safety Inspection Pursuant to National Criteria' in those States not requiring a safety inspection pursuant to section 33302(b)(8).

''(5) REBUILT SALVAGE TITLE.—The term 'rebuilt salvage title' means the passenger motor vehicle ownership document issued by the State to the owner of a rebuilt salvage vehicle. A rebuilt salvage title shall be conspicuously labeled either with the words 'Rebuilt Salvage Vehicle—Anti-theft and Safety Inspections Passed' or 'Rebuilt Salvage Vehicle—Anti-theft Inspection Passed/No Safety Inspection Pursuant to National Criteria,' as appropriate, across the front.

''(6) NONREPAIRABLE VEHICLE.—The term 'nonrepairable vehicle' means any passenger motor vehicle, other than a flood vehicle, which is incapable of safe operation for use on roads or highways and which has no resale value except as a source of parts or scrap only or which the owner irreversibly designates as a source of parts or scrap. Such passenger motor vehicle shall be issued a nonrepairable vehicle certificate and shall never again be titled or registered.

''(7) NONREPAIRABLE VEHICLE CERTIFICATE.—The term 'nonrepairable vehicle certificate' means a passenger motor vehicle ownership document issued by the State to the owner of a nonrepairable vehicle. A nonrepairable vehicle certificate shall be conspicuously labeled with the word 'Nonrepairable' across the front.

''(8) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

''(9) LATE MODEL VEHICLE.—The term 'Late Model Vehicle' means any passenger motor vehicle which—

''(A) has a manufacturer's model year designation of or later than the year in which the vehicle was wrecked, destroyed, or damaged, or any of the six preceding years; or

''(B) has a retail value of more than $7,500. The Secretary shall adjust such retail value by $500 increments every 5 years beginning with an increase to $8,000 on January 1, 2005.

''(10) RETAIL VALUE.—The term 'retail value' means the actual cash value, fair market value, or retail value of a passenger motor vehicle as—

''(A) set forth in a current edition of any nationally recognized compilation (to include automated databases) of retail values; or

''(B) determined pursuant to a market survey of comparable vehicles with regard to condition and equipment.

''(11) COST OF REPAIRS.—The term 'cost of repairs' means the estimated retail cost of parts needed to repair the vehicle or, if the vehicle has been repaired, the actual retail cost of the parts used in the repair, and the cost of labor computed by using the hourly labor rate and time allocations that are reasonable and customary in the automobile repair industry in the community where the repairs are to be performed.

''(12) FLOOD VEHICLE.—

''(A) IN GENERAL.—The term 'flood vehicle' means any passenger motor vehicle that—

''(i) has been acquired by an insurance company as part of a damage settlement due to water damage; or

''(ii) has been submerged in water to the point that rising water has reached over the door sill, has entered the passenger or trunk compartment, and has exposed any electrical, computerized, or mechanical component to water, except where a passenger motor vehicle which, pursuant to an inspection conducted by an insurance adjuster or estimator, a motor vehicle repairer or motor vehicle dealer in accordance with inspection guidelines or procedures established by the Secretary or the State, is determined—

''(I) to have no electrical, computerized, or mechanical components which were damaged by water; or

''(II) to have one or more electrical, computerized, or mechanical components which were damaged by water and where all such damaged components have been repaired or replaced.

''(B) INSPECTION NOT REQUIRED FOR ALL FLOOD VEHICLES.—No inspection under subparagraph (A) shall be required unless the owner or insurer of the passenger motor vehicle is seeking to avoid a brand of 'Flood' pursuant to this chapter.

''(C) INSPECTION MUST BE BY INDEPENDENT PARTY.—A motor vehicle repairer or motor vehicle dealer may not carry out an inspection under subparagraph (A) on a passenger motor vehicle that has been repaired, or is to be sold or leased, by that repairer or dealer.

''(D) EFFECT OF DISCLOSURE.—Disclosing a passenger motor vehicle's status as a flood vehicle or conducting an inspection pursuant to subparagraph (A) shall not impose on any person any liability for damage to (except in the case of damage caused by the inspector at the time of the inspection) or reduced value of a passenger motor vehicle.

''(b) CONSTRUCTION.—The definitions set forth in subsection (a) only apply to vehicles in a State which are wrecked, destroyed, or otherwise damaged on or after the date on which such State complies with the requirements of this chapter and the rule promulgated pursuant to section 33302(b).

''§ 33302. Passenger motor vehicle titling

''(a) CARRY-FORWARD OF STATE INFORMATION.—For any passenger motor vehicle, the ownership of which is transferred on or after the date that is 1 year after the date of the enactment of the National Salvage Motor Vehicle Consumer Protection Act of 1999, any State receiving funds under section 33308 of this chapter, in licensing such vehicle for use, shall disclose in writing on the certificate of title whenever records readily accessible to the State indicate that the passenger motor vehicle was previously issued a title that bore any word or symbol signifying that the vehicle was 'salvage', 'older model salvage', 'unrebuildable', 'parts only', 'scrap', 'junk', 'nonrepairable', 'reconstructed', 'rebuilt', or any other symbol or work of like kind, or that it has been damaged by flood, and the name of the State that issued that title.

''(b) NATIONALLY UNIFORM TITLE STANDARDS AND CONTROL METHODS.—Not later than 18 months after the date of the enactment of the National Salvage Motor Vehicle Consumer Protection Act of 1999, the Secretary shall by rule require any State receiving funds under section 33308 of this chapter, in licensing any passenger motor vehicle where ownership of such passenger motor vehicle is transferred more than 2 years after publication of such final rule, to apply uniform standards, procedures, and methods for the issuance and control of titles for motor vehicles and for information to be contained on such titles. Such titling standards, control procedures, methods, and information shall include the following requirements:

''(1) A State shall conspicuously indicate on the face of the title or certificate for a passenger motor vehicle, as applicable, if the passenger motor vehicle is a salvage vehicle, a nonrepairable vehicle, a rebuilt salvage vehicle, or a flood vehicle.

''(2) Such information concerning a passenger motor vehicle's status shall be conveyed on any subsequent title, including a duplicate or replacement title, for the passenger motor vehicle issued by the original titling State or any other State.

''(3) The title documents, the certificates, and decals required by section 33301(4), and the issuing system shall meet security standards minimizing the opportunities for fraud.

''(4) The certificate of title shall include the passenger motor vehicle make, model, body type, year, odometer disclosure, and vehicle identification number.

''(5) The title documents shall maintain a uniform layout, to be established in consultation with the States or an organization representing them.

''(6) A passenger motor vehicle designated as nonrepairable shall be issued a nonrepairable vehicle certificate and shall not be retitled.

''(7) No rebuilt salvage title shall be issued to a salvage vehicle unless, after the salvage vehicle is repaired or rebuilt, it complies with the requirements for a rebuilt salvage vehicle pursuant to section 33301(4). Any State inspection program operating under this paragraph shall be subject to continuing review by and approval of the Secretary. Any such anti-theft inspection program shall include the following:

''(A) A requirement that the owner of any passenger motor vehicle submitting such vehicle for an anti-theft inspection provide a completed document identifying the vehicle's damage prior to being repaired, a list of replacement parts used to repair the vehicle, and proof of ownership of such replacement parts, as may be evidenced by bills of sale, invoices, or, if such documents are not available, other proof of ownership for the replacement parts. The owner shall also include an affirmation that the information in the declaration is complete and accurate and that, to the knowledge of the declarant, no stolen parts were used during the rebuilding.

''(B) A requirement to inspect the passenger motor vehicle or any major part of any major replacement part required to be marked under section 33102 for signs of such mark or vehicle identification number being illegally altered, defaced, or falsified. Any such passenger motor vehicle or any such part having a mark or vehicle identification number that has been illegally altered, defaced, or falsified, and that cannot be identified as having been legally obtained (through bills of sale, invoices, or other ownership documentation), shall be contraband and subject to seizure. The Secretary, in consultation with the Attorney General, shall, as part of the rule required by this section, establish procedures for dealing with those parts whose mark or vehicle identification number is normally removed during industry accepted remanufacturing or rebuilding practices, which parts shall be deemed identified for purposes of this section if they bear a conspicuous mark of a type, and applied in such a manner, as designated by the Secretary, indicating that they have been rebuilt or remanufactured. With respect to any vehicle part, the Secretary's rule, as required by this section, shall acknowledge that a mark or vehicle identification number on such part may be legally removed or altered as provided for in section 511 of title 18, United States Code, and shall direct inspectors to adopt such procedures as may be necessary to prevent the seizure of a part from which the mark or vehicle identification number has been legally removed or altered.

''(8) Any safety inspection for a rebuilt salvage vehicle performed pursuant to this chapter shall be performed in accordance with nationally uniform safety inspection criteria established by the Secretary. A State may determine whether to conduct such safety inspection itself, contract with one or more third parties, or permit self-inspection by a person licensed by such State in an automotive-related business, all subject to criteria promulgated by the Secretary hereunder. Any State inspection program operating under this paragraph shall be subject to continuing review by and approval of the Secretary. A State requiring such safety inspection may require the payment of a fee for the privilege of such inspection or the processing thereof.

''(9) No duplicate or replacement title shall be issued unless the word 'duplicate' is clearly marked on the face thereof and unless the procedures for such issuance are substantially consistent with Recommendation three of the Motor Vehicle Titling, Registration and Salvage Advisory Committee.

''(10) A State shall employ the following titling and control methods:

''(A) If an insurance company is not involved in a damage settlement involving a salvage vehicle or a nonrepairable vehicle, the passenger motor vehicle owner shall apply for a salvage title or nonrepairable vehicle certificate, whichever is applicable, before the passenger motor vehicle is repaired or the ownership of the passenger motor vehicle is transferred, but in any event within 30 days after the passenger motor vehicle is damaged.

''(B) If an insurance company, pursuant to a damage settlement, acquires ownership of a passenger motor vehicle that has incurred damage requiring the vehicle to be titled as a salvage vehicle or nonrepairable vehicle, the insurance company or salvage facility or other agent on its behalf shall apply for a salvage title or nonrepairable vehicle certificate within 30 days after the title is properly assigned by the owner to the insurance company and delivered to the insurance company or salvage facility or other agent on its behalf with all liens released.

''(C) If an insurance company does not assume ownership of an insured's or claimant's passenger motor vehicle that has incurred damage requiring the vehicle to be titled as a salvage vehicle or nonrepairable vehicle, the insurance company shall notify—

''(i) the owner of the owner's obligation to apply for a salvage title or nonrepairable vehicle certificate for the passenger motor vehicle; and

''(ii) the State passenger motor vehicle titling office that a salvage title or nonrepairable vehicle certificate should be issued for the vehicle,

except to the extent such notification is prohibited by State insurance law. The notices shall be made in writing within 30 days after the insurance company determines that the damage will require a salvage title or a nonrepairable certificate and that the vehicle will be left with the owner.

''(D) If a leased passenger motor vehicle incurs damage requiring the vehicle to be titled as a salvage vehicle or nonrepairable vehicle, the lessor shall apply for a salvage title or nonrepairable vehicle certificate within 21 days after being notified by the lessee that the vehicle has been so damaged, except when an insurance company, pursuant to a damage settlement, acquires ownership of the vehicle. The lessee of such vehicle shall inform the lessor that the leased vehicle has been so damaged within 30 days after the occurrence of the damage. Nothing in this subparagraph requires that the requirements for notification be contained in the lease itself, as long as effective notice is provided by the lessor to the lessee of the requirements.

''(E) Any person acquiring ownership of a damaged passenger motor vehicle that meets the definition of a salvage or nonrepairable vehicle for which a salvage title or nonrepairable vehicle certificate has not been issued, shall apply for a salvage title or nonrepairable vehicle certificate, whichever is applicable. This application shall be made before the vehicle is further transferred, but

in any event, within 30 days after ownership is acquired. The requirements of this subparagraph shall not apply to any scrap metal processor which acquires a passenger motor vehicle for the sole purpose of processing it into prepared grades of scrap and which so processes such vehicle.

''(F) State records shall note when a nonrepairable vehicle certificate is issued. No State shall issue a nonrepairable vehicle certificate after 2 transfers of ownership.

''(G) When a passenger motor vehicle has been flattened, baled, or shredded, whichever comes first, the title or nonrepairable vehicle certificate for the vehicle shall be surrendered to the state within 30 days. If the second transferee on a nonrepairable vehicle certificate is unequipped to flatten, bale, or shred the vehicle, such transferee shall, at the time of final disposal of the vehicle, use the services of a professional automotive recycler or professional scrap processor who is hereby authorized to flatten, bale, or shred the vehicle and to effect the surrender of the nonrepairable vehicle certificate to the State on behalf of such second transferee. State records shall be updated to indicate the destruction of such vehicle and no further ownership transactions for the vehicle will be permitted. If different than the State of origin of the title or nonrepairable vehicle certificate, the State of surrender shall notify the State of origin of the surrender of the title or nonrepairable vehicle certificate and of the destruction of such vehicle.

''(H) When a salvage title is issued, the State records shall so note. No State shall permit the retitling for registration purposes or issuance of a rebuilt salvage title for a passenger motor vehicle with a salvage title without a certificate of inspection, which complies with the security and guideline standards established by the Secretary pursuant to paragraphs (3), (7), and (8), as applicable, indicating that the vehicle has passed the inspections required by the State. This subparagraph does not preclude the issuance of a new salvage title for a salvage vehicle after a transfer of ownership.

''(I) After a passenger motor vehicle titled with a salvage title has passed the inspections required by the State, the inspection official will affix the secure decal required pursuant to section 33301(4) to the driver's door jamb of the vehicle and issue to the owner of the vehicle a certificate indicating that the passenger motor vehicle has passed the inspections required by the State. The decal shall comply with the permanency requirements established by the Secretary.

''(J) The owner of a passenger motor vehicle titled with a salvage title may obtain a rebuilt salvage title or vehicle registration, or both, by presenting to the State the salvage title, properly assigned, if applicable, along with the certificate that the vehicle has passed the inspections required by the State. With such proper documentation and upon request, a rebuilt salvage title or registration, or both, shall be issued to the owner. When a rebuilt salvage title is issued, the State records shall so note.

''(11) A seller of a passenger motor vehicle that becomes a flood vehicle shall, prior to the time of transfer of ownership of the vehicle, give the transferee a written notice that the vehicle has been damaged by flood, provided such person has actual knowledge that such vehicle has been damaged by flood. At the time of the next title application for the vehicle, disclosure of the flood status shall be provided to the applicable State with the properly assigned title and the word 'Flood' shall be conspicuously labeled across the front of the new title.

''(12) In the case of a leased passenger motor vehicle, the lessee, within 15 days of the occurrence of the event that caused the vehicle to become a flood vehicle, shall give the lessor written disclosure that the vehicle is a flood vehicle.

''(13) Ownership of a passenger motor vehicle may be transferred on a salvage title, however, a passenger motor vehicle for which a salvage title has been issued shall not be registered for use on the roads or highways unless it has been issued a rebuilt salvage title.

''(14) Ownership of a passenger motor vehicle may be transferred on a rebuilt salvage title, and a passenger motor vehicle for which a rebuilt salvage title has been issued may, if permitted by State law, be registered for use on the roads and highways.

''(15) Ownership of a passenger motor vehicle may only be transferred 2 times on a nonrepairable vehicle certificate. A passenger motor vehicle for which a nonrepairable vehicle certificate has been issued can never by title or registered for use on roads or highways.

''(c) ELECTRONIC PROCEDURES.—A State may employ electronic procedures in lieu of paper documents whenever such electronic procedures provide the same information, function, and security otherwise required by this section.

''(d) NATIONAL RECORD OF COMPLIANT STATES.—The Secretary shall establish a record of the States which are in compliance with the requirements of subsections (a) and (b) of this section. The Secretary shall work with States to update this record upon the enactment of a State law which causes a State to come into compliance or become noncompliant with the requirements of subsections (a) and (b) of this section. Not later than 18 months after the enactment of the National Salvage Motor Vehicles Consumer Protection Act of 1999, the Secretary shall establish a mechanism or mechanisms to identify to interested parties whether a State is in compliance with the requirements of subsections (a) and (b) of this section.

''§ 33303. Disclosure and label requirements on transfer of rebuilt salvage vehicles

''(a) WRITTEN DISCLOSURE REQUIREMENTS.—

''(1) GENERAL RULE.—Under regulations prescribed by the Secretary of Transportation, a person transferring ownership of a rebuilt salvage vehicle shall, prior to the time of transfer of ownership of the vehicle, give the transferee a written disclosure that the vehicle is a rebuilt salvage vehicle when such person has actual knowledge of the status of such vehicle.

''(2) FALSE STATEMENT.—A person making a written disclosure required by a regulation prescribed under paragraph (1) of this subsection may not make a false statement in the disclosure.

''(3) COMPLETENESS.—A person acquiring rebuilt salvage vehicle for resale may accept a disclosure under paragraph (1) only if it is complete.

''(4) REGULATIONS.—The regulations prescribed by the Secretary shall provide the way in which information is disclosed and retained under paragraph (1).

''(b) LABEL REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary shall by regulation require that a label be affixed to the windshield or window of a rebuilt salvage vehicle before its first sale at retail containing such information regarding that vehicle as the Secretary may require. The label shall be affixed by the individual who conducts the applicable State antitheft inspection in a participating State.

''(2) REMOVAL, ALTERATION, OR ILLEGIBILITY OF REQUIRED LABEL.—No person shall willfully remove, alter, or render illegible any label required by paragraph (1) affixed to a rebuilt salvage vehicle before the vehicle is delivered to the actual custody and possession of the first retail purchaser.

''(c) LIMITATION.—The requirements of subsections (a) and (b) shall only apply to a transfer of ownership of a rebuilt salvage vehicle where such transfer occurs in a State which, at the time of the transfer, is complying with subsections (a) and (b) of section 33302.

''§ 33304. Report on funding

''The Secretary shall, contemporaneously with the issuance of a final rule pursuant to section 33302(b), report to appropriate committees of Congress whether the costs to the States of compliance with such rule can be met by user fees for issuance of titles, issuance of registrations, issuance of duplicate titles, inspection of rebuilt vehicles, or for the State services, or by earmarking any moneys collected through law enforcement action to enforce requirements established by such rule.

''§ 33305. Effect on State law

''(a) IN GENERAL.—Unless a State is in compliance with subsection (c) of section 33302, effective on the date the rule promulgated pursuant to section 33302 becomes effective, the provisions of this chapter shall preempt all State laws such a State that receives funds under section 33308 of this chapter, to the extent they are inconsistent with the provisions of this chapter or the rule promulgated pursuant to section 33302, which—

''(1) set forth the form of the passenger motor vehicle title;

''(2) define, in connection with a passenger motor vehicle part or part assembly separate from a passenger motor vehicle), any term defined in section 33301 or the terms 'salvage', 'nonrepairable', or 'flood', or apply any of those terms to any passenger motor vehicle (but not to a passenger motor vehicle part or part assembly separate from a passenger motor vehicle); or

''(3) set forth titling, recordkeeping, antitheft inspection, or control procedures in connection with any salvage vehicle, rebuilt salvage vehicle, nonrepairable vehicle, or flood vehicle.

''(b) EXCEPTIONS.—

''(1) PASSENGER MOTOR VEHICLE; OLDER MODEL SALVAGE.—Subsection (a)(2) does not preempt State use of the term—

''(A) 'passenger motor vehicle' in statutes not related to titling, recordkeeping, antitheft inspection, or control procedures in connection with any salvage vehicle, rebuilt salvage vehicle, nonrepairable vehicle, or flood vehicle ; or

''(B) 'older model salvage' to designate a wrecked, destroyed, or damaged vehicle that is older than a late model vehicle.

''(2) PRIVATE LAW ACTIONS.—Nothing in this chapter may be construed to affect any private right of action under State law.

''(c) CONSTRUCTION.—Additional disclosures of a passenger motor vehicle's title status or history, in addition to the terms defined in section 33301, shall not be deemed inconsistent with the provisions of this chapter. Such disclosures shall include disclosures made on a certificate of title. When used in connection with a passenger motor vehicle (but not in connection with a passenger motor vehicle part or part assembly separate from a passenger motor vehicle), any definition of a term defined in section 33301 which is different than the definition in that section or any use of any term listed in subsection (a), but not defined in section 33301, shall be deemed inconsistent with the provisions of this chapter. Nothing in this chapter shall preclude a State from disclosing on a rebuilt salvage title that a rebuilt salvage vehicle has passed a State safety inspection which differed from the nationally uniform criteria to be promulgated pursuant to section 33302(b)(8).

"§ 33306. Civil penalties

''(a) PROHIBITED ACTS.—It is unlawful for any person knowingly to—

''(1) make or cause to be made any false statement on an application for a title (or duplicate title) for a passenger motor vehicle or any disclosure made pursuant to section 33303;

''(2) fail to apply for a salvage title when such an application is required;

''(3) alter, forge, or counterfeit a certificate of title (or an assignment thereof), a nonrepairable vehicle certificate, a certificate verifying an anti-theft inspection or an anti-theft and safety inspection, a decal affixed to a passenger motor vehicle pursuant to section 33302(b)(10(I), or any disclosure made pursuant to section 33303;

''(4) falsify the results of, or provide false information in the course of, an inspection conducted pursuant to section 33302(b)(7) or (8);

''(5) offer to sell any salvage vehicle or nonrepairable vehicle as a rebuilt salvage vehicle;

''(6) fail to make any disclosure required by section 33302(b)(11);

''(7) fail to make any disclosure required by section 33303;

''(8) violate a regulation prescribed under this chapter;

''(9) move a vehicle or a vehicle title in interstate commerce for the purpose of avoiding the titling requirements of this chapter; or

''(10) conspire to commit any of the acts enumerated in paragraph (1), (2), (3), (4), (5), (6), (7), (8), or (9).

''(b) CIVIL PENALTY.—Any person who commits an unlawful act as provided in subsection (a) of this section shall be fined a civil penalty of up to $2,000 per offense. A separate violation occurs for each passenger motor vehicle involved in the violation.

"§ 33307. Actions by States

''(a) IN GENERAL.—When a person violates any provision of this chapter, the chief law enforcement officer of the State in which the violation occurred may bring an action—

''(1) to restrain the violation;

''(2) recover amounts for which a person is liable under section 33306; or

''(3) to recover the amount of damage suffered by any resident in that State who suffered damage as a result of the knowing commission of an unlawful act under section 33306(a) by another person.

''(b) STATUTE OF LIMITATIONS.—An action under subsection (a) shall be brought in any court of competent jurisdiction within 2 years after the date on which the violation occurs.

''(c) NOTICE.—The State shall serve prior written notice of any action under subsection (a) or (f)(2) upon the Attorney General of the United States and provide the Attorney General with a copy of its complaint, except that if it is not feasible for the State to provide such prior notice, the State shall serve such notice immediately upon instituting such action. Upon receiving a notice respecting an action, the Attorney General shall have the right—

''(1) to intervene in such action;

''(2) upon so intervening, to be heard on all matters arising therein; and

''(3) to file petitions for appeal.

''(d) CONSTRUCTION.—For purposes of bringing any action under subsection (a), nothing in this Act shall prevent an attorney general from exercising the powers conferred on the attorney general by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses or the production of documentary and other evidence.

''(e) VENUE; SERVICE OF PROCESS.—Any action brought under subsection (a) in a district court of the United States may be brought in the district in which the defendant is found, is an inhabitant, or transacts business or wherever venue is proper under section 1391 of title 28, United States Code. Process in such an action may be served in any district in which the defendant is an inhabitant or in which the defendant may be found.

''(f) ACTIONS BY STATE OFFICIALS.—

''(1) Nothing contained in this section shall prohibit an attorney general of a State or other authorized State official from proceeding in state court on the basis of an alleged violation of any civil or criminal statute of such State, including those related to consumer protection.

''(2) In addition to actions brought by an attorney general of a State under subsection (a), such an action may be brought by officers of such State who are authorized by the State to bring actions in such State on behalf of its residents.

"§ 33308. Incentive Grants

''(a) GENERAL AUTHORITY.—The Secretary of Transportation shall make a grant to each State that demonstrates to the satisfaction of the Secretary that it is taking appropriate actions to implement the provisions of this chapter.

''(b) GRANTS.—Pursuant to subsection (a), a grant to carry out this chapter in a fiscal year shall be provided to each qualifying State in an amount determined by multiplying—

''(1) the amount authorized for the fiscal year to carry out this chapter, by

''(2) the ratio that the amount of funds apportioned to each qualifying State under section 402 of title 23, United States Code, for the fiscal year bears to the total amount of funds apportioned to all qualifying States under section 402 of title 23, United States Code, for such fiscal year, except that no State eligible for a grant under this paragraph shall receive less than $250,000.

''(c) USE OF GRANTS.—Any State that receives a grant under this section shall use the funds to carry out the provisions of this chapter, including such conformance related activities as issuing titles, establishing and administering vehicle theft or salvage vehicles safety inspections, enforcement, and other related purposes.

''(d) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this chapter $16,000,000 for fiscal year 2000.

''(2) AVAILABILITY OF FUNDS.—Funds authorized by this section shall remain available until expended.''.

(b) CONFORMING AMENDMENT.—The table of chapters for part C at the beginning of subtitle VI of title 49, United States Code, is amended by inserting at the end the following new item:

''333. AUTOMOBILE SAFETY AND TITLE DISCLOSURE REQUIREMENTS ..... 33301''.

SEC. 3. AMENDMENTS TO CHAPTER 305.

(a) DEFINITIONS.—

(1) Section 30501(4) of title 49, United States Code, is amended to read as follows:

''(4) 'nonrepairable vehicle', 'salvage vehicle', 'flood vehicle', and 'rebuilt salvage vehicle' have the same meanings given those terms in section 33301 of this title.''.

(2) Section 30501(5) of such title is amended by striking ''junk automobiles'' and inserting ''nonrepairable vehicles''.

(3) Section 30501(8) of such title is amended by striking ''salvage automobiles'' and inserting ''salvage vehicles''.

(4) Section 30501 of such title is amended by striking paragraph (7) and redesignating paragraphs (8) and (9) as paragraphs (7) and (8), respectively.

(b) NATIONAL MOTOR VEHICLE TITLE INFORMATION SYSTEM.—

(1) Section 30502(d)(3) of title 49, United States Code, is amended to read as follows:

''(3) whether an automobile known to be titled in a particular State is or has been a nonrepairable vehicle, a rebuilt salvage vehicle, a flood vehicle, or a salvage vehicle;''.

(2) Section 30502(d)(5) of such title is amended to read as follows:

''(5) whether an automobile bearing a known vehicle identification number has been reported as a nonrepairable vehicle, a rebuilt salvage vehicle, a flood vehicle, or a salvage vehicle under section 30504 of this title.''.

(c) STATE PARTICIPATION.—Section 30503 of title 49, United States Code, is amended to read as follows:

"§ 30503. State participation

''(a) STATE INFORMATION.—Each State receiving funds appropriated under subsection (c) shall make titling information maintained by that State available for use in operating the National Motor Vehicle Title Information System established or designated under section 30502 of this title.

''(b) VERIFICATION CHECKS.—Each State receiving funds appropriated under subsection (c) shall establish a practice of performing an instant title verification check before issuing a certificate of title to an individual or entity claiming to have purchased an automobile from an individual or entity in another State. The check shall consist of—

''(1) communicating to the operator—

''(A) the vehicle identification number of the automobile for which the certificate of title is sought;

''(B) the name of the State that issued the most recent certificate of title for the automobile; and

''(C) the name of the individual or entity to whom the certificate of title was issued; and

''(2) giving the operator an opportunity to communicate to the participating State the results of a search of the information.

''(c) GRANTS TO STATES.—

''(1) In cooperation with the States and not later than January 1, 1994, the Attorney General shall—

''(A) conduct a review of systems used by the States to compile and maintain information about the titling of automobiles; and

''(B) determine for each State the cost of making titling information maintain by that State available to the operator to meet the requirements of section 30502(d) of this title.

''(2) The Attorney General may make reasonable and necessary grants to participating States to be used in making titling information maintained by those States available to the operator.

''(d) REPORT TO CONGRESS.—Not later than October 1, 1999, the Attorney General shall report to Congress on which States have met the requirements of this section. If a State has not met the requirements, the Attorney General shall describe the impediments that have resulted in the State's failure to meet the requirements.''.

''(d) REPORTING REQUIREMENTS.—Section 30504 of title 49, United States Code, is amended by striking ''junk automobiles or salvage automobiles'' every place it appears and inserting ''nonrepairable vehicles, rebuilt salvage vehicles, flood vehicles, or salvage vehicles''.

SEC. 4. DEALER NOTIFICATION PROGRAM FOR PROHIBITED SALE OF NONQUALIFYING VEHICLES FOR USE AS SCHOOLBUSES.

Section 30112 of title 49, United States Code, is amended by adding at the end thereof the following:

''(c) NOTIFICATION PROGRAM FOR DEALERS CONCERNING SALES OF VEHICLES AS

SCHOOLBUSES.—Not later than September 1, 1999, the Secretary shall develop and implement a program to notify dealers and distributors in the United States that subsection (a) prohibits the sale or delivery of any vehicle for use as a schoolbus (as that term is defined in section 30125(a)(1) of this title) that does not meet the standards prescribed under section 30125(b) of this title.''.

By Mr. HATCH (for himself, Mr. CLELAND, Mr. ABRAHAM, Mr. ALLARD, Mr. ASHCROFT, Mr. BAUCUS, Mr. BOND, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. CAMPBELL, Ms. COLLINS, Mr. COVERDELL, Mr. CRAIG, Mr. CRAPO, Mr. DEWINE, Mr. DOMENICI, Mr. ENZI, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. FRIST, Mr. GORTON, Mr. GRAHAM, Mr. GRAMM, Mr. GRAMS, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HELMS, Mr. HOLLINS, Mr. HUTCHINSON, Mrs. HUTCHISON, Mr. INHOFE, Mr. JOHNSON, Mr. KYL, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MACK, Mr. MCCAIN, Mr. MURKOWSKI, Mr. NICKLES, Mr. REID, Mr. ROBERTS, Mr. ROTH, Mr. SANTORUM, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of New Hampshire, Ms. SNOWE, Mr. SPECTER, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND and Mr. WARNER):

S.J. Res. 14. A joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

FLAG PROTECTION CONSTITUTIONAL AMENDMENT

Mr. HATCH. Mr. President, it is with great honor and reverence that I rise today with my friend and colleague, Senator CLELAND, to introduce a bipartisan constitutional amendment to permit Congress to enact legislation prohibiting the physical desecration of the American flag.

The American flag serves as a symbol of our great nation. The flag represents our country in a way nothing else can; it represents the common bond shared by an otherwise diverse people. Whatever our differences of party, race, religion, or socio-economic status, the flag reminds us that we are very much one people, united in a shared destiny, bonded in a common faith in our nation.

Supreme Court Justice John Paul Stevens reminded us of the significance of our unique emblem when he wrote:

> A country's flag is a symbol of more than nationhood and national unity. It also signifies the ideas that characterize the society that has chosen that emblem as well as the special history that has animated the growth and power of those ideas. . . . So it is with the American flag. It is more than a proud symbol of the courage, the determination, and the gifts of a nation that transformed 13 fledgling colonies into a world power. It is a symbol of freedom, of equal opportunity, of religious tolerance, and of goodwill for other peoples who share our aspirations.

Throughout our history, the flag has captured the hearts and minds of school teachers, construction workers, police officers, grandmothers, and public servants. Who can forget the image of Neil Armstrong and Buzz Aldrin planting the American flag on the moon? At that moment, the flag stood not only for the triumph of American know-how and the courage of Americans to explore the unknown, but also for freedom. It was a statement that whatever Americans do, we do to promote liberty, equality, and justice.

And, what of those children who recite the ''Pledge of Allegiance'' every morning in classrooms all across America? They are pledging to be good citizens, honest and loyal and just. In pledging allegiance to the flag, they are affirming their belief in ''liberty and justice for all.''

And, throughout our history, men and women in uniform have drawn courage from our flag and gave their lives for the values it symbolizes. No matter the era, no matter the color of uniform—whether Army green, Air Force blue, or Navy white—no matter the theater of battle—whether at Gettysburg, San Juan Hill, Iwo Jima, Korea, Da Nang, or the Persian Gulf—our men and women had one common bond: the American flag.

Consider the example of Army Corporal Joseph Quintero, a prisoner of the Japanese during World War II. Quintero secretly led a group of POWs in obtaining red, white, and blue material to make an American flag. The flag lifted the hearts of the Americans who were suffering from malnutrition, overwork, and physical abuse. When American planes started to attack the prison camp, Quintero waived Old Glory and the planes stopped the attack and saved numerous American lives. Even in the worst of conditions, Joseph Quintero knew the value of the American flag.

From my home State of Utah, there is the courageous example of Lt. William E. Hall, whose fearless actions in the Battle of the Coral Sea earned him the Congressional Medal of Honor. Lieutenant Hall attacked a Japanese aircraft carrier and then Japanese planes in a series of highly dangerous engagements. Though seriously wounded, Lt. Hall guided his plane back to a landing strip marked by the American flag.

General Schwarzkopf in a speech before Congress thanked the American people for their support of our troops in Operation Desert Storm, stating: ''The profits of doom, the naysayers, the protesters and the flag-burners all said that you wouldn't stick by us, but we knew better. We knew you'd never let us down. By golly, you didn't.''

We respect the sacrifices of our men and women in uniform because we respect what they died for. They did not give their lives for ground, prestige, wealth, or a monarch. They sacrificed their lives for freedom, opportunity, and justice—all represented by our nation's flag of 50 stars and thirteen stripes. Through the American flags at Arlington National Cemetery, on the Iwo Jima Memorial, and at every school yard, we honor those sacrifices. But there are those who do not.

In 1984, Greg Johnson led a group of radicals in a protest march. He doused an American flag with kerosene and set it on fire as his fellow protestors chanted: ''America, the red, white, and blue, we spit on you.'' While traditional First Amendment jurisprudence would protect Johnson's ability to speak and write about the flag, it did not protect his ability to physically destroy the flag.

But, in 1989, the Supreme Court abandoned the history and intent of the First Amendment by creating a new standard that made no distinction between oral and written speech about the flag and disrespectful conduct toward the flag. In *Texas* v. *Johnson*, five members of the Court, for the first time ever, overturned a conviction based solely on physical conduct toward the American flag. The majority argued that the First Amendment had somehow changed and that it now prevented a state from protecting the American flag from acts of physical desecration. When Congress responded with a federal flag protection statute, the Supreme Court, in *United States* v. *Eichman*, used its new and changed interpretation of the First Amendment to strike it down by a 5–4 vote.

Under this new interpretation of the First Amendment, it is assumed that the people, their elected legislators, and the courts can no longer distinguish between speech and conduct. Because of this assumed inability to make such distinctions, there are those who argue that our freedom to express political ideas is wholly dependent on treating Greg Johnson's burning of the American flag exactly like oral and written speech.

This ill-advised argument fails because its basic premise—that legislatures and courts cannot distinguish between oral and written expression and disrespectful physical conduct—is so obviously false. It is precisely this distinction that legislatures and courts did make for almost 200 years. Just as judges have distinguished which laws and actions comply with the constitutional command to provide ''equal protection of the laws'' and ''due process of law,'' so too have judges distinguished between free speech and destructive conduct, and have limited the latter.

Destructive conduct, such as breaking down the doors of the State Department, may be a way of expressing one's

dissatisfaction with the nation's foreign policy objectives. Laws, however, can be enacted preventing such actions in large part because there are alternatives that can be equally powerful. I should also note that right here in the United States Senate, we prohibit speeches or demonstrations of any kind, even the silent display of signs or banners, in the public galleries.

Moreover, the people themselves did not elevate the act of flag desecration to a constitutionally protected status, which the Supreme Court did in Johnson and Eichman. Such an extreme view was never drafted by the Congress or ratified by the people. Indeed, such a protection is contradicted by the original and historic intent of the First Amendment. Thus, in this Senator's view, the Supreme Court erred in Johnson and in Eichman.

It has also been argued that another flag protection statute could pass constitutional muster under the ''fighting words'' doctrine. In R.A.V. v. City of St. Paul, however, the Supreme Court expanded the newly created, so-called ''right'' to burn the flag by stating that any statute that specifically targeted the American flag for protection was unconstitutional, regardless of the ''fighting words'' doctrine. Thus, a constitutional amendment is the only means left to protect the flag.

It has been argued that a constitutional amendment to protect the flag should be ''content neutral'' and prohibit not only disrespectful destructions of the flag, but all destructions of the flag. Such an amendment would sweep too broadly by prohibiting the ceremonial disposal of a flag and the traditional printing of regimental names on the flag. In short, a ''content neutral'' amendment misses the point. It is the traditional constitutional protection for the dignity of the flag that must be restored, not a new broad ban on any conduct with a flag that should be created. Only a narrowly tailored amendment can accomplish this honorable purpose.

The amendment that Senator CLELAND and I propose affects only the most radical and disrespectful forms of conduct towards the American flag. The amendment will leave untouched the current constitutional protections for Americans to speak their sentiments at a rally, to write their sentiments to their newspaper, and to vote their sentiments at the ballot box. The amendment simply restores the traditional and historic power of the people's elected representatives to prohibit the disrespectful physical destruction of the flag.

Further, it is clear that restoring legal protection to the American flag will not place us on a slippery slope to limit other freedoms. No other symbol of our bipartisan national ideals has flown over so many of our battlefields, cemeteries, school yards, and homes. No other symbol has been paid for with so much of our countrymen's blood. No other symbol has encouraged so many ordinary men and women to seek liberty and justice for all.

In recent months, my colleagues on both sides of the political aisle have called for a new bipartisan spirit in Congress. This amendment fits the bill. Restoring legal protection to the American flag is not, nor should it be, a partisan issue. Including Senator CLELAND and myself, 57 senators, both Republicans and Democrats, have joined as original cosponsors of this amendment.

Over 70 percent of the American people want the opportunity to vote to protect their flag. Numerous organizations, including the Medal of Honor Recipients for the Flag, the American Legion, the American War Mothers, the American G.I. Forum, and the African-American Women's Clergy Association all support the flag protection amendment. Forty-nine state legislatures have passed resolutions calling for constitutional protection for the flag. Last Congress, the House of Representatives overwhelmingly passed this amendment by a vote of 310–114, and will pass it again this year.

Mr. President, I am very honored to be a cosponsor with my dear friend from Georgia, Senator CLELAND. I appreciate the efforts he has put forth in this battle. Having served in the military as he has done with such distinction and with courage, he has earned the right to speak for the protection of the flag.

I am, therefore, proud to rise today and introduce a constitutional amendment that will restore to the people's elected representatives the right to protect one unique national symbol, the American flag, from acts of physical desecration.

Mr. President, I ask unanimous consent that the text of the proposed amendment be included in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 14

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within 7 years after the date of its submission for ratification:

''ARTICLE —

''The Congress shall have power to prohibit the physical desecration of the flag of the United States.''.

Mr. CLELAND. Mr. President, I want to first thank my dear friend and colleague, the distinguished chairman of the Judiciary Committee, Senator HATCH. His dedicated leadership on this important matter is unparalleled and, without it, we would not have been able to gain all of the support we have for this important legislation. I am proud to say that the resolution regarding the flag protection amendment Senator HATCH and I are introducing today has 57 original co-sponsors, and I am hopeful that we will be able to bring this important matter to a final vote in the Senate this year.

As I have stated many times before, I am a strong supporter of a Constitutional amendment to prohibit the physical desecration of the United States flag. The amendment we are proposing is simple. It simply vests Congress with the authority to protect the flag through statute. We need not fear that the states will create a hodgepodge of flag protection statutes. Instead, Congress can create one uniform statute for the entire nation.

I understand the concerns that others have about the impact on the First Amendment that this bill might have, and as a veteran who risked his life in Vietnam to protect the principles of freedoms that Americans hold sacred, I am a strong supporter of the First Amendment. However, I believe that an amendment to protect the flag is an acceptable limitation in order to protect the most sacred of American symbols. I strongly believe that the societal interest in preserving the symbolic value of the flag outweighs the interest in an individual choosing to physically desecrate the flag. The flag unites Americans as no symbol can. The flag is sacred. Those who would desecrate the flag would desecrate America and the freedoms that we hold inviolate.

I cannot presume to know the importance of the American flag for each individual American. But I can say without doubt, that it is the only unifying symbol that the vast diversity of this great nation has. No matter one's age, religion, culture, ethnicity, race, or gender—every American is represented by the United States flag and the flag undoubtedly bonds Americans together.

The tradition of the flag goes back to this country's birth. Indeed, it even inspired our national anthem. Until the Supreme Court struck down a state flag protection law in Texas versus Johnson in 1989, there have always been state and federal laws protecting the flag from acts of physical desecration. In fact, flag protection can be traced back to our founding fathers who strongly supported the government's protection of the flag. James Madison and Thomas Jefferson, who were instrumental in framing the Constitution, recognized that protecting the flag and preserving the First Amendment were consistent. They often spoke out against desecration of the flag and sought to protect the sovereignty interest in the flag. Both Madison and Jefferson considered that a defacement of the flag should be a violation of the law. In fact, Jefferson believed that such a violation should invoke a ''systematic and severe'' course of punishment for persons who violated the flag.

