



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145

WASHINGTON, TUESDAY, MAY 11, 1999

No. 67

House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. UPTON).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 11, 1999.

I hereby appoint the Honorable FRED UPTON to act as Speaker pro tempore on this day.

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

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

GUNS

Mr. BLUMENAUER. Mr. Speaker, our responsibility in Congress is to find ways for the Federal Government to be a better partner in making our communities more livable for American families, to ensure that they are safe, economically secure, and healthy.

Since I have been in Congress just 3 years, there have been eight multiple shooting deaths on our school campuses, with young children shooting other children and teachers. The epidemic of gun violence amongst our

youth has tragic consequences in terms of loss of life, physical safety, the health of our community, to say nothing of the tremendous financial costs that are involved.

For all the attention to the Littleton massacre, this is, in fact, occurring every day. It is just that the pain is scattered from town to town, from city to city in isolated bursts that even without the massive national media coverage is nonetheless producing pain every bit as real.

Yesterday there was a conference at the White House on reducing gun violence amongst our children. It was assailed by some because it did not go far enough in suggesting steps that virtually every other country has done to reduce gun violence.

Over 5,000 American children are killed by firearms every year in this country. By contrast, only 15 people in the entire country of Japan were murdered with handguns last year. At the same time, it was attacked by apologists for gun violence, who contend that there really are no useful government initiatives to reduce gun violence other than stricter enforcement of laws, more prison time for criminals, and wider use of firearms.

I am heartened by the meeting and the discussion yesterday, because most Americans know that the people who hold the most extreme views are simply wrong. Just as there is no single identifiable cause of the Littleton tragedy, there is no single magic solution. But it is defeatist in the extreme and an abrogation of our responsibility as Americans, and especially as Members of Congress, to fail to do everything in our power to make a difference.

The research shows we can and that we will be supported by the vast majority of the American people if we do take action. For example, we must stop the travesty of allowing the gun industry to operate without protections for public health.

There ought to be the same scrutiny applied to real guns as applied to toy guns as far as consumer protections are concerned. We should not sell one more new gun in this country that does not tell us if there is a bullet in the chamber.

There ought to be no loopholes for the background check requirements of the Brady bill, which has prevented more than a quarter million known felons from buying weapons. We ought to extend that prohibition to deny people with a history of violent and reckless behavior the ability to purchase and own firearms.

The Federal Government should select a date in the near future when it will require that all the guns that we supply to our thousands of employees will be personalized so that that weapon cannot be used against them.

We ought to assure that people who manage their guns in a reckless fashion are held accountable. We ought to make the child access law pioneered years ago in Florida the law of the land, protecting families everywhere.

The leadership in this Congress ought to have the courage to insist that the proposals be debated in the House of Representatives as they are this week in the Senate.

Once this sees the light of day on the floor of the House, we will find that, in fact, there are men and women in both parties who have the conscience, have the conviction to stand up to the apologists for gun violence and take these simple, common-sense steps to reduce the tragic toll that gun violence has had in our communities.

An important first step will be the Comprehensive Child Violence Protection Act introduced by the gentleman from New York (Mrs. MCCARTHY). I urge my colleagues to join me in cosponsoring her legislation and to urge the Republican leadership to finally find it in their hearts to allow

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

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



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this to be debated on the floor of the House.

The carnage of Littleton will occur again today in dozens of instances across America. I hope that this is the last day that Congress is missing in action and that this Congress finally steps forward to do all it can to protect our families and their children from senseless gun violence.

TAX FREEDOM DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from North Carolina (Mr. JONES) is recognized during morning hour debates for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, today, May 11, is Tax Freedom Day, which means, if the government began taking every dime of one's paycheck on January 1 of this year, one would have spent, on average, the last 131 days working just to pay one's local, State, and Federal taxes.

We call it Tax Freedom Day, but this year we really do not have much to celebrate. We have spent more days working for the government than we did last year. A later Tax Freedom Day indicates an ever-increasing national tax burden.

Mr. Speaker, the citizens of this country cannot afford any more taxes. The typical American family already spends more than 38 percent of its income on taxes. That is more than most families spend on food, clothing, shelter, and transportation combined. In fact, the average American spends almost 3 hours of a typical 8-hour day working for the government.

Mr. Speaker, we cannot continue to expect our hard-working families to shoulder the debt of a big government that routinely spends outside of its means. It is unacceptable that Americans must work at least 5 months of the year just to pay their taxes.

While taxes have continued to mount, so, too, has the Tax Code. Growing more complex, the Tax Code now totals nearly 3,000 pages. Mr. Speaker, the tax burden on our American families is out of control.

Since gaining the majority in 1994, this Congress has continued working to put more money back in the pockets of hardworking Americans. We balanced the Federal budget. We passed the first tax relief in 16 years, and now we have the first budget surplus in generations. Today, the current tax rate is between 1.2 and 2 percent lower than just 2 years ago. Now it is time, Mr. Speaker, to build upon that momentum.

Mr. Speaker, I have supported legislation to abolish the current Tax Code in hopes of establishing a flat tax or a national sales tax. In addition, I supported legislation to abolish some of the most outrageous and unfair taxes in our American families, like the death tax, marriage tax, and capital gains tax. Personally, I have introduced legislation to offer a tax credit for our military personnel.

Mr. Speaker, the Republican Congress continues to prove to the American people its commitments to lower taxes. But we cannot stop now. Lower taxes always should be a top priority. That requires cooperation between Congress and the administration.

This Congress and Congresses of the future must always remember that this money belongs to the people, and we must make every effort to return it to the people.

I hope that the next person elected to serve as President of the United States makes a commitment to simplify the Tax Code to ensure its fairness for the citizens of this country.

Mr. Speaker, today we observe Tax Freedom Day. Let us now continue working to make sure that next year Tax Freedom Day falls on a day we can all celebrate.

TURKISH-KURDISH CONFLICT MUST BE RESOLVED

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from New Jersey (Mr. PALLONE) is recognized during morning hour debates for 5 minutes.

Mr. PALLONE. Mr. Speaker, as our military campaign in the Balkans continues, with the noble goal of stopping the ethnic cleansing that the dictator Milosevic has perpetrated against the Kosovar Albanian people, another similar atrocity continues to be perpetrated in the mountains of eastern Turkey against the Kurdish people.

There is a crucial difference between the situations in Kosovo and in Kurdistan. In the case of Kosovo, the forces of NATO are being used to stop the murderous rampage unleashed by Milosevic. But the Turkish regime that is responsible for the war against the Kurds is actually a member of NATO.

Unfortunately, because Turkey is viewed as a strategic ally of the U.S. and the West, the plight of the Kurds in Turkey has not been given adequate attention by the United States. In fact, Mr. Speaker, we may actually be contributing to the oppression of the Kurds.

The issue of Turkey's war on the Kurds and American support for Turkey was brought into sharp focus earlier this year with the apprehension of Abdullah Ocalan, the leader of the Kurdish independence movement. Mr. Ocalan has been fighting for autonomy for the Kurdish people, who are the victims of oppression by Turkey as well as Iraq, Iran and Syria.

Mr. Speaker, the Turkish regime refuses to even acknowledge the Kurds' existence, referring to them as "mountain Turks", prohibiting all expression of Kurdish culture and language in an effort to forcibly assimilate them, while jailing, torturing, and killing Kurdish leaders.

It is true that the Kurdish communities in Iraq, Iran and Syria also suffer terribly, and we should keep in mind the fate of the Kurds in

those countries—indeed, the U.S.-led Operation Provide Comfort in Northern Iraq is an action we can all be proud of. But, frankly, we tend to expect egregious human rights violations to occur under the Iraqi, Iranian and Syrian regimes. Turkey, on the other hand, is a member of NATO, touted as a democracy, a participant in Operation Allied Force. Turkey has received over the years millions of dollars in economic and, especially, military assistance courtesy of the American taxpayer. We have a right to expect better, and Turkey, as a member of NATO and a candidate for the European Union has an obligation to do better.

Furthermore, the mistreatment of the Kurdish population of Turkey is not the only example of Turkey's blatant violation of American values, ideals or interests. The continued occupation of Northern Cyprus and the blockade against Armenia are two other glaring examples where Turkey pursues the kind of policies that we should not accept from any nation, but particularly one of our allies.

Mr. Speaker, I was appalled when it was reported that American intelligence and diplomatic services actually helped a Turkish commando team to capture Mr. Ocalan in Kenya in February of this year. This shameful collaboration with Turkey has resulted in Mr. Ocalan being held in solitary confinement on an island prison in Turkey. He will be tried in a secret military-type court with no jury and no foreign observers.

The prosecutors are seeking the death penalty. There is little hope that Mr. Ocalan will receive a fair trial. In fact, the debate in the Turkish press is not about whether he will get a fair trial but rather when he will be executed.

According to a recent report by Amnesty International, Mr. Ocalan's defense lawyers are routinely beaten and harassed by Turkish police. The police have even tried to incite public riots against the defense team. The lawyers and their families have received telephone threats.

I should point out that this is in violation of the United Nations Basic Principles on the Role of Lawyers, which states that lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

In the United States and in other countries where the rule of law is respected, we believe that everyone, even the most unpopular defendants, has a right to a fair trial. There is no place for a lynch mob mentality.

After 3 months in solitary confinement, denied proper access to his lawyers and being constantly guarded by armed soldiers wearing ski masks, Mr. Ocalan may be suffering a psychological breakdown. All of his meetings with his lawyers are monitored. It is quite possible that he has been subjected to torture.

But if Turkey does go ahead and hang Mr. Ocalan, the result would be to create a martyr for the Kurdish people and to unleash an all-out civil war that would be disastrous for all the people

of the region, both Turks and Kurds. Such an outcome is not in anyone's interests, not that of Turkey, not the Kurdish people, not the neighboring countries, certainly not the United States.

Mr. Speaker, in order to encourage the U.S. Government to play a constructive role in heading off a crisis in Turkey, my colleague, the gentleman from California (Mr. FILNER), and I will be circulating a letter this week asking our colleagues to sign a letter to President Clinton urging his intervention, to implore that the Turkish authorities show some basic fairness in trying Mr. Ocalan and to spare his life.

The government of Turkey's undeclared war on the Kurds has claimed close to 40,000 lives and caused more than 3 million people to become refugees. Before his arrest, Mr. Ocalan had announced that he was ready to renounce violence and negotiate, but Turkey did not even consider the request. Even worse, Mr. Speaker, the United States did not encourage such negotiations to begin.