I do not profess to be a constitutional scholar. But I, like many Americans, do not agree with the Supreme Court's ruling in *Texas* v. *Johnson*, and *United States* v. *Eichman* which struck down

statutes protecting the United States flag as unconstitutional violations of the First Amendment right to free speech. I respect the wisdom of the Justices of the Supreme Court, yet I was saddened that we no longer were able to rely upon statutory authority to protect the flag.

I was especially saddened in light of the views expressed by some of the most learned scholars in American jurisprudence. Several Supreme Court Justices over the years have issued opinions recognizing the importance of protection of the flag, including Justices Harlan, Warren, Fortas, Black, White, Rehnquist, Blackmun, Stevens, and O'Connor. These Justices have each supported the view that nothing in the Constitution prohibits the states or the federal government from protecting the flag. Perhaps Chief Justice Rehnquist explained it best in his dissent in Texas versus Johnson which was joined by Justices O'Connor and White, when he said:

> [t]he American flag . . . throughout more than 200 years of our history, has come to be the visible symbol embodying our Nation. It does not represent the views of any particular political party, and it does not represent any particular political philosophy. The flag is not simply another 'idea' or 'point of view' competing for recognition in the marketplace of ideas. Millions and millions of Americans regard it with an almost mystical reverence regardless of what sort of social, political, or philosophical beliefs they may have. I cannot agree that the First Amendment invalidates the Act of Congress, and the laws of 48 of the 50 States, which make criminal the public burning of the flag.

Nonetheless, the current Supreme Court view stands. That is what brings us here today. In an attempt to protect the flag, Congress has been forced to enact a constitutional amendment. The House has twice overwhelmingly passed resolutions that would begin the formal process of amending the Constitution to protect the flag. Unfortunately, it has been the Senate that has blocked these efforts. However, the vote has always been close in the Senate and I am hopeful that we will succeed this year.

The will of the people in this matter is clear. The polls continue to show that more than 80 percent of the American people believe that Congress should act to protect the flag and that it is worth amending the Constitution to do so. The Supreme Court decision in Texas versus Johnson in effect invalidated the laws in 48 states and the District of Columbia that prohibited flag desecration. Since the Supreme Court's decision, 49 of the 50 State legislatures have adopted resolutions asking Congress to send the flag protection amendment to the States for ratification. I believe we ought to let the American people decide. Therefore, I lend my full support to efforts to send this initiative back to the States and American people for ratification.

Although support for government action to protect the United States flag comes from all sectors of the American public, I have been particularly moved by the voices of our veterans who have fought and died to defend the freedoms guaranteed to all Americans in the Constitution. The U.S. flag is a manifestation of those freedoms and holds particular significance to those who have risked their lives to protect this country and the flag which embodies them. In fact, in many cases the U.S. has presented the Medal of Honor to veterans for their uncommon valor in protecting the flag in times of war. As Justice Stevens said in his dissenting opinion in Texas versus Johnson:

> The freedom and ideals of liberty and ideals of liberty, equality and tolerance that the flag symbolizes and embodies have motivated our nation's leaders, soldiers, and activists to pledge their lives, their liberty and their honor in defense of their country. Because our history has demonstrated that these values and ideals are worth fighting for, the flag which uniquely symbolizes their power is itself worthy of protection from physical desecration.

The military has always used the flag to honor those who fought and died to protect our freedoms. We honor the members of our armed forces by draping a flag over the coffin of a slain soldier, placing a flag near a soldier's grave, or displaying a flag on Memorial Day and Veterans' Day. To permit people to physically desecrate the flag diminishes the honor we bestow upon them and tarnishes its value and the brave service of those individuals who fought to defend it.

As Chief Justice Harlan once said, ''love both of the common country and of the State will diminish in proportion as respect for the flag is weakened.'' Perhaps my colleagues who do not agree with me upon this issue will believe that I have overly dramatized the meaning of the flag, but for me personally, who fought to defend the principles of freedom we hold sacred, the protection of the flag which represents them cannot be ignored. I believe we must use this opportunity to show the world that we reaffirm our commitment to the ideals the flag stands for and what so many Americans fought for.

Mr. ASHCROFT. Mr. President, I rise today in support of the proposed amendment to the United States Constitution to prevent desecration of our great national symbol. I want to thank Chairman HATCH for his continuing dedication to this issue, and I want to applaud him for reintroducing the flag amendment today. I believe that our nation's symbol is a unique and important part of our heritage and culture, and worthy of respect and protection. In 1995, I was an original co-sponsor of an amendment to the Constitution designed to protect the symbol of our nation and its ideals. When that resolution was defeated narrowly, we vowed that this issue would not go away and it has not. I stand here, again, today to declare the necessity of protecting the Flag of the United States of America and what it represents.

Throughout our history, the Flag has held a special place in the hearts and minds of Americans. As the appearance of the Flag has changed with the addition of stars as the nation has grown, its core meaning to the American people has remained constant. It symbolizes an ideal, not just for Americans, but for all those who honor the great American experiment. It represents a shared ideal of freedom, sacrifice, morality, history, unity, patriotism, loved ones lost, the American way of life and even America itself. The Flag stands in this chamber and in our court rooms; it is draped over our honored dead; it flies at half-mast to mourn those we wish to respect; and it is the subject of our National Anthem, our National March and our Pledge of Allegiance. America's inability to demand a modicum of respect for the flag leads not only to the desecration of our nation's symbol, but of the important values upon which this nation was founded. As the Chief Justice noted in his dissent in Texas versus Johnson (1989), ''[t]he American flag, then, throughout more than 200 years of our history, has come to be the visible symbol embodying our nation. . . . Millions and millions of Americans regard it with an almost mystical reverence regardless of what sort of social, political, or philosophical beliefs they may have.''

There can be little doubt that the people of this country fully support preserving and protecting the American Flag. During a recent hearing that I chaired on ''The Tradition and Importance of Protecting the United States Flag'' held by the Subcommittee on the Constitution, Federalism, and Property Rights, the witnesses noted that an unprecedented 80% of the American people supported a constitutional amendment to protect the flag. The people's elected representatives reflected that vast public support by enacting Flag protection statues at both the State and Federal levels. In fact, 49 State Legislatures have passed resolutions asking Congress to send a constitutional amendment to the States for ratification. Regrettably, the Supreme Court thwarted the people's will—and discarded the judgment of state legislatures and the Congress that protecting the Flag is fully consistent with our Constitution—by holding that, as far as the Constitution is concerned, the American Flag is just another piece of cloth for which no minimum of respect may be demanded. As a consequence, that which represents the struggles of those who came before us, our current ideals, and our hopes for years to come, cannot be recognized for what it truly is—a national treasure in need of protection.

Further, the question must be asked, what is the legacy we are leaving our children? At a time when our nation's virtues are too rarely extolled by our national leaders, and national pride is dismissed by many as arrogance, America needs, more than ever, something to celebrate. At a time when our political leaders labor under the taint of scandal, we need a national symbol

that is beyond reproach. America needs its Flag unblemished, representing more than any person or any partisan interest, but this extraordinary nation. The Flag, and the freedom for which it stands, has a unique ability to unite us as Americans. Whatever our disagreements, we are united in our respect for the Flag. We are in need of healing. We should not allow the healing and unifying power of the Flag to become a source of divisiveness.

The protection that the people seek for the Flag does not threaten the sacred rights afforded by the First Amendment. I sincerely doubt that the Framers intended the First Amendment of the Constitution to prevent state legislatures and Congress from protecting the Flag of the nation for which they shed their blood. At the time of the Supreme Court's decision, the tradition of protecting the Flag was too firmly established to suggest that such laws are inconsistent with our constitutional traditions. Many of the state laws were based on the Uniform Flag Act of 1917. No one at that time, or for 70 years afterwards, felt that these laws ran afoul of the First Amendment. Indeed, the Supreme Court itself upheld a Nebraska statute preventing commercial use of the Flag in 1907 in Halter versus Nebraska. As the Chief Justice stated in his dissent, ''I cannot agree that the First Amendment invalidates the Act of Congress, and the laws of 48 of the 50 States which make criminal the public burning of the flag.''

Nor do I accept the notion that amending the Constitution to overrule the Supreme Court's decisions in the specific context of desecration of the Flag will somehow undermine the First Amendment as it is applied in other contexts. This amendment does not create a slippery slope which will lead to the erosion of Americans' right to free speech. The Flag is wholly unique. It has not rightful counterpart. An amendment protecting the Flag from desecration will provide no aid or comfort in any future campaigns to restrict speech. Moreover, an amendment banning the desecration of the Flag does not limit the content of any true speech. As Justice Stevens noted in his dissent in Johnson versus Texas, ''[t]he concept of 'desecration' does not turn on the substance of the message the actor intends to convey, but rather on whether those who view the act will take serious offense.'' Likewise, the act of desecrating the Flag does not have any content in and of itself. The act takes meaning and expresses conduct only in the context of the true speech which accompanies the act. And that speech remains unregulated. As the Chief Justice noted, ''flag burning is the equivalent of an inarticulate grunt or roar that, it seems fair to say, is most likely to be indulged in not to express any particular idea, but to antagonize others.''

In sum, there is no principal or fear that should stand as an obstacle to our protection of the Flag. Unfortunately, at no other time in history has our country so needed such a symbol of sacrifice, honor, unity and freedom. It is my earnest hope that by amending the Constitution to prohibit its desecration, this body will protect the heritage, sacrifice, ideals, freedom and honor that the Flag uniquely represents.

ADDITIONAL COSPONSORS

S. 168

At the request of Mr. MOYNIHAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 168, a bill for the relief of Thomas J. Sansone, Jr.

S. 329

At the request of Mr. ROBB, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 329, a bill to amend title 38, United States Code, to extend eligibility for hospital care and medical services under chapter 17 of that title to veterans who have been awarded the Purple Heart, and for other purposes.

S. 346

At the request of Mrs. HUTCHISON, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 346, a bill to amend title XIX of the Social Security Act to prohibit the recoupment of funds recovered by States from one or more tobacco manufacturers.

S. 348

At the request of Ms. SNOWE, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 348, a bill to authorize and facilitate a program to enhance training, research and development, energy conservation and efficiency, and consumer education in the oilheat industry for the benefit of oilheat consumers and the public, and for other purposes.

S. 355

At the request of Mr. MOYNIHAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 355, a bill to amend title 13, United States Code, to eliminate the provision that prevents sampling from being used in determining the population for purposes of the apportionment of Representatives in Congress among the several States.

S. 376

At the request of Mr. BURNS, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Oregon (Mr. WYDEN), and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 376, a bill to amend the Communications Satellite Act of 1962 to promote competition and privatization in satellite communications, and for other purposes.

S. 391

At the request of Mr. KERREY, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 391, a bill to provide for payments to children's hospitals that operate graduate medical education programs.

S. 396

At the request of Mr. HUTCHINSON, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 396, a bill to provide dollars to the classroom.

S. 429

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 429, a bill to designate the legal public holiday of ''Washington's Birthday'' as ''Presidents' Day'' in honor of George Washington, Abraham Lincoln, and Franklin Roosevelt and in recognition of the importance of the institution of the Presidency and the contributions that Presidents have made to the development of our Nation and the principles of freedom and democracy.

S. 443

At the request of Mr. LAUTENBERG, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 443, a bill to regulate the sale of firearms at gun shows.

S. 459

At the request of Mr. BREAUX, the names of the Senator from Wyoming (Mr. THOMAS) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

S. 482

At the request of Mr. ABRAHAM, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 482, a bill to amend the Internal Revenue Code of 1986 to repeal the increase in the tax on the social security benefits.

S. 502

At the request of Mr. ASHCROFT, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 502, a bill to protect social security.

S. 522

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 522, a bill to amend the Federal Water Pollution Control Act to improve the quality of beaches and coastal recreation water, and for other purposes.

S. 529

At the request of Mr. ROBERTS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 529, a bill to amend the Federal Crop Insurance Act to improve crop insurance coverage, to make structural changes to the Federal Crop Insurance Corporation and the Risk Management Agency, and for other purposes.

S. 531

At the request of Mr. ABRAHAM, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator

from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 531, a bill to authorize the President to award a gold medal on behalf of the Congress to Rosa Parks in recognition of her contributions to the Nation.

S. 541

At the request of Mr. MURKOWSKI, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 541, a bill to amend title XVIII of the Social Security Act to make certain changes related to payments for graduate medical education under the medicare program.

S. 562

At the request of Mr. HARKIN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 562, a bill to provide for a comprehensive, coordinated effort to combat methamphetamine abuse, and for other purposes.

S. 595

At the request of Mr. DOMENICI, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 595, a bill to amend the Internal Revenue Code of 1986 to establish a graduated response to shrinking domestic oil and gas production and surging foreign oil imports, and for other purposes.

S. 609

At the request of Mr. MURKOWSKI, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 609, a bill to amend the Safe and Drug-Free Schools and Communities Act of 1994 to prevent the abuse of inhalants through programs under the Act, and for other purposes.

S. 622

At the request of Mr. KENNEDY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 622, a bill to enhance Federal enforcement of hate crimes, and for other purposes.

S. 630

At the request of Mr. BURNS, the name of the Senator from Montana (Mr. BAUCUS) was withdrawn as a cosponsor of S. 630, a bill to provide for the preservation and sustainability of the family farm through the transfer of responsibility for operation and maintenance of the Flathead Irrigation Project, Montana.

S. 636

At the request of Mr. REED, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 636, a bill to amend title XXVII of the Public Health Service Act and part 7 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 to establish standards for the health quality improvement of children in managed care plans and other health plans.

SENATE RESOLUTION 26

At the request of Mr. MURKOWSKI, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of Senate Resolution 26, a resolution relating to Taiwan's participation in the World Health Organization.

SENATE RESOLUTION 47

At the request of Mr. MURKOWSKI, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of Senate Resolution 47, a resolution designating the week of March 21 through March 27, 1999, as ''National Inhalants and Poisons Awareness Week.''

SENATE RESOLUTION 50

At the request of Mr. SPECTER, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of Senate Resolution 50, a resolution designating March 25, 1999, as ''Greek Independence Day: A Day of Celebration of Greek and American Democracy.''

SENATE CONCURRENT RESOLUTION 18—EXPRESSING THE SENSE OF CONGRESS THAT THE CURRENT FEDERAL INCOME TAX DEDUCTION FOR INTEREST PAID ON DEBT SECURED BY A FIRST OR SECOND HOME SHOULD NOT BE FURTHER RESTRICTED

Mr. ASHCROFT submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 18

Whereas homeownership is a fundamental American ideal, which promotes social and economic benefits beyond the benefits that accrue to the occupant of the home;

Whereas homeownership is an important factor in promoting economic security and stability for American families;

Whereas it is proper that the policy of the Federal Government is and should continue to be to encourage homeownership;

Whereas the increase in the cost of housing over the last 10 years has been greater than the increase in family income;

Whereas, for the first time in 50 years, the percentage of people in the United States owning their own homes has declined;

Whereas the percentage of people in the United States between the ages of 25 and 29 who own their own home has declined from 43 percent in 1976 to 38 percent today;

Whereas the current Federal income tax deduction for interest paid on debt secured by a first home has been a valuable cornerstone of this Nation's housing policy for most of this century and may well be the most important component of housing-related tax policy in America today;

Whereas the current Federal income tax deduction for interest paid on debt secured by second homes is of crucial importance to the economies of many communities;

Whereas the continued deductibility of interest paid on debt secured by a first or second home has particular importance in promoting other desirable social goals, such as education of young people; and

Whereas the Federal income tax deduction for interest paid on debt secured by a first or second home has been limited twice in the last 6 years, and was further eroded as a result of the Omnibus Budget Reconciliation Act of 1990: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the current Federal income tax deduction for interest paid on debt secured by a first or second home should not be further restricted.

SENATE CONCURRENT RESOLUTION 19—CONCERNING ANTI-SEMITIC STATEMENTS MADE BY MEMBERS OF THE DUMA OF THE RUSSIA FEDERATION

Mr. CAMPBELL (for himself, Mr. LAUTENBERG, Mr. SMITH of Oregon, Mr. ABRAHAM, Mr. BROWNBACK, Mr. REID, Mr. BURNS, Mr. TORRICELLI, Mr. CLELAND, and Mr. FEINGOLD) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 19

Whereas the world has seen in the 20th century the disastrous results of ethnic, religious, and racial intolerance;

Whereas the Government of the Russian Federation is on record, through obligations freely accepted as a participating state of the Organization on Security and Cooperation in Europe (OSCE), as pledging to ''clearly and equivocally condemn totalitarianism, racial and ethnic hatred, anti-Semitism, xenophobia and discrimination against anyone . . .'';

Whereas at two public rallies in October 1998, Communist Party member of the Duma, Albert Makashov, blamed ''the Yids'' for Russia's current problems;

Whereas in November 1998, attempts by members of the Russian Duma to formally censure Albert Makashov were blocked by members of the Communist Party;

Whereas in December 1998, the chairman of the Duma Security Committee and Communist Party member, Viktor Ilyukhin, blamed President Yeltsin's ''Jewish entourage'' for alleged ''genocide against the Russian people'';

Whereas in response to the public outcry over the above-noted anti-Semitic statements, Communist Party chairman Gennadi Zyuganov claimed in December 1998 that such statements were a result of ''confusion'' between Zionism and ''the Jewish question''; and

Whereas during the Soviet era, the Communist Party leadership regularly used ''anti-Zionist campaigns'' as an excuse to persecute and discriminate against Jews in the Soviet Union: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) condemns anti-Semitic statements made by members of the Russian Duma;

(2) commends actions taken by members of the Russian Duma to condemn anti-Semitic statements made by Duma members;

(3) commends President Yeltsin and other members of the Russian Government for condemning anti-Semitic statements made by Duma members; and

(4) reiterates its firm belief that peace and justice cannot be achieved as long as governments and legislatures promote policies based upon anti-Semitism, racism, and xenophobia.

Mr. CAMPBELL. Mr. President, although Communism released its oppressive grip on the people of Russia nearly ten years ago, its fingerprints of racism and ethnic intolerance persist. Today, I call the attention of my colleagues to the troubling surge of anti-Semitic rhetoric by the Russian Duma's Communist Party leaders who have sought to place the blame of Russia's social and economic ills on its Jewish community. As the new co-chairman of the Helsinki Commission, I am submitting a resolution to help address this disturbing situation. This

resolution is a companion to H.Con.Res. 37 which was introduced by Congressman CHRIS SMITH, Chairman of the Helsinki Commission.

In October of last year, General Albert Makashov, Communist Party member of the Duma, insulted and threatened the Jewish community with physical retribution for what he asserted as being a cause of Russia's current instabilities. When other members of the Duma sought to censure General Makashov for his comments, Communist party members blocked the measure on two different occasions and the Duma failed to condemn his statements. Then in December, Viktor Ilyukhin, Communist Party member and Chairman of the Security Committee, asserted that the Jews were committing 'genocide against the Russian people'. He further referenced the influence of President Yeltsin's 'Jewish entourage' and called for ethnic quotas in these posts to counter Jewish influence.

It is imperative that the Russian Duma be sent a clear message that these expressions of racism and ethnic hatred will not go unnoticed by the U.S.

Today, I am joined by Senators LAUTENBERG, ABRAHAM, SMITH of Oregon, BROWNBACK, TORRICELLI, REID, CLELAND, BURNS, and FEINGOLD in submitting a resolution which condemns these anti-Semitic statements made by the Russian Duma. It likewise commends the actions taken by those in the Duma who sought to censure the Communist Party leaders and commends President Yeltsin for his forceful rejection of the statements. This resolution also reiterates the firm belief of the Congress that peace and justice cannot be achieved as long as governments and legislatures promote policies based upon anti-Semitism, racism, and xenophobia.

In light of Prime Minister Yevgeny Primakov's upcoming visit to the U.S., this resolution is especially timely. I urge my colleagues to support this important resolution which underscores the U.S. commitment to religious freedom and human rights.

Mr. LAUTENBERG. Mr. President, I rise today in support of the resolution condemning anti-Semitic statements by Russian political leaders and commending President Yeltsin and others for raising their voices against such hateful speech.

Anti-Semitism in Russia is not a new phenomenon. Throughout Russia's history, Jews have often been singled out for persecution during times of crisis. It happened in the seventeenth century, when a reign of terror was unleashed against Jews in Eastern and Central Europe, and it happened in the pogroms of World War I, when entire Jewish communities were annihilated. In short, when there's trouble in Russia, Jews are usually the first to be blamed. Anti-Semitic comments coming from high-ranking officials in Russia in recent months are particularly worrisome. They come at a time when Russia should be overcoming its troubled past and rejoining the world community by honoring freedom of religion, free speech and other human rights.

The anti-Semitic statements made by prominent Russian officials are well known by now: Last November, retired General Albert Makashov blamed the country's economic crisis on ''yids.'' In an open letter, Gennady Zyuganov, the Communist Party chief, voiced his belief of a Zionist conspiracy to seize power in Russia. Another top Communist lawmaker, Viktor Ilyukhin, accused Jews of waging ''genocide'' in the country.

Officials in the Russian government have criticized these statements. Yet not so long ago, Russian President Yeltsin went ahead with a summit with his counterpart, Belarus president Alexander Lukashenko, who himself blamed Jewish financiers and political reformers ''for the creation of the criminal economy.'' Alexander Lebed, a top contender for the presidential post in the 2000 elections, has also made negative remarks about several religious groups.

We in Congress have asked senior Administration officials to lodge our protests against the anti-Semitic comments made by Russian leaders. During her recent trip to Moscow, Secretary Albright did exactly that and received assurances that anti-Semitism has no place in Russia. The Administration will have another opportunity to voice our concern when Vice President GORE receives Russia's Prime Minister Primakov next week.

I will closely be watching events in Russia to ensure the government is in compliance with its international human rights commitments. There has been concern that the country's religion law, passed in 1997, cedes too much authority to local officials. The omnibus appropriations bill for 1999 directs a cutoff of Freedom Support Act aid to Russia unless the President determines and certifies that Moscow hasn't implemented statutes, regulations or executive orders that would discriminate against religious groups. That certification must be made by late April. I hope certification, as well as the International Religious Freedom Act, passed last year, will be strong incentives for Russian leaders to reverse a troubling anti-democratic trend.

As you know, in 1989 I authored legislation making it easier for Jews and members of other persecuted religious groups in the former Soviet Union to obtain refugee status in the United States. I introduced this law because I felt deeply that religious freedom was a basic human right, which was anathema under the Soviet system of government. Recent events in Russia convince me my legislation remains very necessary and I will be asking my colleagues to support an extension again this year.

During a trip to Poland last year, President Kwasniewski and Prime Minister Buzek reached out to the Jewish community to help bridge the gap between Poles and Jews. This is a difficult and long-term process, but at least leaders across the political spectrum are making a real effort to heal wounds and create a more welcome climate for Jews in Poland. I welcome President Yeltsin's rejections of anti-Semitism and I hope more members of the Duma will speak out in this manner.

I want also to pay tribute to Parliamentarian Galina Starovoitova, a steadfast supporter of human rights and democracy, who was shot dead last November in the entry way of her St. Petersburg apartment building. Ms. Starovoitova, a non-Jew, was a leading voice in condemning anti-Semitism in Russian society. Her courage will be sorely missed.

Congress understands Russia cannot be a great democracy until it makes progress in human rights, and doesn't revert to past practices. Russia's leaders must come to the same conclusion. We must all work together to reach a common goal—helping Russia integrate into the international community.

Mr. President, I urge all my colleagues to support this timely resolution.

SENATE RESOLUTION 64—RECOGNIZING THE HISTORIC SIGNIFICANCE OF THE FIRST ANNIVERSARY OF THE GOOD FRIDAY PEACE AGREEMENT

Mr. DURBIN (for himself, Mr. KENNEDY, Mr. BIDEN, Mr. MOYNIHAN, Mr. DODD, Mr. FITZGERALD, Mr. SCHUMER, Mr. REID, Mr. STEVENS, Mrs. BOXER, Mr. LIEBERMAN, Mr. LEVIN, Mr. WELLSTONE, Mr. ROCKEFELLER, Mr. CLELAND, Mr. TORRICELLI, Mr. GRAMS, Mr. SANTORUM, Mr. DASCHLE, Ms. MIKULSKI, Mr. KERREY, Mr. COCHRAN, Mr. DORGAN, Mr. THURMOND, Ms. LANDRIEU, Ms. COLLINS, Mr. BURNS, Mr. MCCAIN, Mr. LOTT, Mr. BAYH, Mr. VOINOVICH, Mrs. LINCOLN, Mr. BINGAMAN, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 64

Whereas Ireland has a long and tragic history of civil conflict that has left a deep and profound legacy of suffering;

Whereas since 1969 more than 3,200 people have died and thousands more have been injured as a result of political violence in Northern Ireland;

Whereas a series of efforts by the Governments of the Republic of Ireland and the United Kingdom to facilitate peace and an announced cessation of hostilities created an historic opportunity for a negotiated peace;

Whereas in June 1996, for the first time since the partition of Ireland in 1922, representatives elected from political parties in Northern Ireland pledged to adhere to the principles of nonviolence and commenced talks regarding the future of Northern Ireland;

Whereas the talks greatly intensified in the spring of 1998 under the chairmanship of former United States Senator George Mitchell;

Whereas the active participation of British Prime Minister Tony Blair and Irish Taoiseach Bertie Ahern was critical to the success of the talks;

Whereas on Good Friday, April 10, 1998, the parties to the negotiations each made honorable compromises to conclude a peace agreement for Northern Ireland, which has become known as the Good Friday Peace Agreement;

Whereas on Friday, May 22, 1998, an overwhelming majority of voters in both Northern Ireland and the Republic of Ireland approved by referendum the Good Friday Peace Agreement;

Whereas the United States must remain involved politically and economically to ensure the long-term success of the Good Friday Peace Agreement; and

Whereas April 10, 1999, marks the first anniversary of the Good Friday Peace Agreement: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic significance of the first anniversary of the Good Friday Peace Agreement;

(2) salutes British Prime Minister Tony Blair and Irish Taoiseach Bertie Ahern and the elected representatives of the political parties in Northern Ireland for creating the opportunity for a negotiated peace;

(3) commends former Senator George Mitchell for his leadership on behalf of the United States in guiding the parties toward peace;

(4) congratulates the people of the Republic of Ireland and Northern Ireland for their courageous commitment to work together in peace;

(5) reaffirms the bonds of friendship and cooperation that exist between the United States and the Governments of the Republic of Ireland and the United Kingdom, which ensure that the United States and those Governments will continue as partners in peace; and

(6) encourages all parties to move forward to implement the Good Friday Peace Agreement.

SENATE RESOLUTION 65—TO AUTHORIZE TESTIMONY, DOCUMENT PRODUCTION, AND LEGAL REPRESENTATION

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 65

Whereas, in the case of *Dirk S. Dixon, et al.* v. *Bruce Pearson, et al.*, Civil No. 97–998 (Cass Cty., N.D.) pending in North Dakota state court, testimony has been requested from Kevin Carvell and Judy Steffes, employees of Senator Byron L. Dorgan;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent Senators and employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved, That Kevin Carvell, Judy Steffes, and any other former or current Senate employee from whom testimony or document production may be required, are authorized to testify and produce documents in the case of *Dirk S. Dixon, et al.* v. *Bruce Pearson, et al.*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Senator Byron L. Dorgan, Kevin Carvell, Judy Steffes, and any other Member or employee of the Senate from whom testimony or document production may be required in connection with the case of *Dirk S. Dixon, et al*, v. *Bruce Pearson, et al.*

SENATE RESOLUTION 66—TO AUTHORIZE TESTIMONY, DOCUMENTARY PRODUCTION, AND REPRESENTATION OF EMPLOYEES OF THE SENATE

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 66

Whereas, in the case of *United States* v. *Yah Lin ''Charlie'' Trie*, Criminal No. LR–CR–98–239, pending in the United States District Court for the Eastern District of Arkansas, documentary and testimonial evidence are being sought from the Committee on Governmental Affairs;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved, That the chairman and ranking minority member of the Committee on Governmental Affairs, acting jointly, are authorized to produce records of the Committee, and present and former employees of the Committee from whom testimony is required are authorized to testify, in the case of *United States* v. *Yah Lin ''Charlie'' Trie*, except concerning matters for which a privilege should be asserted.

SEC. 2. That the Senate Legal Counsel is authorized to represent present and former employees of the Senate in connection with the testimony authorized in section one.

SENATE RESOLUTION 67—TO AUTHORIZE REPRESENTATION OF SECRETARY OF THE SENATE

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 67

Whereas, in the case of *Bob Schaffer, et al.* v. *William Jefferson Clinton, et al.*, C.A. No. 99–K–201, pending in the United States District Court for the District of Colorado, the plaintiffs have named the Secretary of the Senate as a defendant;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend officers of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the Secretary of the Senate in the case of *Bob Schaffer, et al.* v. *William Jefferson Clinton, et al.*

SENATE RESOLUTION 68—EXPRESSING THE SENSE OF THE SENATE REGARDING THE TREATMENT OF WOMEN AND GIRLS BY THE TALIBAN IN AFGHANISTAN

Mrs. BOXER (for herself and Mr. BROWNBACK) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 68

Whereas more than 11,000,000 women and girls living under Taliban rule in Afghanistan are denied their basic human rights;

Whereas according to the Department of State and international human rights organizations, the Taliban continues to commit widespread and well-documented human rights abuses, in gross violation of internationally accepted norms;

Whereas, according to the United States Department of State Country Report on Human Rights Practices (hereafter ''1998 State Department Human Rights Report''), violence against women in Afghanistan occurs frequently, including beatings, rapes, forced marriages, disappearances, kidnapings, and killings;

Whereas women and girls in Afghanistan are barred from working, going to school, leaving their homes without an immediate male family member as chaperone, visiting doctors, hospitals or clinics, and receiving humanitarian aid;

Whereas according to the 1998 State Department Human Rights Report, gender restrictions by the Taliban continue to interfere with the delivery of humanitarian assistance to women and girls in Afghanistan;

Whereas according to the 1998 State Department Human Rights Report, women in Afghanistan are forced to don a head-to-toe garment known as a burqa, which has only a mesh screen for vision, and women in Afghanistan found in public not wearing a burqa, or wearing a burqa that does not properly cover the ankles, are beaten by Taliban militiamen;

Whereas according to the 1998 State Department Human Rights Report, some poor women in Afghanistan cannot afford the cost of a burqa and thus are forced to remain at home or risk beatings if they go outside the home without one;

Whereas according to the 1998 State Department Human Rights Report, the lack of a burqa has resulted in the inability of some women in Afghanistan to get necessary medical care because they cannot leave home;

Whereas according to the 1998 State Department Human Rights Report, women in Afghanistan are reportedly beaten if their shoe heels click when they walk;

Whereas according to the 1998 State Department Human Rights Report, women in homes in Afghanistan must not be visible from the street, and houses with female occupants must have their windows painted over;

Whereas according to the 1998 State Department Human Rights Report, women in Afghanistan are not allowed to drive, and taxi drivers reportedly are beaten if they take unescorted women as passengers;

Whereas according to the 1998 State Department Human Rights Report, women in Afghanistan are forbidden to enter mosques or other places of worship; and

Whereas women and girls of all ages in Afghanistan have suffered needlessly and even died from curable illness because they have been turned away from health care facilities because of their gender: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the President should instruct the United States Representative to the United Nations to use all appropriate means to prevent the Taliban-led government in Afghanistan from obtaining the seat in the United Nations General Assembly reserved for Afghanistan so long as gross violations of internationally recognized human rights against women and girls persist; and

(2) the United States should refuse to recognize any government in Afghanistan which is not taking actions to achieve the following goals in Afghanistan:

(A) The effective participation of women in all civil, economic, and social life.

(B) The right of women to work.

(C) The right of women and girls to an education without discrimination and the reopening of schools to women and girls at all levels of education.

(D) The freedom of movement of women and girls.

(E) Equal access of women and girls to health facilities.

(F) Equal access of women and girls to humanitarian aid.

AMENDMENTS SUBMITTED

NATIONAL MISSILE DEFENSE ACT OF 1999

BINGAMAN AMENDMENT NO. 74

Mr. BINGAMAN proposed an amendment to the bill (S. 257) to state the policy of the United States regarding the deployment of a missile defense capable of defending the territory of the United States against limited ballistic missile attack; as follows:

On page 2, strike lines 7 through 11 and insert the following:

It is the policy of the United States that a decision to deploy a National Missile Defense system shall be made only after the Secretary of Defense, in consultation with the Director of Operational Test and Evaluation of the Department of Defense, has determined that the system has demonstrated operational effectiveness.

HARKIN AMENDMENT NO. 75

Mr. HARKIN proposed an amendment to the bill, S. 257, supra; as follows:

At the end, add the following:

SEC. 4. COMPARATIVE STUDY OF RELEVANT NATIONAL SECURITY THREATS.

(a) REQUIREMENT FOR STUDY.—Not later than January 1, 2001, the President shall submit to Congress the comparative study described in subsection (b).

(b) CONTENT OF STUDY.—(1) The study required under subsection (a) is a study that provides a quantitative analysis of the relevant risks and likelihood of the full range of current and emerging national security threats to the territory of the United States. The study shall be carried out in consultation with the Secretary of Defense and the heads of all other departments and agencies of the Federal Government that have responsibilities, expertise, and interests that the President considers relevant to the comparison.

(2) The threats compared in the study shall include threats by the following means:

(A) Long-range ballistic missiles.

(B) Bombers and other aircraft.

(C) Cruise missiles.

(D) Submarines.

(E) Surface ships.

(F) Biological, chemical, and nuclear weapons.

(G) Any other weapons of mass destruction that are delivered by means other than missiles, including covert means and commercial methods such as cargo aircraft, cargo ships, and trucks.

(H) Deliberate contamination or poisoning of food and water supplies.

(I) Any other means.

(3) In addition to the comparison of the threats, the report shall include the following:

(A) The status of the developed and deployed responses and preparations to meet the threats.

(B) A comparison of the costs of developing and deploying responses and preparations to meet the threats.

INTERIM FEDERAL AVIATION ADMINISTRATION AUTHORIZATION ACT

MCCAIN (AND ROBB) AMENDMENT NO. 76

Mr. MCCAIN (for himself and Mr. ROBB) proposed an amendment to the bill (S. 643) to authorize the Airport Improvement Program for 2 months, and for other purposes; as follows:

At the end of the bill, add the following:

SEC. . RELEASE OF 10 PERCENT OF MWAA FUNDS.

(a) IN GENERAL.—Notwithstanding sections 49106(c)(6)(C) and 49108 of title 49, United States Code, the Secretary of Transportation may approve an application of the Metropolitan Washington Airports Authority (an application that is pending at the Department of Transportation on March 17, 1999) for expenditure or obligation of up to $30,000,000 of the amount that otherwise would have been available to the Authority for passenger facility fee/airport development project grants under subchapter I of chapter 471 of such title.

(b) LIMITATION.—The Authority may not execute contracts, for applications approved under subsection (a), that obligate or expend amounts totalling more than the amount for which the Secretary may approve applications under that subsection, except to the extent that funding for amounts in exceed of that amount are from other authority or sources.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR FISCAL YEAR 1999

SPECTER (AND OTHERS) AMENDMENT NO. 77

Mr. SPECTER (for himself, Mr. HARKIN, Mr. JEFFORDS, Mr. KENNEDY, and Mr. DURBIN) proposed an amendment to the bill (S. 544) making emergency supplemental appropriations and rescissions for recovery from natural disasters, and foreign assistance, for the fiscal year ending September 30, 1999, and other purposes; as follows:

Beginning on page 35, strike line 13 and all that follows through line 24 on page 36 and insert the following:

SEC. 2011. WAIVER OF RECOUPMENT OF MEDICAID TOBACCO-RELATED RECOVERIES IF RECOVERIES USED TO REDUCE SMOKING AND ASSIST IN ECONOMIC DIVERSIFICATION OF TOBACCO FARMING COMMUNITIES. (a) FINDINGS.—Congress makes the following findings:

(1) Tobacco products are the foremost preventable health problem facing America today. More than 400,000 individuals die each year as a result of tobacco-induced illness and conditions.

(2) Each day 3,000 young individuals become regular smokers. Of these children, 1,000 will die prematurely from a tobacco-related disease.

(3) Medicaid is a joint Federal-State partnership designed to provide to provide health care to citizens with low-income.

(4) On average, the Federal Government pays 57 percent of the costs of the medicaid program and no State must pay more than 50 percent of the cost of the program in that State.

(5) The comprehensive settlement of November 1998 between manufacturers of tobacco products and States, and the individual State settlements reached with such manufacturers, include claims arising out of the medicaid program.

(6) As a matter of law, the Federal Government is not permitted to act as a plaintiff in medicaid recoupment cases.

(7) Section 1903(d) of the Social Security Act (42 U.S.C. 1396b(d)) specifically requires that the State reimburse the Federal Government for its pro rata share of medicaid-related expenses that are recovered from liability cases involving third parties.

(8) In the comprehensive tobacco settlement, the tobacco companies were released from all relevant claims that can be made against them subsequently by the States, thereby effectively precluding the Federal Government from recovering its share of medicaid claims in the future through the established statutory mechanism.

(9) The Federal Government has both the right and responsibility to ensure that the Federal share of the comprehensive tobacco settlement is used to reduce youth smoking, to improve the public health, and to assist in the economic diversification of tobacco farming communities.

(b) AMENDMENT TO SOCIAL SECURITY ACT.—Section 1903(d)(3) of the Social Security Act (42 U.S.C. 1396b(d)(3)) is amended—

(1) by inserting ''(A)'' before ''The''; and

(2) by adding at the end the following:

''(B) Subparagraph (A) and paragraph (2)(B) shall not apply to any amount recovered or paid to a State as part of the comprehensive settlement of November 1998 between manufacturers of tobacco products (as defined in section 5702(d) of the Internal Revenue Code of 1986) and States, or as part of any individual State settlement or judgment reached in litigation initiated or pursued by a State against one or more such manufacturers, if (and to the extent that) the Secretary finds that following conditions are met:

''(i) The Governor or Chief Executive Officer of the State has filed with the Secretary a plan which specifically outlines how—

''(I) at least 20 percent of such amounts recovered or paid in any fiscal year will be spent on programs to reduce the use of tobacco products using methods that have been

shown to be effective, such as tobacco use cessation programs, enforcement of laws relating to tobacco products, community-based programs to discourage the use of tobacco products, school-based and child-oriented education programs to discourage the use of tobacco products, and State-wide awareness and counter-marketing advertising efforts to educate people about the dangers of using tobacco products, and for ongoing evaluations of these programs; and

''(II) at least 30 percent of such amounts recovered or paid in any fiscal year will be spent—

''(aa) on Federally or State funded health or public health programs; or

''(bb) to assist in economic development efforts designed to aid tobacco farmers and tobacco-producing communities as they transition to a more broadly diversified economy.

''(ii) All programs conducted under clause (i) take into account the needs of minority populations and other high risk groups who have a greater threat of exposure to tobacco products and advertising.

''(iii) All amounts spent under clause (i) are spent only in a manner that supplements (and does not supplant) funds previously being spent by the State (or local governments in the State) for such or similar programs or activities.

''(iv) Before the beginning of each fiscal year, the Governor or Chief Executive Officer of the State files with the Secretary a report which details how the amounts so recovered or paid have been spent consistent with the plan described in clause (i) and the requirements of clauses (ii) and (iii).''.

(c) EFFECTIVE DATE.—The amendments made by subsection (a) apply to amounts recovered or paid to a State before, on, or after the date of enactment of this Act.

HUTCHINSON AMENDMENT NO. 78

(Ordered to lie on the table.)

Mr. HUTCHINSON submitted an amendment intended to be proposed by him to the bill, S. 544, supra; as follows:

At the appropriate place, insert the following new title:

TITLE —REQUIREMENT FOR CONGRESSIONAL APPROVAL OF ADMISSION OF CHINA TO WTO.

SEC. ___01. PRIOR CONGRESSIONAL APPROVAL FOR SUPPORTING ADMISSION OF CHINA INTO THE WTO.

(a) IN GENERAL.—Notwithstanding any other provision of law, the United States may not support the admission of the People's Republic of China as a member of the World Trade Organization unless a provision of law is passed by both Houses of Congress and enacted into law after the enactment of this Act that specifically allows the United States to support such admission.

(b) PROCEDURES FOR CONGRESSIONAL APPROVAL OF UNITED STATES SUPPORT FOR ADMISSION OF CHINA INTO THE WTO.—

(1) NOTIFICATION OF CONGRESS.—The President shall notify the Congress in writing if he determines that the United States should support the admission of the People's Republic of China into the World Trade Organization.

(2) SUPPORT OF CHINA'S ADMISSION INTO THE WTO.—The United States may support the admission of the People's Republic of China into the World Trade Organization if a joint resolution is enacted into law under subsection (c) and the Congress adopts and transmits the joint resolution to the President before the end of the 90-day period (excluding any day described in section 154(b) of the Trade Act of 1974), beginning on the date on which the Congress receives the notification referred to in paragraph (1).

(c) JOINT RESOLUTION.—

(1) JOINT RESOLUTION.—For purposes of this section, the term ''joint resolution'' means only a joint resolution of the 2 Houses of Congress, the matter after the resolving clause of which is as follows: ''That the Congress approves the support of the United States for the admission of the People's Republic of China into the World Trade Organization.''.

(2) PROCEDURES.—

(A) IN GENERAL.—A joint resolution may be introduced at any time on or after the date on which the Congress receives the notification referred to in subsection (b)(1), and before the end of the 90-day period referred to in subsection (b)(2). A joint resolution may be introduced in either House of the Congress by any member of such House.

(B) APPLICATION OF SECTION 152.—Subject to the provisions of this subsection, the provisions of subsections (b), (d), (e), and (f) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192(b), (d), (e), and (f)) apply to a joint resolution under this section to the same extent as such provisions apply to resolutions under section 152.

(C) DISCHARGE OF COMMITTEE.—If the committee of either House to which a joint resolution has been referred has not reported it by the close of the 45th day after its introduction (excluding any day described in section 154(b) of the Trade Act of 1974), such committee shall be automatically discharged from further consideration of the joint resolution and it shall be placed on the appropriate calendar.

(D) CONSIDERATION BY APPROPRIATE COMMITTEE.—It is not in order for—

(i) the Senate to consider any joint resolution unless it has been reported by the Committee on Finance or the committee has been discharged under subparagraph (C); or

(ii) the House of Representatives to consider any joint resolution unless it has been reported by the Committee on Ways and Means or the committee has been discharged under subparagraph (C).

(E) CONSIDERATION IN THE HOUSE.—A motion in the House of Representatives to proceed to the consideration of a joint resolution may only be made on the second legislative day after the calendar day on which the Member making the motion announces to the House his or her intention to do so.

(3) CONSIDERATION OF SECOND RESOLUTION NOT IN ORDER.—It shall not be in order in either the House of Representatives or the Senate to consider a joint resolution (other than a joint resolution received from the other House), if that House has previously adopted a joint resolution under this section.

SEC. ___03. CONFORMING AMENDMENT.

Section 125(b)(1) of the Uruguay Round Agreements Act (19 U.S.C. 3535(b)(1)) is amended by striking '', and only if,''.

NOTICE OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Full Energy and Natural Resources Committee to consider the results of the December 1998 plebiscite on Puerto Rico.

The hearing will take place on Thursday, May 6, 1999, at 9:30 a.m., in room SH–216 of the Hart Senate Office Building.

For further information, please call James Beirne, Deputy Chief Counsel at (202) 224–2564 or Betty Nevitt, Staff Assistant at (202) 224–0765.

SUBCOMMITTEE ON WATER AND POWER

Mr. SMITH of Oregon. Mr. President, I would like to announce for the public that a field hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources.

The hearing will take place on Tuesday, April 6 at 10:30 a.m., at the Hood River Inn in Hood River, OR.

The purpose of the hearing is to conduct oversight on the process to determine the future of the four lower Snake River dams.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please contact Ms. Julia McCaul or Colleen Deegan at 202–224–8115.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Wednesday, March 17, 1999. The purpose of this meeting will be to review the current status of the Federal Crop Insurance Program and explore the various proposals to expand and/or restructure the program.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COCHRAN. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Full Energy and Natural Resources Committee to consider Nuclear Waste Storage and Disposal Policy, including S. 608, the Nuclear Waste Policy Act of 1999.

The hearing will take place on Wednesday, March 24, 1999, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

For further information, please call Karen Hunsicker at (202) 224–3543 or Betty Nevitt, Staff Assistant at (202) 224–0765.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to conduct a business meeting to consider pending business Wednesday, March 17, 9 a.m., Hearing Room (SD–406).

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to conduct a hearing on loss of open space

and environmental quality Wednesday, March 17, 10:30 a.m., Hearing Room (SD–406).

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. COCHRAN. Mr. President, the Fiance Committee requests unanimous consent to conduct a hearing on Wednesday, march 17, 1999, beginning at 10 a.m., in room 215 Dirksen.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations and the Committee on Energy be authorized to meet during the session of the Senate on Wednesday, March 17, 1999, at 10 a.m. to hold a joint hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 17, 1999, at 2 p.m., to hold two hearings.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. COCHRAN. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Wednesday, March 17, 1999; at 9:30 a.m., for a hearing on the Independent Counsel Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Wednesday, March 17, 1999, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, March 17, 1999, at 9:30 a.m., to conduct a Hearing on S. 400, the Native American Housing Assistance and Self-Determination Act Amendments of 1999. The Hearing will be held in room 485 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. COCHRAN. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a joint hearing with the House Committee on Veterans' Affairs to receive the legislative presentations of the Disabled American Veterans. The hearing will be held on Wednesday, March 17, 1999, at 10 a.m., in room 345 of the Cannon House Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, March 17, 1999, at 2:30 p.m., to hold a closed hearing on Intelligence Matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AIRLAND FORCES

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Subcommittee on Airland Forces of the Committee on Armed Services be authorized to meet on Wednesday, March 17, 1999, at 2 p.m., in open session, to receive testimony on tactical aircraft modernization programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet at 9:30 a.m., on Wednesday, March 17, 1999, in open session to review the efforts to reform and streamline the Department of Defense's acquisition process.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

REAUTHORIZATION OF THE SURFACE TRANSPORTATION BOARD

● Mr. CLELAND. Mr. President, today I am addressing the Senate to express my view on the importance of maintaining a regulatory system that has resulted in a renaissance of the nation's rail freight railroads, which are so critical to the economic vitality of my state of Georgia.

In Georgia, we depend heavily on railroads to bring us raw materials and to carry our finished goods to market. Two major railroads, CSX and Norfolk Southern, operate more than 3,500 miles of rail line in Georgia, and service is provided over more than 1,000 miles of track by regional and local railroads. More than 3 million carloads of such commodities as coal, minerals, and pulp and paper are carried through Georgia every year, and more than 6,000 Georgians are directly employed in the rail industry.

The importance of railroads in my state reaches much deeper than the customers they serve and the citizens they employ, however. As a member of the Small Business Committee, I am particularly aware of the numerous small businesses throughout my state—including hundreds of logging and sawmill operations that produce crossties—which depend for their livelihood on railroads having the financial resources to undertake infrastructure maintenance and improvements. If the railroads do not have the resources for that investment, these small businesses—as well as rail shippers and employees—will suffer.

This financial strength has not always been there. Indeed, the rail industry has undergone a remarkable resurgence from the late 1970s, when much of the industry was in bankruptcy and facing nationalization. The foundation of this resurgence has been the statutory changes made under the Staggers Rail Act of 1980. This bipartisan legislation lifted much of the regulatory burden that was stifling the industry, and permitted the railroads to compete in the marketplace for business, make contracts with customers, and use differential pricing to support the enormous capital investment they require for safe, efficient operations. These are basic activities engaged in by businesses across the nation, activities which had been denied the railroads for nearly a century.

The results have been little short of amazing. A moribund industry has come back to life, investing $225 billion in its infrastructure, and providing good jobs to a quarter of a million employees. And, while the industry has had capacity constraints and other difficulties in some areas in providing the high level of service customers deserve, I believe the industry is committed to making needed investments and working with its customers to do better.

Despite the rail industry's gains, there are current efforts to turn back the clock and reimpose some of the destructive regulatory interventions which in the past hindered the railroads' ability to operate efficiently and price their services competitively. If we do so, we will be heading right back from where we have come: inefficient, poorly-performing railroads that were not dependable carriers of goods. We cannot afford that, if our nation's businesses are to grow and remain globally competitive.

Reauthorizing the Surface Transportation Board (STB), which administers the statute regulating the industry, is an important goal of the Senate Commerce Committee, and it is an objective that I endorse. Only by having a stable regulatory agency in place, can we ensure the continued application of the law in a balanced manner that takes into account the need to enable the railroads to earn enough to maintain their infrastructure, while ensuring fair rates for shippers. Indeed, the railroads are one of the most capital intensive industries in our nation, and despite their increased viability, they still fall short of the capital necessary to sustain and improve their plant and equipment. I support the current economic regulatory regime that has served the nation well by sparking this rail rebirth. At the same time, I intend to carefully evaluate issues brought to the Committee's attention by rail labor organizations as this review goes forward.

We must ensure that our railroads can operate in ways that allow them to maximize their growth and earn a sufficient rate of return. Our shippers and the businesses that supply the rail industry need dependable, economically sound carriers to transport their goods and to buy their products. Rail employees need a safe, fair and efficient system in which to work. These are mutually interdependent objectives, and I look forward to working with my colleagues to achieve sound policy determinations that satisfy these objectives.●

AMERICAN LUNG ASSOCIATION HEALTH ADVOCATES OF THE YEAR

● Mr. ABRAHAM. Mr. President, I rise today to congratulate Dr. Samuel R. Dismond Jr. and HealthPlus of Michigan for their strong commitment to health, education and the well-being of the Genesee Valley area.

Dr. Dismond is the current chief of staff at Hurley Medical Center. Throughout his distinguished medical career, he has served on a number of influential boards. Dr. Dismond has also been recognized numerous times for his contributions to the medical profession. By supporting his community and actively promoting research in health related fields, Dr. Dismond has made a difference in a number of patient's and associate's lives.

HealthPlus of Michigan has worked tirelessly to promote lung health within their organization and their community, including efforts to help any willing employee or patient quit smoking. This was accomplished by offering various smoking cessation and behavioral support programs. However, the biggest step HealthPlus has taken was instituting guidelines requiring every physician affiliated with HealthPlus to inquire about his or her patient's smoking status during each visit and to track it within their permanent medical records. Also, the physician must encourage every smoker to attempt to stop smoking. HealthPlus has also donated money to the American Lung Association so that they might help to teach area children about asthma.

It is with great pleasure that I announce to the U.S. Senate Dr. Samuel R. Dismond as the recipient of this year's American Lung Association ''1998 Individual Health Advocate of the Year'' and HealthPlus as the ''1998 Corporate Health Advocate of the Year.'' These awards will be presented at the 16th annual Health Advocate of the Year Awards Dinner on March 18, 1999 in Grand Blanc, Michigan. I extend my sincerest congratulations to Dr. Dismond and HealthPlus of Michigan.●

THE 10TH ANNIVERSARY OF THE DEPARTMENT OF VETERANS AFFAIRS

● Mr. ROCKEFELLER. This week marks the 10th anniversary of the Department of Veterans Affairs, which elevated the Veterans Administration (previously an independent federal agency) to cabinet-level status. This move capped the gradual evolution of a governmental response to the needs of veterans—beginning with the Plymouth colony's first pension law in 1636, and proceeding through a variety of federal bureaus with shared responsibility for ministering to veterans, before those agencies were unified into one.

The creation of the Department of Veterans Affairs has both a real and a symbolic meaning. By raising the agency to cabinet level, the Nation's chief veterans' advocate—the Secretary of Veterans Affairs—was literally given a seat at the table with all other major executive agencies, and direct access to the President. Symbolically, veterans were accorded ''a voice at the highest level of government,'' in the words of former VA Secretary Jesse Brown. This is as it should be for the second largest agency of the federal government, whose sole mission is to serve those whose sacrifices are the very backbone of the freedoms we all enjoy.

As current VA Secretary Togo D. West, Jr., has said, ''Cabinet status has brought many benefits; but is has also brought increased obligations.'' The VA plays a major role nationally in the fields of health care, education, insurance, and housing. As the Nation's budget is divided up, it is important that VA be on a level playing field with other federal departments to effectively safeguard our veterans' interests.

I want to take this opportunity to salute the many talented, caring, and dedicated employees of the Department who are at the heart of its operations. I know they labor under a heavy workload, particularly in this era of tightening budgets. We must ensure they have the resources they need to carry out their mission.

The Department's 10th anniversary marks a happy milestone, a decade of growth and accomplishments. My warmest congratulations to all who share in this achievement.●

GREAT LAKES CHAMBER MUSIC FESTIVAL TRIBUTE

● Mr. ABRAHAM. Mr. President, I rise today to pay tribute to the Great Lakes Chamber Music Festival, a dynamic organization which has made an incredible contribution to Michigan's culture. The Chamber's concerts have really left their imprint on our State, with some twenty concerts in and near Detroit each year, many of which occur in the venues of the Festival's sponsors—St. Hugo of the Hills Catholic Church, Temple Beth El, and Kirk in the Hills. Additional concert locations range from the Detroit Zoo to the Detroit Institute of Arts. The Festival is administered by Detroit Chamber Winds & Strings, which performs a number of the concerts. But today, I would like to take a moment to officially welcome the Chamber to our nation's capital for what is expected to be a stellar performance in the Library of Congress on Friday evening.

The Great Lakes Chamber Music Festival was born in 1994. The Festival is sponsored by three religious institutions, representing Catholic, Jewish, and Protestant faiths, and Detroit Chamber Winds & Strings, a prominent chamber music ensemble.

Pianist James Tocco has been Artistic Director of the Festival since its inception. A native Detroiter, Mr. Tocco has brought a rotating contingent of world-class musicians to the Festival, creating an event of national significance. The list of performers reads like a long ''Who's who'' in chamber music, including Ruth Laredo, Peter Oundjian, Paul Katz, Miriam Fried, Gilbert, Kalish, Philip Setzer, the St. Lawrence Quartet, Peter Wiley, Ida and Ani Kavafian, and others. The Festival provides a major educational initiative to assist ensembles emerging to professional stature. Entitled the Shouse Institute, this program brings groups from throughout the world to Detroit for performances and coachings by Festival artists. These young artists attend the Festival tuition-free and receive complimentary lodging.

So in welcoming the Great Lakes Chamber Festival to Washington, D.C., and thanking all of those from the Chamber that made this possible, I also would like to single out Gwen and Evan Weiner, dear friends of our family who introduced the Chamber to me and who have played a critical role in enhancing cultural life in Michigan, as well as Harriet Rotter, another close friend who has contributed a great deal of time and energy to this effort. Gwen, Evan, Harriet, and the many others who are involved with the Chamber Festival are sterling examples of community leadership at its best, and I am pleased they are here today. Finally, I would be remiss if I did not acknowledge the hard and dedicated work of Maury Okun, the Chamber Festival's Executive Director, an invaluable member of the Chamber Festival team.

Again, I want to commend all those involved in making The Great Lakes Chamber Music Festival a tremendous success, and extend my warmest wishes and best of luck for the concert Friday night and in the future.●

DOUG SWINGLEY'S WINNING OF THE ALASKAN IDITAROD SLED DOG RACE

● Mr. BURNS. I rise today to bring attention to Doug Swingley's second victory in the Alaskan Iditarod. Doug hails from Simms, Montana, where he raises and trains his dogs.

As you all know, the Alaskan Iditarod is a grueling dog sled race from Anchorage to Nome, Alaska. The race covers 1,161 miles and is run in some of the harshest weather in the world.

Doug Swingley began mushing in 1989 with plans of running the Iditarod. He ran his first Iditarod in 1992 and was the top-placing rookie hat year. He has competed in every Iditarod race since 1992 and won the event for the first time in only his third attempt. I am sure that Doug's second victory will disappoint my good friends Senators STEVENS and MURKOWSKI, because Doug is the only non-Alaskan to win the Iditarod. He has proven that a kid from Montana can take on our friends from the North and beat them at their own game and win.

Like his first victory, Doug pulled his team away from the competition, and showed incredible speed through the final stages of this demanding race. I am impressed by his dedication and hard work, and I am proud to know that Montana is full of people like Doug.●

EDUCATION FLEXIBILITY PARTNERSHIP ACT

● Mr. FRIST. Mr. President, as the primary sponsor of S. 280, the Education Flexibility Partnership Act (Ed-Flex), I am pleased that the Senate passed this legislation by a 98 to 1 margin on March 11, 1999. In addition, the House of Representatives passed the companion bill on the same day by a vote of 330 to 90. This bicameral, bipartisan support for Ed-Flex is a positive first step for education reform in the 106th Congress.

This first step in education reform is desperately needed. Critics of our education system note that the federal government provides only seven percent of funds in education, but requires 50 percent of the paperwork. In addition, more often than not, well-intentioned federal programs come with stringent regulations and directives which tie the hands of school officials and teachers. As the Chairman of the Senate Budget Committee's Task Force on Education, I have heard the pleas from states and localities for greater flexibility in administering federal programs in exchange for increased accountability. This theme has been echoed as I travel around Tennessee visiting schools and holding education roundtable discussions for teachers, principals, superintendents, parents, school board officials, and other interested members of the community.

The First Ed-Flex bill passed by Congress will provide greater flexibility coupled with increased accountability for our nation's schools. Specifically, this bill will allow every state the option to participate in the enormously popular Ed-Flex demonstration program already in place in twelve states. The twelve state currently participating in the program are: Colorado, Illinois, Iowa, Kansas, Maryland, Massachusetts, Michigan, New Mexico, Ohio, Oregon, Texas, and Vermont.

Ed-Flex frees responsible states from the burden of unnecessary, time-consuming federal regulations, so long as states are complying with certain core federal principles, such as civil rights, and so long as states are making progress toward improving their students' performance. Under the Ed-Flex program, the Department of Education delegates to the states its power to grant individual school districts temporary waivers from certain federal requirements that interfere with state and local efforts to improve education. To be eligible, a state must waive its own regulations on schools. It must also hold schools accountable for results by setting academic standards and measuring student performance. Using this accountability system, states are required to monitor the performance of local education agencies and schools that have received waivers, including the performance of students affected by these waivers. At any time, either the state or the Secretary of Education can terminate a waiver.

The twelve states that currently participate in Ed-Flex have used this flexibility to allow school districts innovate and better use federal resources to improve students outcomes. For instance, the Phelps Luck Elementary School in Howard County, Maryland used its waiver to provide one-on-one tutoring for reading students who have the greatest need in grade 1–5. They also used their waiver to lower the average student/teacher ratio in mathematics and reading form 25/1 to 12/1.

A Texas statewide waiver to allow more flexible use of Federal teacher training funds has allowed districts to better direct professional development dollars to those areas where they are needed most. In Massachusetts, a school that had been eligible for Title I funding in the past was ineligible for the 1997–98 school year, but was expected to be eligible again for 1998–99. Massachusetts was able to use Ed-Flex waiver authority to give the school a one-year waiver and assure continuity of service rather than disrupt services for a year.

Support for Ed-Flex is broad. The President has called for Ed-Flex expansion, as well as others including the Secretary of Education, the National Governors' Association, the Democratic Governors' Association, the U.S. Chamber of Commerce, the National Education Association, and the National School Boards Association.

Ed-Flex is a move in the right direction. We must empower States and localities by giving them the flexibility they need to best combine Federal resources with State and local reform efforts. I am pleased that the 106th Congress has acted quickly on my bill to ensure that every State will have the opportunity to participate in this successful program. Ed-Flex is a commonsense, bipartisan plan that will give States and localities the flexibility that they need while holding them accountable for producing results.

Now, the challenge for this Congress is to build on Ed-Flex's themes: flexibility and accountability. As we consider the Reauthorization of the Elementary and Secondary Education Act later this year, we must continue the push to cut red tape and remove overly-prescriptive Federal mandates on Federal education funding. At the same time, we must hold States and local schools accountable for increasing student achievement. Flexibility, combined with accountability, must be our objective. The end result of our reform effort must spark innovation—innovation designed to provide all students a world-class education.●

TRADE FAIRNESS ACT OF 1999

● Mr. ABRAHAM. Mr. President, I rise to cosponsor S. 261, the Trade Fairness Act of 1999. I believe this legislation is crucial to our attempts to save American jobs from unfair competition and dumping.

Specifically, Mr. President, we must implement this legislation to protect our steelworkers from imports dumped into our domestic markets by our Russian, Asian and Brazilian competitors.

American steelworkers have proven that they are our nation's backbone. They provide the materials on which our shipping, manufacturing, indeed our entire industrial base rely. In my state's Upper Peninsula two mines, the Tilden and the Empire, employ almost 2,000 Michiganians. Last year the workers in these mines produced over 15 million tons of iron ore pellets. They paid $8 million in taxes. Time and again they have stood up for America, and it is time for America to stand up for them.

We must stand up for these hard working men and women, Mr. President, because they face a very real threat to their livelihoods. Let me cite a few numbers. By October of last year Japan had already doubled its imports to the United States from the year before. Just in that month of October, Japan sent 882,000 tons of steel to the United States, an all-time record. Finally, in that month alone 4.1 million net tons of steel were imported to the United States.

The reasons for this steep increase in imports are threefold. First, the Federal Reserve's longstanding tight money policy produced actual deflation in commodity prices, deflation from which our steel industry has yet to recover. Second, the Asian, Russian and Brazilian economic crises are forcing those countries to rely on exports to keep their economies afloat. The U.S. is the world's biggest market, and so they have targeted us. Third, the International Monetary Fund convinced these countries to raise interest rates and devalue currencies, which allowed their steel to undercut our prices.

Combined, these factors have encouraged the unfair trade practice of dumping, selling steel in the United States at prices below the cost of production. This practice threatens disastrous consequences for our steelworkers and for

our economy. Already, Mr. President, 10,000 workers have been laid off, with more than twice that many put on reduced hours.

We cannot stand by while American workers lose their jobs. We cannot abide the unfair trade practice of dumping. We have worked hard—these men and women have worked hard—to build a prosperous America. We cannot sacrifice them to pay for bureaucrats' mistakes, be they in Washington, Tokyo, or Moscow.

Mr. President, I have never made a secret of my strong, free-trade views. But free trade must also be fair trade. Our laws already recognize this principle. After all, we already have trade laws on the books intended to deal with these kinds of issues. It is time to enforce them. In addition, however, I believe the fact that these trade laws are not being enforced shows the need for reform.

That is why I am cosponsoring the Trade Fairness Act. This legislation will lower the threshold for establishing injury to our industries so that we may more effectively protect them from unfair trade practices.

Under this law imports that have a causal link to substantial injury in an industry will trigger action. Substantial injury will be determined by the International Trade Commission, considering ''the rate and amount of the increase in imports of the product concerned in absolute and relative terms; the share of the domestic market taken by increased imports; changes in the levels of sales, production, productivity, capacity utilization, profits and losses, and employment.''

In addition, this legislation establishes a comprehensive steel import permit and monitoring program modeled on similar systems in Canada and Mexico. The program would require importers to provide information regarding country of origin, quantity, value, and Harmonized Traffic Schedule number. The legislation also requires the Administration to release the data collected to the public in aggregate form on an expedited basis.

The information provided by the licensing program will allow the Commerce Department and the steel industry to monitor the influx of steel imports into the U.S. Presently, it is very difficult to obtain timely information regarding the volume of steel that enters the country. It usually take 2–3 months before specific figures can be obtained. This makes it very difficult to gauge the extent of the problem when the damage is occurring.

Mr. President, this legislation provides us with the tools we need to protect working Americans from unfair foreign competition. It will prevent undue hardship while upholding the standards of free, fair and open trade.

I urge my colleagues to support this important legislation.●

AUTHORIZING LEGAL REPRESENTATION IN DIRK S. DIXON, ET AL. VERSUS BRUCE PEARSON, ET AL.

AUTHORIZING LEGAL REPRESENTATION IN UNITED STATES VERSUS YAH LIN ''CHARLIE'' TRIE

AUTHORIZING REPRESENTATION OF SECRETARY OF THE SENATE IN BOB SCHAFFER, ET AL. VERSUS WILLIAM JEFFERSON CLINTON, ET AL.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate now proceed en bloc to the immediate consideration of 3 legal counsel resolutions which are at the desk and numbered as follows: S. Res. 65, S. Res. 66, and S. Res. 67.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate proceeded to consider the resolutions.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and statements of explanation appear at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 65) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 65

Whereas, in the case of *Dirk S. Dixon, et al.* v. *Bruce Pearson, et al.,* Civil No. 97–998 (Cass Cty., N.D.) pending in North Dakota state court, testimony has been requested from Kevin Carvell and Judy Steffes, employees of Senator Byron L. Dorgan;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288(a) and 288(a)(2), the Senate may direct its counsel to represent Senators and employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved, That Kevin Carvell, Judy Steffes, and any other former or current Senate employee from whom testimony or document production may be required, are authorized to testify and produce documents in the case of *Dirk S. Dixon, et al.* v. *Bruce Pearson, et al.,* except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Senator Byron L. Dorgan, Kevin Carvell, Judy Steffes, and any other Member or employee of the Senate from whom testimony or document production may be required in connection with the case of *Dirk S. Dixon, et al.* v. *Bruce Pearson, et al.*

Mr. LOTT. Mr. President, S. Res. 65 concerns a request for testimony in a civil action pending in North Dakota state court. The plaintiffs in this case claim that defendant Pearson defrauded them into paying him money in return for promises to alleviate plaintiff' tax liability on an investment. In particular, plaintiffs claim that defendant Pearson misrepresented the frequency and nature of his contacts with two members of Senator DORGAN's staff. Counsel for the plaintiffs wish to depose the two staff members to test the accuracy of the defendant's representations about their meetings. Senator DORGAN has approved testimony and, if necessary, production of relevant documents by his staff in connection with this action.

This resolution would permit these two members of Senator DORGAN's staff, or any other current or former employees of the Senate, to testify and produce documents for use in this case.

The resolution (S. Res. 66) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 66

Whereas, in the case of *United States* v. *Yah Lin ''Charlie'' Trie,* Criminal No. LR–CR–98–239, pending in the United States District Court for the Eastern District of Arkansas, documentary and testimonial evidence are being sought from the Committee on Governmental Affairs;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved, That the chairman and ranking minority member of the Committee on Governmental Affairs, acting jointly, are authorized to produce records of the Committee, and present and former employees of the Committee from whom testimony is required are authorized to testify, in the case of *United States* v. *Yah Lin ''Charlie'' Trie,* except concerning matters for which a privilege should be asserted.

SEC. 2. That the Senate Legal Counsel is authorized to represent present and former employees of the Senate in connection with the testimony authorized in section one.

Mr. LOTT. Mr. President, S. Res. 66 concerns a request for testimony in a criminal trial brought on behalf of the United States against Yah Lin ''Charlie'' Trie, in the United States District Court for the Eastern District of Arkansas. Mr. Trie, who was one of the

principal subjects of the campaign finance investigation conducted by the Committee on Governmental Affairs in 1997, is under indictment for obstructing the Committee's investigation, according to the indictment, by instructing another individual to destroy and withhold documents under subpoena by the Committee.

This resolution would authorize present and former staff of the Committee to testify in this matter, which is scheduled for trial in April 1999, with representation by the Senate Legal Counsel, and would authorize the chairman and ranking minority member of the Committee, acting jointly, to produce records of the Committee, except where a privilege should be asserted.

The resolution (S. Res. 67) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 67

Whereas, in the case of *Bob Schaffer, et al.* v. *William Jefferson Clinton, et al.*, C.A. No. 99–K–201, pending in the United States District Court for the District of Colorado, the plaintiffs have named the Secretary of the Senate as a defendant;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend officers of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the Secretary of the Senate in the Case of *Bob Schaffer, et al.* v. *William Jefferson Clinton, et al.*

Mr. LOTT. Mr. President, S. Res. 67 concerns a civil action commenced in the United States District Court for the District of Colorado by Representative BOB SCHAFFER and three other individuals against the President of the United States, the Secretary of the Treasury, the Secretary of the Senate, and the Clerk of the House, seeking judicial intervention in the payment of salaries to Members of both Houses.

The action seeks declaratory and injunctive relief against the operation of the Ethics Reform Act of 1989, which provides for the automatic adjustment of the compensation of Members of Congress on an annual basis to reflect changes in employment costs in the preceding year, as calculated by the Bureau of Labor Statistics. This is the same annual cost-of-living adjustment paid to Federal judges and senior executive branch officials and is timed to coincide with the annual January 1 adjustment of the general civil service schedule. The issue presented in this action was the subject of a lawsuit brought in 1992 by another Member of the House of Representatives, who sought unsuccessfully to enjoin the 1993 congressional COLA, based on the then newly-ratified 27th Amendment.

This resolution authorizes the Senate Legal Counsel to represent the Secretary of the Senate and to seek dismissal of this action in order to defend the Secretary's ability to continue to carry out his duty under the law to disburse congressional compensation payable pursuant to the Constitution and Federal statute.

CONTINUED CONSIDERATION OF THE NOMINATION OF DAVID WILLIAMS

Mr. BROWNBACK. Mr. President, as in executive session, I ask unanimous consent that the Governmental Affairs Committee be allowed continued consideration of the nomination of David Williams for Treasury Inspector General for Tax Administration until April 6, 1999. I further ask that if the nomination is not reported on or by that date, the nomination be immediately discharged and placed back on the Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Nos. 8 and 14.

I finally ask unanimous consent that the nominations be confirmed; that the motion to reconsider be laid upon the table; that any statements relating to the nominations appear at the appropriate place in the RECORDThere being no objection, the I21 was ordered to be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

DEPARTMENT OF ENERGY

T.J. Glauthier, of California, to be Deputy Secretary of Energy.

SMALL BUSINESS ADMINISTRATION

Phyllis K. Fong, of Maryland, to be Inspector General, Small Business Administration.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR THURSDAY, MARCH 18, 1999

Mr. BROWNBACK. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Thursday, March 18. I further ask that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved, and the Senate then resume consideration of the Specter amendment to S. 544, the supplemental appropriations bill, under the provisions of the previous consent agreement.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BROWNBACK. Mr. President, for the information of all Senators, the Senate will reconvene at 9:30 a.m. and immediately resume consideration of the Specter amendment, with 90 minutes remaining for debate equally divided. At the conclusion of debate time, approximately 11 a.m., the Senate will vote on, or in relation to, the amendment. Following that vote, Senator HUTCHISON of Texas will be recognized to offer her amendment relative to Kosovo. Further amendments may be offered during Thursday's session to the supplemental bill, with the hope of finishing the bill by early evening. Therefore, Members should expect rollcall votes throughout Thursday's session, with the first vote beginning at 11 a.m.

ST. PATRICK, PATRON SAINT OF IRELAND

Mr. BROWNBACK. Mr. President, today is St. Patrick's Day. It is interesting to me that when people think of St. Patrick's Day, they think of Irish, of Ireland and green and spring and those sorts of things, much more than we think of St. Patrick.

I was looking up today and asking for some information on St. Patrick himself.

St. Patrick of Ireland—this is on a web site. It is fascinating. I do not think most people realize about St. Patrick, but he is one of the world's most popular saints, as people know, along with St. Nicholas and St. Valentine. The day is one cherished by everyone, particularly the Irish.

There are many legends and stories of St. Patrick. This is his story. I will go through it briefly.

He was born around 385 in Scotland, probably Kilpatrick. His parents were Romans living in Britain in charge of the colonies. As a boy of 14 or so, he was captured during a raiding party and taken to Ireland as a slave to herd and tend sheep. Ireland at this time was a land of Druids and pagans. He learned the language and practices of the people who held him.

During his captivity, he turned to God in prayer, and he wrote:

> The love of God and his fear grew in me more and more, as did the faith, and my soul was rosed, so that, in a single day, I have said as many as a hundred prayers and in the night, nearly the same.
>
> I prayed in the woods and on the mountains, even before dawn. I felt no hurt from the snow or ice or rain.

Patrick's captivity lasted until he was 20, when he escaped after having a dream from God in which he was told

to leave Ireland by going to the coast. There he found some sailors who took him back to Britain, where he was reunited with his family.

He had another dream—and this is just fascinating and miraculous to me—in which the people of Ireland were calling out to him, ''We beg you, holy youth, to come and walk among us once more.'' This, again, was the land where he was enslaved and from which he escaped.

He began his studies for the priesthood. He was ordained by St. Germanus, the Bishop of Auxerre, whom he studied under for years.

Later, Patrick was ordained a bishop and was sent to take the Gospel to Ireland where he had been enslaved. He arrived in Ireland on March 25, 433. One legend says that he met a chieftain of one of the tribes who tried to kill Patrick. He converted the chieftain after he was unable to move his arm and so he became friendly to Patrick.

Patrick began preaching the Gospel throughout Ireland, converting many. He and his disciples preached and converted thousands and began building churches all over the country. Kings, their families, and entire kingdoms converted to Christianity when hearing Patrick's message.

Patrick by now had many disciples, several of whom were later canonized, as was St. Patrick.

Patrick preached and converted all of Ireland for many years. He worked many miracles and wrote of his love for God in confessions. After years of living in poverty, traveling, and enduring much suffering, he died March 17, 461. He died at Saul, where he had built the first church.

That is the story of St. Patrick, the patron saint of Ireland.

ORDER FOR ADJOURNMENT

Mr. BROWNBACK. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment, under the previous order, following the remarks of Senator FRIST.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. 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. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO ROBERT LAWRENCE INMAN

Mr. FRIST. Mr. President, on March 4, 1999, Robert Lawrence Inman, or ''Coach Inman,'' as he was known to his friends—and everyone who ever met him was his friend—''slipped the surly bonds of earth,'' and, I am sure, passed into the waiting arms of his Lord and Savior.

He left behind a loving family. He left behind a grateful community. He left behind two generations of Nashville youth, including my own, who learned much more from Coach Inman than how to succeed on the athletic field.

They learned that kindness is contagious, that a smile is a wonderful gift, that the path to success is paved not with lesson plans and study guides but with encouragement and with support. They learned that life is not about just winning or losing, but about being the best that you possibly can be.

At his funeral last Saturday, at the First Methodist Church in Franklin, TN, the pews were literally packed with people whose lives he had touched in so many personal ways: Fellow teachers from the Ensworth School in Nashville, where he taught for over 30 years, fellow coaches from the Harpeth Valley Athletic Conference—a local sports league he founded for seventh and eighth graders—and family and friends and, of course, students, young and old. For almost all of them, graduation was not the end of their friendship; it continued through college and through marriage and through children of their own.

They literally packed the pews; they lined the walls; they billowed over from the balcony; they crammed the choir loft; they spilled out into the vestibule and literally overflowed into the street—all in an outpouring of love and enthusiasm for a man whose love for children was boundless.

What made him so special? Students of all ages who remembered him last week answered that question far better than I ever could. Their words:

> He was always smiling. His smile alone would make you feel better.

Another said,

> He always had a story to tell to motivate you—and if he didn't, he'd make one up.

Said another,

> He liked to tell jokes and play tricks to make you laugh.

And yet another,

> He always showed he cared—whether it was just a word of welcome, or something much more serious—like tending to injuries in body and spirit.

Realizing that learning does not just end at the school door, Coach Inman started a tradition of outdoor education, initially in the glorious mountains over East Tennessee. There were camping trips with students, all where the students could practice problem-solving or study the stars or really just be together and have a good time.

When some of his students suggested that, ''Well, we should have one more outing after graduation,'' then began the famous Inman ''Out West'' trip, an excursion into the truly great outdoors of Mount Rushmore and the Grand Canyon and the Redwood Forest.

Each summer these trips would be the focal point for scores of children. In fact, several of the Frist family children, including my own son Harrison, shared Coach Inman's ''Out West'' adventure—a time that I know they will never forget.

What did they learn from him? Well, in the words of one little girl:

> I learned how special it is to stand at the top of the Grand Canyon and realize that—like the water—if we try hard enough, and stay at it long enough, we too can create our own wonders. . . .
>
> I learned that—every now and then—you should stop to look at an old tree because it has learned how to reach up to the clouds and still keep its roots in the earth. . . .
>
> I learned that beauty is everywhere . . . how nice it feels to fall asleep to the sound of a stream . . . how bright the moon can look from the top of a mountain.
>
> I learned that there is a way to teach people without lecturing, and that sharing with someone who you are and where you've been is one of the best gifts that you can give. . . .
>
> I learned that love isn't about conditions . . . that there are good people in the world.

And she continued:

> If it hadn't been for Coach Inman, his words wouldn't be the ones I still hear when I'm afraid or nervous telling me that I can do anything and that there are people who will support me—even if I fall.
>
> If I could build a mountain, or paint a sky to tell him how much a part of my life he is, then the mountain would stretch out past the clouds and the sky would be the color of smiles and laughter and it would tell him that I love him.

Mr. President, children weren't the only ones who appreciated Robert Inman. He was six times honored by the Peabody College of Vanderbilt University as an outstanding educator. Singer Amy Grant—herself a former Inman student—donated the funds necessary to refurbish the Ensworth Elementary gym on the condition it be named for Coach Inman.

Commenting on this gift at his funeral, his friend and fellow teacher, Nathan Sawyer, noted that the Egyptian pharaohs believed that if their names were written somewhere they would live forever. Thus, he said, every time a stranger sees that name over the gym and asks who it was that was so honored, the Robert Inman story will begin again.

True enough. But I think he needn't worry. For as the poet Albert Pike said:

> What we have done for ourselves alone dies with us; what we have done for others and the world remains and is immortal.

At a time when there is so much concern about the state of American education, so much concern about the quality of teachers, the lack of good and virtuous example, it is reassuring to know that there was a teacher of the caliber and the character of Robert Inman.

To his loving wife, Helen—who shared his life and his passion for children—and to their three wonderful sons, Michael, Matthew, and John—our love and support. Although Coach Inman is no longer with us, his memory will live on in the inscription over the gym, on the football fields, on the

basketball courts, at the wrestling matches, at the track meets, but most of all in the minds and in the spirits and the hearts of all the children he touched; children who, indeed, are better people because there was a teacher who cared, a teacher named Robert Lawrence Inman.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 9:30 a.m., Thursday, March 18, 1999.

Thereupon, the Senate, at 6:52 p.m., adjourned until Thursday, March 18, 1999, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 17, 1999:

DEPARTMENT OF ENERGY

T.J. GLAUTHIER, OF CALIFORNIA, TO BE DEPUTY SECRETARY OF ENERGY.

SMALL BUSINESS ADMINISTRATION

PHYLLIS K. FONG, OF MARYLAND, TO BE INSPECTOR GENERAL, SMALL BUSINESS ADMINISTRATION.

EXTENSIONS OF REMARKS

BOSTON IRISH FAMINE MEMORIAL

HON. JOHN JOSEPH MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. MOAKLEY. Mr. Speaker, it is fitting that on the feast on St. Patrick I rise to pay tribute to the Irish community of Boston and Massachusetts for building a poignant memorial to commemorate the 150th anniversary of the Irish Famine. The Boston Irish Famine Memorial sits at the corner of Washington and School Streets, near Downtown Crossing, just a few blocks from where Famine Irish refugees originally settled in the 1840s. The memorial's place along the city's Freedom trail serves as a constant reminder of what the Irish and others sought when they braved oceans and continents to reach the United States of America.

Ireland's Famine, which lasted from 1845 to 1849, drove over 100,000 Irish refugees to the shores of Boston, where they arrived impoverished, sick, and traumatized by one of the great catastrophes of the 19th Century. Their rise from famine to fame is one of the great American success stories.

The Boston Irish Famine Memorial committee was headed by Thomas J. Flatley, an Irish immigrant who came to this country in 1950 from County Mayo. Mr. Flatley's reputation as a generous contributor to and tireless advocate of Irish and religious causes is well know in Massachusetts. He and his committee were able to draw upon hundreds of friends from the greater Boston community to raise one million dollars to build the park. Donations came from individuals and large corporations alike, and ranged from $5,000 to $50,000.

The committee was comprised of leading members of greater Boston's Irish community, and included college presidents and bank presidents, professors and writers, musicians and artists, and representatives of the major Irish Organizations throughout the state.

Massachusetts artist Robert Shure designed the Memorial, which features twin bronze statues depicting the odyssey of the Irish immigrant from tragedy to triumph. Mr. Shure is a well-regarded artist whose works include the bust of George Washington at the Washington Memorial in Washington, as well as the Korean War Memorial in the Charleston Navy Yard, Boston.

The unveiling of the Boston Irish Famine Memorial last June 28 attracted over 7,000 people, and included Ireland's Minister of State Seamus Brennan, Ireland's Ambassador to the United States Sean O Huiginn, Massachusetts Governor Paul Cellucci and Boston Mayor Thomas Menino. Bernard Cardinal Law, head of Boston's Catholic Archdiocese, blessed the memorial. Also present that day were the ordinary people of Boston's neighborhoods—South Boston, Charlestown, Dorchester, Brighton—many of them descendants of the Famine generation. For the, it was a day of remembrance and redemption.

It is worth noting that the committee invited representatives from the African, Asian, and Jewish communities to participate in the ceremonies. The Irish Memorial is more than the story of the Irish succeeding in the United States, it is a parable of becoming American. Since the unveiling, thousands of people from all walks of life have visited the Memorial, to reflect upon the story it represents. Last October Ireland's President Mary McAleese visited the site while in Boston.

The committee's success in building this memorial park in just over two years will soon be matched by the second phase of its humane and practical mission. It is currently working to establish an Irish Famine Institute in Boston to raise relief funds for people in countries still afflicted by famine around the world today. The Institute will also seek to honor missionaries and health care workers toiling in famine countries in the spirit of the late Mother Theresa.