Mr. Speaker, it is my belief that it would be more appropriate to have an International Tribunal prosecute Mr. Ocalan since Turkey is at war with the Kurds and cannot be expected to conduct a fair trial. Seeking a fair trial for Mr. Ocalan should be the first step in our efforts to press Turkey to enter into negotiations to achieve a political solution to this tragic struggle.

What is truly tragic about the conflict between the Turkish regime and the Kurdish people is that the Turkish and Kurdish people have not always lived in conflict. There is hope that reconciliation could occur but only if the Turkish authorities recognize the rights and distinct identity of the Kurds and finally halt their goal of controlling and conquering the Kurds.

TAX FREEDOM DAY

The SPEAKER pro tempore (Mr. UPTON). Under the Speaker's announced policy of January 19, 1999, the gentleman from Texas (Mr. SAM JOHNSON) is recognized during morning hour debates for 5 minutes.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I want to wish all Americans a happy Tax Freedom Day. Americans are now free from the Federal shackles on their income. And, this year, all American citizens worked for the government longer than in any previous year.

Today Americans start working for themselves and not the Federal Government. Starting today, the money all Americans earn goes to their families rather than the Washington bureaucracy.

This government is taking too much money out of our pockets. In fact, the average American will spend nearly 3 hours of each 8-hour working day just to pay taxes. Most of the time, almost 2 hours, will be spent working to pay Federal tax; and the remainder, 54 min-

utes, will be spent working to pay State and local taxes.

For too long the Federal Government has increased taxes on our businesses, our seniors, our families, our children. We need to take our money away from the Federal Government, away from the bureaucrats and give it back to the American people. After all, American workers have earned it.

My colleagues on the other side of the aisle believe all working Americans' money belongs to the Federal Government. I disagree. It is the money of all those hard-working Americans; and Americans want, need and deserve a refund now.

Let us help America. Let us give the people what they deserve: tax relief that is long overdue.

SECURITY FAILURE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, in a press conference in March of this year, the President was asked, "Can you assure the American people that under your watch no valuable nuclear secrets were lost?" The President answered, "Can I tell you that there has been no espionage at the lab since I have been President? I can tell you that no one has reported to me that they suspect such a thing has occurred."

Mr. Speaker, on May 3, The New York Times reported a secret report was given to top Clinton administration officials, including the National Security Adviser Samuel Berger, in November of 1998 that warned, "China posed an acute intelligence threat to our government's nuclear weapons laboratory and that computer systems at the labs were being constantly penetrated by outsiders."

If the President stated in a press conference not more than 2 months ago that, "no one has reported to me that they suspect such a thing", while the top national security adviser in the Clinton administration received a classified report about Chinese espionage just 6 months ago, are we to assume that the President was never briefed upon this report?

Energy Secretary Bill Richardson acknowledged on Meet the Press this past Sunday that, "There have been damaging security leaks." Obviously, National Security Adviser Samuel Berger was aware of the security leaks of the intelligence report warning the administration.

What is the truth, Mr. Speaker? The administration cannot have it both ways. Either Mr. Berger failed in his responsibility of notifying the President or the President in March misled our Nation about reports of espionage.

The Times further reported that, "In April of 1996, Energy Department officials briefed Mr. Berger on the case and how it related to China's nuclear strat-

egy. Mr. Berger took no action and did not inform the President of the matter, White House officials have said." That is what we believe.

How is Mr. Berger still on the job, Mr. Speaker? There are many troubling issues involved in the suspected spy case emanating from the Los Alamos National Laboratory, and I think one of the most troubling is that the suspected Chinese American spy, Wen Ho Lee, was under investigation by the FBI back in 1997. They wanted to monitor Lee's telephone conversations and to access his computer, but the Justice Department denied this request. Why?

This case may be the worst espionage committed against our Nation, and the Justice Department quickly denied our chief policing and policy and domestic counterintelligence agency the tools to conduct a proper investigation. Why?

Intelligence officials privately state that a denial of such a request is extremely rare. It hardly ever happens. Why did it occur in this case, when the evidence indicated that efforts were under way to steal our most classified information about our most deadly nuclear weapons?

What is even more shocking is that the FBI told Energy Department officials in April of 1997 that they could transfer Mr. Lee to a less sensitive job. What did these officials do? They, instead, gave Mr. Lee the job of updating a computerized archives of nuclear secrets. Here we have a suspect possibly passing information about our most secure weapons and the Energy Department places him in charge of their computer upgrades.

In addition, the Energy Department allows Mr. Lee to hire his own personal assistant. The person he happened to hire was a Chinese graduate student who has, since this story has broke, disappeared.

The FBI has determined that in February of this year Lee tried to delete evidence that he had improperly transferred more than 1,000 computer files containing nuclear secrets.

Mr. Speaker, what is going on here? The Justice Department, the Energy Department, the administration all had this evidence. There have been no arrests, and the administration continues to drag its feet in the release of the Cox report.

Have we allowed our judgment of China's conduct to be clouded by our desire for trade with China? Have we allowed the White House to compromise the security of every man, woman and child in our Nation for the desire for more profits? I earnestly pray that this is not true.

Mr. Speaker, I submit for the RECORD the recent AP story from Sunday entitled Richardson Says China Stole Secrets on Clinton Watch.