''The Irish love to help others in need,'' Flatley says. ''We want the Institute to serve as a beacon of hope for those people still suffering from hunger and disease a full century and a half after Ireland's Great Huger occurred. The Institute will give to others what the Irish themselves sought when they came to Boston—compassion and a helping hand''

These words underscore the spirit of the Irish community of Massachusetts and indeed Irish people everywhere. I offer my heartfelt thanks and congratulations to the Boston Irish Famine Memorial committee for this tremendous undertaking.

TRIBUTE TO HERBERT M. TANZMAN

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. PALLONE. Mr. Speaker, on Thursday, March 25, the Highland Park Conservative Temple and Center will present the coveted Chaver Award for exemplary community service to Mr. Herbert M. Tanzman. I am honored to join the Temple in paying tribute to Mr. Tanzman, a leader in civic and Jewish community affairs for many years.

Herbert Tanzman's association with and service to the Highland Park Conservative Temple and Center goes back to his Bar Mitzvah in 1935. In the years since, he has been a member of the Board of Trustees for 44 years, has held the posts of Vice President and Temple Finance Committee Chairman, participated on the Rabbinical Search Committees, and has serve for over 40 years as Gabbai. In recognition of this life of service, he was named to the select group of honorary Life Members of the Board of Trustees.

Beginning with the time he served his country in World War II, Herbert Tanzman has maintained a distinguished legacy of community service. For his service in WWII's Naval Aviation unit, Mr. Tanzman was awarded the Navy Air Medal. A combat veteran of the Battle of Iwo Jima, he has served as Commander of the Veterans Alliance, Commander of Jewish War Veterans Post 133 (New Brunswick, NJ), member of the National Executive Committee of the JWV, National Representative and National Foreign Affairs Chair of JWV of the USA, and Executive Board member of the Navy League.

Mr. Tanzman has demonstrated his leadership through every facet of his life. He has enjoyed a successful career as director for the Real Estate firm of Jacobson, Goldfarb and Tanzman Associates. He rose to the ranks of leadership in his profession to President of the New Jersey Real Estate Commission. He also demonstrated his commitment to his community as a Councilman and Mayor of Highland Park. He served on the State of New Jersey County and Municipal Government Study Commission, and the Board of Directors of the New Jersey State League of Municipalities.

In his tireless efforts to further the causes of human rights, the dignity of the individual, inter-group relations, and a prosperous community for all, Mr. Tanzman has been affiliated with a diverse range of organizations and causes. He has been active in the Job Corps, United Community Services and the Raritan Valley United Jewish Appeal. He has served as the National Liaison Officer to the Catholic War Veterans, and as National Civil Rights Chairman and National Legislative Chairman and National Chairman of American Indian Affairs. He has helped to build the civic life of his community and his country as a member of the Executive Committee and Board of Directors of United Community Services, Trustee of the Middlesex-Somerset Chapter of the Multiple Sclerosis Association, Board member of Job Corps, member of the Board of Directors of YMHA, Chairman of the Building Fund Campaign, and member of the Board of Directors of the Central New Jersey Jewish Home for the Aged. He currently serves as National Vice Chairman and National Campaign Cabinet Member of Israel Bonds, and has served as an Executive Board member of the Greater Monmouth Jewish Federation. He is also President of the Ocean Cove Condominium Association in West End, NJ.

Mr. Tanzman is the recipient of the Jerusalem Covenant Award, the Humanitarian Award of the National Conference of Christians and Jews, the Ben Gurion Award, Israel's coveted Sword of the Haganah Award for record-breaking achievement in bond sales, and, together with his son, Roy, the Family Achievement Award of the State of Israel Bonds, which he received last year at the International Prime Ministers Club dinner in Palm Beach, Florida.

He and his wife, the former Mildred Siegel, have been married for over fifty years and are the parents of three children and grandparents of seven. Roy Tanzman, an attorney, is married to Brenda, and they are the parents of Jill and Brett. Roy and Brenda are previous recipients of the Chaver Award. Jeffrey Tanzman, a

chiropractor, and his wife Micki (Cohava) are the parents of Danielle, Arielle, Aviv and Shira. Their daughter, Maxine, a psychotherapist, is the wife of Jack Bock and they are the parents of Noah.

Mr. Speaker, Herbert Tanzman has dedicated much of his life to serving others. His dedication to family, community and country, and his abiding love and devotion to serving the Jewish people and the State of Israel, are exemplary, and inspiration to us all. It is an honor for me to pay tribute to this outstanding leader and to wish him continued happiness and success.

PERSONAL EXPLANATION

HON. JOHN N. HOSTETTLER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. HOSTETTLER. Mr. Speaker, on rollcall vote No. 51, I was on official Congressional business in Russia, and could not be present. Had I been present, I would have voted ''nay'' on this vote to pass H.R. 774.

COMMEMORATING THE 20TH ANNIVERSARY OF THE TAIWAN RELATIONS ACT, H. CON. RES. 56

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. GILMAN. Mr. Speaker, I am proud to introduce today a resolution commemorating the 20th anniversary of the Taiwan Relations Act (TRA). It is right and fitting that the House of Representatives makes note of this important piece of legislation which serves as the basis for continued commercial, cultural, security and other relations between the United States and Taiwan.

The Taiwan Relations Act was passed into law on April 10, 1979 and has served as a critical element in preserving and promoting ties between the United States and Taiwan. The TRA has been instrumental in maintaining peace and stability in the Taiwan Strait since its enactment in 1979. It is my hope that the TRA will continue to serve to ensure that the future of Taiwan be determined by peaceful means. Regrettably, the People's Republic of China (PRC) has refused to renounce the use of force against Taiwan.

The United States is pleased with the flourishing on Taiwan of a fully-fledged, multi-party, democracy fully respecting human rights and civil liberties. It is hoped that Taiwan will serve as an example to the PRC and others in the region in this regard and will encourage progress in the furthering of democratic principles and practices, respect for human rights, and the enhancement of the rule of law.

The Congress looks forward to a broadening and deepening of friendship and cooperation with Taiwan in the years ahead for the mutual benefit of the peoples of the United States and Taiwan.

I am pleased to have this opportunity to introduce this legislation and invite my colleagues in the House of Representatives to support this Resolution commemorating this distinctive piece of legislation and the unique ties between the peoples of the United States and Taiwan.

HONORING MARIAH MARTIN

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. SCHAFFER. Mr. Speaker, today I recognize a young student for her devotion and award-winning community service. On February 4, 1999, Mariah Martin was named one of Colorado's top honorees in the 1999 Prudential Spirit Awards program, an annual honor bestowed upon the most impressive student volunteers.

Mariah is a seventeen-year-old junior attending Poudre High School in Fort Collins, Colorado. Although her own education is foremost, Mariah divides her free time educating area youth. As a member of the Moose International Youth Awareness Program, Mariah has the opportunity to work with many different children's programs. Through these meetings, Mariah realized the importance of teaching positive lifestyles at an early age. As a result, Mariah took the initiative in designing her own curriculum. In January of 1998 her ideas were presented in the form of a nine-week education and self-esteem program for second grade students. The program includes activities on self-esteem, drug and alcohol prevention, smart decision making, healthy habits, problem solving and violence prevention. Success has led Mariah and her program to be invited into five more classes of second grade students.

At a time when many statistics suggest a downward trend in youth community service, the Prudential Spirit of Community Award creates a positive influence in honoring and rewarding outstanding individuals like Mariah. In only four years, the program has become the nation's largest youth recognition effort based solely on community service, with more than 50,000 youngsters participating. Programs such as Prudential's, reinforce community service at an early age.

Mr. Speaker, it is my privilege to congratulate Mariah Martin and all of the Prudential Spirit of Community Awards winners. With confidence, I look forward to their leadership in America.

CONGRATULATING FRESNO CRIME STOPPERS

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to introduce a Fresno Bee article on the Fresno Crime Stoppers. Crime Stoppers has been a valuable asset in fighting crime in Fresno.

''A televised Fresno Crime Stoppers recently won first place for best re-enactment of a crime for cities with a population of 250,000 to 1 million in a worldwide competition.

More than 300 cities around the world took part in the contest, judged by Crime Stoppers International, which rates entries on their creativity and authenticity. The Fresno entry was a re-enactment of robbery and homicide at the Ritz Bar in Fowler last year. Two representatives of Crime Stoppers received a plaque at the Crime Stoppers conferences in Gillette, Wyoming.

Crime Stoppers is published in The Fresno Bee to help Fresno County law enforcement agencies capture crime suspects. The Bee features a Crime Stoppers page, which began in January 1998, and is published every other month. The Full-page Crime Stoppers layout contains names and photographs of the 24 most wanted suspects sought by Fresno County's law enforcement agencies and a 24-hour confidential hot line to report tips.

In July 1998, the Crime Stoppers hot line led to the arrests of 27 fugitives. The suspects were arrested on charges ranging from spousal abuse to drug sales to assault with a deadly weapon. Tipsters collected $3,600 in rewards. Callers who provide anonymous tips that lead to arrests can collect as much as $1,000 in reward money. Callers are not required to testify in court.

Mr. Speaker, I rise today to introduce The Fresno Bee article, ''Fresno Crime Stoppers Wins First-place Award.'' This Organization is a valuable asset to Fresno. I urge my colleagues to join me in wishing the Fresno Crime Stoppers many years of continued success.

IN MEMORY OF SISTER LEONA NIEBERDING

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor the memory of one of the most influential teachers of my life, Sister Leona Nieberding.

Sister Leona entered the Congregation of St. Joseph from St. Ignatius parish when she was 18 years old. Two years later, she was given her first teaching assignment at St. Joseph school in Canton, Ohio. This began a life of total dedication to the ministry of the education of young people. Over her 77 years as an educator, she taught at five different schools in the Cleveland area: St. Joseph, St. Vincent de Paul, St. Aloysius, St. Ignatius, and St. Angela Merici. She also served as principal at St. Aloysius and St. Vincent de Paul.

Sister Leona worked hard to prepare young people for life, guiding them spiritually as well as intellectually. She demonstrated to her students the practical applications of spiritual guidance and ethical conduct in everyday life. Sister Leona was known for her devotion to young people and her insistence that they understand the importance of education and live up to her high expectations of them. In 1979, the Kiwanis Club of Fairview Park recognized her outstanding efforts by honoring her as the ''Teacher of the Year.''

Sister Leona, however, never sought credit for her deeds. She often organized the resources of her parish to ensure that the needy families were provided with food and clothes, without taking any credit for the work. These selfless personal efforts did not go unnoticed. Her service is in the finest tradition of nuns of

the Congregation of Saint Joseph, who dedicate their lives to serving God and their fellow parishioners.

Throughout her 96 years, Sister Leona touched the hearts and souls of many. We have suffered a great loss in her passing, but those of us who were lucky enough to have known her are better people for having shared in her special gifts. Sister Leona will never be forgotten.

THE INTER–AMERICAN DEVELOPMENT BANK: HELPING TO EXPAND OPPORTUNITIES IN THE HEMISPHERE

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Ms. ROS-LEHTINEN. Mr. Speaker, the Inter-American Development Bank was established in 1959 with the purpose of helping to develop economic markets in Latin America and the Caribbean. Its original membership included 19 Latin American and Caribbean countries and the United States. Today, it boasts a membership of 46 countries, 28 within the region and 18 in Europe, Asia, and the Middle East. The Bank has committed itself to financing projects that seek to improve the lives of our neighbors within the region by promoting small business, supporting state modernization projects with the purpose of strengthening democratic systems, and complementing ongoing public sector and economic reforms which focus on energy, transportation, and communications systems.

In an era of increased trade globalization and market diversification, the Inter-American Development Bank has played an essential role in helping expand competitive trade markets for Latin American and Caribbean countries. By 1997 in fact, the Bank had approved 2,456 loans totaling $84 billion to help these countries work towards economic integration. As part of the Free Trade of the Americas process, the Inter-American Development Bank had been a key force in implementing strategies to support sub-regional integration and provide support for the FTAA Working Groups.

IDB's programs have served to strengthen the Western Hemisphere by helping to expand trade, diversify exports, and increase competitiveness. As the Inter-American Development Bank celebrates its 40th year of service, I commend their dedication to mobilizing resources for the region and for its role as a catalyst for social and economic development within the Hemisphere.

CENTRAL NEW YORK WORLD WAR I VETS HONORED BY FRENCH GOVERNMENT

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. WALSH. Mr. Speaker, on Wednesday, March 24, 1999 at the Syracuse, New York Veterans Administration Medical Center, two Central New York constituents of mine, both veterans of World War I, will be honored by the French government with a presentation of the National Order of the Legion of Honor, that country's highest honor.

As Chairman of the VA/HUD Subcommittee on Appropriations, I am extremely proud to know that these American warriors will be decorated in this way for their role in winning the war on French soil. They reflect the bravery and courage of thousands of young Americans who dutifully represented our nation and freedom-loving people everywhere.

They are David Ginsburg and Eugene Lee, two men who left as teens and returned to their community in Syracuse to continue on with their lives, raise families, and cherish freedom even more—knowing that they had done their duty to country, and that they had seen the darker side of mankind, but also the rewards of valor.

In 1917, David Ginsburg, who will celebrate his 101st birthday on April 18 this year, enlisted in the National Guard 4th Ambulance Company, a unit that was part of the American Expeditionary Forces sent to Mexico to capture Pancho Villa. After returning to the U.S., the unit was sent to France while World War I raged. After the war, Mr. Ginsburg joined the Marine Corps and served for 16 years. Today he is believed to be the oldest living Marine Corps Drill Instructor. He has been an active member of the Jewish War Veterans Post 131. He returned to civilian life in Syracuse to work for more than 35 years for the Eastwood, Netherland and Seneca Dairies.

Also in 1917, Eugene Lee, who will celebrate his 100th birthday on the very day of this ceremony, enlisted in the Marine Corps. Among the first Marines sent to France, he was wounded while fighting the Germans at Belleau Wood on June 6 and 7, 1918. Following recovery, he served in Germany with the Army of Occupation. He was one of the last American troops to return home after the war. He was awarded the Purple Heart and Silver Star for Heroism. Mr. Lee returned home and worked 42 years for New York Lighting Company, which today is Niagara Mohawk.

We applaud these two individuals on the occasion of this great commemorative honor. I also want to thank the French government for making this award.

RETIREMENT TRIBUTE TO ROGER J. DOLAN

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to invite my colleagues to join me in congratulating Roger J. Dolan on the occasion of his retirement from the Central Contra Costa Sanitary District and recognizing him for his many years of dedicated public service.

Roger has enjoyed a career marked with many personal and professional achievements. During his time with the East Bay Municipal Utility District, Roger was responsible for the pilot investigation of physical, chemical, and biological processes which established the design criteria for a 120 million gallon per day high purity oxygen activated sludge process. He supervised the design of this $85 million plant, and managed its construction.

Since becoming the general manager-chief engineer of the Central Contra Costa Sanitary District in 1977, Roger Dolan has developed a nationally recognized household hazardous waste facility, and a 45 million gallon per day secondary treatment plant with sludge incineration, ultra-violet disinfection and water reclamation.

While Roger's achievements have won him the praise and respect of his colleagues and peers, these deserving benchmarks cannot overshadow his consistent commitment to environmental protection and his exemplary stewardship of our natural resources. His pursuit of technological innovation in the field of wastewater treatment and water recycling, and his promotion of scientific research into the methods of protecting the waters, fish and wildlife in the San Francisco Bay, are the hallmarks of his career for which I am most thankful.

I know I speak for all the Members of this Chamber when I wish Roger J. Dolan a very happy and healthy retirement, and when I thank him for the many contributions he has made to our community.

TRIBUTE TO CHARLES MANDEL

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. PALLONE. Mr. Speaker, on Thursday, March 25, the Highland Park Conservative Temple and Center will present the coveted Chaver Award for exemplary community service to Mr. Charles J. Mandel. This is a richly deserved honor, and I am proud to join in paying tribute to Mr. Mandel for his tireless service to the temple and to our community.

Mr. Mandel, known as Charlie to his many friends, has certainly left his mark on the temple, both in terms of the physical facility, as well as in his service to temple community. He can frequently be seen with a screwdriver or a hammer or a tape measure in his ''golden hands.'' But Charlie Mandel's fingerprints go far deeper. He has been affiliated with the Highland Park Conservative Temple and Center since 1953. After officially joining the temple in 1955, he was appointed Gabbai, and continues in that position to this day as Senior Gabbai. He was elected to the Temple Board of Trustees in 1955, and continues to serve on the board where he has also held the posts of recording secretary and financial secretary. In recognition of his loyalty and commitment, he was granted honorary life membership to the Board of Trustees, a position held by only four other people.

Mr. Mandel has been active on the Religious Committee, House Committee, Bazaar Committee, and has had the unique experiences of serving on the Rabbinical Search Committees for both Rabbi Yakov Hilsenrath and Rabbi Eliot Malomet. In addition, he was Chairman of the ''Special Fundraising Committee'' for 40 years.

Charles Mandel was born in Jersey City, where he graduated from William L. Dickson High School in 1936. He then went on to Rutgers University and received a bachelor of science degree in ceramic engineering in 1938. He served as plant manager and ceramic engineer with the Willett Company for

42 years. Following his retirement, he is continuing in his professional capacity as a consulting engineer for New Jersey Porcelain Company and Lenape Products Company in Trenton, NJ.

Mr. Mandel is a member of the New Jersey Ceramic Association, the Highland Park Committee on Aging and the Rutgers Alumni Association. Married to the former Gussie Siegel for over 58 years, they are the proud parents of three children and four grandchildren. Dr. Matthew Mandel, an endodontist, is married to Lynn and the father of Alexander. Their daughter, Madeline Crass, a school teacher, is the mother of Scott. Robert Mandel, a businessman, married to Rayne, is the father of Levi and Benjamin.

PERSONAL EXPLANATION

HON. JOHN N. HOSTETTLER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. HOSTETTLER. Mr. Speaker, on rollcall vote No. 50, I was on official Congressional business in Russia, and could not be present. Had I been present, I would have voted ''yea'' on this vote to pass H.R. 819.

SEVENTH ANNIVERSARY OF ISRAELI EMBASSY BOMBING IN ARGENTINA

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. GILMAN. Mr. Speaker, few Americans would associate Latin America with Middle East terrorism; however, the reality is that we do have Middle East terrorist activity in our very own backyard. Not long ago, I led a congressional delegation to South America, and many Members learned for the first time of Hizbollah's active presence developing funding support and other bases of operations for its international terrorist goals.

Sadly, today is the seventh anniversary of the 1992 terrorist bombing of the Israeli Embassy in Buenos Aires, Argentina. That cowardly, deadly terrorist attack took 29 lives, and injured more than 200. It has been seven years since this savage and ruthless act of terror, directed against Jewish targets in Argentina, caused the murder of these innocent victims. It destroyed the diplomatic mission of the state of Israel, plunged the largest Jewish community in South America into perpetual fear, and threatened the civilized world. In fact, this horror was compounded two years later when the AMIA Jewish community center in Buenos Aries was destroyed by a terrorist car bomb.

Both of these brutal crimes have remained unsolved. After years of investigation, little substantive progress has been made in apprehending those responsible. Accordingly, I urge the Argentinean government to vigorously continue to pursue those investigations.

Relatives of the 29 victims of the Israeli Embassy bombing, including Ralph and Helen Goldman, American citizens in New York, who lost their son David Ben Rafael in the attack, will never reclaim their loved ones, or recover from this tragic loss. Our hearts are with the Goldmans and with the other families as we memorialize their children, mothers, fathers, sons and daughters, who were killed in these bombings. The entire civilized world has been brutalized. With each act of terror, freedom and liberty suffers defeat. With every act of terrorism left unsolved, democracy and justice are diminished.

The United States remains in the forefront in the war against terrorism. We implore the international community to join in this battle. We urge Argentina to uphold global standard against international terrorism and help solve these crimes which claimed the lives of so many in the Jewish community.

We pay tribute to the victims of the Israeli Embassy and AMIA bombings. They will not be forgotten. Together we can best honor their memory by solving the crimes which claimed their lives, bringing their murders to justice, and creating an environment which assures that terror will not claim any additional victims. The U.S. has provided assistance and support to the government of Argentina in that effort.

A Jewish tradition states, ''Justice, justice shalt thou pursue.'' This is an American ideal as well as a universal humanitarian imperative.

HONORING COLORADO GIRLS STATE BASKETBALL 2A CHAMPIONS—FOWLER HIGH SCHOOL

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to extend my heartiest congratulations to the Fowler High School girls basketball team on their impressive Colorado State 2A Championship. The victory, a 57–43 win over Swink High School, was a superb contest between two talented and deserving teams. In championship competition, though, one team must emerge victorious, and Fowler proved themselves the best in their class—truly second to none.

The State 2A Championship is the highest achievement in high school basketball. This coveted trophy symbolizes more than just the team and its coach, Greg Fruhwirth, as it also represents the staunch support of the players' families, fellow students, school personnel, and the community. From now on, these people can point to the 1998–1999 girls basketball team with pride, and know they were part of a remarkable athletic endeavor. Indeed, visitors to this town and school will see a sign proclaiming the Girls State 2A Championship, and know something special had taken place there.

The Fowler basketball squad is a testament to the old adage that the team wins games, not individuals. The combined talents of these players coalesced into a dynamic and dominant basketball force. Each team member also deserves to be proud of her own role. These individuals are the kind of people who lead by example and serve as role-models. With the increasing popularity of sports among young people, local athletes are heroes to the youth in their home towns. I admire the discipline and dedication these high schoolers have shown in successfully pursuing their dream.

The memories of this storied year will last a lifetime. I encourage all involved, but especially the Fowler players, to build on this experience by dreaming bigger dreams and achieving greater successes. I offer my best wishes to this team as they move forward from their State 2A Championship to future endeavors.

CONGRATULATING MEHER CHEKERDEMIAN

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate Meher Chekerdemian on receiving the Third Annual Armenian Education Foundation's Educator of the Year Award. Mr. Chekerdemian has been an outstanding educator for many years.

The Armenian Educational Foundation (AEF) has a proud history of supporting educational causes. The AEF is on a journey to recognize the fine educators who have preformed above and beyond the call of duty, and have contributed immensely to the betterment and quality of life for Armenian students. The role that an educator plays is of critical importance to the future.

Meher Chekerdemian has spent 32 years with Fresno Unified School District as a teacher, counselor, vice-principal, and principal. He holds a bachelor of arts degree in Social Studies, a master of arts degree in Education from California State University, Fresno (CSUF) and various credentials and certificates. Currently Meher is the Executive Director of the Fresno Consolidated Charter, Association of California School Administrators and a part time faculty member at CSUF. He has been a member, vice-chair, and chairman of various education committees and councils and has served as Chairman of the Board of Regents of the Armenian Schools under the auspices of the Western Prelacy Armenian Apostolic Church. Meher is an active member of several Armenian organizations and has received many awards and honors from organizations such as the Fresno City Council PTA, Fresno City Youth Development Program, Armenian Community Schools of Fresno and Holy Trinity Armenian Apostolic Church of Fresno.

Mr. Speaker, I rise today to congratulate Meher Chekerdemian on receiving the Armenian Educational Foundation's Educator of the Year Award. Meher has been an outstanding educator for many years. I urge my colleagues to join me in wishing Meher Chekerdemian many years of continued success.

IN HONOR OF GREEK INDEPENDENCE DAY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to recognize Greek Independence Day, March 25th.

The fall of Constantinople in 1453 to the Ottoman Empire brought a halt to the important leadership role of Greeks. Their heritage

remained important, however, for others around the world. Tsarist Russia emulated the Orthodox and imperial models of Byzantium. Classical Greece offered inspiration and guideposts for the flowering of the Renaissance. And the influence of Classical Greece on the founding fathers of American independence is universally known.

During the rule of the Ottoman Empire, the Greek people never lost sight of their distinct identity and deep devotion to their Orthodox Church, whose clergy played a critical function in maintaining their language and religion. As the eighteenth century ended, the Greeks began organizing a struggle for their freedom. On March 25, 1821, Bishop Germanos called for all to join the campaign for Greek independence. Despite overwhelming odds, thousands of Greeks throughout the region responded to this inspiring call and fought heroically.

The combination of Greek sacrifice and bravery with the help of foreign volunteers succeeded by the end of the 1820s in establishing an independent Greek state. It was a struggle that caught the world's attention, in large part because of the admirable ideals of freedom and revived opportunities for a heroic peoples. We cherish and honor these same ideals today. The Greek-American community offers a cultural bridge between the two countries and takes pride that Greek ideals contributed to America's revolution before Greeks themselves had the chance to follow a related and successful campaign for freedom.

My fellow colleagues, please join me in celebrating Greek Independence Day.

CHIEF JIMMIE L. BROWN RETIRES FROM MIAMI-DADE POLICE DEPARTMENT

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to pay tribute to one of Miami-Dade County's finest, a man who has valiantly defended the streets of our cities for over thirty years, Miami-Dade County Police Chief Jimmie L. Brown.

A special celebration will soon be held in honor of Chief Brown's long devotion and commitment to defend and protect our South Florida streets. For the last 30 years, Chief Brown has served in law enforcement, his latest assignment being Chief of Special Investigations. He also serves as church pastor, radio show host, adjunct professor and consultant, always being instrumental and positively influential to many in the community. As a soldier in the U.S. Air Force, Chief Brown was awarded a Bronze Star and Air Force commendation medals for service in Vietnam.

General Robert R. Lee once said, ''duty is the sublimest word in our language. Do your duty in all things. You cannot do more. You should never wish to do less.'' These words embody the kind of exemplary life that Chief Brown conducted as he always lived a life of sacrifice and service.

Chief Brown additionally volunteers his time and energy to a host of other community organizations and affiliations. Having received over 100 awards from professional and civic groups, as well as having earned an honorary Doctor of Divinity degree from International Seminary, Chief Brown will retire in April and will be missed greatly by all members and employees of the Miami-Dade Police Department.

FRIENDS OF IRELAND

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. WALSH. Mr. Speaker, in the spirit of St. Patrick's Day, I am inviting all my colleagues to become a Friend of Ireland. The Friends of Ireland is a bipartisan Congressional organization established in 1981 by the late Speaker, Thomas ''Tip'' O'Neill. Every successive Speaker has carried on the tradition with Speaker HASTERT and Minority Leader GEPHARDT serving as honorary Chairmen of the group.

The purpose of the Friends of Ireland is to increase the bonds of friendship and understanding between the American people and the people of Ireland. We look for a peaceful solution to the problems of this troubled land. Our organization is open to all members of the 106th Congress who share its principles and has attracted widespread support over the years. There are also several Senators who are members of the Friends.

Over the years, the statements of support for peace in Ireland, condemnations of human rights abuses, assistance to the International Fund for Ireland and general expressions of goodwill have made a difference. The voice of the United States Congress is listened to very attentively in Ireland both in the Republic and in the North.

I would like to share with you this year's St. Patrick's Day Statement:

STATEMENT BY THE FRIENDS OF IRELAND ST. PATRICK'S DAY 1999

On this St. Patrick's Day 1999, the friends of Ireland in the United States Congress join with the 44 million Americans of Irish ancestry in commemorating an extraordinary year for the people of the island of Ireland. We are proud of the dramatic progress achieved in last year's Good Friday Agreement. We commend those who contributed to this historic agreement.

The Agreement is a unique opportunity to end a tragic conflict which has caused needless tragedy and destruction. It holds out the promise of a new beginning, honorable and realistic, for all involved. The Agreement was endorsed decisively by the people in both parts of the island of Ireland as a clear democratic mandate to their political leaders. We call on all those leaders to implement that mandate fully and fairly, and to embrace the opportunity for peace offered by the Agreement with courage, imagination and empathy. History will not deal kindly with those who fail to do so.

We are pleased to welcome to Washington over the St. Patrick's Day period many of those who were central to the success of the negotiations leading to the Good Friday Agreement. We particularly welcome the Taoiseach, Bertie Ahern, whose outstanding commitment and leadership, both during the negotiations, and in the succeeding months, have been deservedly recognized. We also pay tribute to Prime Minister Tony Blair, Secretary of State for Northern Ireland Marjorie Mowlam, Minister for Foreign Affairs David Andrews, the leaders of the Northern Ireland political parties, and many other Irish and British Government officials for their courage and determination to reach agreement despite the opposition they faced.

We congratulate John Hume and David Trimble on the award of the Nobel Peace Prize in recognition of their efforts for peace. We take pride in the contribution made to the peace process by President Clinton and many other leaders in the United States. We especially salute our former colleague, Senator George Mitchell, for his indispensable leadership, and welcome the recent establishment by the U.S.-Ireland Alliance of the Mitchall Scholarships in his honor. We welcome the generous $3 million contribution of the Irish Government to this scholarship fund, announced by the Taoiseach last September during our President's visit to Ireland. We also welcome the Irish Government's support of the John F. Kennedy Center for the Performing Arts, through a grant to promote the Festival of Irish Arts, in May 2000.

Ireland has given to America in many ways, including men to fight our battles from Revolutionary War to Desert Storm. In appreciation for these services, and as a special tribute to 12 Irish citizens who gave their lives as members of the U.S. Armed Forces in the Vietnam War, we are pleased to note that the Vietnam Veterans Memorial Fund's traveling wall, called the Wall that Heals, will be making a tour of Ireland from April 16 to May 3 this year.

This July, we look forward to welcoming the first 4,000 young men and women who will enter the United States under special visas provided by the Irish Peace Process and Cultural Training Program Act of 1998. The visa will allow these young adults from both communities an opportunity to experience America's unique blend of cultural diversity and economic prosperity. After their visit, they will return home providing the crucial skill base needed to attract private investment in their local economies. That Congress initiated and passed this visa legislation with unanimous support is evidence of our continuing bipartisan commitment to supporting the Good Friday Agreement.

We believe the most crucial task now facing the Irish and British Governments and all the political leaders in Northern Ireland is to build momentum for the full implementation of the Agreement. Inevitably, there will be continuing difficulties to surmount in resolving this deep and long-standing conflict. We believe the implementation of the Agreement offers the best way forward and the best yardstick to judge the policies and actions of those struggling to overcome these difficulties. We do not believe that the goals of the Agreement can be served by inaction or procrastination in implementing its provisions. Those who take political risks for the implementation of the Agreement can be assured of our consistent support.

Following last month's decision by the Assembly to approve the designation of the Northern Ireland Departments and the list of cross-border bodies, and the signing last week by the United Kingdom and Ireland of the historic treaties to set up the institutions, it is vital that this decision be implemented without delay. Progress in all of these areas is, of course, dependent on the establishment of the multi-party Executive, as provided in the Agreement. We are dismayed at the delay in establishing the Executive, and urge it be established as soon as possible. It is the best way to create conditions for progress on other difficult issues, including the problem of decommissioning.

The carnage inflicted on the town of Omagh last August was a grim reminder that, in spite of all that has been achieved,

there are those who still do not recognize the futility of violence. The cowardly murder of Rosemary Nelson this week reminds of the urgency of the task at hand. The horror of these actions unites all the people of Ireland and Great Britain, and friends of Ireland everywhere, in a determination that such methods will be totally repudiated and will never succeed. We also condemn, in the strongest terms, the practice of sectarian attacks, punishment beatings,and other acts of violence. These actions are a violation of fundamental human rights, and serve only to promote further division and recrimination. Against this background of irresponsible and unacceptable reliance on violence, we commend all those who, notwithstanding the pressures caused by these attacks, refuse to be diverted from the pursuit of peace and political progress.

We have in the past consistently drawn attention to the importance of developing a police organization in Northern Ireland capable of attracting and sustaining the support of all parts of the community. We welcome the creation of the Patten Commission to propose new arrangements for policing, accountable to and fully representative of the society. A major responsibility rests on the members of the Commission on this vitally important issue. Their mandate from the Agreement should lead to far-reaching change and we look forward to their report later this year.

We attach particular importance to the provisions in the Good Friday Agreement which promote a new respect for human rights. Such respect is essential if the commitment to equality, which lies at the very heart of the undertaking, is to be given practical effect. We are heartened by progress in relation to the Human Rights Commissions and look forward to the development of close cross-border co-operation on this vital issue. We also hope to see early progress on the review of the criminal laws, and the dismantling of emergency legislation.

We are concerned by evidence of the lack of protection for lawyers active on human rights cases in Northern Ireland, as described by the Special Rapporteur of the U.N. Commission on Human Rights, and urge an early response to calls for an independent inquiry into the murder of Belfast lawyer Pat Finucane. We will also continue to follow closely the progress of the inquiry into the tragic events of Bloody Sunday in Derry in 1972.

As preparations for this year's marching season begin, we note with concern that, despite efforts to encourage dialogue, the situation at Drumcree remains disturbing. We call on all involved to uphold the decisions of the Parades Commission.

The Friends of Ireland welcome the strong support which President Clinton and both parties in Congress have given to the peace process, and to the full implementation of the Good Friday Agreement, including the continuing support for the International Fund for Ireland. We salute the parties on what has been achieved thus far and believe that with commitment and determination, and a readiness to seek accommodation, the remaining differences can be overcome.

As we prepare to enter the new century, the parties to the Good Friday Agreement have a truly historic opportunity to achieve peace with justice for the benefit of all generations to come. As always, we in the Friends of Ireland stand ready to help in any way we can.

Friends of Ireland Executive Committee:
DENNIS H. HASTERT,
RICHARD A. GEPHARDT,
JAMES T. WALSH,
EDWARD M. KENNEDY,
DANIEL PATRICK MOYNIHAN,
CHRISTOPHER J. DODD,
CONNIE MACK.

INTRODUCTION OF TRIBAL SELF-GOVERNANCE AMENDMENTS OF 1999

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. GEORGE MILLER of California. Mr. Speaker, today I am introducing the ''Tribal Self-Governance Amendments of 1999'' and am pleased that 22 of our colleagues have cosponsored the legislation. My bill makes permanent a demonstration project that exists under current law which gives Indian tribes who meet certain criteria, such as experience in government contracting, accounting, and management capability, the right to take over the operation of Indian Heal Service (IHS) hospital, clinics, and other health programs. The demonstration program, called Self-Governance, already is permanent for programs in the Interior Department and is an outgrowth of the original Self-Determination Act contracting authority.

The aim of the Self-Governance program is to pare down the layers of federal bureaucracy governing Indian affairs. Giving Indian tribes direct control over IHS programs has made the tribes more accountable to their members, and has resulted in a more efficient and innovative operation of health programs than had been administered by federal officials in the past.

The Self-Governance program allows tribes with two or more existing contracts with the IHS to combine them into one ''compact'', redistribute funds among programs where justified by need, and tailor or redesign various health programs to fit specific tribal needs.

This legislation truly helps further tribal sovereignty. I believe it is one thing to talk about legal theories contained in law books but it is quite another to see how tribal control and operation of these health programs have resulted in improvement of health care to Indian people. This legislation provides Indian Tribes with the opportunity to provide services and care for their own people. Further, this legislation will help reduce federal bureaucracy and give more local control over federal programs.

Similar legislation passed the House last Congress but was not acted on in the Senate. I urge speedy consideration of this important legislation.

THE CITIZENS' CHOICE ACT

HON. MARTIN OLAV SABO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. SABO. Mr. Speaker, most Americans and Members of the House of Representatives agree that our campaign finance system must be reformed. During this Congress, I hope we will be able to build on last year's progress by passing legislation to give ordinary Americans a greater voice in campaigns for the U.S. House.

Reforming our campaign finance system is one of the most difficult problems before Congress. In the past, sweeping comprehensive reform has yielded a multitude of unintended consequences. Our campaign system is complex, and it will not yield to easy solutions or quick fixes. That is why I am introducing legislation that takes a small but important step in the right direction—toward limiting campaign spending and leveling the playing field between challengers and incumbents.

My bill, the Citizens' Choice Act, creates a voluntary system of publicly financed general elections to the U.S. House of Representatives. Under my bill, a House of Representatives General Election Trust Fund would be funded by a voluntary $5 check-off on income tax returns, and would consist of one account per political party in every congressional district. Candidates who accept money from this fund must agree to spend no more than $600,000 on their campaigns. The spending limit would be waived if a candidate's opponent refuses to participate in the public funding and raises at least $100,000. My bill also includes a blanket prohibition on all House general election candidates from loaning more than $50,000 to their own campaigns.

My bill addresses the most common criticism of public financing proposals: taxpayers should not subsidize the campaigns of candidates they oppose. That is why I would allow people to choose which party would receive their tax dollars. This eliminates the problem, while creating greater opportunity for citizens to get involved in the electoral process.

Mr. Speaker, some Members are too ready to believe that citizens strongly oppose public financing. I believe it is time for Congress to take another look at public financing of campaigns. Widespread frustration with our current system has grown to the point that Americans demand new solutions. People want fair campaigns, and I believe the American people will understand that an appropriate combination of public financing and spending limits is an effective way to govern our campaign system. I also believe citizens will welcome the opportunity to support our political system through my proposed check-off.

I urge my colleagues to look beyond any preconceived notions they may have about public financing of campaigns, and support legislation that gives citizens a choice in financing our electoral process.

NEW GUIDELINES RELEASED BY COUNCIL ON CHIROPRACTIC PRACTICE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. PALLONE. Mr. Speaker, on October 1, 1998, the Council on Chiropractic Practice released new guidelines on chiropractic practice. These guidelines represent the culmination of a three year effort involving practicing chiropractors in 12 countries.

Titled ''Vertebral Subluxation in Chiropractic Practice,'' the document has qualified for inclusion in the National Guidelines Clearinghouse, a project of the Agency for Health Care Policy and Research.

An estimated 40 million Americans utilize chiropractic health care services. These guidelines will improve the quality and value of

chiropractic services for these citizens. I want to acknowledge the Council on Chiropractic Practice, the World Chiropractic Alliance, and the Chiropractic Leadership Alliance of New Jersey for playing instrumental roles in their development. I commend them for their hard work in developing these guidelines and their dedication to improving patient care.

AN ARTICLE WORTH READING

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. GILMAN. Mr. Speaker, last Thursday's Washington Post (3/11/99) contained an op-ed piece entitled ''Lies About China'' by Michael Kelly, the editor of the National Journal, in which he outlines the failure of the administration's China policy and the latest of a long series of dangerous Chinese action.

The article appeared on the day that the House International Relations Committee was holding a hearing regarding the 40th anniversary of the Communist Chinese illegal occupation of Tibet and the full House was considering whether to send U.S. troops into Kosovo.

The issue of Tibet represents what eventually happens when a nation is conquered and absorbed by a hostile neighbor and the world ignores the fact. The people, their culture, religion, and government are destroyed and the world eventually pays the price by having a new powerful belligerent actor on the world scene.

Kosovo represents an opportunity for the world to deal with aggression appropriately at the beginning of the crises before a much more dangerous situation faces the world.

Accordingly, I ask my colleagues to note Mr. Kelly's article and to consider the ramifications of how we should respond to powerful undemocratic regimes that threaten the stability of the world community. I ask that the article be included in the CONGRESSIONAL RECORD.

[From the Washington Post, Mar. 11, 1999]

LIES ABOUT CHINA

(By Michael Kelly)

President Clinton's China policy, a mess of corruption and carelessness and naivete, is collapsing under the weight of its own fraudulence, exposing the nation Clinton calls America's ''strategic partner'' as a threat to America's security and a thief of America's nuclear secrets, and exposing also the president and senior administration officials for their efforts to minimize and hide this unwelcome fact.

For the past six years, the White House has lied about China. It pretended, against all evidence, that the People's Republic was sincere in its promises to curb its persecution of democrats, Catholic priests, Tibetan monks, pregnant women and other enemies of the people. It pretended that China was sincere also in its promises to curb its spread of weapons of mass destruction. It pretended not to understand that China regarded the United States as enemy number one in its campaign to achieve regional dominance, particularly over Taiwan.

The days of pretense are dwindling down to a precious few. In February the PLA installed perhaps as many as 100 ballistic missiles on the Chinese coast opposite Taiwan. That led to new calls in Congress that the United States proceed with a plan to erect a theater missile defense system protecting Japan, South Korea and Taiwan.

In the first week of March, Secretary of State Madeleine Albright went to Beijing and attempted to appease Chinese fury over the threat that the United States would defend Taiwan against missile attack. The Washington Post quoted a senior Chinese official as saying Albright, in her private meetings, had ''tried to 'pacify' '' China, telling officials, ''Please don't worry, don't overreact,'' and assuring them that it would take the United States a decade to put any missile defense system in place. For her troubles, Albright won sneers and threats. ''If some people intend to include Taiwan under theater-missile defense, that would amount to an encroachment on China's sovereignty and territorial integrity,'' said Foreign Minister Tang Jiaxuan.

Meanwhile, the New York Times, elaborating on earlier stories in the Wall Street Journal and The Washington Post, gave front-page play to a bombshell.

In April 1996, Energy Department officials informed Samuel Berger, then Clinton's deputy national security adviser, that Notra Trulock, the department's chief of intelligence, had uncovered evidence that showed China had learned how to miniaturize nuclear bombs, allowing for smaller, more lethal missile warheads. And it appeared that the Chinese had gained that knowledge through the efforts of a spy at the Los Alamos National Laboratory. Berger was told the spy might be still in place.

The White House took no action. In April 1997 the FBI recommended measures to tighten security at the laboratories. No action. In July 1997 Trulock and other Energy Department officials gave Berger a fuller briefing, and Berger in turn briefed Clinton.

But Trulock's warning came at an awkward time. The administration was on the verge of the 1997 ''strategic partnership'' summit with Beijing. It was also facing congressional investigations into charges that the People's Republic had illegally funneled money into the 1996 Clinton-Gore campaign. Very awkward, really.

So Berger buried the embarrassment. He assigned National Security staffer Gary Samore to look into things, and Samore asked the CIA to come up with a theory of the case other than Trulock's. The CIA dutifully reported that Trulock's analysis was an unsupported ''worst-case'' scenario and Samore dutifully told Berger that no one could really say where the truth lay.

Wen Ho Lee, the suspected spy, beavered on at Los Alamos. Leisurely, the security council prepared a new plan to tighten security at the labs. Leisurely, finally, in February 1998, Clinton formally ordered the reforms into effect. Curiously, Energy Secretary Federico Pena never followed the order. The reforms were not instituted until Bill Richardson, Pena's successor, did so in October 1998—30 months after Trulock's first warning, 18 months after the full alarm, nine months after Clinton's directive.

In the meantime, the administration did everything it could to keep things buried. The Times reports that the House Intelligence Committee asked Trulock for a briefing in July 1998. Trulock asked for permission from Elizabeth Moler, then acting energy secretary. According to Trulock, Moler told him not to brief the committee because the information might be used against Clinton's China policy. Moler told the Times she doesn't recall this.

The White House's secret would have remained secret had it not been for a select investigative committee headed by Republican Rep. Christopher Cox. Cox's committee unearthed a pattern of more than two decades of Chinese nuclear spying, including the Los Alamos case. The secret leaked. On March 8, Richardson fired Wen Ho Lee.

Yet still the White House seeks to hide what truth it can. A declassified version of the Cox committee's 800-page bipartisan report is scheduled to be released late this month—happily enough, just days before a Washington visit by China's prime minister. The White House is waging a desperate rearguard campaign to force the Republicans to redact evidence about the administration's suspiciously deleterious approach to the Los Alamos spy case and also evidence suggesting linkage between Clinton's China policy reversal and campaign contributions from parties desiring that reversal.

But these tactics will probably fail. An angered Republican leadership is considering taking the matter to the full House, where an unexpurgated report could be voted out over Democratic objections. Good. Let a thousand flowers bloom.

HONORING THE WIGGINS HIGH SCHOOL WRESTLING TEAM

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today to extend my heartiest congratulations to the Wiggins High School wrestling team of Wiggins, Colorado, on their impressive and record-breaking Colorado State Class 2A Championship. This team dominated the competition, amassing 228 points in the Colorado State Wrestling Tournament, easily breaking the previous record held by Moffat County. This demonstration of individual and team prowess has set the standard by which all future Class 2A grapplers will be measured, and takes its place among the legendary Colorado sports accomplishments.

The State Class 2A Championship is the highest achievement in high school wrestling. This coveted trophy symbolizes more than just the team and its coach, John Pensold, as it also represents the staunch support of the players' families, fellow students, school personnel and the community. From now on, these people can point to the 1998–1999 Wiggins wrestling team with pride, and know they were part of a remarkable athletic endeavor. Indeed, visitors to this town and school will see a sign proclaiming the Class 2A State Wrestling Championship, and know something special had taken place there.

This wrestling team is a testament to both dedicated teamwork and outstanding individual talent. The combined talents of the Wiggins wrestlers coalesced into a dynamic and dominant force. Each team member also deserves to be proud of his role. The individual champions include: Jeramy Kyte (119 lbs.), Levi Dyess (130), Mike Miller (171), and Rudolfo Mendez (215). These match winners, along with the rest of the Wiggins team, are the kind of people who lead by example and serve as role-models. With the increasing popularity of sports among young people, local athletes are heroes to the youth in their home towns. I admire the discipline and dedication these high schoolers have shown in successfully pursuing their dream.

The memories of this storied year will last a lifetime. I encourage all involved, but especially the Wiggins team, to build on this experience by dreaming bigger dreams and achieving greater successes. I offer my best wishes to this team as they move forward from their State 2A Championship to future endeavors.

IN HONOR OF STANLEY SHEINBAUM

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. KUCINICH. Mr. Speaker, I rise to honor Stanley Sheinbaum, one of the great beacons of liberal thought and socially responsible practice. Today, we mark the accomplishments of this great American, who has singularly left the mark of conscience on the history of modern America.

Stanley Sheinbaum's long career of good works in the public interest began with his revelations of CIA early and active presence in Vietnam. He then organized and coordinated the legal defense team in the Pentagon papers trial. He served as the Chairman of the American Civil Liberties Union Foundation of Southern California and as a member of the ACLU National Advisory Council for over 25 years. He has given freely of his expertise and time to the Center for Law in the Public Interest, People for the American Way, and California Common Cause. And he was consulting editor for the thought-provoking political journal, Ramparts.

Stanley Sheinbaum also made his mark on American politics as a Democratic Party activist. He served as a McGovern Delegate from California to the 1972 Democratic Convention and was instrumental in organizing substantial resources for the McGovern Presidential Campaign.

Stanley Sheinbaum's peacemaking influence has been felt at the local and the international levels as well. He was President of the Board of Police Commissioners and initiated needed reforms after the civil unrest caused by the Rodney King incident. He was also one of the early diplomatic pioneers who worked to bring Chairman Yassir Arafat into negotiations in a powerful effort to resolve the Israeli-Palestinian conflict. He also served on the board of Americans for Peace Now and the International Center for Peace in the Middle East.

Stanley Sheinbaum has demonstrated how one can be an effective advocate for justice at every level of life: local, state, national and international. He is a great visionary and a great American.

IN HONOR OF THE LATE JOSEPH W. DORSEY

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to pay tribute to Joseph W. Dorsey, an outstanding public servant and a close personal friend, who passed away March 15. Joe Dorsey was that rarest of individuals who always placed the interests of his community above his own.

Joe served honorably in the Army Air Corps during World War II, and afterward returned to his hometown of Collingdale, Pennsylvania. He felt a strong duty to help maintain his town as a solid place to live, work and raise a family. From that time forward, Joe became a tireless worker for his community and the local Republican Party.

He served as president of the Borough Council and as tax collector in Collingdale. From 1966–1972, he represented the 162nd district in the Pennsylvania House of Representatives. At that time he was elected Delaware County's Clerk of Courts, later becoming director of the new Office of Judicial Support. In each of these important positions, Joe exhibited strong leadership and he ably represented the interests of local citizens and taxpayers.

Joe was equally committed in his service to the Republican Party. Beginning as a local committeeman, he rose to become chairman of the Collingdale Republican Party and leader of his legislative district. Three times he served as a delegate to the Republican National Convention. Joe's commitment to Republican ideals, and his ability to bring out the vote on election day, made him one of the most influential leaders in my Congressional district. In fact, he managed several of my Congressional campaigns, including my election to Congress in 1986. I counted heavily on Joe for his political acumen and his knowledge of grassroots political organizing.

Joe's community service was varied, as well. He was a 40-year member of the Collingdale Fourth of July Association, a lifetime member of Collingdale Fire Company 1 and 2, and a member of the Collingdale VFW and American Legion. Joe owned an insurance business in his hometown, and he provided outstanding service to many of the municipalities and businesses in his area.

To Joe Dorsey, community service wasn't an option. It was a responsibility, and it was an honor. Whenever his neighbors called upon him, Joe was always there. There aren't enough Joe Dorseys in our local communities anymore, and his presence will be greatly missed.

I extend my deepest condolences to Joe's wife, Mae, to whom he was married for nearly 54 years, and to his daughter, Dorothy, who has served as my office manager since my election to Congress over 12 years ago. To them, Joe was a loving husband and devoted father. To me, he was a loyal friend and trusted advisor.

Mr. Speaker, I ask my colleagues to join me in a tribute to Joseph W. Dorsey for his selfless dedication to his community and his country.

LEGISLATION TO HELP THE HORSE INDUSTRY

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. WELLER. Mr. Speaker, I join with my colleagues, Representatives KAREN THURMAN, RON LEWIS and JOEL HEFLEY to introduce legislation that will end the unfair treatment of horses under the federal tax laws compared to other livestock and business assets. Under present law, gain from the sale of virtually every capital asset—except horses—qualifies for capital gain treatment once it has been held for one year. The holding period for horses, however, is two years. We think this unfair to an important industry.

There is no reason to treat horses differently than other capital assets. The horse industry provides sport, recreation and entertainment for millions. This industry has an economic impact on the U.S. economy of $112 billion and supports 1.4 million jobs. It pays $1.9 billion in taxes to all levels of government. In my state of Illinois the horse industry has an economic impact of $3.8 billion and supports 50,000 jobs. However, the racing and breeding industry has struggled over recent years because of the proliferation of various gaming venues. As a result, race tracks have not been able to pay purses large enough to cover the expense of racing a horse. Making the capital gains holding shorter will give some help to these owners who are suffering because purses are too low.

This provision was apparently put in the tax code in 1969 as an anti-tax shelter provision. Since then there have been numerous changes in the tax laws, in particular the passive loss limitations, which have eliminated virtually all so-called ''tax shelters.'' This tax provision has discriminated against Illinoisans and others for long enough. Whatever the rationale was for making the holding period for horses different, it has outlived its usefulness.

It is time to change the tax laws in this area. I welcome other members to join us in this effort by cosponsoring this important legislation.

EXPANDING CHILDREN'S HEALTH CARE COVERAGE

HON. MARTIN OLAV SABO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. SABO. Mr. Speaker, one out of every seven children is growing up without health insurance. These 11.6 million children—including 76,000 in my home state of Minnesota—are less likely to get preventive care to keep them healthy, or see a doctor when they get sick. This lack of health insurance coverage can have lasting effects. For example, children whose ear infections go undiagnosed and untreated can suffer from permanent hearing loss.

Sadly there are signs that the prognosis for the health of America's children is getting worse. The percentage of children covered by private insurance has declined from 71.5% in 1990 to 67% in 1997. Additionally, premium costs for family coverage are on the rise, placing health insurance beyond the reach of an increasing number of working families.

It is time for all of us to commit to solving this problem. Today, I am introducing two bills that would move us in the direction of a comprehensive solution.

First, I am introducing the Children's Health Coverage Improvement Act of 1999. This legislation would make children's-only policies widely available at group rates to employees who are already covered by a group policy.

Federally regulated self-insured health plans would be required to offer these policies as one of the options available to covered employees.

Many low-income working families simply cannot find room in the family budget to pay the increasingly large premiums for family policies. Moreover, many financially-strapped single parents cannot afford to pay family premiums designed to cover two adults plus children. Kids-only policies could provide an answer for these hard-working and hard-pressed families.

This legislation is sensitive to employers' concerns that they cannot assume further insurance costs. Instead of requiring an employer to shoulder a specified portion of insurance costs, this bill allows the dynamics of the group insurance market to create affordable children's-only policies for the dependents of group health plan beneficiaries.

I am also introducing a second bill to enhance the well-being of federal employees' children. This legislation would allow enrollees in the Federal Employees Health Benefits Program (FEHBP) to purchase an employee and children-only benefit option at a lower cost than current family coverage options.

My bill would help those federal employees who, because of cost, defer purchasing family health coverage. The bill authorizes the Office of Personnel Management to offer group-rated employee and children only coverage to enrollees of the FEHBP.

There is a real need for a health insurance product that better addresses the needs of low-income and non-traditional families than family policies that are currently available. Group-rated employee and children-only policies would help meet this unfilled need.

Shoring up the decline in employer-sponsored health care is one way to help get kids insured. America's 11,600,000 uninsured children need help. It's time for all of us—in the private and public sector—to pitch in and make sure they get it.

IN HONOR OF DEAN PAUL O'CONNOR

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the Dean of the Faculty of Law of the University of Dublin, National University of Ireland, The Honorable Paul O'Connor. Dean O'Connor is the guest of honor at the twentieth annual Donahue & Scanlon St. Patrick's Day Party.

Dean O'Connor received primary and postgraduate degrees in law at University College Dublin, the largest law school in Ireland, before qualifying at the Irish Bar in 1976. He was then awarded a fellowship to study at the University of Pennsylvania where he graduated with a Masters in 1978. After practicing briefly in Philadelphia, he returned to his alma mater to take up his first teaching post. Dean O'Connor specializes in the subjects of Criminal Law, Evidence, and Family Law, and he is widely published in each of these areas. In 1986, he resumed his academic acquaintance with the United States as a Fulbright Fellow at the University of Michigan where he studied comparative matrimonial property regimes.

Dean O'Connor has guest lectured in Europe, the United States and Australia. He is a board member of both the Irish Centre for Commercial Law Studies, and the leading Irish law journal, The Irish Jurist. He is also currently a member of the Solicitors profession's Future of the Legal Profession Committee.

My fellow colleagues, please join me in honoring the accomplishments of Dean Paul O'Connor.

HONORING ''MR. HOMES ASSOCIATION''

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. KUYKENDALL. Mr. Speaker, I rise today with sadness to remember and honor a legendary person from my district, Mr. Harry Brandel, Jr. Mr. Brandel died last week after a long fight with cancer.

He was known as ''Mr. Homes Association'' because he led the Palos Verdes Homes Association for more than three decades. He relinquished this position only when forced to by poor health.

Under Harry's leadership, the community established strict development standards, helping to preserve its extraordinary beauty, low density, and high quality residential ambiance. Harry leaves behind a legacy of beauty and protection that will outlast many generations.

Harry also left his footprint on the city's political life. He was known as a skilled politician, brokering consensus on many controversial development issues. He could do this with his low-key approach and his ability to be friends with his adversaries. This past January, Harry was honored by the city council as the community's longest serving public official. From one public official to another, it is a fitting remembrance, and one to which we should all aspire.

DIRECT CHECK FOR EDUCATION ACT

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mrs. EMERSON. Mr. Speaker, when I talk with parents, teachers principals and school administrators throughout Southern Missouri, it becomes very clear that much needs to be done to strengthen our local school systems. Aging facilities, increasing class sizes, and tight funding are placing a tremendous strain on the quality of education available for our children. And no two school districts are alike in their specific needs. Whether it's building new classrooms, repairing a hole in the gymnasium roof, hiring more teachers, or acquiring new computers or test books, only the parents, educators, and locally elected school boards really know what priorities need to be met in their schools.

There is no question that our local school districts are faced with significant challenges in preparing our children for the future. Unfortunately, our current federal education programs falling well short in assisting our communities to succeed. One of the problems is that 35 percent of federal education funds are spent on meeting the operation budgets of the more than 760 federal education programs spread out between 39 different agencies. This means that only 65 cents of each education dollar is actually making it to our classrooms. This diversion of funds is particularly burdensome on rural communities. Southern Missouri's school districts are limited in local funding options and we simply need more of our federal education dollars returned to us.

Another significant problem is the burdensome federal regulations and mandates that tie schools' hands and cut into educators' valuable teaching time. According to Vice President Gore's National Performance Review, if a local school district decides to apply for a Department of Education grant, the entire process takes 26 weeks and 487 steps from beginning to end. That's 6 months and countless hours spent on applying for a grant—all without any guarantee that the funds will be approved. I have heard from teachers in Southern Missouri who personally spend up to three days out of the week writing grants and filing out paperwork. This is time that our teachers—who are already overloaded with large classes and limited resources—could be dedicating to planning lessons, teaching their classes, and reviewing student's work. It seems to me that our education system needs fewer bureaucrats in Washington crunching numbers and dreaming up federal mandates and more teachers in our local schools educating our children.

I introduced legislation that begins to address the problems of funding and over regulation in our nation's education policy. My legislation—known as the: ''District Check for Education Act,'' or simply ''Direct Check''—would consolidate several Department of Education competitive grant programs and return federal education dollars directly to the local school or school district based on the number of students served. ''Direct Check'' funds are not tied to any burdensome federal regulations or mandates, and they can be used for purchasing text books, computers and technology, teachers' salaries, and classroom construction or renovation. Other allowable uses of these funds include literacy programs, job training initiatives, and drug and alcohol programs.

Education is a national priority, but it is a local responsibility. It has always been carried out and implemented at the local level. The bottom line is that no Department of Education bureaucrat who lives and works in the city of Washington, DC or its suburbs can possibly understand the educational needs of our children in rural Southern Missouri. My ''Direct Check'' bill empowers local school districts by giving them the control and flexibility to use federal education dollars in a way that best meets their priorities for improving the education system for their children. And by freeing up resources and giving them directly to local school districts, we can help preserve and strengthen our American public education tradition as we head into the 21st Century.

TRIBUTE TO MRS. ELLA YON STEVENSON

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. CLYBURN. Mr. Speaker, I rise today to ask my colleagues to join me in paying tribute to Mrs. Ella Yon Stevenson of Norway, South Carolina. Today, I gladly join the community in celebration of her 100th birthday.

Mrs. Stevenson was born in Orangeburg County in the town of Norway, South Carolina on March 17, 1899. She is the daughter of the late Glen and Henrietta G. Yon. As a child, she attended Norway Public Schools. Mrs. Stevenson joined Bushy Pond Baptist Church of Norway, South Carolina at a very early age. She enjoyed singing in the choir until her health prevented her from participating. She is strongly committed to her church and community. To this day, Mrs. Stevenson continually offers support to her neighbors, friends, and family.

Mrs. Stevenson cherishes her family. She married the late George W. Stevenson. They had four sons: George Stevenson, Jr., James Stevenson, Authur Stevenson, and Levern Stevenson (all deceased), and two unique daughters, Clara Mae Stevenson Pough and Reather Bell Stevenson Pough. Mrs. Stevenson has 34 grandchildren, 50 great grandchildren, and 48 great-great grandchildren. She currently resides with her daughter Reather Bell in North, South Carolina.

Please join me in recognizing Mrs. Ella Yon Stevenson as she celebrates her 100th birthday today.

REMARKS OF SECRETARY OF STATE MADELEINE K. ALBRIGHT ON THE ACCESSION TO NATO OF POLAND, HUNGARY AND THE CZECH REPUBLIC

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. LANTOS. Mr. Speaker, last Friday at the Harry S. Truman Presidential Library in Independence, Missouri, Secretary of State Madeleine K. Albright president over the ceremony marking the final step in the accession of Poland, Hungary, and the Czech Republic to membership in the North Atlantic Alliance. This was a historic occasion as these three former members of the Warsaw Pact, an alliance which was established to counter the North Altantic Treaty Organization, were now joining as full members of this western alliance.

Mr. Speaker, it was most appropriate that the ceremony marking full accession to NATO took place at the Harry S. Truman Presidential Library. It was under the far-sighted and thoughtful leadership of President Truman that NATO was established fifty years ago this year. We mark not only the 50th anniversary of the establishment of NATO, but also the 10th anniversary of the fall of the Berlin Wall and the collapse of Soviet dominance in Central and Eastern Europe.

If any one individual deserves credit for the end of communist domination in Europe and for the end of the Soviet empire, Mr. Speaker, it is President Harry Truman. He was the President to made the critical decisions in the early days of the cold war; he was the President under whose leadership the policy of containment was enunciated; and he was the President who established the critical institutions which were the basis of U.S. policy throughout the cold war. His successors—from Dwight Eisenhower to Ronald Reagan and George Bush—were simply implementing the fundamental policy that was enunciated, initiated, and put in place by Harry Truman.

Mr. Speaker, the accession to NATO of Poland, Hungary and the Czech Republic at the Truman Library was a quintessentially ''American'' event—the United States Senator who introduced our Secretary of State, my friend and colleague from Maryland, BARBARA MIKULSKI, is Polish-American; I had the honor of participating in that event and, as my colleagues know, I am a native of Budapest, Hungary; and, of course, our Secretary of State, Madeleine K. Albright who presided on this occasion, was born in Prague in the Czech Republic.

The remarks on this festive occasion by our Secretary of State, Mr. Speaker, provide an outstanding statement of the U.S. government policy that underlies this landmark addition of new members to NATO. Secretary Albright's speech also provides an excellent summary of the importance of the first half century of the NATO alliance as well as a discussion of its future. I ask that Secretary Albright's remarks be placed in the RECORD, and I urge my colleagues to read and give them thoughtful attention.

SECRETARY ALBRIGHT: Thank you, Senator Mikulski, for that wonderful and personal introduction, and thank you for your great friendship. I want to thank you and your colleagues, Senators Roth and Smith and Representatives Skelton, Lantos, and McCarthy for your bipartisan leadership on behalf of NATO and NATO enlargement. You have helped to make history, because without your support we would not be here today.

Minister Kavan, Minister Martonyi, and Minister Geremek, excellencies from the diplomatic corps, Admiral Gough, General Anderson and other leaders of our armed forces, officials of the Truman Library—thank you for remembering my daughter—honored guests, colleagues, and friends, today is a day of celebration and re-dedication and remembrance and renewal.

Today we recognize in fact what has always been true in spirit. Today we confirm through our actions that the lands of King Stephen and Cardinal Mindszenty, Charles the Fourth and Vaclav Havel, Copernicus and Pope John Paul II reside fully and irrevocably within the Atlantic community for freedom. And to that I say, to quote an old Central European expression. ''Hallelujah.'' (Applause.)

History will record March 12, 1999, as the day the people of Hungary, the Czech Republic and Poland strode through NATO's open door and assumed their rightful place in NATO's councils.

To them I say that President Clinton's pledge is now fulfilled. Never again will your fates be tossed around like poker chips on a bargaining table. Whether you are helping to revise the Alliance's strategic concept or engaging in NATO's partnership with Russia, the promise of ''nothing about you without you,'' is now formalized. You are truly allies; you are truly home.

This is a cause for celebration not only in Prague, Budapest and Warsaw, but throughout the Alliance. For the tightening of transatlantic ties that we make today inspired the vision of translatlantic leaders half a century ago. That generation, which in Dean Acheson's famous phrase was ''present at the creation,'' emerged from the horror of World War II determined to make another such war impossible. They had seen—and paid in blood—the price of division; so their policies were inclusive. They wanted to help build a transatlantic community of prosperity and peace that would include all of Europe.

But between the 1947 offering of the Marshall Plan and the forgoing of NATO two years later, it became evident that the reality of their times did not match the boldness of their vision. The Iron Curtain descended, and across the body of Europe, a brutal and unnatural division was imposed. Now, due to bravery on both sides, that curtain has lifted, and links that should have been secured long ago are being soldered together.

Today is evidence of that. For this morning, NATO is joined by three proud democracies—countries that have proven their ability to meet Alliance responsibilities, uphold Alliance values and defend Alliance interests.

Since the decision to invite new members was first made, President Clinton has argued that a larger NATO would make America safer, our Alliance stronger and Europe more peaceful and united. Today, we see that this is already the case. For NATO's new members bring with them many strengths. Their citizens have a tradition of putting their lives on the line for liberty: Witness Hungary's courageous freedom fighters in 1956; the students who faced down tanks in the streets of Prague 12 years later; and the workers of Gdansk whose movement for Solidarity ushered in Europe's new dawn.

As young democracies, these countries have been steadfast in supporting the vision of an integrated Europe. Their troops are serving alongside NATO forces in Bosnia. And each is contributing to stability in its own neighborhood.

As a daughter of the region, and a former professor of Central and East European affairs, I know many Americans have not always had the understanding of this region that they now do. Earlier this century, when Jan Masaryk, son of the Czech President, came to the United States, an American Senator asked him, how is your father; and does he still play the violin?

Jan replied, sir, I fear that you are making a small mistake. You are perhaps thinking of Paderewski and not Masaryk. Paderwski plays the piano, not the violin, and was President not of Czechoslovakia, but of Poland. (Laughter.)

Of our Presidents, Benes was the only one who played; but he played neither the violin nor the piano, but football. In all other respects, your information is correct. (Laughter.)

Later, after his father had died and World War II had been fought, Jan Masaryk became Czechoslovak Foreign Minister—my father's boss. It soon became clear that the revival of Czechoslovak democracy and Czechoslovak aspirations to be part of the West would be short-lived.

Czechoslovakia was also invited to join the Marshall Plan. However, Foreign Minister Masaryk was summoned to Moscow and told that Czechoslovakia had to refuse the invitation. He returned to Prague to tell his colleagues, ''I now know I am not the Foreign Minister of a sovereign country.''

Masaryk's statement reminds us of another great gift the Czech Republic, Poland and Hungary bring to our Alliance for freedom: the living memory of living without freedom.

NATO's success has enabled generations protected by the Alliance to grow up and grow old under democratic rule. For that, we are enormously grateful.

But we must also guard against a danger. For there is a risk that to people who have never known tyranny, an Alliance forged before they were born to counter an enemy that no longer exists, to defend freedoms some believe are no longer endangered, may appear no more relevant than the fate of Central Europe did to some of our predecessdors 60 years ago.

The Truman Library is a fit place for plain speaking. So let me speak plainly now. It is the job of each and every one of us, on both sides of the Atlantic, to bring home to the generations of today and tomorrow the compelling lessons of this century.

We must never fall back into complacency or presume that totalitarianism is forever dead or retreat in the face of aggression. We must learn from history, not repeat it. And we must never forget that the destinies of Europe and North America are inseparable; and that this is as true now as it was when NATO was founded 50 years ago.

Of course, there will always be differences between Europe and America. We have been aptly called cousins, but we will never be mistaken for clones. Today, there are splits on trade and other issues—some of which are quite controversial. But do not exaggerate, these are differences within the family.

However, I think I can speak for each of my Alliance colleagues when I say that on the central questions that affect the security and safety of our people, our Alliance is and will remain united, as it must. For the hopes of future generations are in our hands. We cannot allow any issue to undermine our fundamental unity. We must adapt our alliance and strengthen our partnerships. We must anticipate and respond to new dangers. And we must not count on second chances; we must get it right—now.

This requires understanding that the more certain we are in preparing our defense, the more certain we may be of defending our freedom without war. NATO is the great proof of that. For its success over five decades is measured not in battles won, but rather in lives saved, freedoms preserved and wars prevented. That is why President Truman said that the creation of NATO was the achievement in which he took the greatest pride.

Today we, too, have grounds for pride. For NATO enlargement is a sign that we have not grown complacent about protecting the security of our citizens. The nations entering our alliance today are the first new members since the Cold War's end, but they will not be the last. For NATO enlargement is not an event; it is a process.

It is our common purpose, over time, to do for Europe's east what NATO has already helped to do for Europe's west. Steadily and systematically, we will continue erasing without replacing the line drawn in Europe by Stalin's bloody boot.

When President Clinton welcomes his counterparts to Washington next month to mark NATO's 50th anniversary, they will affirm that the door of the Alliance does remain open; and they will announce a plan to help prepare aspiring members to meet NATO's high standards.

But enlargement is only one element in our effort to prepare NATO for its second 50 years. The Washington Summit will be the largest gathering of international leaders in the history of Washington, D.C. It will include representatives from NATO and its partner countries—44 in all—and it will produce a blueprint for NATO in the 21st Century.

Our leaders will, I am confident, agree on the design of an Alliance that is not only bigger, but also more flexible; an Alliance committed to collective defense, and capable of meeting a wide range of threats to its common interests; an Alliance working in partnership with other nations and organizations to advance security, prosperity and democracy in and for the entire Euro-Atlantic region.

The centerpiece of the Summit will be the unveiling of a revised strategic concept that will take into account the variety of future dangers the Alliance may face.

Since 1949, under Article V of the North Atlantic Treaty, the core mission of our alliance has been collective defense. That must not change, and will not change. NATO is a defensive alliance, not a global policeman.

But NATO's founders understood that what our alliance commits us to do under Article V is not all we may be called upon to do, or should reserve the right to do. Consider, for example, that when French Foreign Minister Robert Schuman signed the North Atlantic Treaty, he characterized it as ''insurance against all risks—a system of common defense against any attack, whatever its nature.''

During the Cold War, we had no trouble identifying the risks to our security and territory. But the threats we face today and may face tomorrow are less predictable. They could come from an aggressive regime, a rampaging faction, or a terrorist group. And we know that, if past is prologue, we face a future in which weapons will be more destructive at longer distances than ever before.

Our alliance is and must remain a Euro-Atlantic institution that acts by consensus. We must prevent and, if necessary, respond to the full spectrum of threats to Alliance interests and values. And when we respond, it only makes sense to use the unified military structure and cooperative habits we have developed over the past 50 years. This approach shouldn't be controversial. We've been practicing it successfully in Bosnia since 1995.

We are also taking steps, as we plan for the summit, to ensure that NATO's military forces are designed, equipped and prepared for 21st Century missions. And we expect the Summit to produce an initiative that responds to the grave threat posed by weapons of mass destruction and their means of delivery.

Clearly, NATO's job is different now than when we faced a single monolithic adversary across a single, heavily-armed frontier. But NATO's purpose is enduring. It has not changed. It remains to prevent war and safeguard freedom. NATO does this not only by deterring, but also by unifying. And let no one underestimate its value here, as well. For if NATO can assure peace in Europe, it will contribute much to stability around the globe.

The history of this century and many before it has been marked by shifting patterns within Europe as empires rose and fell, borders were drawn and redrawn, and ethnic divisions were exploited by aggressors and demagogues. Twice this century, conflicts arose which required American troops to cross the Atlantic and plunge into the cauldron of war.

NATO and NATO's partners have closed that book and are authoring a new one. In collaboration with regional institutions, we are encouraging the resolution of old antagonisms, promoting tolerance, ensuring the protection of minority rights and helping to realize, for the first time in history, the dream of a Europe whole and free.

So let us not hesitate to rebut those who would diminish the role of our alliance, dispute its value, or downplay the importance of its unity and preparedness. For if NATO does not respond to the 21st Century security challenges facing our region, who will? If NATO cannot prevent aggressors from engulfing whole chunks of Europe in conflict, who can? And if NATO is not prepared to respond to the threat posed to our citizens by weapons of mass destruction, who will have that capability?

The 20th Century has been the bloodiest and most destructive in human history, and despite the Cold War's end, many threats remain. But we have learned some hard lessons from this history of conflict, and those lessons underlie all our planning for the Washington Summit.

We know that when the democracies of Europe and America are divided, crevices are created through which forces of evil and aggression may emerge; and that when we stand together, no force on Earth is more powerful than our solidarity on behalf of freedom.

That is why NATO is focused not only on welcoming new members, but also on strengthening its valuable partnerships with Russia, Ukraine and Europe's other democracies. Their inclusion and full participation in the transatlantic community is essential to the future we seek. For NATO's purpose is not to build new walls, but rather to tear old walls down.

Five years ago, while serving as US Permanent Representative to the UN, I traveled with General Shalikashvili to Central and Eastern Europe, to outline President Clinton's plan for a Partnership for Peace. That concept continues to deepen and pay dividends for countries whether or not they aspire to NATO membership. Today, former adversaries are talking to each other, training with each other, carrying out missions together, and planning together for the future. By fostering that process, we prevent potentially dangerous misunderstandings, address present problems and lay a solid foundation for future cooperation.

We also remind ourselves, that although NATO stands tall, it does not stand alone. The EU, OSCE and NATO and its partners form the core of a broader system for protecting vital interests and promoting shared values.

We learned in Bosnia earlier this decade how vital such a system is. We face a test of that system now in Kosovo, and we welcome Russian Foreign Minister Ivanov's efforts in Belgrade today to help achieve our common goal.

There, together, we have backed diplomacy with tools ranging from humanitarian relief to OSCE verifiers to the threatened use of NATO force. Together, we have hammered out an interim political settlement which meets the needs and respects the rights of all concerned.

When talks resume next week, we must be firm in securing this agreement. We must be clear in explaining that a settlement without NATO-led enforcement is not acceptable because only NATO has the credibility and capability to make it work. And we must be resolute in spelling out the consequences of intransigence.

To those abroad and in my own country who have raised doubts, I reply that the plan we and our partners have developed is not risk-free. But we prefer that risk to the certainty that inaction would lead to a renewed cycle of repression and retaliation, bloodletting and ethnic cleansing. The path we have chosen for our alliance in Kosovo is not easy; but it is right. It serves NATO interests, and it upholds the values of our alliance for which it was created and which we will defend.

Today, as NATO embarks upon a new era, our energy and vision are directed to the future. But we are mindful, as well, of the past. For as we welcome three new members, we have a debt we cannot fail to acknowledge.

In this room today are ambassadors and foreign ministers and generals and members of Congress. In this room, there is great pride and good reason for it. But let us never forget upon whose shoulders we stand. We pay homage to our predecessors and to the millions of soldiers and sailors and aviators and diplomats who, throughout the past half-century, have kept NATO vigilant and strong.

We pay homage, as well, to those who fought for freedom on the far side of freedom's curtain. For the Berlin Wall would be standing today; the Fulda Gap would divide Europe today; the Warsaw Pact would remain our adversary today, if those who were denied liberty for so long, had not struggled so bravely for their rights.

Let us never forget that freedom has its price. And let us never fail to remember how our alliance came together, what it stands for, and why it has prevailed.

Upon the signing of the North Atlantic Treaty, President Harry Truman referred to the creation of NATO as a ''neighborly act.'' ''We are like a group of householders,'' he said, ''who express their community of interests by entering into an association for their mutual protection.''

At the same time, Canadian Secretary of State Lester Pearson said, ''The North Atlantic community is part of the world community, and as we grow stronger to preserve the peace, all free men and women grow stronger with us.''

Prime Minister Spaak of Belgium added, ''The new NATO pact is purely defensive; it threatens no one. It should therefore disturb no one, except those who might foster the criminal idea of having recourse to war.''

Though all the world has changed since these statements were made, the verities they express have not. Our alliance still is bound together by a community of interests. Our strength still is a source of strength to those everywhere who labor for freedom and peace. Our power still shields those who love the law and still threatens none, except those who would threaten others with aggression and harm. Our alliance endures because the principles it defends are timeless and because they reflect the deepest aspirations of the human spirit.

It is our mission now, working across the Atlantic, to carry on the traditions of our alliance and prepare NATO for the 21st Century. To that end, we take a giant step today. And we look forward with confidence and determination to the historic summit in Washington and further progress tomorrow.

Thank you all very much.

(Applause)

GROWING RELIGIOUS INTOLERANCE IN THE HEART OF EUROPE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. SMITH of New Jersey. Mr. Speaker, in the coming days the participating States of the Organization for Security and Cooperation in Europe (OSCE) will conduct in Vienna, Austria, a Supplementary Meeting on Freedom of Religion with the intent to discuss some of the key human rights concerns raised at the 1998 Human Dimension Implementation Meeting. The United States has a sincere interest in the deserved attention the OSCE is bringing to violations of religious liberty.

As Chairman of the Helsinki Commission(which has the mandate to monitor compliance with the Helsinki Accords), I continue to be concerned with the growing evidence that religious intolerance is on the rise and violations of this precious freedom are cropping up among the stalwart participating States of the OSCE. This trend is especially noteworthy in Western Europe, in countries such as France and Belgium, where the parliaments, respectively, reports listing a variety of religious groups and institutions as ''dangerous sects.'' The French, Belgian, and Austrian Governments have also established governmental centers to advise citizens which religious groups meet government criteria as a bona fide religion. If I may, Mr. Speaker, I want to take a moment and share with my colleagues these alarming initiatives so that we may consider what these actions portend for all peoples of faith.

The clearest and most comprehensive commitments on religious liberty found in any international instrument are enunciated in the OSCE documents. Non-interference in the affairs of religious communities is central to the OSCE understanding of religious liberty. The tendency of a number of European governments to establish themselves as the determiner of the rightness or wrongness of a particular belief is in direct contravention to this principle. In addition, OSCE States have committed to eliminating and preventing discrimination based on religious grounds in all field of civil, political, economic, social and cultural life. Other commitments include the freedom to profess and practice one's religion alone or in community, the freedom to meet with and exchange information with co-religionists regardless of frontiers, the freedom to freely present to others and discuss one's religious views, and the freedom to change one's religion.

Over the past three years, the parliaments of France, Belgium, and Germany each established commissions to study ''dangerous sects and cults' that have contributed to the discrimination and harassment of targeted groups. For example, an investigative report undertaken by the French Parliament in 1996 contained a list of ''dangerous'' groups in order to warn the public against them. Suspect activities, according to the report, include ''recruitment'' through evangelistic outreach and distribution of tracts, activities clearly within the internationally recognized right to free expression. Similarly, the Belgian Parliament's 1997 report had a widely circulated informal appendix that listed 189 groups and included various allegations against many Protestant and Catholic groups, Quakers, Hasidic Jews, Buddhists, and the YWCA. In Belgium, the unofficial appendix appears to have gained significance in the eyes of some public officials who reportedly have denied access to publicly rented buildings for Seventh Day Adventists and Baha'i because they were listed in the appendix.

Equally alarming, the French, Belgian, and Austrian Governments, as well as a number of state governments in Germany, have set up hotlines for the public and, through government-sponsored ''information centers'', distribute information on groups deemed by the government to be ''dangerous.'' Characterizations of religious beliefs by these government information centers and publication of unproven and potentially libelous materials have already caused problems for a number of minority religious groups. Such government action presumes that religious beliefs and spiritual convictions can be objectively analyzed by government bureaucrats in their consumer protection role. These information centers contradict the OSCE commitments to ''foster a climate of mutual tolerance and respect,'' and excessively entangle the government in the public discussion on the viability of particular religious beliefs.

A few months ago, in October 1998, the French Prime Minister's office created the ''Interministerial Mission to Battle Against Sects'', which by its very name, suggests confrontation with religious minorities rather than tolerance. The Interministerial Mission's mandate includes the responsibility to ''predict and fight against actions of sects that violate human dignity or threaten public order.''

This is the latest example of how the French Government has taken steps which have negative effects on religious liberty. In 1996, the French Parliament placed the Institut Theologique de Nimes, a mainstream Baptist seminary closely connected to the Luther Rice Seminary in Atlanta, Georgia, on its list of so-called ''sects.'' Since then, libelous articles about the Institut have been published in newspapers. The articles were based on hearsay of dubious origin. In addition, the church connected with the Institut recently reported that a loan application was rejected for the reason that the church is on the Parliament's ''sect'' list. Members of the Institut have also apparently suffered discrimination from people in the region; according to report, at least one church member has lost her job due to her attendance.

Since the 1997 Belgian Parliament's report with the unofficial appendix listing 189 groups, the Belgian Government has moved ahead with plans to establish an ''Advice and Information Center on Dangerous Sects.'' It is my understanding that this center should be fully operational by the latter part of this year. According to Belgian officials at the Ministry of Justice, the new center will distribute official government views on the groups identified by the Parliament and may expand its inquiries to other groups not previously listed. A coalition of Belgian religious groups registered their concern at a press conference held in May 1998 in Brussels and continues to oppose the Belgian Government policies toward religious groups.

In Austria, a law restricting religious freedom became effective in January 1998. The law requires that a religious group prove a 20-year existence in Austria, have a creed distinct from previously registered groups, and have a membership of at least 0.02% of the population or 16,000 members before they are granted full rights under law. The Austrian Government's opinion that the government must ''approve'' religious belief before it is available for the public reveals a shocking retreat from democratic principles which encourage the free exchange of ideas and quality before the law for all religions or beliefs.

The tendency to increase control over religion or belief groups extends to Europe as a whole. Pan-European institutions such as the Council of Europe's Parliamentary Assembly and the European Parliament have in the last year debated the role of government in controlling ''sects.'' The tone of these discussions has been ominous and proposals include instituting even more government controls over minority religions.

The people of the United States are deeply committed to religious liberty. The 105th Congress overwhelmingly passed the International Religious Freedom Act of 1998. This act establishes an Ambassador at Large for International Religious Freedom and a nine-member Commission on International Religious Freedom who will monitor the status of religious freedom in foreign countries. Additionally, the Act encourages the President of the United States to become more thoroughly involved by regularly reporting to Congress on the state of religious liberty and by requiring the President to take specific actions against countries which violate this freedom.

Let me emphasize that the Act mandates U.S. Government action against not only countries engaged in persecution of religious believers, but also mandates U.S. Government action against countries that are actively intolerant of religious groups or those that allow societal intolerance to exist. The intolerant actions of Western European governments squarely are in the purview of the Act. The Commission, the Ambassador at Large, and the President are mandated to focus on issues of religious intolerance, and I encourage them to focus on the actions taken by Western European governments in light of international law an international commitments on religious liberty.

Clearly the actions taken by the Governments of France, Belgium, Germany, and Austria call into question the commitment those countries made to ''foster a climate of mutual tolerance and respect.'' I urge the Administration to continue raising these issues with the Governments of Western Europe to insure through law and governmental practice that religious freedoms for minorities are protected.

GOOD FRIDAY TRADE AND INVESTMENT ACT

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. McDERMOTT. Mr. Speaker, we're here today because we share a common goal. We all want the peace process in Northern Ireland and the Irish Republic to work.

As hard as it is to get folks to sign a peace agreement. It's even harder to make sure that it gets fully implemented.