[From Reuters, May 9, 1999]

RICHARDSON: CHINA STOLE SECRETS ON CLINTON WATCH

WASHINGTON—Energy Secretary Bill Richardson said Sunday the Chinese government had obtained nuclear secrets during the Clinton presidency—something the administration had previously denied.

Speaking on NBC television's "Meet the Press" show, Richardson admitted security breaches had occurred during the Clinton presidency, despite denials by the president.

"There have been damaging security leaks," Richardson said. "The Chinese have obtained damaging information . . . during past administrations and (the) present administration."

In a March news conference, President Clinton denied the Chinese had secured nuclear secrets during his presidency.

"To the best of my knowledge, no one has said anything to me about any espionage which occurred by the Chinese against the labs, during my presidency," Clinton said then, referring to allegations of security breaches at the Los Alamos National Laboratory in New Mexico.

But The New York Times reported a week ago that counter-intelligence officials had told the Clinton administration in November that China posed an "acute intelligence threat" to nuclear arms labs.

The Times disclosed in March that a scientist at Los Alamos, Wen Ho Lee, was suspected of helping China obtain arms secrets. China has repeatedly denied the charges and the scientist last week rejected the accusations against him.

The Senate intelligence committee said in a report last week that China gained technical information from U.S. companies during satellite launches which will improve its missiles and could threaten the United States.

The report capped a 10-month investigation by the committee into the impact on U.S. national security of advanced satellite technology exports to China.

Senator Richard Shelby, chairman of the intelligence committee, said Sunday, "This is probably the most serious espionage we have had in this country in modern times."

Shelby said his committee's investigation uncovered "very suspicious banking relationships" which would need further investigation. The Republican from Alabama said millions of dollars were funneled to a small bank in the United States from China, possible as political campaign donations.

Bob Kerrey, the ranking Democrat on the intelligence committee, agreed there had been leaks at the Los Alamos lab.

"I have no doubt there has been Chinese espionage at these nuclear labs," the Nebraska senator said. "I have no doubt the efforts to reduce the risk of that espionage was sloppy and not well coordinated and as a consequence has been damaging to the people of the United States."

Despite the breaches, Kerrey said, the threat to Americans was not on the scale suggested by Shelby.

"This is a very serious case of espionage, a very serious breach of security at the labs, but its very important for us not to overestimate the threat," he said.

COMMEMORATING ASIAN PACIFIC AMERICAN HERITAGE MONTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Guam (Mr. UNDERWOOD) is recognized during morning hour debates for 5 minutes.

Mr. UNDERWOOD. Mr. Speaker, I come to the floor to announce that this month, May, is Asian Pacific American Heritage Month. This month is meant to celebrate the many contributions of Asian and Pacific Islander Americans to the fabric of American life.

As the Chair of the Congressional Asian Pacific American Caucus for the 106th Congress, I wish to draw attention to this month as a time to honor, remember and celebrate the Asian and Pacific Islander Americans who live in each one of our congressional districts. In fact, 65 congressional districts have a population of at least 5 percent APA and some 28 have over 10 percent APA in their districts.

This celebration dates back to the legislation introduced by former Representative Frank Horton in 1978, establishing Asian Pacific American Heritage Week to draw attention to this population. In 1990, the week was extended to a month, and it was not until 1992 that legislation was passed to make APA a permanent occasion during May of every year.

This is a particularly critical time to reflect upon the conditions and the contributions of Asian Pacific Americans. They are a growing part of our population, and they make major contributions to every facet of our life, from science to sports, from education to entertainment, from culture to commerce.

Asian Pacific Americans are major players and major movers in our American life. Yet, despite their success, they continue to experience various forms of discrimination; and some communities experience many difficulties in education and the economy. And they are, of course, subject to the ups and downs of our country's relationships with various countries in Asia and the Pacific.

We should all take the time to celebrate the success of individual APAs, like Junior Seau, the outstanding line-backer for the San Diego Chargers; David Ho, who was Time magazine's 1996 Man of the Year for his research on AIDS; Josie Natori, a highly acclaimed designer who recently received the Ellis Island Medal of Honor; Jerry Yang, the former Stanford Ph.D. student who cofounded Yahoo; and Seiji Ozawa, who is in his 24th season as music director for the Boston Symphony Orchestra.

But we must also take the time to acknowledge that there can be a thin line in American society between celebration and condemnation. Sometimes we are quick to praise individuals from various communities that make up the fabric of American life but we can be just as quick to stereotype and stigmatize the communities from which these individuals come from. Immigrant bashing, hate crimes, wholesale characterizations about this or that group are not only hurtful, they are disrespectful and harm our entire society.

We are in the midst of a series of charges and countercharges about espionage at the Department of Energy labs, alleged fundraising from foreign sources; and our relationship with the People's Republic of China is probably at its lowest point during this decade. We all have a serious responsibility to

make clear and understandable distinctions between the activities of foreign agents, criminal spies and the Asian Pacific American communities which help make this country strong and vibrant.

There is much media coverage today about Chinese spying and illegal Chinese fund-raising. It is all too easy to blur any distinction between those who are operating outside the law and at the behest of foreign governments and the Asian Americans who live next door, who work at Silicon Valley and who work tirelessly in defense and energy laboratories around the country. Asian Americans have contributed enormously to our technological lead in the world, and they contribute to our military and economic strength in ways that all of us should be proud of and grateful for.