We feel strongly that the best chance we have to ensure the Good Friday Peace Agreement is fully implemented is by creating jobs and economic growth.

The legislation we are introducing today is the first comprehensive effort by the United States to create real jobs and real investment in Northern Ireland and the border counties of the Irish Republic.

Our legislation uses existing trade and investment tools to stimulate tangible economic assistance to the people of Northern Ireland and the border counties. Faced with continued resistance to the Irish free trade efforts of the past, we concluded that a fresh attempt to fashion legislation that could address European reticence while quickly delivering meaningful trade and investment assistance to Northern Ireland and the border counties was in order.

The legislation provides for the creation of a $300 million Overseas Private Investment Corporation (OPIC) equity fund. Such a fund generates private sector focus and interest in Northern Ireland and the Border area and makes sure that women entrepreneurs have meaningful access to that funding. We believe that the multiplier effect from such a fund could generate a total $1.2 billion in new private investment.

Our legislation also relies on the Generalized System of Preferences (GSP) to assist Northern Ireland's exporters to grow their economy and job base. For those of you who don't know, the United States Generalized System of Preferences (GSP) provides preferential duty-free entry for approximately 4,500 products from 149 designated beneficiary countries and territories.

GSP lowers the tariff rate for goods being imported into the United States. GSP already is in place for portions of the European Union. Because beneficiary designees are not required to change import policies. GSP designation for Northern Ireland and the border counties of the Irish Republic would not require them to seek an amendment from the EU or the Treaty of Rome.

Finally, the legislation relies on the International Fund for Ireland to increase funding for projects that will create rapid job growth in the private sector. The bill recommends six projects for funding and support that will provide both immediate and mid-term job generating growth.

We feel strongly that now is the time for the U.S. to send a clear, serious and solid signal of support to the parties in Northern Ireland that are struggling to implement the peace agreement.

Stimulating real job creation through improving access to our marketplace and encouraging private investment would send a strong signal to everyone that the price of peace could very well be prosperity.

THE COLUSA BASIN WATERSHED INTEGRATED RESOURCES MANAGEMENT ACT OF 1999

HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. OSE. Mr. Speaker, I rise today to introduce the Colusa Basin Watershed Integrated Resources Management Act of 1999.

The Colusa Basin drainage area consists of 1,036,000 acres—1,620 square miles—in northern California within Glenn, Colusa and Northern Yolo Counties. The Colusa Basin Drainage District embodies more than 600,000 acres of the Sacramento Valley, spanning from Knights Landing in the south to Orland in the north, with the Sacramento River and the Sierra foothills forming the east and west boundaries.

Flooding in Colusa Basin causes approximately $4.9 million in property damage each year. In 1995, a major flood did an estimated $100 million in damage to private and public property. The costs of these floods are borne by residents, local agencies and the Federal Government. Large-scale traditional flood-control methods are not cost effective in the Basin. Instead, local authorities are focused on small-scale structural and non-structural flood control remedies that would produce flood protection at a reasonable cost and have the added benefit of being environmentally acceptable.

The Colusa Basin and the Bureau of Reclamation have jointly developed an integrated plan that would provide flood protection for cities and agricultural areas by reducing peak runoff flooding along streams; capture storm water for local uses, groundwater recharge, and wildlife purposes; improve water quality; reduce land subsidence; and improve the quality and quantity of fish and wildlife habitat in the region.

The program includes the construction of 11 small, off-stream, environmentally sound foothill reservoirs and 10,000 acres of new wetlands and riparian habitat. This bill is supported by a wide range of interests, including local farm bureaus, cities and counties in the Colusa Basin, irrigation districts, the CALFED Bay-Delta program and conservation groups such as the California Waterfowl Association, among others.

I urge my colleagues to join me in supporting this bill, and build upon the bipartisan coalition of cosponsors committed to improving flood control, water quality, and wildlife habitat in northern California.

PERSONAL EXPLANATION

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. LEWIS of Kentucky. Mr. Speaker, I would appreciate having the following statement printed in the CONGRESSIONAL RECORD in the appropriate place: Mr. Speaker, on March 16, 1999, I was returning from Moscow where I participated in meetings with leaders of the Russian Duma as part of a Congressional Delegation trip led by my colleague, the Honorable CURT WELDON. The purpose of our trip was to discuss missile defense issues and specifically H.R. 4. As a result, I missed Rollcall votes 51, 52 and 53. Had I been present, I would have voted YES on all three votes.

Rollcall No. 50—H.R. 891, Federal Maritime Commission Authorization Act.

Vote—''Yes.''

Mr. Speaker, the Maritime Commission provides needed protections for U.S. shippers and carriers through its oversight and licensing activities. I support this bill which allows the Commission to improve services, address the Y2K computer problem, and continue its mission.

Rollcall No. 52—H.R. 774, Women's Business Center Amendments Act.

Vote—''Yes.''

Mr. Speaker, I support H.R. 775 which will allow more women to benefit from the Women's Business Center program currently operated by the Small Business Administration. This measure simplifies matching fund requirements and increases authorization levels for the program making it easier for communities to establish centers that will educate and encourage small business growth.

Small businesses in this country exemplify the true meaning of what is called the ''American Dream''. This measure takes another step toward preserving that dream by encouraging more Americans to start their own business.

Rollcall No. 52—H. Con. Res. 25.

Vote—''Yes.''

Mr. Speaker, I recently met with Prime Minister Netanyahu and other Israeli leaders who are working in earnest to gain a peaceful solution along the West Bank. These efforts include negotiations about the formation of a permanent Palestinian State.

Recent statements by PLO Leader Yassir Arafat, regarding his willingness to declare an independent Palestinian State along the West Bank, are threatening those fragile negotiations. Should Mr. Arafat follow through on his statement, he will be violating the Oslo accords and dragging the peace process towards hostility. I support this non-binding resolution expressing the sense of Congress that decisions about the Palestinian controlled land along the West Bank must be made through the negotiation process. It also states that Congress opposes any attempts, outside of the negotiation process, to establish a Palestinian State. The agreements made through the peace process must be upheld by all parties involved.

TRIBUTE TO WALNUT CREEK LIONS CLUB

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mrs. TAUSCHER. Mr. Speaker, today I congratulate the Walnut Creek Lions Club as they celebrate their 75th Anniversary. Since its founding in April 1924, the Walnut Creek Lions Club has provided immeasurable services to the citizens of Contra Costa County. I am proud to honor them as they celebrate their 75 years of dedication to the betterment of their community and the world at large.

Mr. Speaker, as you may know, Lions are committed to sharing their success by helping those less fortunate than themselves. Created in 1917 by Melvin Jones in Chicago, Lions Clubs International now enjoys over 44,000 clubs worldwide, with a membership of 1.4 million in more than 185 countries. In 1925, Helen Keller challenged the Lions to become ''knights of the blind in the crusade against darkness''. Thus began the Lions Clubs' renown for their sight-related programs, including SightFirst, the world's largest blindness prevention program. The motto of every Lion, however, is simply ''We Serve'', which eloquently expresses the true mission of this community service club.

Please join me in recognizing the Walnut Creek Lions Club as they celebrate their 75th anniversary. Their service-minded spirit is inspirational and I am honored that they are a part of my constituency.

EXPRESSING THE SENSE OF CONGRESS THAT A POSTAGE STAMP SHOULD BE ISSUED HONORING THE 100TH ANNIVERSARY OF THE JUNIOR LEAGUE

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. BARR of Georgia. Mr. Speaker, I rise today to announce the introduction of a concurrent resolution expressing the sense of the Congress that a postage stamp should be issued honoring the 100th Anniversary of the Junior League.

One of my constituents, in Georgia, Ms. Martina Goscha, a dedicated and long time member of the Cobb Marietta, Junior League, brought this important issue to my attention.

The Junior League was founded in 1901, in New York City, by Mary Harriman. The Association was launched for those more fortunate in helping those more in need. Volunteers would work in settlement houses on New York's Lower East Side to improve child health, nutrition, and literacy.

The Junior League's efforts caught on, and in 1912 the Junior League expanded to Montreal. In 1914, the Junior League of St. Louis marched for women's suffrage and was active in World War I efforts by selling bonds and working in Army hospitals. In 1921, 30 Junior Leagues joined to form the Association of Junior Leagues International (AJLI) to collectively advance their work.

As the AJLI expanded, its chapters became more involved in addressing urban issues; developing programs in education, housing, and social services. Among countless other issues, the AJLI has been active in collaborating on juvenile delinquency with the National Commission on Crime and Delinquency, and the U.S. Department of Justice.

In 1989, the Association received the President's Volunteer Action Award. In 1990, the AJLI launched a massive immunization campaign in four countries. Currently, 193,000 women are members of the AJLI, dedicated to improving their communities through effective action and leadership of trained volunteers.

Mr. Speaker, I ask my colleagues to join me today in supporting this concurrent resolution. The 100th Anniversary of the AJLI celebrates a century of community service by volunteers dedicated to community service, leadership and achievement.

HONORING INGLEWOOD BAPTIST CHURCH ON THE OCCASION OF ITS 75TH ANNIVERSARY

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. CLEMENT. Mr. Speaker, I rise today in honor of Inglewood Baptist Church in Nashville, Tennessee, on the occasion of its 75th Anniversary.

Inglewood Baptist Church was constituted on March 9, 1924, and came about as a result of the personal vision of Mr. and Mrs. R.J. Overall, Sr. who initially met with thirty members for Bible study in a personal residence located at 2330 Shelton Avenue on November 18, 1923.

These original charter members included: Mr. and Mrs. R.J. Overall, Sr., Mr. Robert J. Overall, Jr., Mrs. Ellen DeMontbreun, Ms. Mattie DeMontbreun, Mr. and Mrs. J. E. Hardaway, Mr. and Mrs. John R. West, Ms. Hattie Mae West, Mr. and Mrs. R. L. Morrison, Mr. and Mrs. J. Burton, Mr. Edwin Ragan, Ms. Florine Ragan, Mr. Finis E. Smith, Mrs. Patie Gwynn, Mrs. Ennis Eagan, Mrs. J.L. White, Mr. Walter Roach, Mrs. W. Nelson, Mr. and Mrs. C. O. Reed, Mr. and Mrs. W. A. Caldwell, and Mr. T. L. Cummings. These fine individuals came together to constitute a New Testament Church under the name of Inglewood Baptist Church, over seventy-five years ago.

Inglewood Baptist Church is to be commended for its outstanding contributions to the community over the years, including the biblical qualities of Bible study, prayer, fellowship, Christian education, evangelism and missions, as well as its continuing cooperation with the Southern Baptist Convention.

This congregation should further be commended for its commitment to world-wide missions through its annual giving to the Cooperative Missions Program of the Southern Baptist Convention and the missionaries the church has supported such as Archie and Margaret Dunaway, Dr. J. Mansfield, and Ethel Bailey.

Inglewood Baptist Church must also be recognized for its ongoing leadership as a ministry and outreach center serving Inglewood and the greater Nashville area while continuing a tradition of excellence through commitment to the future.

The Inglewood Baptist Church and its membership have served as outstanding examples of faithfulness and brotherly love to all of Middle Tennessee. I wish them the best on their 75th Anniversary.

REGARDING THE AGRICULTURE ECONOMY

HON. DAVID D. PHELPS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. PHELPS. Mr. Speaker, let me begin by thanking my colleagues Ms. KAPTUR, and the Ranking Member on the Agriculture Committee, Mr. STENHOLM, for gathering us here to talk about the agriculture economy. There is perhaps no more timely or pressing issue facing our nation's farmers and the legislators who represent them in Washington, and I am grateful to have the opportunity to participate in this discussion.

The importance of agriculture to the families and economy of Illinois' 19th District cannot be overstated, and I am proud to serve on the Agriculture Committee, where I hope to have a role in shaping our nation's agriculture policy. Every one of the communities I represent is deeply impacted when agriculture experiences tough times, and these are some of the toughest in recent memory.

The pork industry is in the midst of a crisis, and prices are also low for other commodities that are critical to my district, such as corn and soybeans. The Natural Resource Conservation Service in Illinois is facing a major budget shortfall that will likely necessitate office closures of month-long furloughs of all of the state's NRCS employees. Farmers are experiencing undue delays in receiving disaster assistance and other USDA payments, and Farm Service Agency offices throughout the country are understaffed and overworked.

I urge my colleagues to recognize the urgency of this situation and hope we can work together to find both short- and long-term solutions to the problems that plague our agriculture community.

I believe one way we can help is by exempting agricultural products from trade sanctions. The health of America's agriculture

economy is largely dependent on foreign markets, and our farmers should not bear the brunt of our sanctions policy.

Another issue that must be addressed is the efficacy of the crop insurance program. Too many vulnerable farmers are not being protected under this program, and I am eager to find a way in which we can ensure the affordability of crop insurance for those at high risk, while making the program attractive to those at low risk, all at a cost the federal government can bear. I am pleased that the President's budget includes several preliminary proposals for crop insurance reforms, and I look forward to building on these initiatives to develop a system that is strong and effective.

Let me mention one more issue of critical importance to Illinois farmers, namely ethanol. The ethanol industry has generated significant economic activity throughout rural America and created thousands of high-paying U.S. jobs. At the same time, the use of ethanol has reduced air pollution, oil imports, and our trade imbalance, all at a net savings to the federal government. I am anxious to help our corn growers find new markets for ethanol. This is a product with far-reaching benefits . . . to agriculture, to our environment, and to all American consumers.

Again, Mr. Speaker, I want to thank Ms. KAPTUR and Mr. STENHOLM for demonstrating their commitment to American agriculture and urging us to speak out on this important issue. I hope we can use the momentum generated today to begin solving the problems facing our agriculture economy and to ensure that the agriculture industry of which we have always been so proud in this country remains strong for generations to come.

SOCIAL SECURITY REFORM

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. CUMMINGS. Mr. Speaker, our nation's social security system has traditionally been a ''safety net'' to citizens hoping to lead long and fruitful lives. However, changes in our society's economic and social conditions warrant reform.

The facts are clear. The Trust Fund will be depleted by 2032.

As such, the current debate is not about the necessity of reform, but what structural revisions will preserve the system long term.

I believe that reform should be synonymous with ''guarantee''—guaranteed minimum benefits for decades to come. Reforms that do not ensure system solvency or include pension or private savings plans without such a guarantee are, frankly, indefensible.

Today, I urge my colleagues to support reform that, as Franklin Roosevelt said best, ''. . . take[s] care of human needs'' throughout the next millennium.

TRIBUTE TO DOROTHY DARROW

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. MCINNIS. Mr. Speaker, I would like to take this opportunity to honor Dorothy Darrow who, for the last 30 years, has served as the Secretary of the Delta County Republican Party. In this capacity, Dorothy has won both the esteem and admiration of everyone, including myself, who has had the privilege of working with her. As Dorothy moves on from her position in the party, I would like to pay tribute to her and thank her for her many years of dedicated service.

First elected to the post of party secretary on February 7, 1969, Dorothy served with great distinguish as secretary where she was chiefly responsible for coordinating and organizing the multiple activities of the local party. In doing so, Dorothy played an integral part in the success of both the party and its candidates for three decades.

Mr. Speaker, like those within the Delta Republican Party, I am truly grateful to Dorothy for her years of self-less service. She has been a wonderful asset to the local party, myself and other Republican candidates, as well as the Delta community at-large. As Dorothy ends her tenure with the Delta County Republicans, I would like to congratulate her on a job well done and wish her all the best in all of her future endeavors.

PERSONAL EXPLANATION

HON. COLLIN C. PETERSON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. PETERSON of Minnesota. Mr. Speaker, during roll call vote No. 52 on H. Con. Res. 24, I was unavoidably detained. Had I been present, I would have voted ''yes.''

FEDERAL RESERVE BOARD RETIREMENT PORTABILITY ACT

SPEECH OF

HON. JOE SCARBOROUGH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 16, 1999

Mr. SCARBOROUGH. Mr. Speaker, as the Chairman of the House Subcommittee on the Civil Service, I was pleased to introduce H.R. 807. As amended, this legislation addresses serious problems that affect a small number of Federal Reserve employees who transfer to other federal agencies and also federal employees who move from federal agencies to the Federal Reserve. This measure also ensures that the access provision of the Veterans Employment Opportunities Act of 1998 will be implemented as Congress intended it to be.

The Federal Reserve Board maintains two retirement systems of its own. Both are similar to the retirement systems that cover most federal employees. One is comparable to the Civil Service Retirement System (CSRS), and the other is structured like the Federal Employees Retirement System (FERS).

Despite these similarities, there are also distinct differences between the Federal Reserve's programs and these federal retirement systems. One difference is how they are financed. The Federal Reserve programs are backed by real assets, stocks and bonds, that have appreciated to create a substantial corpus from which benefits may be paid. In fact, the Federal Reserve's retirement fund is so over funded that it has not had to make any contributions to it since 1986. The CSRS and FERS systems, in contrast, are ''invested'' only in IOUs drawn on the taxpayers. Consequently, despite continuous employee and agency contributions, annuities are mainly paid from current tax revenue, and the Civil Service Retirement and Disability Fund is woefully under funded; its unfunded liability exceeds a half a trillion dollars.

There is also a difference between how employees who transfer between the Federal Reserve and other agencies are treated under the FERS system. Employees who transfer into the Federal Reserve receive credit under the Federal Reserve's FERS-like plan for their other federal service. But FERS does not provide reciprocal treatment to Federal Reserve employees who transfer to positions in other agencies.

Mr. Speaker, this is unfair. H.R. 807 will provide the retirement portability that is currently lacking. Under it, those employees who participate in the Federal Reserve's FERS-like retirement will receive FERS credit for their Federal Reserve years when they transfer to another federal agency. In short, this legislation provides reciprocity. Without this correction, former Federal Reserve employees would receive smaller annuities upon retirement than they otherwise should.

H.R. 807 also fixes another problem that was brought to the Civil Service Subcommittee's attention after we held a hearing on the Federal Reserve's retirement programs and marked up the bill at subcommittee. Under current law, Federal employees participating in the Thrift Savings Plan (TSP) who transfer to the Federal Reserve Board, are not permitted by law to withdraw funds from their TSP accounts. Current law specifies that employees ''must separate from Government employment'' in order to be entitled to withdraw funds. However, employment at the Board is considered to be ''Government employment.'' Therefore, employees who transfer to the Federal Reserve and are covered by its Thrift Plan may not withdraw the funds in their TSP accounts.

I amended this bill when it was marked up by the Committee on Government Reform to correct this problem. H.R. 807 now allows Federal employees who have transferred or will transfer to the Board to move the funds in their TSP accounts to the Board's Thrift Plan. I believe that this technical correction, along with the portability language in the underlying bill, are appropriate and necessary remedies to ensure Board employees fair treatment under current law.

Mr. Speaker, I am also very pleased to support section 4 of this measure. Section 4 was added to the bill by my good friend from Florida, Mr. MICA, who chaired the Civil Service Subcommittee during the last two Congresses. This provision will ensure that the Administration will implement the access provision of the Veterans Employment Opportunities Act of 1998 as Congress intended it to.

Unfortunately, Mr. Speaker, OPM's interpretation of that Act undermined the very reason Congress adopted the access provision: to open competition for previously restricted jobs. OPM ruled that agencies cannot appoint veterans selected under the access provisions of that Act to the competitive service unless they

already have competitive status. Instead, OPM instructed agencies to appoint these veterans to the excepted service under Schedule B. Many veterans fear that if they are appointed as excepted service employees, as OPM's guidance requires, they will, in effect, be placed in dead end jobs.

This fear is not unfounded. As excepted service employees, these veterans would not be eligible to compete for other agency jobs under internal agency promotion procedures. That is manifestly unfair and directly contrary to congressional intent. The access provision of the Veterans Employment Opportunities Act intended to open up employment opportunities for veterans and to provide those selected under it with the same rights as their co-workers. Any other result is totally unacceptable.

The men and women who have served our nation under arms should not be relegated to second-class status when hired into the civil service. Section 4 makes sure that they will not.

Mr. Speaker, this bill has strong support on both sides of the aisle. I want to thank the distinguished Ranking Member of the Civil Service Subcommittee, the gentleman from Maryland, Mr. CUMMINGS, for his strong support for this measure. I commend the majority and minority leaders of the Committee on Government Reform, Chairman DAN BURTON and Ranking Member HENRY WAXMAN, for expediting committee approval of H.R. 807 and for their support. I also want to express my appreciation to Mr. MICA, the distinguished gentleman from Virginia, Mr. DAVIS, the distinguished gentlelady from Maryland, Mrs. MORELLA, and the distinguished gentlelady from the District of Columbia, Ms. NORTON, for their strong support.

I urge all Members to support this bill.

IN RECOGNITION OF THE ACHIEVEMENTS OF THE CANTON MIGHTY EAGLE HIGH SCHOOL BAND

HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. HALL of Texas. Mr. Speaker, I rise today to acknowledge the hard work, discipline and deserved achievements of the Canton High School Band—from my Fourth District in Texas. Besides numerous awards and recognitions, the Mighty Eagle Band has been chosen to represent the State of Texas, today, St. Patrick's Day, by performing in Dublin, Ireland—in that city's St. Patrick's Day Parade.

The young men and women of this band have participated in and won a multitude of competitions every year since 1993. More recently, the Canton Band was named the third overall band in the State of Texas. Along with this honor, came an invitation to perform in Dublin, Ireland, on St. Patrick's Day. As if the many hours of sacrifice and discipline exhibited by these young men and women—was not enough—they managed to raise an amazing $200,000 in order to pay for their trip.

Mr. Speaker, as evidenced by their many achievements and awards, the Canton ISD music program emphasizes responsibility, accountability and service to others. Obviously, these youngsters have internalized these characteristics in their search for success. As we adjourn today, let us do so in honor of the Canton Mighty Eagle Band and their numerous merited accolades.

EXPOSING RACISM

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. THOMPSON of Mississippi. Mr. Speaker, in my continuing efforts to document and expose racism in America. I submit the following articles into the CONGRESSIONAL RECORD.

BLACK DOCTORS' ORGANIZATION PULLS CONVENTION FROM SEATTLE, CONSIDERS BALTIMORE

SEATTLE(AP).—A group representing 20,000 black physicians is withdrawing its 2001 convention from Seattle, citing the state's passage in November of an anti-affirmative action initiative.

''Such legislative enactment (of Initiative 200) is counter to the basic tenets upon which the National Medical Association was founded more than 100 years ago,'' NMA executive director Lorraine Cole said Tuesday in a statement.

The association, headquartered in Washington, D.C., will relocate its convention. It listed potential sites as Denver, Miami, Nashville, Orlando, Philadelphia, New York and Baltimore.

The convention was scheduled for the Washington State Convention Center July 27-Aug. 2, 2001. Between 8,000 and 10,000 people usually attend, said NMA spokeswoman Tomeka Rawlings.

''It's their loss,'' said John Carlson, of Bellevue, who headed the petition drive to put 1-200 on the ballot.

''Unless their organization was founded on the tenets of racial quotas and preferences, they are seriously misreading Initiative 200 because that's all that prohibits,'' he added.

Mayor Paul Schell plans to ask the association to reconsider, spokeswoman Vivian Phillips said.

''He feel it's quite unfortunate,'' Phillips said of the association's action. ''Seattle did not vote in favor of 1-200. In fact, it was overwhelmingly defeated in Seattle.''

The National Association of Black Journalists said before the election that passage of the initiative might be reason for a minority journalists' group to withdraw its conference, scheduled for Seattle this summer.

However, the group UNITY: Journalists of Color voted two days after the Nov. 3 election to keep the convention in Seattle, despite passage of 1-200. The UNITY '99 conference is scheduled July 7-11 at the Washington State Convention Center.

The group said in a news release that passage of 1-200 ''cries out for the need to educate the public about affirmative action.''

Besides the NABJ, the UNITY group includes the National Association of Hispanic Journalists, the Native American Journalists Association, and the Asian American Journalists Association. Their memberships total more than 6,000.

Initiative 200 was approved by nearly 60 percent of the state's voters, but a majority within the city voted no. It bars state and local governments from giving preferential treatment to women and minorities in contracts, jobs or public higher education.

WHAT IS THIS GROUP THAT HAS EMBROILED LOTT?

COLUMBIA, S.C. (AP)—Behind a wooden partition in a back room of the Lizard's Thicket restaurant, about 30 members of the Council of Conservative Citizens—many wearing Confederate battle flag pins and belt buckles hovered over plates of fried catfish and chocolate cream pie as Dennis Wheeler laid out the struggle before them.

Wheeler, a freelance writer from Atlanta opened last week's meeting with a reading from Revelation about the beast that ''opened his mouth in blasphemies against God.'' Among those blasphemies, he told the group, is a ''Yankee radicalism'' known as equalitarianism.

''(I)t is exactly this philosophy that our Confederate forefathers fought against in the War Between the States,'' said Wheeler, head of a council chapter in Georgia. ''The current mark of the beast is the equalitarian religion which names as sins racism, sexism, anti-Semitism and homophobia, among others, rather than the Ten Commandments.''

The only blacks within earshot were the waitresses and busboys working the tables on the other side of the partition.

Just what is the Council of Conservative Citizens? It was formed 13 years ago, it claims 15,000 members and lately it's been in the news since Sen. Trent Lott and Rep. Bob Barr landed in hot water after it was revealed they had addressed the group.

But what else? Is it a reincarnation of the old White Citizens Councils, as some suggest? Is it a white supremacist group?

''We are not racists,'' insists South Carolina director Frances Bell, citing her American Indian background and noting the group has some Jewish members.

Is the council merely an organization so devoted to free speech and assembly that it refuses to silence racist or bigoted views?

The questions have sent Lott, R-Miss., and Barr, R-Ga., scurrying for cover. The chairman of the Republican National Committee has called on GOP members, including national committee member Buddy Witherspoon of Columbia, to quit the organization that calls itself the ''active advocate for the no longer silent conservative majority.''

Gordon Baum, the St. Louis attorney who runs the group, says attacks on the council—especially by people like law professor Alan Dershowitz—are liberal diversions to take the heat off President Bill Clinton. ''It all has to do with protecting Billy's butt,'' he said.

''Why are they so afraid of us?'' Baum said in a telephone interview last week, noting that the council is best known for opposing affirmative action and quotas and defending the Confederate battle flag against those who would remove it from public display.

He answered his own question: ''Because these are all politically incorrect (stances), and they would prefer that we would not have a voice. I mean, neither the Republicans nor the Democrats will touch these issues, and they're afraid of the people out here's growing discontent with the parties.''

But to the Rev. Joseph Lowery, who founded the Southern Christian Leadership Conference along with the Rev. Martin Luther King Jr., the group is ''the Ku Klux Klan with a coat and tie.''

''What they stand for sounds like just a recycled White Citizens Council,'' the Atlanta preacher said, ''A cocklebur by any other name is just as thorny.''

In fact, some of the group's original members came from the old Citizens Councils of America, a pro-segregation group formed as a response to the 1954 Supreme Court decision integrating public schools.

Baum was its Midwest field organizer and Robert ''Tut'' Patterson its founder. Patterson now writes a column for The Citizen Informer newsletter for Baum's group.

Mark Potok, a researcher for the Southern Poverty Law Center in Montgomery, Ala.,

said the Council of Conservative Citizens is more dangerous than the KKK or neo-Nazis because it has been ''successfully masquerading as a mainstream conservative organization.''

''They're not going to produce a Timothy McVeigh; they are much more interested in genuine political power than in any kind of violence or terrorism,'' Potok said. ''I mean, Timothy McVeigh can kill 168 people, but he is never going to be elected your senator or president or congressman. So, yeah, on a political level they're much more dangerous.''

Indeed, the group claims as dues-paying members dozens of elected officials, from local school boards to state legislatures. It does not, however, claim ex-Klan leader and sometime GOP candidate David Duke, who caused Baum considerable discomfort in November by showing up at a national board meeting in Jackson, Miss.

The group's Web site welcomes visitors to ''join the vast right-wing conspiracy!''—an ironic reference to Hillary Clinton's comment about who was behind the impeachment effort—and offers such publications as a pamphlet revealing ''the ugly truth about Martin Luther King.''

The South Carolina chapters have fought to keep the Confederate battle flag flying over the state capital and criticized The Citadel for not playing ''Dixie'' often enough during functions at the military college.

''Being pro-white is not equal to being anti-black,'' said Rebekah Sutherland, an executive committee member from Aiken who ran for state school superintendent last year. ''It's OK to be white, isn't it? That's what this group is about. It's OK to be white.''

Don MacDermott, a Birmingham, Ala., city councilman and Council of Conservative Citizens member, campaigned with his chapter last year against a proposed 1-cent sales tax that he felt would go to fund ''just a bunch of wish lists for some local bureaucrats.'' He said he wouldn't belong to the organization if he felt it was racist.

''The chapter I belong to is definitely not,'' he said. ''They're just some well-grounded beliefs in conservative values. Most of the group I'm involved with were Ronald Reagan supporters in 1976.''

A.J. Parker, a siding contractor who is director of the group's North Carolina chapter, doesn't like being condemned for the views of a few members.

''Why should I pay for deeds that took place 100 years ago, or even 50 years ago?'' he said during a break from burning brush in front of his Asheville home. ''They've tried to identify us with David Duke and people like that, and anybody who speaks out against affirmative action and quotas and immigration, they're automatically tagged with that dirty brush.''

But critics point to anti-Semitic postings on the group's Web site, and to Informer columns like this from Patterson last fall:

''Western civilization with all its might and glory would never have achieved its greatness without the directing hand of God and the creative genius of the white race. Any effort to destroy the race by a mixture of black blood is an effort to destroy Western civilization itself.''

Baum noted that the Informer has a disclaimer, ''like all newspapers.''

''It was there; we can't lie. We did not endorse it,'' he said. ''Our people don't walk in lock step. Organizing conservatives is like herding cats.''

But Dick Harpootlian, chairman of the South Carolina Democratic Party, offered a different animal analogy: ''Birds of a feather flock together.''

''If David Duke and those kinds of folks are showing up at those meetings, they obviously have some interest in them,'' he said.

''There's a fight for the heart and soul of the Republican Party. Is it the party of Lincoln or the party of extremes? So far, the extreme's winning.''

U.S. Rep. Robert Wexler, D–Fla., is calling on members of Congress to denounce the Council of Conservative Citizens. ''They can hide behind whatever curtain they want to hide, but we know what they are,'' Wexler said in a telephone interview.

Baum said the debate has devolved into a kind of '90s McCarthyism, where guilt by association is the order of the day.

''Really, Trent Lott's involvement wasn't other than what he would do with any larger constituent group,'' Baum said. ''I mean, to us it's sending a signal that any political figure should not meet with conservatives. I mean, they did this with the Christian Coalition; they did it with the pro-life movement. They've tried to demonize them.''

The Council of Conservative Citizens meeting last Saturday in Columbia was supposed to be open. But when members learned an Associated Press reporter planned to attend, the executive board voted to close the partition.

''They're all afraid,'' Mrs. Bell said. ''People are afraid they'll lose their job if their name comes out.''

But Wheeler exhorted the back-room crowd to ''look at our duty. . . .

''The war for the hearts and the minds of the people must be won before the political war can be won.''

DEFENDANTS DENY WOMAN'S CLAIM OF RACIAL DISCRIMINATION IN HOUSE DEAL

INDIANOLA, MISS. (AP)—The defendants in a federal racial discrimination lawsuit have asked the U.S. District court to dismiss the case.

The suit, filed by Sunflower County assistant district attorney Felecia Lockhart, claims Community Bank of Indianola and others conspired in 1995 to prevent her from purchasing a home in a predominantly white neighborhood. Lockhart is black.

Defendants include Community Bancshares of Mississippi, which does business as Community Bank of Mississippi; Freddie J. Bagley, the bank's president in Indianola; Thomas Colbert and James T. Mood.

In documents filed this week, the defendants denied any wrongdoing and asked that the lawsuit seeking $1.5 million in damages be dismissed. Lockhart brought the action following an unsuccessful attempt to purchase the house from Mood, an officer at the bank in Indianola, and his wife.

Lockhart claims Mood was coerced into breaching the contract to sell the House and that, specifically, ''certain shareholders and/or directors'' of the bank were objecting to the deal.

In seeking dismissal, the defendants said they had dealt with Lockhart at all times in a non-discriminatory manner.

They claim Lockhart wrote a letter to Mood wrongfully accusing him of breach of contract, demanding repairs he could not pay for and demanding he compensate her for more than $2,800 of unspecified expenses in the sale contract.

Defendants also maintain that Mood was warned that ''further steps'' would be taken if he failed to hand over the more than $2,800.

They also said none of Mood's superiors at the bank ''ever said one word to him about attempting to get out of the sale, much less coerced or sought to pressure him.''

STATEMENT ON THE PEACE PROCESS IN NORTHERN IRELAND

HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. LAZIO. Mr. Speaker, I rise today in recognition of the ongoing peace process in Northern Ireland. For nearly a year now, we have walked down a path leading toward the permanent resolution of the more than 30 years of acrimony in Northern Ireland. The ''Good Friday Peace Agreement'' was hailed internationally as ''the best chance in a generation for peace,'' and was passed last April with a remarkable 85 percent majority. As is often true with any worthwhile endeavor, the road to our ultimate goal may not always be smooth, nor direct. It is now, however, during this time of uncertainty and difficulty, when progress seems painstakingly slow and obstacles appear overwhelming, that our efforts should be redoubled. We should take heart in the accomplishments of this past year and weigh carefully the actual value of realizing a permanent peace before allowing any one stumbling block to derail this important process.

The recognition given to John Hume, head of the SDLP, and David Trimble, First Minister of the Northern Ireland Assembly, in receiving the Nobel Peace Prize was a reassuring step toward memorializing the extraordinary achievements made by the proponents of peace. We should not forget, however, the many other people, without whom this process would not have even been possible. Prime Ministers Bertie Ahern and Tony Blair, Gerry Adams of Sinn Fein, British Secretary Mo Mowlam and many others, on both sides of the issue, as well as the Atlantic, were instrumental in propelling the cause of peace in a region weary of constant strife. We should also remember the 3,200 people who have lost their lives during more than three decades of violence; for their memories will serve us well in motivating all people who are concerned, as I am, with enhancing the efforts to bring a lasting tranquility to Ireland. This Tranquility is of special concern to the people of New York, the State for which I hold the honor of representing, as we have one of the largest Irish populations outside of their homeland.

Unfortunately, along with this timely recognition of accomplishment, there must also be the increased vigil of those that would attempt to destroy the peace process that has been so carefully cultivated. We are reminded, yet again, of the cost of not succeeding by the tragedy which occurred just days ago, when Mrs. Rosemary Nelson was brutally murdered by a loyalist paramilitary group. Mrs. Nelson was an important participant in the peace process, an accomplished barrister, and a mother of young children. Her murder was a cowardly act that illustrates so clearly that the time has long passed for these last few violent thugs to heed the demands of the overwhelming majority of their countrymen and lay down their arms, once and for all.

The complexity of the discord in Northern Ireland that has proven so baffling to peace seekers for a generation, will not be solved by the mere signing of one document. It will only be realized by a thorough adherence to and completion of the measures outlined in the

Good Friday Agreement and mandated by the people of Ireland. As the first anniversary of the agreement approaches, all sides have the opportunity, if not the obligation, to make real progress toward its implementation. The paramilitary factions must be demobilized and disbanded immediately if there is to be a genuine and lasting peace. All parties to the process must now rely on the increased dialogue and the new, conciliatory tone of the talks to transform any future disagreements from violent altercations into intelligent debate and then, hopefully, lasting harmony. A harmony that will one day remove the ubiquitous and pernicious words ''The Troubles'' from the vernacular of a generation of Irish, both in their homeland and in America.

LANDOWNERS EQUAL TREATMENT ACT OF 1999

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. YOUNG of Alaska. Mr. Speaker, today Congressman TAUZIN, Congressman POMBO and I, joined by more than 20 cosponsors, are introducing the Landowners Equal Treatment Act of 1999. The purpose of this bill is to insure that private property owners are compensated when their land must be used by the federal government as habitat for endangered or threatened species. The United States Constitution in the 5th Amendment states ''nor shall private property be taken for public use, without just compensation.'' The Supreme Court has said that the right to be compensated for the taking of private property for a public use is a fundamental constitutional right on the same level as the right to free speech and free exercise of religion.

There are some in our country who no longer revere or respect the rights of private property owners. Their view is that using land for wildlife habitat is more important than protecting the right to own and control the use of private property. However, the purpose of our bill of rights is prevent the current whims of the majority from infringing on the rights of each individual in our country to certain liberties and freedoms guaranteed in our constitution. One of the most important of these is the full rights of ownership of private property, which includes the right to use and enjoy the fruits of ownership of property.

Over the last several years, bills have been introduced to insure that property owners are protected by requiring compensation when property is taken, to insure that property owners have the right to bring suit to protect their own property rights, and to make property rights lawsuits less cumbersome. Certainly, landowners can file suit for compensation under the Constitution, but as you know these lawsuits are so expensive, time consuming and difficult, that ordinary citizens lose their land or their right to compensation because they cannot afford these lawsuits. Yet, the Clinton administration, has consistently opposed any and all efforts to protect private property rights.

However, the Clinton administration has vigorously sought compensation for impacts on government lands when other public agencies must make use of them. This bill guarantees that private landowners, who enjoy the protections of the Bill of Rights, receive equal treatment with government agencies, which do not have the protections of the Bill of Rights.

On February 4, 1999 I chaired a hearing on the Minnesota Valley National Wildlife Refuge. During the course of that hearing, we learned of a Federal Aviation Admininstration statute and regulation, that allowed the Fish and Wildlife Service to receive ''compensation'' for the lost ''use'' of refuge lands due to off-site impacts from aircraft overflights. The law requires the Secretary of Transportation to avoid or minimize impacts on public lands when approving construction of federal transportation projects. The Clinton administration is interpreting this law and rule to require that the Transportation Department first avoid impacts, then minimize impacts and if that can't be done to compensate for the impacts. This resulted in the Fish and Wildlife Service receiving an agreement for compensation of more than $26 million to be paid from revenues of the local airport through charges on airport users.

The way that the Fish and Wildlife Service and the FAA interpret whether they are ''using'' public lands that requires the payment of compensation is through a definition of ''constructive use''. According to the FAA ''A 'constructive use' can occur when proximity effects, such as noise, adversely affect the normal activity or aesthetic value of an eligible Section 4(f) property—even though there may be no direct physical effect involving construction of transportation facilities.

A ''constructive use'' can occur where there is no physical presence or invasion of the property, but where the landowner's use is so limited by the imposition of the use by the public for habitat, that for all practical purposes the landowner can no longer use his own lands. Examples of this have occurred on an all too frequent basis. Our committee has heard testimony that the federal government has prevented homebuilders from constructing on their property because it is habitat for marsh rabbits, mice and rats. Farmers have been prevented from farming because of the presence of rats and fairy shrimp. Ranchers are being told to halt cattle grazing because of the presence of rare plants or birds. Schools have been halted due to the use of local lands because it is habitat for pygmy owls. And private timber owners are being told to put timber lands off limits to further uses because of the presence of owls, marbled murrelets, and salmon.

The Clinton administration would argue that it is not a taking of property if only a small part of the property is put aside for habitat because the landowner still has other property they can use. However, in the Minnesota Valley National Wildlife Refuge, the airport noise only affected a small part of the property and yet the full compensation was paid for the impact on the portion of the property that was affected. Landowners ought to receive the same treatment and the same right to be compensated for the use of their property whether it affects the entire parcel or only a portion of the parcel.

The bill that we introduce today will insure that private property owners are compensated on the same basis as the Fish and Wildlife Service. It only deals with the requirement of the Endangered Species Act that habitat of species be protected, even when that habitat is someone's private property. It would require the same sequencing as is currently applied to public lands—first avoid using private property for public use, if that is not possible, then minimize the impacts and if that is not possible mitigate through compensation. The bill defines what a public use is in the same manner that the FAA has defined it to include a ''constructive use''. It then lists the types of actions under the ESA that would be within the definition of use or constructive use. These are actions that result in the land being used as habitat by the government to the detriment of the property owner. The landowner would be compensated for any portion of land taken.

The fact is that this bill will help not only private property owners but also our nation's endangered plants and animals. The right way to protect endangered species is through cooperative and voluntary efforts of private property owners. Most private property owners are delighted to provide a home to the nation's wildlife when the rights of the private property owner are respected. However, when the federal government forces landowners through coercion or threats of prosecution to set aside valuable land for nonuse because it is habitat, landowners will have no incentive to protect habitat for wildlife. Protecting private property rights is the right thing to do for people and wildlife.

HISTORIC HOMEOWNERSHIP ASSISTANCE ACT

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. SHAW. Mr. Speaker, all across America, in the small towns and great cities of this country, our heritage as a nation—the physical evidence of our past—is at risk. In virtually every corner of this land, homes in which grandparents and parents grew up, communities and neighborhoods that nurtured vibrant families, schools that were good places to learn and churches and synagogues that were filled on days of prayer, have suffered the ravages of abandonment and decay.

In the decade from 1980 to 1990, Chicago lost 41,000 housing units through abandonment, Philadelphia 10,000, and St. Louis 7,000. The story in our older small communities has been the same, and the trend continues. It is important to understand that it is not just the buildings we are losing. It is the sense of our past, the vitality of our communities and the shared values of those precious places.

We need not stand hopelessly by as passive witnesses to the loss of these irreplaceable historic resources. We can act, and to that end I am introducing today with a bipartisan group of my colleagues the Historic Homeownership Assistance Act.

This legislation is almost identical to legislation introduced in the 105th Congress as H.R. 1134. It is patterned after the existing Historic Rehabilitation Investment Tax Credit. That legislation has been enormously successful in stimulating private investment in the rehabilitation of buildings of historic importance all across the country. Through its use we have been able to save and re-use a rich and diverse array of historic buildings: landmarks

such as Union Station in Washington, D.C.; the Fox Paper Mills, a mixed-used project that was once a derelict in Appleton, WI; and the Rosa True School, an eight-unit low/moderate income rental project in a historic building in Portland, Maine. In my own State of Florida, since 1974, the existing Historic Rehabilitation Investment Tax Credit has resulted in over 325 rehabilitation projects, leveraging more than $238 million in private investment. These projects range from the restoration of art deco hotels in historic Miami Beach, bringing economic rebirth to this once decaying area, to the development of multifamily housing in the Springfield Historic District in Jacksonville.

The legislation that I am introducing today builds on the familiar structure of the existing tax credit but with a different focus. It is designed to empower the one major constituency that has been barred from using the existing credit—homeowners. Only those persons who rehabilitate or purchase a newly rehabilitated home and occupy it as their principal residence would be entitled to the credit that this legislation would create. There would be no passive losses, no tax shelters, and no syndications under this bill.

Like the existing investment credit, the bill would provide a credit to homeowners equal to 20 percent of the qualified rehabilitation expenditures made on an eligible building that is used as a principal residence by the owner. Eligible buildings would be those that are listed on the National Register of Historic Places, are contributing buildings in National Register Historic Districts or in nationally certified state or local historic districts or are individually listed on a nationally certified state or local register. As is the case with the existing credit, the rehabilitation work would have to be performed in compliance with the Secretary of the Interior's standards for rehabilitation, although the bill would clarify the directive that the standards be interpreted in an manner that takes into consideration economic and technical feasibility.

The bill also makes provision for lower-income home buyers who may not have sufficient federal income tax liability to use a tax credit. It would permit such persons to receive a historic rehabilitation mortgage credit certificate which they can use with their bank to obtain a lower interest rate on their mortgage. The legislation also permits home buyers in distressed areas to use the certificate to lower their down payment.

The credit would be available for condominiums and co-ops, as well as single-family buildings. If a building were to be rehabilitated by a developer for sale to a homeowner, the credit would pass through to the homeowner. Since one purpose of the bill is to provide incentives for middle-income and more affluent families to return to older towns and cities, the bill does not discriminate among taxpayers on the basis of income. It does, however, impose a cap of $40,000 on the amount of credit which may be taken for a principal residence.

The Historic Homeownership Assistance Act will make ownership of a rehabilitated older home more affordable for homeowners of modest incomes. Ii will encourage more affluent families to claim a stake in older towns and neighborhoods. It affords fiscally stressed cities and towns a way to put abandoned buildings back on the tax roles, while strengthening their income and sales tax bases. It offers developers, realtors, and homebuilders a new realm of economic opportunity in revitalizing decaying buildings.

Mr. Speaker, this bill is no panacea. Although its goals are great, its reach will be modest. But it can make a difference, and an important difference. In communities large and small all across this nation, the American dream of owning one's home is a powerful force. This bill can help it come true for those who are prepared to make a personal commitment to join in the rescue of our priceless heritage. By their actions they can help to revitalize decaying resources of historic importance, create jobs and stimulate economic development, and restore to our older towns and cities a lost sense of purpose and community.

I urge all Members of the House to review and support this important legislation, and I look forward to working with the Ways and Means Committee to enact this bill.

PEACEKEEPING OPERATIONS IN KOSOVO RESOLUTION

SPEECH OF

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 11, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the concurrent resolution (H. Con. Res. 42) regarding the use of United States Armed Forces as part of a NATO peacekeeping operation implementing a Kosovo peace agreement:

Mr. GREEN of Wisconsin. Mr. Chairman, I came to the House floor today ready to use my vote to help Congress play a constructive role in the public debate over authorizing U.S. ground forces to take part in a NATO peacekeeping operation in Kosovo. I want to thank you for scheduling this debate today because I believe it is time for this body to reclaim its rightful role in the formulation of our nation's foreign policy and military affairs.

I certainly did not come to the House floor with a closed mind regarding an active role for the United States in securing a real, lasting peace in this region of the world. I wanted to vote for a responsible resolution that, without micromanaging the actions of our commander-in-chief, established several clear parameters and goals—not only for the deployment of U.S. troops, but also for future U.S. policy in the area.

Let me also say that I am not an isolationist, and recognize that as the world's sole remaining superpower, unique demands may be placed upon our military resources. The type of conflict that is the subject of today's debate is the very type that NATO must be prepared to deal with in modern times. As Serb atrocities and retaliation by Kosovar Albanians escalates, Kosovo's civilian population continues to suffer and the region inches ever closer to a larger conflict that threatens to engulf other sections of southeastern Europe.

But to involve U.S. troops in this operation without laying out clear guidelines and objectives—both for the peacekeeping forces and for future U.S. policy—would serve little purpose other than to place American fighting men and women adrift in harm's way. That is why it is with mixed emotion I must report to my colleagues that I cannot vote for this proposal as it stands today.

For our troops and for our nation, I believe we as policymakers must have the following before we can responsibly deploy ground forces:

1. A guarantee that NATO alone will supervise any Kosovo deployment—without involvement of the United Nations or other organizations that have demonstrated their incapacity to effectively handle similar situations;

2. A guarantee that U.S. troops will serve under U.S. command—not under the command of any foreign power;

3. A report outlining the amount and type of U.S. military personnel and equipment required for the operation, as well as the cost of those resources and the deployment's overall effect on military readiness;

4. A clear mission for our ground forces, explicit rules of engagement, and a realistic military timeline and exit strategy; and

5. Most important, an overall U.S. policy that recognizes Slobodan Milosevic's role as a violent and destabilizing influence for all of southeastern Europe—a policy aimed squarely and firmly at removing Milosevic from power.

The administration, unfortunately, has failed to make its case before Congress—a Congress that wants to help build a lasting peace, a real peace. There is still time for the Administration to craft a responsible policy. The crisis in Kosovo is not of recent origin. There has been plenty of time to help the American people to understand why America's sons and daughters should travel to this troubled land, to understand what it is they will do, to understand when it is that they will come home to their loved ones.

Thanks to today's robust debate, we have before us a resolution that requires many of the provisions I've previously discussed. In my opinion, however, without addressing the other conditions I've raised, the resolution remains inadequate. Without any indication from the administration that each of these conditions will be met before the deployment of ground troops to Kosovo, I have no choice but to vote ''nay'' on H. Con. Res. 42.

FREE TRADE ISN'T FREE

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. SHUSTER. Mr. Speaker, as a cosponsor of H.R. 975, the Bipartisan Steel Recovery Act, and an avid supporter of our American steel industry and its workers I am submitting an opinion piece which I sent to newspapers in my district at the end of January as it relates to current global trade practices and the struggles of the American steel industry.

Today cheap steel imports are flooding the U.S. market, decimating the U.S. steel industry. America's steel workers are being laid off in droves, causing tremendous personal hardship for these workers and their families. Is this just an unfortunate but acceptable consequences of our global economy, or is this a serious problem which illustrates the need for a new socioeconomic paradigm?

I went to Congress a free trader, embracing Ricardo's Theory of Comparative Advantage—a very valid economic theory which states essentially that the industries of each nation should produce that which they produce most

efficiently and trade those products with other nations that produce other goods more efficiently. His theory still makes economic sense—if all you care about is economic theory. But as the current steel crisis demonstrates his theory has two fundamental flaws.

First, governments don't let pure economic competition decide what products their industries will produce, export or import. Nations decide to subsidize certain products because they deem it in their national interest for a variety of reasons: to protect vital industries, create jobs, and achieve national pride, to name just a few. Other nations decide to throw up barriers, direct and indirect, to achieve a national interest by selling their products overseas below cost or by keeping foreign products out.

Second, nations may well decide that importing goods at the lowest price is not the only or most important consideration in determining how open their markets should be. Unemployment carries enormous costs, direct and indirect. Welfare, unemployment compensation, retirement contributions, and the agonizing destruction of families which are torn asunder from the ravages of the inability to support their families, are societal costs that go far beyond economic measure.

So it is time for a new socioeconomic paradigm. To work, Ricardo's Theory of Comparative Advantage needs to be modified to include both the relative costs of production in different countries and the national interests relating to international trade. Can the United States retain its preeminence in the world if its steel industry is weakened by artificially low-cost foreign competition? Can we remain strong if our aviation or ocean shipping industry is dependent upon foreign planes and ships in times of national emergency? On a more personal level, do the benefits of lower-priced shirts and shoes from third world countries outweigh the costs of welfare, unemployment compensation, and the family pain caused by chronic employment? Simplistic 19th century free trade solutions no longer serve our country well. Nor would a blind protectionist policy that blocks most foreign trade. It's time for a more complex balancing of economic benefits realized through foreign trade and the legitimate national interest in preserving a strong domestic economy.

Balanced international trade with reciprocal open markets is a worthy economic policy so long as our vital national interests are preserved. But that calls for a much more complex socioeconomic policy than either Democratic or Republican administrations have embraced to date.

NATIONAL PARKS CHECK-OFF ACT

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. DUNCAN. Mr. Speaker, today, I introduced the National Parks Check-off Act because of my concern about the condition of our national parks.

This same legislation was reported out of the Resources Committee during the 105th Congress with bipartisan support having 80 cosponsors.

The National Parks Check-off Act will amend the Internal Revenue Code and require that Federal income tax forms contain a line which will allow taxpayers to donate one or more dollars to the National Park Service. This legislation will provide more money for the care of our national parks and there will be no cost to the federal government.

A study released by the National Parks and Conservation Association found that 8 out of 10 people surveyed would be willing to increase their tax contribution by $1 to benefit the National Park System.

During a House Resources Committee hearing during the 105th Congress Allan Howe, from the National Park Hospitality Association, testified that:

> Over the last three years the Presidential Check-Off has raised over $200 million. While there is considerable interest in presidential elections every four years, there is a continued and sustained interest in our National Parks, which should yield even more support.

I agree, and I believe if this bill is passed millions of dollars could be raised to address the $4–$6 billion backlog that our parks current face.

During the 105th Congress, this legislation was supported by organizations such as the National Park and Conservation Association, America Outdoors, the American Hiking Society, the Friends of the Great Smoky Mountains, the National Tour Association and many others.

I hope my colleagues will join me by cosponsoring this most important legislation which will help preserve our national treasures for future generations.

TRIBUTE TO BEN OLSEN

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. GEKAS. Mr. Speaker, I rise today to pay tribute to a young man who, at the age of just 21, has begun to make a strong mark in his field of endeavor. Ben Olsen, from Middletown, PA, has, within one year of becoming a professional soccer player, accomplished things that many older players must surely envy.

On February 21, in just his second game for the United States National Team, Ben scored his first international goal against Chile in Ft. Lauderdale, FL. He played the full 90 minutes as a wing midfielder, a position which requires not only great skill, but a remarkable work ethic, since he is required to play both offense and defense. This great responsibility means that at the international level, he is likely to run between 6–9 miles per game. He is a true ''two-way'' player who demonstrates great skill in addition to defensive tenacity. He is, at different times in a game, a quarterback, wide receiver, running back, linebacker, and defensive back.

In just a year of professional play, Ben has proven that he has the right mix of intelligence, speed, skill, and aggression that is the hallmark of an international-caliber player. Each time he takes the field in an American uniform, it is obvious when you watch him play that he truly recognizes the honor of representing his country. He exemplifies the finest American traditions of hard work, teamwork, and desire to succeed.

Indeed, he has been successful. In his first year with DC United in Major League Soccer, Ben played every game and won Rookie of the Year honors. Additionally, he was instrumental in helping his team accomplish something an American team has never done: win the CONCACAF Cup, the tournament which determines the best team in North America. This win gave United the right to challenge the winner of the Copa Libertadores, the champion of South America. In what is considered to be one of the great upsets in 1998, DC United defeated Vasco da Gama, the South American champion which hails from Brazil. That Vasco, a world-renowned club, has existed for over 100 years and United for just three made the win even more amazing. The fact that Ben Olsen, a veritable youngster in the game, played such an integral part in the victory was even more astounding.

Ben has accomplished much already, but the true mark of this young man is that he is hungry for more success, and that he understands the importance of being a professional athlete in today's society. After each game, he stands with his teammates and performs the traditional yet noble gesture of applauding the fans for their support. This simple demonstration, unique to soccer, reminds us all of the good in sports. And for fans of Ben Olsen, of Middletown, PA, it provides a reminder that here is an athlete to whom American youth can look for a role model.

SHADY LANE ELEMENTARY SCHOOL

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. ANDREWS. Mr. Speaker, I rise today to commemorate a great day, on which I was fortunate to learn from some of our wisest teachers: kindergarten students. On March 1, 1999, I had the opportunity to read to kindergarteners at the Shady Lane Elementary School in Deptford, New Jersey.

Ms. Martha Wilson's Kindergarten class is an outstanding group of young people. I was delighted to help promote reading to young children, and I greatly enjoyed the chance to meet the students in Ms. Wilson's class.

I wish the best of luck to the following kindergarteners who shared this special day with me at the Shady Lane School: Courtney Callahan, Nicholas Battee, Jaimie Beekler, Destiny Bingham, Brian Buck, John Childress, Robert Kilcourse, Kody McMichael, Marisa Peters, Matthew Raively, Deborah Robinson, Karen Sabater, Donald Smith, Richard Smith, Marcus Smith, Ayana Thomas, Jessica Welch, George Williams, and Nylan Wolcott.

INTRODUCTION OF THE PRODUCE CONSUMERS' RIGHTS-TO-KNOW ACT

HON. MARY BONO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mrs. BONO. Mr. Speaker, today I am pleased to introduce the Produce Consumers'

Right-to-Know Act, H.R. 1145. The text of the bill is substantially similar to legislation that was introduced by my late husband, Representative Sonny Bono during the 105th Congress, H.R. 1232. When I joined Congress, I was honored to have the opportunity to work on this important bill last year with many distinguished leaders in Congress including the gentlemen from California (Mr. HUNTER and Mr. CONDIT), the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentlewoman from Ohio (Ms. KAPTUR), just to name a few outstanding individuals. Now, it is appropriate to begin this work again in the hope that we in Congress can help all consumers and families across our country learn the basic information about the fruits and vegetables they bring home.

THE GLOBAL FOOD MARKETPLACE

The reality today is that food is a global product. The General Accounting Office reported last year that our country receives more than 2.5 million shipments of imported fresh fruits and vegetables annually (see GAO Report No. 98–103). I believe strongly in the global economy, because I believe that the U.S. and American consumers always win in a global marketplace.

My one qualification regarding this belief is that rules for trade are fair. Fair trade is an essential element of commerce in any millennium. A coordinate element of trade policy for the next millennium must be a global standard. Harmonization is important. Country-of-origin labeling for fresh produce legislation is part of the current harmonization effort. Twenty-two of our trading partners have some type of produce country-of-origin labeling or marking requirement. These nations include, Canada, Mexico, Japan, and many members of the European Union. There is no intent or means to discriminate against anyone or trading partner with this bill. The office of legislative counsel has incorporated into this bill language clarifying that this labeling reform applies equally to imported as well as domestically grown produce. Otherwise, this text is based on the amendment to the Senate Agriculture Appropriations bill that was offered last year by the Senator from Florida (Mr. BOB GRAHAM).

LABELING: SIMPLE, SOUND, AND INEXPENSIVE

Briefly, it is worth pointing out that U.S. law already encourages the labeling and marking of fresh fruits and vegetables. The boxes of imported produce, for example, are required to indicate country-of-origin information. These boxes go to the grocery store or retailer, but are often left in the back room. Thus, while this valuable information travels to the store, it does not always make it to the mom, dad, or other consumer at the point of sale.

As our Founders envisioned, the states are great laboratories for ideas. In Florida, the state enacted produce country-of-origin labeling more than twenty years ago. The Florida experience is a marked success. Two major Florida supermarket chain stores have reported that this common-sense customer service costs each store less than $10 per month. I am informed that the total cost for more than the 25,000 retail stores in Florida is less than $195,000 annually. It is an easy, low-cost policy that has reaped enormous benefits for consumers by giving them a right to know at the grocery store. In addition, it has helped the stores better market their produce.

THE AMERICAN PUBLIC WANTS THIS VALUABLE INFORMATION

The honest truth laying at the core of this bill is that the people back home in our districts are curious and just want to know this valuable information. Today, virtually everything in the supermarket bears its place of origin, except meat and produce. A CBS/Public Eye Poll taken last year showed that about 80 percent of the American public favor country-of-origin labeling. Why? So that they can have this useful information. There are many ways for consumers to use this information. Individuals who are concerned about international affairs and human rights can know if they are—and hopefully avoid—buying a product that may come from a regime that supports non-democratic or even racist policies, have poor child labor practices, or anything else from a range of legitimate other concerns.

It is relevant to give another example of how this is important on a practical level. This is called ''trace back.'' In March of 1996, for example, there was a very serious problem with Guatemalan raspberries that were imported into twenty-states, including my home state of California. These fruits were making people sick through cyclospora, a very serious parasite that invades the small intestine and causes extreme diarrhea, vomiting, weight loss, and severe muscle aches. The Centers for Disease Control (CDC) headquartered in Atlanta, Georgia issued an advisory for people not to eat Guatemalan raspberries until the problem could be investigated, contained and eradicated. The average American was unable to find out from what country were the raspberries in the grocery store. In the absence of labeling, concerned shoppers had no choice but not to buy any raspberries. This hurts consumers by limiting choice. It hurts growers from all the other countries with which we import. The current policy also hurts supermarkets, grocery stores, and family businesses of all sizes.

CONCLUSION

Unfortunately the nay-sayers have dismissed the importance of this common-sense practice all too quickly. Curiously, it is said that giving the American consumer the information at the shelf or bin is somehow superfluous or confusing. I remind you that this information is already in the back of the store as required by current law.

I am very curious to see who will rise to oppose this legislation. Are there Members who do not want any families, children, or women to have the basic right to know from where come the fresh fruit and vegetables they are serving at home? Are there Members who want keep this information from consumers? Are there members who want our citizens to have different information from their foreign counterparts? It is my hope that this is not the case. Certainly, the Members who have cosponsored this bill answered this question decisively and in support of everyday Americans.

There is nothing in this legislation that is intended to be or shall prove discriminatory or protectionist. Information is the most important tool for consumers who have a right-to-know. The information that will be easily displayed through this bill on a shelf or bin will empower consumers. And we will certainly continue to import and enjoy produce from around the world, as it is often the only source for fresh produce when our growing season ends.

This is common-sense legislation that will lead to a uniform trade policy and benefit all consumers. I thank all of the Representatives and Senators who have supported this policy in the past and those Members who are joining me today as original cosponsors.

REMEMBERING HENRY HAMPTON ''EMINENT FILM—MAKER''

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. CLAY. Mr. Speaker, Henry Hampton, my friend and fellow student at St. Nicholas Catholic School in St. Louis, Missouri, was a prominent film-maker who shaped the American documentary world. While at St. Nicholas, a very small school with 100 students in grades K–12, I was a high school student and Hampton was a grammar student. Hampton went on to graduate from Washington University in St. Louis. For 30 years right up until his death on November 22, 1998, Hampton raised the American conscience through such award winning documentaries as Eyes on the Prize, Voices of Freedom: An Oral History of America's Civil rights Movement, The Great Depression, America's War on Poverty, Malcolm X: Make it Plain, and Breakthrough: The Changing Face of Science in America. In all Hampton produced or was responsible for more than 60 major films and media projects for the public and private sectors. Through film, Hampton became a civil rights leader as well as an educator.

Among his many industry awards and community honors are the prestigious duPont-Columbia and Peabody awards for excellence in broadcast journalism, as well as six Emmys and an Academy Award nomination. Also, Hampton received the 1993 Ralph Lowell Award, considered the highest recognition in public television, presented by the Public Broadcasting Service and the Corporation for Public Broadcasting. In 1994, Hampton received the first Harold C. Fleming Award recognizing ''a lifetime of service in the field of political participation and community education against hatred in politics.'' In 1995, he received the first Heinz Family Foundation Award in the field of arts and humanities. I commend to our colleagues the January–February 199 About . . . Time article, title ''An Eye for the Prize,'' which tells of the great contributions of Hampton.

AN EYE FOR THE PRIZE

THROUGH THE ART OF FILM AND STORY, HENRY HAMPTON CELEBRATES THE SWEEP OF AFRICAN-AMERICAN STRUGGLES AND CREATIVITY

By Wanda S. Franklin

The one thing he did right was the day he started to fight. With cameras and lights. Producers and editors. Historians and history's forgotten soldiers,'' Boston Globe columnist Derrick Z. Jackson wrote in a tribute to the life and works of Henry Hampton, on November 28, six days after the eminent film-maker died. Now, many African Americans and others inspired by Hampton's legacy are beginning to take an accounting of his work.

As founder and president of Blackside, Inc., Hampton made uniquely important contributions to the body of American documentary film over the past 30 years right up until his death on November 22, 1998. He leaves behind a tremendous legacy that not only shaped

the world of documentary film, but also the American conscience.

'I believe in the power of the arts to create positive change,'' said Hampton, the creator and executive producer of the award-winning multi-part documentary, Eyes on the Prize. The series, released in two installments (with six episodes in 1987 and another eight episodes in 1990), won the prestigious du-Pont-Columbia and Peabody awards for excellence in broadcast journalism, as well as six Emmys and an Academy Award nomination. Eyes on the Prize is regarded as the definitive film record of America's civil rights movement. Hampton also co-authorized the companion volume, Voices of Freedom: An Oral History of America's Civil Rights Movement.

In his years at Blackside, Hampton produced or was responsible for more than 60 major films and medial projects, including several for J. Walter Thompson advertising agency, the United States National Institute of Mental Health and the United States Department of Commerce.

Through his filmmaking, Hampton became a messenger, even a propagandist for justice, equity and fairness. The stories he produced became political weapons and tools for learning.

Hampton was executive producer for all of Blackside's PBS film projects including. The Great Depression, America's War on Poverty, Malcolm X: Make it Plain, and Break-Through: The Changing Face of Science in America. His efforts presented unfold stories behind America's most critical issues—leadership, the nature of democracy and freedom of expression.

He worked around personal disabilities and other illness. Hampton was struck by photo at the age of 15. He also battled lung cancer and pericarditis before he died from a bone marrow disease which arose from a treatment for the lung cancer. Perhaps his suffering became his grace. Henry Hampton refused to be a victim. He learned how to listen without being judgmental.

From the late 1960s through 1990, Hampton chaired the Museum of Afro American History's board of directors, leading that organization's campaign to acquire and restore the African Meeting House on Boston's Beacon Hill, the oldest standing African-American church building in the United States.

Hampton's thirteen honorary degrees include one from his alma mater, Washington University in St. Louis, Brandeis University, Boston College, and most recently from Tufts University in Boston. Among his many industry awards and community honors is the 1993 Ralph Lowell Award, considered the highest recognition in public television, presented by the Public Broadcasting Service and the Corporation for Public Broadcasting. In 1994, Hampton received the first Harold C. Fleming Award recognizing ''a lifetime of service in the field of political participation and community education against hatred in politics.'' In 1995, he received the first Heinz Family Foundation Award in the field of arts and humanities.

The success of his productions and numerous awards speak to his strengths as a visionary and storyteller, as well as to his superb filmmaking style. Hampton once said of Eyes on the Prize, ''I like big stories. One of the problems with history is that often you get marvelous small stories. But if you don't put them in a larger frame, they don't have as much impact. Eyes on the Prize was successful beyond my wildest dreams because it took history that people thought they knew and gave it a sweep. We hit these high stories along the way and showed how they are part of a rising tide,'' he told Paul Kahn during an interview for Very Special Arts Massachusetts. VSAMASS is a non-profit organization that seeks to create and promote opportunities in the arts and cultural mainstream for people with disabilities.

Hampton's ability to see and evaluate the strength and beauty in ordinary people and to powerfully document their struggles and accomplishments within the course of history is what made his work so memorable. He saw the value in the work of the foot soldiers as well as the leadership and acknowledged both. The ''prize'' was inherent in the struggle for one's beliefs.

By presenting those powerful little stories of the ''faces of the unfamiliar'' was how Hampton ''unveiled black people as civilized warriors'' and captured ''the depth of commitment of freedom marchers who went to jail with none of the publicity given to movement leaders,'' wrote Jackson.

A challenge was also issued in Jackson's Boston Globe column on behalf of the independent filmmaker. ''Although Hampton has passed from us, I believe his eyes and spirit are cast down toward us. He is watching to see how we protect the prize. He is watching to see how well we hold on,'' Jackson wrote.

Unique aspects of history are sure to be repeated again when another of Hampton's works, I'll Make Me a World: A Century of African-American Arts, premiers nationally on PBS February 1–3, 1999, at 9 p.m. ET (check your local listings). A production of Blackside, Inc., in association with Thirteen/WNET, this unprecedented six-hour documentary series celebrates the extraordinary achievements of the African-American creative spirit in the 20th century.

The work captures the stories behind 100 years of tumultuous struggle for identity, equality and self-expression by the artistic talent in the African-American community. ''This production is a soaring, celebratory and informative journey into the powerful interaction between African-American culture and the larger American society,'' Hampton said after completing the documentary.

I'll Make Me a World: A Century of African-American Arts is the last production completed by the late filmmaker. However, Hampton was at work on two other major projects. Hopes on the Horizon: The Rise of the New Africa, a ten-part film project covering developments in Africa from 1945 to the present, is scheduled to be completed in 2001. The African American Religious Experience was completing the research and development stage and is expected to go into production this spring. This project examines the shifting role of churches that are being challenged to meet the spiritual needs of young people. These projects will be continued by the Blackside Inc. production team.

I'll Make Me a World: A Century of African-American Arts definitely presents another extraordinary work by Hampton, documenting compelling stories of struggle and creativity in the black arts experience. The series gives voice to the jazz, blues and rap that have defined American music, and the fiction and poetry that have challenged conventional ideas about family, community, race and democracy. It also showcases powerful visual images, from canvas to movie screen that have interpreted the African-American experience as well as the innovative dance and theater that have created new forms of expression embraced by enthusiastic audiences worldwide.

I'll Make Me a World is narrated by Vanessa L. Williams. The star-studded roster of artists, critics and scholars who will offer insightful commentary and analysis also includes Quincy Jones, Alice Walker, Wynton Marsalis, Gwendolyn Brooks, Bill T. Jones, Jacob Lawrence, Amiri Baraka, Spike Lee, Ben Vereen, Melvin Van Peebles, Cornel West and other on-screen witnesses.

I'll Make Me a World: A Century of African-American Arts is a rich tapestry of sights and sounds highlighting black artists of every creative discipline whose distinctive talents have shaped American culture in the 20th century. What the viewer will see over the course of the three evenings is a profile of musicians, writers, visual artists, actors, dancers and filmmakers who forever changed who we are as a nation and a culture.

Each episode is divided into two, one-hour segments. The series begins at the turn of the century with the artistry of the first generation of African Americans born into freedom and moves toward the Harlem Renaissance.

In the opening hour, ''Lift Every Voice'' profiles the careers of artists such as vaudeville stars Bert Williams and George Walker, who struggled to transcend the racial stereotypes of the minstrel tradition and reclaim true elements of black culture. In New Orleans, talented musicians create the innovative and exuberant sounds of ragtime and jazz, music that comes to be identified as quintessentially American. Also, a powerful new medium—film—allows black filmmakers such as Oscar Micheaux to make motion pictures that present the complexities of African-American life at a time when many white filmmakers were promoting dangerous racial stereotypes.

The second hour, ''Without Fear or Shame,'' takes viewers from World War I through the Jazz Age to the Great Depression. This segment also reveals the intense debate that arises during the Harlem Renaissance between community leaders who want to use the arts to uplift the race and some younger African-American artists concerning what art should express—blacks in the best portrayals possible or the complex reality of life in the black community. The works of Langston Hughes, Zora Neale Hurston and the women blues singers ''Ma'' Rainey and Mamie Smith are highlighted in this segment.

''Bright Like a Sun,'' the opening segment of the second episode, shows African-American artists adapting to life during the years of the Great Depression and World War II. Viewers will see how artists such as sculptor Augusta Savage, jazz legends Dizzy Gillespie and Charlie Parker and actor/singer/activist Paul Robeson steadily expand their visions to produce works filled with new energy and fueled by a new-found autonomy. Robeson uses his art to fight for social justice. Savage teaches art and develops and nurtures the talent of youngsters, such as Jacob Lawrence. Gillespie, Parker and other young musicians create Bebop—a controversial and innovative style of music that transforms jazz from popular entertainment into a recognized art.

The fourth, hour segment, ''The Dream Keepers,'' explores an era of firsts for African Americans in the arts and other areas and their impact on the nation as they overcome racial barriers. Some groundbreaking achievements include Arthur Mitchell's debut performance with the New York City Ballet as the first black male dancer in a major American ballet company; and Lorraine Hansberry's A Raisin in the Sun, the first play written by an African-American woman to debut on Broadway. At the same time, an artist such as James Baldwin, chooses exile in Paris as he struggles to launch his literary career.

The last evening concludes with a look at the Black Arts Movement of the 1960s and how black artists continue to redefine and revolutionize not only African-American culture, but American culture with their new sense of black pride and self-determination.

''Not a Rhyme Time,'' the first hour segment, shows black artists making inroads in

Hollywood, Broadway and in popular music, most notably by way of the Motown sound. A cultural revolution begins as this new sound dominates the airwaves. Visual artists such as Romare Bearden, Faith Ringgold and others offer an alternative vision in representations of black art that challenge the aesthetics, power and ultimately the very existence of the so-called ''mainstream.'' By the 1980s, Alice Walker writes about a black woman's quest for independence in The Color Purple and wins both the Pulitzer Prize and the outrage of some African Americans who condemn the images of black families she presents in her novel. In the last hour, ''The Freedom You Will Take'' explores the contemporary cultural landscape that is transformed by the power of African-American film, performance, dance, rap music and spoken word art forms. Spike Lee is acknowledged for his role in ushering in a new wave of independent films by and about African Americans. Viewers are also introduced to members of the younger generation of visual and literary artists who dare to challenge convention.

''People have looked to Henry Hampton's work for a broader understanding of our culture and history,'' says Tamara E. Robinson, vice president and director of national programming for Thirteen/WNET. ''Airing this series is a tribute to his legacy. It will give viewers insight into some of the most provocative artistic contributions of the 20th century,'' she concludes.

To keep the spirit of I'll Make Me a World's impact alive long after the series ends, and to provide more information for use in and out of the classroom, Blackside Inc. has added an educational component that includes a website http://www.blackside.com. This comprehensive database includes a 20th century chronology of African-American art; profiles of the artists featured in the series; descriptions of dance, film, literature, music, theater and visual art education programs for students in grades K–12. The website will also contain biographies, video clips and transcripts of further in-depth interviews with the artists featured in the series as well as classroom activities for middle and high school students and teachers.

Major production funding for I'll Make Me a World was provided by the Ford Foundation, the National Endowment for the Arts, the National Endowment for the Humanities, the Corporation for Public Broadcasting, public television viewers and PBS. Additional funding was provided by the LuEsther T. Mertz Charitable Trust, Lila Wallace-Reader's Digest Fund, Dan Rothenberg, Geraldine R. Dodge Foundation, National Black Programming Consortium, Joyce Foundation, Camille O. Cosby and William H. Cosby, Jr.

CONGRESSMAN RECEIVES LETTER FROM CHRISTIANS OF NAGALAND: AMERICA SHOULD SUPPORT SELF-DETERMINATION IN SOUTH ASIA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 17, 1999

Mr. TOWNS. Mr. Speaker, Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, recently delivered to me a letter from the government-in-exile of Nagaland praising my previous statement of February 11 on the oppression of Christians in India. The letter also calls for self-determination for all the nations of South Asia.

In the letter, the Prime Minister of Nagaland quotes Secretary of State Albright as a supporter of self-determination. On February 24, the Washington Post quoted the Secretary of State as saying, ''ethnic groups demanding independence should be allowed to have their own nations.'' Currently, there are 17 freedom movements within India's borders. Yet the government of India refuses even to allow the Sikhs of Khalistan, the Christians of Nagaland, the Muslims of Kashmir, and the people of the other nations they occupy to decide this issue in a free and fair vote, the way that democratic countries decide these things. Instead, they have resorted to state terrorism against the people in these occupied nations.

Recently, there has been a wave of violence against Christians in India. Christians are merely the target of the moment. Sikhs, Muslims, Daltis (dark-skinned aboriginal people), and others have been subjected to similar violence.

Numerous Christian churches and other religious facilities have been destroyed since Christmas by Hindu extremists affiliated with the ruling BJP. A missionary and his two young sons were burned to death. Nuns have been raped. Priests have been murdered. A Christian religious festival was broken up by gunfire. Is this Indian secularism?

The Indian government has killed more than 200,000 Christians since 1947 and the Christians of Nagaland, in the eastern part of India, are involved in one of 17 freedom movements within India's borders. India has murdered more than 250,000 Sikhs since 1984 and over 60,000 Muslims in Kashmir since 1988, as well as many thousands of other people.

The holiest shrine in the Sikh religion, the Golden temple in Amritsar, was attacked by the Indian government. Gurdev Singh Kaunke, who was serving as Jathedar of the Akal Takht, the highest Sikh religious official, was killed in police custody by being torn in half. The police disposed of his body. He had been tortured before the Indian government decided to kill him. The very highly revered Babri mosque was destroyed by Hindu militants.

Next month marks two occasions, falling on the same day, that should bring these issues into focus: the 300th anniversary of the Sikh Nation and the birthday of Thomas Jefferson. It is an ironic coincidence that these anniversaries fall at the same time.

Thomas Jefferson was one of the leading voices for American independence and wrote the Declaration of Independence, which sets out the philosophical basis for the freedom that we built into our Constitution and that we enjoy today. In light of this religious oppression and the statements of Secretary Albright and others, I urge the Congress to take strong measures in support of self-determination in South Asia. We should put ourselves on record in support of a free and fair plebiscite in Punjab, Khalistan, in Kashmir, in Nagaland, and everywhere that people are demanding the right to determine their own future. We should impose the sanctions appropriate under the law for countries that practice religious oppression and violence. We should strongly urge the President to declare India a terrorist state. Finally, we should cut off U.S. aid to India until it begins to behave like a democracy and respects basic human rights, including the right to self-determination.

Mr. Speaker, I would like to place the letter from the Prime Minister of Nagaland in the RECORD.

PRIME MINISTER (ATO-KILONSER),
GOVERNMENT OF THE PEOPLE'S REPUBLIC OF NAGALAND,
March 12, 1999.

Hon. EDOLPHUS TOWNS,
House of Representatives,
Washington, DC.

(Through our good friend Dr. Gurmit Singh Aulakh, President, Council of Khalistan, 1901 Pennsylvania Ave. NW, Suite 802, Washington, DC 20006)

RESPECTED SIR: Dr. Gurmit Singh Aulakh sent us the proceedings and debates of the 106th Congress (First Session) dated Washington 11 February 1999. We have gone through your presentation, Hindu Nationalist Continue To Attack Christians in ''Secular'' India, with much appreciation and love.

In the light of the assertion of the truth made by U.S. Secretary of State Madeleine Albright ''that ethnic groups demanding independence should be allowed to have their own nations'' (as told to the Washington Post in Paris on 24 February 1999), your statement that ''we should openly declare U.S. support for self-determination for all the peoples of the subcontinent. By these measures we can help bring religious freedom and basic human rights to Christians, Sikhs, Muslims, and everyone else in South Asia'' makes a lot of sense. Indeed, this is what the Indian-suppressed peoples have been wishing for all these years.

That, Sir, the principled stand you and other policy-makers of the U.S. have taken in this all-important matter has inspired many nationalities and ethnic groups that continue to languish in the merciless world of religious persecution and political suppression. Kindly accept the heartfelt gratitude of the Naga people.

Even as the Naga people pray with renewed hearts for their suffering brothers and sisters belonging to the Christian, Dalit, Muslim and Sikh communities, it is our request that you presevere in your fight for the rights of these oppressed nations and peoples to freedom and justice. May God bless you richly in your endeavor.

Respectfully yours,

TH. MUIVAH.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 18, 1999 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 19

9:30 a.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on Medicare fraud issues.
SD–124

MARCH 22

10 a.m.
Judiciary
Youth Violence Subcommittee
Criminal Justice Oversight Subcommittee
To hold joint oversight hearings to review the Department of Justice firearm prosecutions.
SD–226

1 p.m.
Aging
To hold hearings to examine the quality of care in nursing homes.
SH–216

1:30 p.m.
Governmental Affairs
Investigations Subcommittee
To hold hearings on securities fraud on the internet.
SD–342

2 p.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
To hold closed and open hearings on Department of Defense policies and programs to combat terrorism.
SR–222

MARCH 23

9 a.m.
Aging
To hold hearings on a proposal to support family care givers.
SD–106

9:30 a.m.
Judiciary
Technology, Terrorism, and Government Information Subcommittee
To hold hearings on issues relating to internet gambling.
SD–226

Governmental Affairs
Investigations Subcommittee
To resume hearings on securities fraud on the internet.
SD–342

10 a.m.
Foreign Relations
African Affairs Subcommittee
To hold hearings on Sudan's humanitarian crisis and the United States response.
SD–419

2 p.m.
Health, Education, Labor, and Pensions
Aging Subcommittee
To hold hearings on Elder Abuse.
SD–430

2:30 p.m.
Foreign Relations
To hold hearings on pending calendar business.
S–116, Capitol

MARCH 24

9:30 a.m.
Indian Affairs
To hold hearings on S. 399, to amend the Indian Gaming Regulatory Act.
SR–485

Commerce, Science, and Transportation
To hold hearings on telecommunication broad band issues.
SR–253

Environment and Public Works
To hold hearings on voluntary activities to reduce the emission of greenhouse gases.
SD–406

Judiciary
Constitution, Federalism, and Property Rights Subcommittee
To hold hearings on S.J. Res. 3, proposing an amendment to the Constitution of the United States to protect the rights of crime victims.
SD–226

Rules and Administration
To hold hearings on campaign contibution limits.
SR–301

Energy and Natural Resources
To hold hearings to examine nuclear waste storage and disposal policy, including S. 608, to amend the Nuclear Waste Policy Act of 1982.
SD–366

10 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the American Ex-Prisoners of War, AMVETS, Vietnam Veterans of America, and the Retired Officers Association.
345, Cannon Building

Armed Services
Personnel Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 2000 for the Department of Defense, focusing on active and reserve military and civilian personnel programs and the future years defense program.
SR–222

2 p.m.
Energy and Natural Resources
National Parks, Historic Preservation, and Recreation Subcommittee
To hold hearings on S. 323, to redesignate the Black Canyon of the Gunnison National Monument as a national park and establish the Gunnison Gorge National Conservation Area; S. 338, to provide for the collection of fees for the making of motion pictures, television productions, and sound tracks in units of the Department of the Interior; and S. 568, to allow the Department of the Interior and the Department of Agriculture to establish a fee system for commercial filming activities in a site or resource under their jurisdictions.
SD–366

Judiciary
Criminal Justice Oversight Subcommittee
To hold hearings on the effect of State ethics rules on federal law enforcement.
SD–226

Foreign Relations
European Affairs Subcommittee
To hold hearings on issues relating to the European Union, focusing on internal reform, enlargement, and a common foreign policy.
SD–419

2:30 p.m.
Armed Services
SeaPower Subcommittee
To hold hearings to examine littoral force protection and power projection in the 21st century.
SR–232A

MARCH 25

9:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the economic impacts of the Kyoto Protocol to the Framework Convention on Climate Change.
SD–366

10 a.m.
Foreign Relations
To hold hearings on issues relating to United States-Taiwan relations.
SD–419

Commission on Security and Cooperation in Europe
To hold joint hearings to examine certain issues concerning the return of property confiscated by fascist and communist regimes to their rightful owners in post-communist Europe.
2255, Rayburn Building

Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings on proposed legislation dealing with modernizing air traffic control programs.
SR–253

Governmental Affairs
Oversight of Government Management, Restructuring and the District of Columbia
Subcommittee
To hold oversight hearings to examine multiple program coordination in early childhood education.
SD–342

2 p.m.
Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on satellite reform issues.
SR–253

APRIL 14

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings to examine the published scandals plaguing the Olympics.
SR–253

Indian Affairs
To hold oversight hearings on the implementation of welfare reform for Indians.
SR–485

APRIL 21

9:30 a.m.