Let us be clear. The overwhelming and vast majority of Asian Pacific Americans are not just industrious, they are as loyal to America as all their fellow Americans. The preponderance of stories about the espionage may lead to the same result that we had a few years ago when the stories about illegal fundraising first surfaced. Individual Asian American citizens around the country had additional questions asked of them, found it a little more difficult to get appointments with elected officials, were asked to verify the origins of their campaign donations in ways that others were not.

The illegal fund-raising stories had a chilling and direct effect on the lives and the political participation of Asian Americans around the country. Let us make sure that the current rash of stories and the current state of our relationship with China has no impact upon the lives or the economic or employment opportunities of individual Asian Americans around the country.

We in Congress have a special responsibility to make sure that our sentiments about these matters of espionage is clearly separate from any reflection upon the ethnic communities in our country.

Mr. Speaker, I would like to thank the Energy Secretary, Bill Richardson, for his sensitivity to APA concerns; and I encourage all Members to attend the numerous planned APA activities in their home district this month. And the APA caucus will also be organizing a special order commemorating Asian Pacific American Heritage Month.

As we deal with the Cox Report, as we deal with the Department of Energy revelations, as we deal again with the charges about fund raising, let us remember that it is a thin line between celebration and condemnation, between singing praise and stereotyping.

On this note, I take this opportunity to thank Energy Secretary Bill Richardson for his sensitivity to APA concerns, and also on agreeing to speak at the Asian Pacific American Institute for Congressional Studies Gala.

There are numerous activities planned by Asian Pacific American groups this month to celebrate our diverse heritage. I urge every member's participation in these activities.

The Congressional Asian Pacific American Caucus will also be organizing a special order in May commemorating Asian Pacific American Heritage Month.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 12 o'clock and 58 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PEASE) at 2 p.m.

PRAYER

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

As individuals we know how satisfying it is to affirm that You, O God, are the personal God who cares about our own needs and petitions. We know, too, how easily we can try to make Your nature so it fits with our own personal background or with our own particular Nation or with our own private interest. Yet, at our best moments we celebrate that You are God of all creation, that You are the judge of every people and Nation, and You have forgiveness and mercy available to every person. Help us, gracious God, to lift our vision of Your presence in our lives and of Your place and power in the universe so we see You as the creator and redeemer of all who seek Your grace. In Your name we pray. Amen.

THE JOURNAL

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

Mr. RAHALL 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.

TAKES ONE-THIRD OF THE YEAR TO PICK UP THE TAB FOR OUR BLOATED GOVERNMENT BUREAUCRACY

(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, Katherin Whitehorn once said, "The easiest way for our children to learn about money is for you to have none." Well, if Katherin Whitehorn is right, then the first 130 days of this year America's children have earned their doctorate on money because during this time every penny earned by the hard-working men and women of this Nation has been taken away by local, State and Federal Government taxation. It did not go to pay for kids' education, it did not go to pay for the home mortgage, and it did not go to pay medical expenses. Instead, it all went to expanding government bureaucracies.

Mr. Speaker, fully one-third of this year's effort of these hard-working Americans was spent just to pick up the tab of this bloated government bureaucracy. Decades of unchecked growth and deficit spending by the tax and spenders has left hard-working men and women of this country with this crushing tax burden.

The vast majority of Americans do not object to paying their fair share of taxes, but they do object to the suffocating level of taxation that exists today.

Mr. Speaker, for our children's sake let us allow hard-working families to keep more of their money, not less. I urge all of my colleagues to support meaningful tax reform this year.

OUR NUMBER ONE SECURITY THREAT

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

Mr. TRAFICANT. Mr. Speaker, China has accused America of deliberately bombing their embassy in Yugoslavia. That is unbelievable, and experts cannot believe this. I am not surprised. In fact, China has always considered America as their arch enemy.

Let us tell it like it is today:

The bombing of the Chinese embassy was an honest mistake. The Chinese fallout is no mistake. The reality is evident and clear. The number one security threat facing the American people is China. I might add it has been financed with American dollars.

I yield back all the missiles pointed at the United States of America, Mr. Speaker. Beam me up.

CHILD SEXUAL ABUSE MUST NOT BE TOLERATED

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

Mr. PITTS. Mr. Speaker, May is Victims of Pornography Month. Today I want to mention an outrage:

The American Psychological Association recently published a study suggesting that sexual relationships between adults and children are less harmful than believed and might actually be positive for "willing" children.

My colleagues heard correctly.

The authors of this study attacked the term "child sexual abuse" in favor of the term "adult-child sex." They conclude that child sexual abuse is not wrong unless the adult sexual encounter is unwanted by the child.

May I suggest that this outrageous junk science, as Dr. Laura Schlessinger calls it, is very offensive? All of us who are parents should be offended by this effort to normalize child sexual abuse. Child sexual abuse does result in long-term psychological harm, and it must not be tolerated.

Shame on the American Psychological Association for giving a forum for such dangerous and unprofessional propaganda for pedophilia.

THERE WILL NEVER BE A BETTER OPPORTUNITY TO CUT TAXES

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

Mr. KNOLLENBERG. Mr. Speaker, I rise today in recognition of Tax Freedom Day and to reiterate my call for lower taxes.

According to the nonpartisan Tax Foundation, the average American will have to work 131 days or until May 11; that is, today, just to pay his or her taxes.

This graph says it all.

I believe it is outrageous. Clearly the time has come for Congress and the President to cut taxes so the American people can keep more of their hard-earned money.

Taxes are at an historic high, higher than World War II. With a strong economy and the Federal Government running a surplus, there will never be a better time than today to cut taxes.

This year's budget calls for 800 billion in reduction in Federal taxes over the next 10 years. This much-needed tax cut will strengthen working families and keep our economy moving forward.

Mr. Speaker, I urge my colleagues to work together this year to ensure that the American people receive the tax relief they deserve and not this.

INTRODUCTION OF NATIONAL PEACE OFFICERS MEMORIAL DAY RESOLUTION

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

Mr. HEFLEY. Mr. Speaker, on May 15, peace officers from around the country will travel to Washington for a day of commemoration and honor for fellow officers slain in the line of duty. The National Peace Officers Memorial Day serves as a solemn reminder of the sacrifice and commitment to safety that these men and women make on our behalf. I am joined by over 130 of

my colleagues as I introduce today a resolution that expresses the gratitude of the House of Representatives for the work these officers perform.

There are currently more than 700,000 men and women who place their lives at risk every day as they serve as the guardians of law and order. Every year approximately 1 in 9 officers is assaulted, 1 in 25 officers is injured, and 1 in 4,400 officers is killed in the line of duty. Last year 158 officers were killed in the line of duty, and about 60,000 were injured.

While the crime of murder has been reduced on the national level, the murder rate of peace officers has tragically risen.

Mr. Speaker, I hope all of my colleagues will join me in expressing our appreciation to all peace officers in paying tribute to those slain in line of duty and to their surviving families.

PROSTATE CANCER WAKE-UP CALL

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

Mr. BOEHLERT. Mr. Speaker, in 1999 over 179,000 men in the United States will be diagnosed with prostate cancer. Everyone has a story. One of the most heartwarming stories is that of New York Yankee skipper Joe Torre. While the latest news reports that Joe Torre's surgery has successfully removed the cancer from his body and he will be back on the job soon, news of his condition should serve as a wake-up call for all middle aged men.

In 1999, Mr. Speaker, an estimated 37,000 men will die from prostate cancer. The good news is that this type of cancer is easily treatable if it is found in the early stages, as it was with Torre. A routine physical examination provided to all the Yankees led to the diagnosis. The Yankees are not only champions on the field where America's pastime is played, the organization is also a champion off the field, whereas in the case of appropriate preventive care timely action saves lives.

Another well-deserved salute to George Steinbrenner and the Yankees management.

In Congress, Mr. Speaker, we must continue to support funding for ongoing research into the cause and cures of prostate cancer. I join all Yankee fans everywhere, and there is no bigger fan than me, in wishing Joe Torre a speedy recovery. He is a glowing example of how we can beat cancer.

A TAX SYSTEM THAT REWARDS HARD WORK AND SACRIFICE

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

Mr. DEMINT. Mr. Speaker, each year working moms and dads face more and more stress over paying their tax bill. This year the average taxpayer must

give up nearly 5 months of paychecks just to pay their share of local, State and federal taxes. Those of us in the majority believe our constituents should keep more of their hard earned money. We know that they are spending more hours at work and less time at home. That is why we are going to eliminate our burdensome Tax Code and replace it with a new tax system that rewards work and sacrifice, a tax system that makes dreams of a new home, a secure retirement or a better life for their children a reality. They should be able to spend their paycheck before Washington does.

Mr. Speaker, that is why we are working to make sure every day is Tax Freedom Day, where one can wake up knowing that there is more money in their pocket and more freedom to pursue their dreams.

FREEWAY CONSTRUCTION PROJECT BEING HELD HOSTAGE BY A FLY

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

Mr. CALVERT. Mr. Speaker, the Endangered Species Act passed in 1973 was well-intentioned legislation. But the Fish and Wildlife Service, especially in California, is working outside of the ESA and undermining the original intent.

The Galena Interchange is a freeway construction project in my district that is being held hostage by the Delhi Sands flower-loving fly. The Galena Interchange is not an expansive new highway program. We are not talking about building a new six-lane highway. It is a simple project connecting Interstate 15 to Galena Street, and it has received \$20 million in Federal, State and local funds last year to correct the commuters' nightmare.

After plans have been designed and the funds allocated, Fish and Wildlife claims that the county needs to establish a preserve for the Delhi Sands flower-loving fly and wants as many as 200 acres of the Inland Empire's priciest industrial lands for habitat mitigation. Two hundred acres could cost as much as \$32 million, 32 million for a \$20 million project. On top of all this, not one fly has been found in this area. Apparently the Branch Chief of the Carlsbad Fish and Wildlife Office heard the buzz of the fly but did not see it and now wants \$32 million.

We need common sense reform. Support this legislation.

CONGRATULATING ST. PATRICK HOSPITAL IN MISSOULA, MONTANA

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

Mr. HILL of Montana. Mr. Speaker, I want to take this opportunity to recognize the National Hospital Week, a

time when we pay tribute to our Nation's hospitals and health systems and the workers and the volunteers and the other health professionals who are there 24 hours a day, 365 days a week, curing and caring for their neighbors, the folks who need them. An example of this dedication is St. Patrick Hospital in Missoula, Montana. I want to commend St. Patrick Hospital for receiving the American Hospital Association's 1999 NOVA award.