Indian Affairs

To hold oversight hearings on Bureau of Indian Affairs capacity and mission.

SR–485

2 p.m.

Energy and Natural Resources

Forests and Public Land Management Subcommittee

To hold oversight hearings to review the Memorandum of Understanding signed by multiple agencies regarding the Lewis and Clark bicentennial celebration.

SD–366

MAY 6

9:30 a.m.

Energy and Natural Resources

To hold hearings to examine the results of the December 1998 plebiscite on Puerto Rico.

SH–216

SEPTEMBER 28

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans Affairs to review the legislative recommendations of the American Legion.

345, Cannon Building

Wednesday, March 17, 1999

Daily Digest

HIGHLIGHTS

Senate passed National Missile Defense Act and FAA Authorization Bills.

The House passed H.R. 975, to provide for a reduction in the volume of steel imports and to establish a steel import notification and monitoring program.

The House passed H.R. 820, Coast Guard Authorization Act.

House Committees ordered reported 15 sundry measures, including the Fiscal Year 2000 Budget Resolution.

Senate

Chamber Action

Routine Proceedings, pages S2787–S2880

Measures Introduced: Eighteen bills and eight resolutions were introduced, as follows: S. 638–655, S.J. Res. 14, S. Res. 64–68, and S. Con. Res. 18–19.

Pages S2840–41

Measures Reported: Reports were made as follows:

S. 243, to authorize the construction of the Perkins County Rural Water System and authorize financial assistance to the Perkins County Rural Water System, Inc., a nonprofit corporation, in the planning and construction of the water supply system. (S. Rept. No. 106–18)

S. 291, to convey certain real property within the Carlsbad Project in New Mexico to the Carlsbad Irrigation District. (S. Rept. No. 106–19)

S. 292, to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of the Interior to provide assistance. (S. Rept. No. 106–20)

S. 356, to authorize the Secretary of the Interior to convey certain works, facilities, and titles of the Gila Project, and designated lands within or adjacent to the Gila Project, to the Wellton-Mohawk Irrigation and Drainage District. (S. Rept. No. 106–21)

S. 366, to amend the National Trails System Act to designate El Camino Real de Tierra Adentro as a National Historic Trail, with amendments. (S. Rept. No. 106–22)

S. 382, to establish the Minuteman Missile National Historic Site in the State of South Dakota. (S. Rept. No. 106–23)

H.R. 171, to authorize appropriations for the Coastal Heritage Trail Route in New Jersey. (S. Rept. No. 106–24)

H.R. 193, to designate a portion of the Sudbury, Assabet, and Concord Rivers as a component of the National Wild and Scenic Rivers System. (S. Rept. No. 106–25)

H.R. 92, to designate the Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, as the ''Hiram H. Ward Federal Building and United States Courthouse''.

H.R. 158, to designate the Federal Courthouse located at 316 North 26th Street in Billings, Montana, as the ''James F. Battin Federal Courthouse''.

H.R. 233, to designate the Federal building located at 700 East San Antonio Street in El Paso, Texas, as the ''Richard C. White Federal Building''.

H.R. 396, to designate the Federal building located at 1301 Clay Street in Oakland, California, as the ''Ronald V. Dellums Federal Building''.

S. 67, to designate the headquarters building of the Department of Housing and Urban Development in Washington, District of Columbia, as the ''Robert C. Weaver Federal Building''.

S. 272, to designate the Federal building located at 1301 Clay Street in Oakland, California, as the ''Ronald V. Dellums Federal Building''.

S. 392, to designate the Federal building and United States courthouse located at West 920 Riverside Avenue in Spokane, Washington, as the ''Thomas S. Foley Federal Building and United States Courthouse'', and the plaza at the south entrance of

that building and courthouse as the "Walter F. Horan Plaza".

S. 437, to designate the United States courthouse under construction at 338 Las Vegas Boulevard South in Las Vegas, Nevada, as the "Lloyd D. George United States Courthouse".

S. 453, to designate the Federal building located at 709 West 9th Street in Juneau, Alaska, as the "Hurff A. Saunders Federal Building".

S. 460, to designate the United States courthouse located at 401 South Michigan Street in South Bend, Indiana, as the "Robert K. Rodibaugh United States Bankruptcy Courthouse". **Page S2840**

Measures Passed:

National Missile Defense Act: By 97 yeas to 3 nays (Vote No. 51), Senate passed S. 257, entitled "The Cochran-Inouye National Missile Defense Act of 1999", after taking action on the following amendments proposed thereto: **Pages S2792–S2820**

Withdrawn:

Bingaman Amendment No. 74, to provide for the policy of the United States that a decision to deploy a National Missile Defense system shall be made only after the Secretary of Defense, in consultation with the Director of Operational Test and Evaluation of the Department of Defense, has determined that the system has demonstrated operational effectiveness. **Page S2800**

Harkin Amendment No. 75, to provide for a comparative study of relevant current and emerging national security threats to the United States. **Page S2804**

Federal Aviation Administration Authorization: By a unanimous vote of 100 yeas (Vote No. 52), Senate passed S. 643, to authorize the Airport Improvement Program for 2 months, after agreeing to the following amendment proposed thereto: **Pages S2821–25**

McCain (for Warner/McCain/Robb) Amendment No. 76, to release $30,000,000 of the funds available to the Metropolitan Washington Airports Authority for passenger facility fee/airport development projects. **Page S2823**

Federal Aviation Administration Authorization: By unanimous consent, Senate passed H.R. 99, to amend title 49, United States Code, to extend Federal Aviation Administration programs through September 30, 1999, after striking all after the enacting clause and inserting in lieu thereof the text of S. 643, Senate companion measure, as amended. **Page S2825**

Good Friday Peace Agreement: Senate agreed to S. Res. 64, recognizing the historic significance of the first anniversary of the Good Friday Peace Agreement. **Pages S2836–37**

Legal Representation: Senate agreed to S. Res. 65, to authorize testimony, document production, and legal representation in Dirk S. Dixon, et al. v. Bruce Pearson, et al. **Pages S2877–78**

Legal Representation: Senate agreed to S. Res. 66, to authorize testimony, documentary production, and representation of employees of the Senate in United States v. Yah Lin "Charlie" Trie. **Pages S2877–78**

Legal Representation: Senate agreed to S. Res. 67, to authorize representation of Secretary of the Senate in the case of Bob Schaffer, et al. v. William Jefferson Clinton, et al. **Pages S2877–78**

Emergency Supplemental Appropriations: Senate began consideration of S. 544, making emergency supplemental appropriations and rescissions for recovery from natural disasters, and foreign assistance, for the fiscal year ending September 30, 1999, taking action on the following amendment: **Pages S2826–36**

Pending:

Specter Amendment No. 77, to permit the Secretary of Health and Human Services to waive recoupment of Federal government medicaid claims to tobacco-related State settlements if a State uses a portion of those funds for programs to reduce the use of tobacco products, to improve the public health, and to assist in the economic diversification of tobacco farming communities. **Pages S2828–36**

A unanimous-consent-time agreement was reached providing for the consideration of the bill, the pending Specter Amendment No. 77, and an amendment relative to Kosovo to be proposed to the bill, on Thursday, March 18, 1999, with a vote to occur on or in relation to the Specter Amendment No. 77 at 11 a.m. **Page S2826**

Nomination Agreement: A unanimous-consent agreement was reached providing for the Committee on Governmental Affairs to continue consideration of David C. Williams, of Maryland, to be Inspector General for Tax Administration, Department of the Treasury through Tuesday, April 6, 1999, and if not reported, the Committee on Governmental Affairs be discharged from further consideration, and the nomination be placed on the Executive Calendar. **Page S2878**

Nominations Confirmed: Senate confirmed the following nominations:

Phyllis K. Fong, of Maryland, to be Inspector General, Small Business Administration.

T. J. Glauthier, of California, to be Deputy Secretary of Energy. **Page S2878**

Messages From the House: Pages S2838–39
Measures Referred: Page S2839
Measures Placed on Calendar: Page S2839
Communications: Pages S2839–40
Statements on Introduced Bills: Pages S2841–65
Additional Cosponsors: Pages S2868–69
Amendments Submitted: Pages S2872–73
Notices of Hearings: Page S2873
Authority for Committees: Pages S2873–74
Additional Statements: Pages S2874–77

Record Votes: Two record votes were taken today. (Total—52) Pages S2820, S2824

Adjournment: Senate convened at 10 a.m., and adjourned at 6:52 p.m., until 9:30 a.m., on Thursday, March 18, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2880.)

Committee Meetings

(Committees not listed did not meet)

CROP INSURANCE REFORM

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings to examine the nature of risk management in agriculture and federal crop insurance programs, after receiving testimony from Ken Ackerman, Administrator, Risk Management Agency, Department of Agriculture; Phil Cyre, Hazel, South Dakota, on behalf of the National Farmers Union; Dean Kleckner, American Farm Bureau Federation, and Roger Swartz, Crop Insurance Research Bureau, both of Park Ridge, Illinois; Kyle Phillips, Iowa Corn Growers Association, Knoxville; Allen Helms, American Cotton Producers, Clarkedale, Arkansas, on behalf of the National Cotton Council; Marc Curtis, American Soybean Association, Leland, Mississippi; Mike Miller, American Association of Crop Insurers, Topeka, Kansas; and Ken Rulon, Cicero, Indiana.

APPROPRIATIONS—AIR FORCE

Committee on Appropriations: Subcommittee on Defense concluded hearings on proposed budget estimates for fiscal year 2000 for Air Force programs, focusing on airmen, infrastructure, and modernization, after receiving testimony from F. Whitten Peters, Acting Secretary, and Gen. Michael E. Ryan, Chief of Staff, both of the Air Force.

APPROPRIATIONS—INDEPENDENT AGENCIES

Committee on Appropriations: Subcommittee on Legislative Branch concluded hearings on proposed budget estimates for fiscal year 2000, after receiving testimony in behalf of funds for their respective activities from James H. Billington, Librarian of Congress; Daniel P. Mulhollan, Director, Congressional Research Service; David M. Walker, Comptroller General of the United States, General Accounting Office; Michael F. DiMario, Public Printer, Government Printing Office; and Janet S. Zagorin, American Bar Association's Standing Committee on the Law Library of Congress, Washington, D.C.

DEFENSE ACQUISITION REFORM

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded hearings to examine the efforts to reform and streamline the Department of Defense's acquisition process, after receiving testimony from Paul J. Hoeper, Assistant Secretary of the Army for Acquisition, Logistics, and Technology; H. Lee Buchanan, III, Assistant Secretary of the Navy for Research, Development and Acquisition; Darleen A. Druyun, Principal Deputy Assistant Secretary of the Air Force for Acquisition and Management; and Lt. Gen. Henry T. Glisson, USA, Director, Defense Logistics Agency, Department of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Airland concluded hearings on proposed legislation authorizing funds for fiscal year 2000 for the Department of Defense, focusing on tactical aviation modernization, and the future years defense program, after receiving testimony from H. Lee Buchanan, Assistant Secretary of the Navy for Research, Development, and Acquisition; Darleen A. Druyun, Principal Deputy Assistant Secretary of the Air Force for Acquisition and Management; Philip E. Coyle, Director, Operational Test and Evaluation, Office of the Secretary of Defense; and Louis J. Rodrigues, Director, Defense Acquisitions, Issues, National Security and International Affairs Division, General Accounting Office.

2000 BUDGET

Committee on the Budget: Committee met to mark up a proposed concurrent resolution setting forth the fiscal year 2000 budget for the Federal Government, but did not complete consideration thereon, and will meet again tomorrow.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following business items:

S. 507, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, with amendments;

S. 148, to require the Secretary of the Interior to establish a program to provide assistance in the conservation of neotropical migratory birds;

S. 574, to direct the Secretary of the Interior to make corrections to a map relating to the Coastal Barrier Resources System;

S. 67, to designate the headquarters building of the Department of Housing and Urban Development in Washington, D.C., as the ''Robert C. Weaver Federal Building'';

S. 272 and H.R. 396, bills to designate the Federal building located at 1301 Clay Street in Oakland, California, as the ''Ronald V. Dellums Federal Building'';

S. 392, to designate the Federal building and United States courthouse located at West 920 Riverside Avenue in Spokane, Washington, as the ''Thomas S. Foley Federal Building and United States Courthouse'', and the plaza at the south entrance of that building and courthouse as the ''Walter F. Horan Plaza'';

S. 437, to designate the United States courthouse under construction at 338 Las Vegas Boulevard South in Las Vegas, Nevada, as the ''Lloyd D. George United States Courthouse'';

S. 453, to designate the Federal building located at 709 West 9th Street in Juneau, Alaska, as the ''Hurff A. Saunders Federal Building'';

S. 460, to designate the United States courthouse located at 401 South Michigan Street in South Bend, Indiana, as the ''Robert K. Rodibaugh United States Bankruptcy Courthouse'';

H.R. 92, to designate the Federal building and United States courthouse located at 251 North Main Street in Winston Salem, North Carolina, as the ''Hiram H. Ward Federal Building and United States Courthouse'';

H.R. 158, to designate the Federal Courthouse located at 316 North 26th Street in Billings, Montana, as the ''James F. Battin Federal Courthouse'';

H.R. 233, to designate the Federal building located at 700 East San Antonio Street in El Paso, Texas, as the ''Richard C. White Federal Building''; and

The nominations of Gary S. Guzy, of the District of Columbia, to be an Assistant Administrator of the Environmental Protection Agency, and Anne Jeannette Udall, of North Carolina, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation.

OPEN SPACE AND ENVIRONMENTAL QUALITY

Committee on Environment and Public Works: Committee held hearings to examine the loss of open space and environmental quality, focusing on sprawl and development, and related proposals, receiving testimony from Mayor Paul Helmke, Fort Wayne, Indiana, on behalf of the United States Conference of Mayors; Terry Kauffman, Board of Commissioners, Lancaster County, Pennsylvania, on behalf of the National Association of Counties; Richard Moe, National Trust for Historic Preservation, Kathryn Hohmann, Sierra Club, and Gary Garczynski, National Association of Home Builders, all of Washington, D.C.; and Nelson C. Rising, Catellus Development Corporation, on behalf of the National Realty Committee, and Steven Hayward, Pacific Research Institute for Public Policy, both of San Francisco, California.

Hearings will continue tomorrow.

MEDICARE REFORM

Committee on Finance: Committee concluded hearings to examine certain Medicare provisions in the Balanced Budget Act of 1997 relating to provider payment policies and the Medicare+Choice program, after receiving testimony from Nancy-Ann DeParle, Administrator, Health Care Financing Administration, Department of Health and Human Services; William J. Scanlon, Director, Health Financing and Public Health Issues, Health, Education, and Human Services Division, General Accounting Office; and Gail R. Wilensky, Medicare Payment Advisory Commission, Washington, D.C.

U.S.-IRAQ POLICY

Committee on Foreign Relations/Committee on Energy and Natural Resources: Committee concluded joint hearings to examine the impact of the United Nations' proposals to expand Iraqi oil for food on United States policy toward Iraq, after receiving testimony from Bill Richardson, Secretary of Energy; and Thomas R. Pickering, Under Secretary of State for Political Affairs.

NUCLEAR SAFETY TREATY

Committee on Foreign Relations: Committee concluded hearings on the Convention on Nuclear Safety, done at Vienna on September 20, 1994 (Treaty Doc. 104–6), after receiving testimony from Robert J. Einhorn, Deputy Assistant Secretary of State for Nonproliferation; Gary Jones, Associate Director for

Energy, Resources and Science Issues, Resources, Community and Economic Development Division, General Accounting Office; and Marvin Fertel, Nuclear Infrastructure, Support, and International Programs, Nuclear Energy Institute, Washington, D.C.

NOMINATION

Committee on Foreign Relations: Committee concluded hearings on the nomination of Robert A. Seiple, of Washington, to be Ambassador at Large for International Religious Freedom after the nominee testified and answered questions on his own behalf.

INDEPENDENT COUNSEL ACT

Committee on Governmental Affairs: Committee resumed hearings on the future of the Independent Counsel Act, receiving testimony from Janet Reno, Attorney General, Department of Justice; Charles G. La Bella, U.S. Attorney for the Southern District of California, San Diego, former Supervising Attorney, Campaign Financing Task Force; John Q. Barrett, St. John's University School of Law, New York, New York, former Associate Independent Counsel, Iran-Contra Investigation; and Philip B. Heymann, Harvard University, Cambridge, Massachusetts, former Associate Watergate Special Prosecutor.

Hearings recessed subject to call.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee began markup on S. 326, to improve the access and choice of patients to quality, affordable health care, but did not complete action thereon, and will meet again tomorrow.

NATIVE AMERICAN HOUSING ASSISTANCE

Committee on Indian Affairs: Committee concluded hearings on S. 400, to provide technical corrections to the Native American Housing Assistance and Self-Determination Act of 1996, and to improve the delivery of housing assistance to Indian tribes in a manner that recognizes the right of tribal self-governance, after receiving testimony from Jacqueline Johnson, Deputy Assistant Secretary of Housing and Urban Development for Native American Programs; and Chester Carl, Window Rock, Arizona, and John Williamson, Port Angeles, Washington, both on behalf of the National American Indian Housing Council.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials from the intelligence community.

Committee will meet again tomorrow.

House of Representatives

Chamber Action

Bills Introduced: 34 public bills, H.R. 1141–1174; and 6 resolutions, H. Con. Res. 56–59, and H. Res. 119 and 121 were introduced. **Pages H1405–07**

Reports Filed: Reports were filed today as follows:

H.R. 1141, making emergency supplemental appropriations for the fiscal year ending September 30, 1999 (H. Rept. 106–64);

H.R. 15, to designate a portion of the Otay Mountain region of California as wilderness (H. Rept. 106–65);

H.R. 449, to authorize the Gateway Visitor Center at Independence National Historical park (H. Rept. 106–66);

H.R. 509, to direct the Secretary of the Interior to transfer to the personal representative of the estate of Fred Steffens of Big Horn County, Wyoming, certain land comprising the Steffens family property, amended (private bill, H. Rept. 106–67);

H.R. 510, to direct the Secretary of the Interior to transfer to John R. and Margaret J. Lowe of Big Horn County, Wyoming, certain land so as to correct an error in the patent issued to their predecessors in interest (private bill, H. Rept. 106–68); and

H. Res. 120, providing for consideration of H.R. 4, to declare it to be the policy of the United States to deploy a national missile defense (H. Rept. 106–69). **Page H1405**

Committee Election: The House agreed to H. Res. 119, electing Representative Schakowsky to the Committee on Government Reform. **Page H1337**

Meeting Hour—March 18: Agreed that when the House adjourns today, it adjourn to meet at 12 noon on March 18. **Page H1341**

Holocaust Memorial Council: The Chair announced the Speaker's appointment of Representatives Gilman, LaTourette, and Cannon to the United States Holocaust Memorial Council. **Page H1349**

Steel Import Reduction and Import Monitoring Program: The House passed H.R. 975, to provide for a reduction in the volume of steel imports, and

to establish a steel import notification and monitoring program by a yea and nay vote of 289 yeas to 141 nays, Roll No. 56. **Pages H1342–49, H1349–70, H1382**

Earlier, the House agreed to H. Res. 114, the rule that provided for consideration of the bill by voice vote. **Page H1349**

Coast Guard Authorization Act: The House passed H.R. 820, to authorize appropriations for fiscal years 2000 and 2001 for the Coast Guard by a recorded vote of 424 ayes to 7 noes, Roll No. 55. **Pages H1341–42, H1370–82**

Agreed to the committee amendment in the nature of a substitute made in order by the rule as amended. **Page H1381**

Agreed To:

The Gilchrest amendment that makes technical changes and expresses the sense of the Congress that the President should expeditiously issue guidelines regarding oil spill response actions to clarify that a person who is not responsible for the spill, yet takes action to prevent or mitigate the effects of it, shall not be held liable for violation of fish and wildlife laws; **Pages H1377–78**

The Pickett amendment that allows the Secretary of Transportation to issue a certificate of documentation with a coastwise endorsement for the vessel NORFOLK before January 1, 2001, if before that date the vessel undergoes a major conversion in a shipyard located in the United States and the cost of the conversion is more that three times the amount the owner paid to purchase the vessel; **Page H1378**

The Upton amendment that requires the Coast Guard to continue to offer assistance to organizations dedicated to Great Lakes lighthouse stewardship and to release information concerning the timing of designations of Great Lakes lighthouses as surplus property (adopted by a recorded vote of 428 ayes with none voting "no," Roll No. 53); and **Pages H1379–80**

The LoBiondo amendment that authorizes the acquisition of 7 PC–170 coastal patrol craft for drug interdiction and provides for the improvement of shore facilities for drug interdiction operations (adopted by a recorded vote of 424 ayes to 4 noes, Roll No. 54). **Pages H1378–79, H1381**

Earlier, the House agreed to H. Res. 113, the rule that provided for consideration of the bill by voice vote. **Page H1342**

Amendments: Amendment ordered printed pursuant to the rule appears on page H1408.

Quorum Calls—Votes: One yea and nay vote and three recorded votes developed during the proceedings of the House today and appear on pages H1380, H1381, and H1382. There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and adjourned at 6:44 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Rural Development. Testimony was heard from Jill Long-Thompson, Under Secretary, Rural Development, USDA.

COMMERCE, JUSTICE, STATE, AND JUDICIARY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and Judiciary held a hearing on the FBI and on U.S. Trade Representative. Testimony was heard from Louis Freeh, Director, FBI, Department of Justice, and Charlene Barshefsky, U.S. Trade Representative.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on fiscal year 2000 Army Budget Overview. Testimony was heard from the following officials of the Department of the Army: Louis Caldera, Secretary; and Gen. Dennis J. Reimer, USA, Chief of Staff.

The Subcommittee also met in executive session to hold a hearing on fiscal year 2000 Army Acquisition Program. Testimony was heard from the following officials of the Department of the Army: Paul J. Hoeper, Assistant Secretary (Acquisition, Logistics, and Technology); Lt. Gen. Paul J. Kern, USA, Military Deputy to the Assistant Secretary, Army (Acquisition, Logistics, and Technology); and Lt. Gen. William H. Campbell, USA, Director, Information Systems, Command, Control, Communications, and Computers.

FOREIGN OPERATIONS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations held a hearing on Secretary of the Treasury. Testimony was heard from Robert E. Rubin, Secretary of the Treasury.

INTERIOR APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior held a hearing on GAO and National Park Service Housing. Testimony was heard from the following officials of the Department of the Interior: Robert G. Stanton, Director, National Park Service and Donald Barry, Assistant Secretary, Fish and Wildlife and

Parks; and Barry T. Hill, Associate Director, Energy, Resources and Science Issues, Economic Development Division, GAO.

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing on OSHA, and on Employment And Training Administration/Veterans Employment and Inspectors General Panel. Testimony was heard from the following officials of the Department of Labor: Charles N. Jeffress, Assistant Secretary, Occupational Safety and Health Administration; Raymond L. Bramucci, Assistant Secretary, Employment and Training; and Espiridion Borrego, Assistant Secretary, Veterans' Employment and Training Services.

MILITARY CONSTRUCTION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction held a hearing on Army Construction. Testimony was heard from Mahlon Apgar, IV, Assistant Secretary of the Army, (Installations and Environment), Department of Defense.

TREASURY—POSTAL SERVICE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Treasury, Postal Service, and General Government held a hearing on GSA and Judicial Conference of the United States. Testimony was heard from David H. Barram, Administrator, GSA; and the following officials of the Committee on Security and Facilities of the Judicial Conference of the United States: Norman H. Stahl, Judge, U.S. Circuit Court, First Circuit, Chairman; and Jane R. Roth, Judge, U.S. Circuit Court, Third Circuit, member.

BALKANS-U.S. POLICY

Committee on Armed Services: Held a hearing on U.S. policy in the Balkans. Ttestimony was heard from the following officials of the Department of Defense: Walter Slocombe, Under Secretary, Policy; and Gen. Wesley K. Clark, USA, Commander in Chief, U.S. European Command.

REPORT—CONGRESSIONAL COMMISSION ON MILITARY TRAINING AND GENDER-RELATED ISSUES

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on the report of the Congressional Commission on Military Training and Gender-Related Issues as required by the National Defense Authorization Act for fiscal year 1998. Testimony was heard from the following officials of the Congressional Commission on Military Training and Gender-Related Issues: Anita K. Blair, Chair; Frederick F. Y. Pang, Vice Chairman, Nancy Cantor, Lt. Gen. George R. Christmas, USMC (Ret.), Command Sgt. Major Robert A. Dare, Jr., USA (Ret.), Lt.Gen. Williams M. Keys, USMC (Ret.), Thomas Moore, Barbara S. Pope and Mady Segal, all Commissioners.

ARMED FORCES RETIREMENT HOME

Committee on Armed Services: Subcommittee on Military Readiness held a hearing on Armed Forces Retirement Home. Testimony was heard from David F. Lacy, Chairman and CEO, Armed Forces Retirement Home Board; and Most Reverend William E. Lori, Auxiliary Bishop of Washington, Archdiocese of Washington.

BUDGET RESOLUTION

Committee on the Budget: Ordered reported the Fiscal Year 2000 Budget resolution.

OVERSIGHT—FCC AUTHORIZATION

Committee on Commerce: Subcommittee on Telecommunications, Trade, and Consumer Protection held an oversight hearing on reauthorization of the FCC. Testimony was heard from the following officials of the FCC: William E. Kennard, Chairman; Susan Ness, Harold W. Furchtgott-Roth, Michael K. Powell and Gloria Tristani, all Commissioners; and a public witness.

IMPACT AID

Committee on Education and the Workforce: Subcommittee on Early Childhood, Youth, and Families held a hearing on Impact Aid: Keeping the Federal Promise. Testimony was heard from public witnesses.

IMPEDIMENTS TO UNION DEMOCRACY

Committee on Education and the Workforce: Subcommitee on Employer-Employee Relations held a hearing on Impediments to Union Democracy: Public and Private Sector Workers Under the Labor Management Reporting and Disclosure Act. Testimony was heard from Representatives Terry, Pomeroy and Edwards; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Government Reform: Ordered reported the following bills: H.R. 208, amended, to amend title 5, United States Code, to allow for the contribution of certain rollover distributions to accounts in the Thrift Savings Plan, to eliminate certain waiting-period requirements for participating in the Thrift Savings Plan; H.R. 683, Decennial Census Improvement Act of 1999; H.R. 1058, Census in the Schools Promotion Act; H.R. 1010, amended, to improve participation in the 2000 decennial census by increasing

the amounts available to the Bureau of the Census for marketing, promotion and outreach; H.R. 472, Local Census Quality Check Act; H.R. 928, 2000 Census Mail Outreach Improvement Act; H.R. 929, 2000 Census Language Barrier Removal Act; and H.R. 1009, amended, 2000 Census Community Participation Enhancement Act.

MISCELLANEOUS MEASURES

Committee on International Relations: Ordered reported H.R. 1143, Microenterprise for Self Reliance Act.

The Committee also favorably considered the following resolutions and adopted a motion urging the Chairman to request that they be considered on the Suspension Calendar: H. Res. 59, amended, expressing the sense of the House of Representatives that the United States remains committed to the North Atlantic Treaty Organization (NATO); H. Res. 99, amended, expressing the sense of the House of Representatives regarding the human rights situation in Cuba; H. Con. Res. 35, amended, congratulating the State of Qatar and its citizens for their commitment to democratic ideals and women's suffrage on the occasion of Qatar's historic elections of a central municipal council on March 8, 1999; H. Res. 110, congratulating the Government and the people of the Republic of El Salvador on successfully completing free and democratic elections on March 7, 1999; H. Con. Res. 56, Commemorating the 20th anniversary of the Taiwan Relations Act; and H. Con. Res. 37, amended, concerning anti-Semitic statements made by members of the Duma of the Russian Federation.

TAIWAN RELATIONS ACT—COMMEMORATING TAIWAN RELATIONS ACT—20TH ANNIVERSARY; CENTRAL ASIA REPUBLICS-U.S. POLICY CHALLENGES

Committee on International Relations: Subcommittee on Asia and the Pacific approved for full action H. Con. Res, 56, Commemorating the 20th anniversary of the Taiwan Relations Act.

The Subcommittee also held a hearing on U.S. Policy Challenges in the Central Asian Republics. Testimony was heard from Steven R. Sestanovich, Ambassador at Large, Office of the Special Adviser to the Secretary for the Newly Independent States, Department of State; and public witnesses.

BANKRUPTCY REFORM

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law continued hearings on H.R. 833, Bankruptcy Reform Act of 1999. Testimony was heard from William Brown, U.S. Bankruptcy Judge, Western District of Tennessee; Randall J. Newsome, U.S. Bankruptcy Judge, Northern District of California; Richard Stana, Associate Director, Administration of Justice Issues, General Government Division, GAO; and public witnesses.

Hearings continue tomorrow.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following bills: H.R. 39, amended, Neotropical Migratory Bird Conservation Act; H.R. 992, amended, to convey the Sly Park Dam and Reservoir to the El Dorado Irrigation District; H.R. 1019, to direct the Secretary of the Interior to convey lands and interests comprising the Carlsbad Irrigation Project to the Carlsbad Irrigation District; H.R. 841, amended, Welton-Mohawk Transfer Act; and H.R. 862, Clear Creek Distribution System Conveyance Act.

NATIONAL MISSILE DEFENSE DEPLOYMENT

Committee on Rules: Granted, by a vote of 8 to 3, a closed rule providing 2 hours of debate on H.R. 4, to declare it to be the policy of the United States to deploy a national missile defense. The rule provides one motion to recommit with or without instructions. The rule further provides that it will be in order, upon receipt of a message from the Senate transmitting H.R. 4 with Senate amendments, to consider in the House a motion offered by the Chairman of the Armed Services Committee or his designee that the House disagree to the Senate amendments and request or agree to a conference with the Senate. Testimony was heard from Chairman Spence and Representatives Weldon of Pennsylvania, Skelton, Allen, and Toomey.

OVERSIGHT

Committee on Science: Held an oversight hearing on Why and How you should learn Math and Science? Testimony was heard from Vera Rubin, member, National Science Board, NSF; and public witnesses.

OVERSIGHT—OFFICE OF MOTOR CARRIERS

Committee on Transportation and Infrastructure: Subcommittee on Ground Transportation held a hearing on Oversight of the Office of Motor Carriers. Testimony was heard from Kenneth M. Mead, Inspector General, Department of Transportation; and Phyllis F. Scheinberg, Associate Director, Transportation Issues, Community, and Economic Development Division, GAO.

BUDGET: SIGNALS INTELLIGENCE

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Fiscal Year 2000 Budget: Signals Intelligence. Testimony was heard from departmental witnesses.

JOINT MEETINGS

DISABLED AMERICAN VETERANS

Joint Hearing: Senate Committee on Veterans Affairs and the House Committee on Veterans Affairs concluded joint hearings to examine the legislative recommendations of the Disabled American Veterans, after receiving testimony from Andrew A. Kistler, Disabled American Veterans, Washington, D.C.

COMMITTEE MEETINGS FOR THURSDAY, MARCH 18, 1999

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Energy and Water Development, to hold hearings on proposed budget estimates for fiscal year 2000 for Civilian Radioactive Waste and Environmental Management programs, 9:30 a.m., SD–124.

Subcommittee on VA, HUD, and Independent Agencies, to hold hearings on proposed budget estimates for fiscal year 2000 for the National Aeronautics and Space Administration, 9:30 a.m., SD–116.

Subcommittee on Interior, to hold hearings on proposed budget estimates for fiscal year 2000 for the Department of Energy, focusing on energy conservation, fossil energy research and development, and other related programs, 2 p.m., SD–124.

Committee on Armed Services: to hold hearings on proposed legislation authorizing funds for fiscal year 2000 for the Department of Defense, and the future years defense program, 9:30 a.m., SH–216.

Subcommittee on Readiness and Management Support, to hold hearings on the readiness of the United States Air Force and Army operating forces, 2 p.m., SH–216.

Committee on Environment and Public Works: to resume hearings on loss of open space and environmental quality, 9:30 a.m., SD–406.

Committee on Finance: to hold hearings to examine issues of the federal recovery of a portion of the tobacco settlement funds attributable to Medicaid, 10 a.m., SD–215.

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs, to hold hearings on the countdown to elections in Indonesia, 10 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: business Meeting to continue markup S.326, to improve the access and choice of patients to quality, affordable health care, and to consider pending nominations, 9:30 a.m., SD–430.

Select Committee on Intelligence: to hold closed hearings on pending intelligence matters, 2 p.m., SH–219.

House

Committee on Agriculture, hearing to review the USDA's implementation of disaster assistance and the operation of other programs, 8:30 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Departmental Administration/Chief Financial Officer/Chief Information Officer, 11:15 a.m., 2362–A Rayburn.

Subcommittee on Commerce, Justice, State, and the Judiciary, on International Organizations and Peacekeeping, 2 p.m., H–309 Capitol.

Subcommittee on Defense, executive, on Military Readiness, 2:30 a.m., H–140 Capitol.

Subcommittee on Energy and Water Development, executive, on Atomic Energy Defense Activities, 11 a.m., 2362–B Rayburn.

Subcommittee on Interior, on Service Department of Energy-Fossil Energy, 11 a.m., B- 308 Capitol.

Subcommittee on Labor, Health and Human Service, and Education, on Gallaudet University, 11 a.m., and on Institute of Museum and Library Services and Railroad Retirement Board, 2 p.m., 2358 Rayburn.

Subcommittee on Transportation, on Secretary of Transportation, 11 a.m., 2358 Rayburn.

Subcommittee on Treasury, Postal Service, and General Government, on Secretary of the Treasury, 11 a.m., and on Customs Integrity, 2 p.m., 2359 Rayburn.

Committee on Armed Services, Subcommittee on Military Personnel, hearing on recruiting issues, 11 a.m., 2212 Rayburn.

Subcommittee on Military Readiness, hearing on the shipment of household goods, 11 a.m., 2118 Rayburn.

Committee on Commerce, Subcommittee on Energy and Power, hearing on Electricity Competition: Evolving Federal and State Roles, 11 a.m., 2123 Rayburn.

Subcommittee on Finance and Hazardous Materials, hearing on the Bond Price Competition Improvement Act of 1999, 11 a.m., 2322 Rayburn.

Committee on Education and the Workforce, Subcommittee on Early Childhood, Youth, and Families, hearing on Juvenile Justice and Delinquency Prevention Act: Preventing Juvenile Crime at School and in the Community, 11:15 a.m., 2175 Rayburn.

Committee on Government Reform, Subcommittee on Civil Service, hearing on Long Term Care Insurance for Federal Employees, 9 a.m., 2203 Rayburn.

Subcommittee on Criminal Justice, Drug Policy, and Human Resources, hearing on Overview of Agency Efforts to Prevent and Treat Drug Abuse, 1 p.m., 2247 Rayburn.

Subcommittee on Government Management, Information, and Technology, hearing on Oversight of Financial Management Practices at the Department of Justice and the Federal Aviation Administration, 2 p.m., 2154 Rayburn.

Subcommittee on National Security, Veterans Affairs, and International Relations, hearing on Views of Veterans Service Organizations, 8:30 a.m., 2154 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, to continue hearings on H.R. 833, Bankruptcy Reform Act of 1999, 11 a.m., 2141 Rayburn.

Subcommittee on Courts and Intellectual Property, hearing on H.R. 354, Collections of Information Antipiracy Act, 11 a.m., 2226 Rayburn.

Subcommittee on Immigration and Claims, to mark up H.R. 441, Nursing Relief for Disadvantaged Areas Act of 1999; and to hold an oversight hearing on illegal immigration, 2 p.m., 2237 Rayburn.

Committee on Resources, hearing on H.R. 883, to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands, 1:30 p.m., 1324 Longworth.

Subcommittee on Fisheries Conservation, Wildlife and Oceans, to mark up the Coastal Zone Management Reauthorization; followed by an oversight hearing on the fiscal year 2000 budget request of the National Oceanic and Atmospheric Administration and the National Marine Fisheries Service, 2:30 p.m., 1334 Longworth.

Subcommittee on National Parks, and Public Lands, to mark up the following bills: H.R. 66, to preserve the cultural resources of Route 66 Corridor and to authorize the Secretary of the Interior to provide assistance; H.R. 658, Thomas Cole National Historic Site Act; and H.R. 659, to authorize appropriations for the protection of Paoli and Brandywine Battlefields in Pennsylvania, to direct the National Park Service to conduct a special resource study of Paoli and Brandywine Battlefields, to authorize the Valley Forge Museum of the American Revolution at Valley Forge National Historical Park 10 a.m., 1334 Longworth.

Committee on Science, Subcommittee on Energy and the Environment, oversight hearing on fiscal year 2000 Budget Authorization Request: Environmental Protection Agency Research and Development, 11:30 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, to continue hearings on the following bills: H.R. 700, Airline Passenger Bill of Rights Act of 1999, H.R. 780, Passenger Entitlement and Competition Enhancement Act of 1999, and H.R. 908, Aviation Consumer Right to Know Act of 1999, 11 a.m., 2167 Rayburn.

Committee on Veterans Affairs, to mark up H.R. 70, Arlington National Cemetery Burial Eligibility Act, 2:30 p.m., H–313 Capitol.

Committee on Ways and Means, Subcommittee on Health, hearing on the Medicare+Choice Program, 11 a.m., 1100 Longworth.

Subcommittee on Oversight, hearing on Tax Treatment of Structured Settlements, 1 p.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, executive, hearing on Fiscal Year 2000 Budget: Imagery Intelligence, 3 p.m., H–405 Capitol.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold joint hearings to review United States policy and strategy for the Organization for Security and Cooperation in Europe (OSCE) in preparation for the OSCE Summit Meeting scheduled to convene in Istanbul this year, 10:30 a.m., SR–485.

Next Meeting of the SENATE

9:30 a.m., Thursday, March 18

Senate Chamber

Program for Thursday: Senate will continue consideration of S. 544, Emergency Supplemental Appropriations, with a vote to occur on or in relation to Specter Amendment No. 77.

Next Meeting of the HOUSE OF REPRESENTATIVES

12 noon, Thursday, March 18

House Chamber

Program for Thursday: Secret National Security Briefing on the House Floor at 9:30 a.m. with Former Secretary of Defense Rumsfeld and Members of the Bipartisan Commission on Ballistic Missile Threats; and

Consideration of H.R. 4, United States Missile Defense Policy (closed rule, 2 hours of general debate).

Extensions of Remarks, as inserted in this issue

HOUSE

Andrews, Robert E., N.J., E470
Barr, Bob, Ga., E464
Bono, Mary, Calif., E470
Clay, William (Bill), Mo., E471
Clement, Bob, Tenn., E464
Clyburn, James E., S.C., E460
Cummings, Elijah E., Md., E465
Duncan, John J., Jr., Tenn., E470
Emerson, Jo Ann, Mo., E459
Gekas, George W., Pa., E470
Gilman, Benjamin A., N.Y., E452, E454, E457
Green, Mark, Wisc., E469
Hall, Ralph M., Tex., E466
Hostettler, John N., Ind., E452, E454
Kucinich, Dennis J., Ohio, E452, E454, E458, E459
Kuykendall, Steven T., Calif., E459
Lantos, Tom, Calif., E460
Lazio, Rick, N.Y., E467
Lewis, Ron, Ky., E463
McDermott, Jim, Wash., E463
McInnis, Scott, Colo., E465
Miller, George, Calif., E453, E456
Moakley, John Joseph, Mass., E451
Ose, Doug, Calif., E463
Pallone, Frank, Jr., N.J., E451, E453, E456
Peterson, Collin C., Minn., E465
Phelps, David D., Ill., E464
Radanovich, George, Calif., E452, E454
Ros-Lehtinen, Ileana, Fla., E453, E455
Sabo, Martin Olav, Minn., E456, E458
Scarborough, Joe, Fla., E465
Schaffer, Bob, Colo., E452, E454, E457
Shaw, E. Clay, Jr., Fla., E468
Shuster, Bud, Pa., E469
Smith, Christopher H., N.J., E462
Tauscher, Ellen O., Calif., E464
Thompson, Bennie G., Miss., E466
Towns, Edolphus, N.Y., E473
Walsh, James T., N.Y., E453, E455
Weldon, Curt, Pa., E458
Weller, Jerry, Ill., E458
Young, Don, Alaska, E468

Congressional Record The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶Public access to the Congressional Record is available online through *GPO Access,* a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available on the Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su_docs, by using local WAIS client software or by telnet to swais.access.gpo.gov, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512–1661; type swais, then login as guest (no password required). For general information about *GPO Access,* contact the *GPO Access* User Support Team by sending Internet e-mail to gpoaccess@gpo.gov, or a fax to (202) 512–1262; or by calling Toll Free 1–888–293–6498 or (202) 512–1530 between 7 a.m. and 5 p.m. Eastern time, Monday through Friday, except for Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $165.00 for six months, $325.00 per year, or purchased for $2.75 per issue, payable in advance; microfiche edition, $141.00 per year, or purchased for $1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to (202) 512–1800, or fax to (202) 512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, or GPO Deposit Account. ¶Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.