NOVA awards spotlight innovative community partnerships that respond to community needs. St. Patrick Hospital is the 1999 NOVA award winner for giving people a sense of hope that their lives will improve and be more secure, and that is exactly what the residents in the low-income neighborhoods served by St. Patrick needed. The hospital formed the Healthy Neighborhood Project. Healthy neighborhoods offer a down payment assistance for first-time home buyers and supports a tool lending library. It is also helping to build a new playground and sponsors a summer reading program at the local elementary school.

I am very proud to recognize St. Patrick for its achievements. It is a stellar example of a hospital that is making a difference in its community.

NOW IS THE TIME TO PROVIDE TAX RELIEF FOR WORKING FAMILIES

(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 rise today as an advocate for the taxpayers of northeastern Wisconsin. See, today, as my colleagues have already heard, is the day when Americans finally stop working for the Federal Government and start working for their own families. The average American works 131 days just to pay his or her taxes.

Mr. Speaker, I am sad to report that this year Tax Freedom Day is the latest ever.

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As a matter of fact, Tax Freedom Day has moved back 11 days since 1993. This is unacceptable, and I believe it is time for this Congress to act.

One of my constituents, Jane Savides of Appleton, recently wrote me about the excessive burden of taxes on her family. Jane writes, quote, we just put our taxes in the mail today, and as usual we owe the government more money. We all have to put food on the table, buy clothes and save for college. We have been putting more money away for our kids' education, but the more we save for them the more we get hit with taxes.

I could not agree with Jane more. I appeal to my colleagues, now is the time to provide real tax relief to families like the Savides family. It is time to give all of our constituents true

freedom, the freedom to earn more money.

TAX FREEDOM DAY 1980-1999

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

Mr. GUTKNECHT. This chart is labeled Tax Freedom Day, 1980 through 1999. Just look at the chart. Look at how we are moving.

In 1994, Tax Freedom Day was May 2. In 1995, it was May 3. In 1996, it was May 5. In 1997, it was May 7. Last year, it was May 10; and this year, today, May 11 is Tax Freedom Day. Finally, Americans get to start working for themselves.

This is not the right road to the 21st century. Ronald Reagan was able to actually push back Tax Freedom Day from May 4 to April 27, but since then we have lost ground.

Many people say we should meet the President halfway, but we should never meet the President halfway on the road going in the wrong direction.

THE ADMINISTRATION HAS AUTHORIZED THE KILLING OF GRAY WHALES

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

Mr. METCALF. Mr. Speaker, the day we have all dreaded has arrived. After years of U.S. policy in opposition to commercial whaling, the Clinton-Gore administration is reopening whaling. In northwest Washington State it will begin within a few days. The McCaw tribe has been authorized by this administration to begin killing gray whales.

Whales have been protected in the U.S., and these whales have learned not to fear boats. In fact, a multimillion dollar whale watching industry has developed, but that is all changing. Once the U.S. allows whale killing based on cultural subsistence, what can we say to Japan and Norway and the other nations that want to go commercial whaling?

This is a tragic day, and we will regret that this has happened.

TAXPAYERS ARE FINALLY FREE OF THE TAXMAN

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

Mr. CHABOT. Mr. Speaker, here is a subject we will never hear the other side talk about. That is Tax Freedom Day. Tax Freedom Day is the day where the taxpayer is finally free of the taxman and is finally working for himself or working for herself.

As of yesterday, the average taxpayer was still working to pay his or her taxes, Federal, State and local.

When Bill Clinton took office in 1993, Tax Freedom Day was April 29, according to this chart. The next year, it was April 30; and it was May 2 the year after that. Last year, it was May 10; and this year it is May 11.

As we can see from this chart, we have come a long way from 1981 when it was May 4, before the Reagan tax cuts pushed the day back about a week.

This is not progress, in my book. American taxpayers have less and less freedom, and government has more and more power over our lives. Tax Freedom Day, it is a concept that puts in stark terms just how much of our income we have to send to the government before we are free at last. Let us finally cut taxes in this country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 6 p.m. today.

FASTENER QUALITY ACT AMENDMENTS ACT OF 1999

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1183) to amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1183

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 "Fastener Quality Act Amendments Act of 1999".

SEC. 2. FINDINGS AND PURPOSE.

Section 2 of the Fastener Quality Act (15 U.S.C. 5401) is amended to read as follows:

"SEC. 2. FINDINGS.

"The Congress finds that—

"(1) the United States fastener industry is a significant contributor to the global economy, employing thousands of workers in hundreds of communities;

"(2) the American economy uses billions of fasteners each year;

"(3) state-of-the-art manufacturing and improved quality assurance systems have dramatically improved fastener quality, so virtually all fasteners sold in commerce meet or exceed the consensus standards for the uses to which they are applied;

"(4) a small number of mismarked, misrepresented, and counterfeit fasteners do enter commerce in the United States; and

"(5) multiple criteria for the identification of fasteners exist, including grade identification markings and manufacturer's insignia,

to enable purchasers and users of fasteners to accurately evaluate the characteristics of individual fasteners."

SEC. 3. DEFINITIONS.

Section 3 of the Fastener Quality Act (15 U.S.C. 5402) is amended to read as follows:

"SEC. 3. DEFINITIONS.

"As used in this Act, the term—

"(1) 'accredited laboratory' means a fastener testing facility used to perform end-of-line testing required by a consensus standard or standards to verify that a lot of fasteners conforms to the grade identification marking called for in the consensus standard or standards to which the lot of fasteners has been manufactured, and which—

"(A) meets the requirements of ISO/IEC Guide 25 (or another document approved by the Director under section 10(c)), including revisions from time to time; and

"(B) has been accredited by a laboratory accreditation body that meets the requirements of ISO/IEC Guide 58 (or another document approved by the Director under section 10(d)), including revisions from time to time;

"(2) 'consensus standard' means the provisions of a document that describes fastener characteristics published by a consensus standards organization or a Federal agency, and does not include a proprietary standard;

"(3) 'consensus standards organization' means the American Society for Testing and Materials, the American National Standards Institute, the American Society of Mechanical Engineers, the Society of Automotive Engineers, the International Organization for Standardization, any other organization identified as a United States consensus standards organization or a foreign and international consensus standards organization in the Federal Register at 61 Fed. Reg. 50582-83 (September 26, 1996), and any successor organizations thereto;

"(4) 'Director' means the Director of the National Institute of Standards and Technology;

"(5) 'distributor' means a person who purchases fasteners for the purpose of reselling them at wholesale to unaffiliated persons within the United States (an original equipment manufacturer and its dealers shall be considered affiliated persons for purposes of this Act);

"(6) 'fastener' means a metallic screw, nut, bolt, or stud having internal or external threads, with a nominal diameter of 6 millimeters or greater, in the case of such items described in metric terms, or ¼ inch or greater, in the case of such items described in terms of the English system of measurement, or a load-indicating washer, that is through-hardened or represented as meeting a consensus standard that calls for through-hardening, and that is grade identification marked or represented as meeting a consensus standard that requires grade identification marking, except that such term does not include any screw, nut, bolt, stud, or load-indicating washer that is—

"(A) part of an assembly;

"(B) a part that is ordered for use as a spare, substitute, service, or replacement part, unless that part is in a package containing more than 75 of any such part at the time of sale, or a part that is contained in an assembly kit;

"(C) produced and marked as ASTM A 307 Grade A, or a successor standard thereto;

"(D) produced in accordance with ASTM F 432, or a successor standard thereto;

"(E) specifically manufactured for use on an aircraft if the quality and suitability of those fasteners for that use has been approved—

"(i) by the Federal Aviation Administration; or

"(ii) by a foreign airworthiness authority as described in part 21.29, 21.500, 21.502, or

21.617 of title 14 of the Code of Federal Regulations;

“(F) manufactured in accordance with a fastener quality assurance system; or

“(G) manufactured to a proprietary standard, whether or not such proprietary standard directly or indirectly references a consensus standard or any portion thereof;

“(7) ‘fastener quality assurance system’ means—

“(A) a system that meets the requirements, including revisions from time to time, of—

“(i) International Organization for Standardization (ISO) Standard 9000, 9001, 9002, or TS16949;

“(ii) Quality System (QS) 9000 Standard;

“(iii) Verband der Automobilindustrie e. V. (VDA) 6.1 Standard; or

“(iv) Aerospace Basic Quality System Standard AS9000; or

“(B) any fastener manufacturing system—

“(i) that has as a stated goal the prevention of defects through continuous improvement;

“(ii) that seeks to attain the goal stated in clause (i) by incorporating—

“(I) advanced quality planning;

“(II) monitoring and control of the manufacturing process;

“(III) product verification embodied in a comprehensive written control plan for product and process characteristics, and process controls (including process influence factors and statistical process control), tests, and measurement systems to be used in production; and

“(IV) the creation, maintenance, and retention of electronic, photographic, or paper records required by the control plan regarding the inspections, tests, and measurements performed pursuant to the control plan; and

“(iii) that—

“(i) is subject to certification in accordance with the requirements of ISO/IEC Guide 62 (or another document approved by the Director under section 10(a)), including revisions from time to time, by a third party who is accredited by an accreditation body in accordance with the requirements of ISO/IEC Guide 61 (or another document approved by the Director under section 10(b)), including revisions from time to time; or

“(II) undergoes regular or random evaluation and assessment by the end user or end users of the screws, nuts, bolts, studs, or load-indicating washers produced under such fastener manufacturing system to ensure that such system meets the requirements of clauses (i) and (ii);

“(8) ‘grade identification marking’ means any grade-mark or property class symbol appearing on a fastener purporting to indicate that the lot of fasteners conforms to a specific consensus standard, but such term does not include a manufacturer’s insignia or part number;

“(9) ‘importer’ means a distributor located within the United States who contracts for the initial purchase of fasteners manufactured outside the United States;

“(10) ‘lot’ means a quantity of fasteners of one part number fabricated by the same production process from the same coil or heat number of metal as provided by the metal manufacturer;

“(11) ‘manufacturer’ means a person who fabricates fasteners for sale in commerce;

“(12) ‘proprietary standard’ means the provisions of a document that describes characteristics of a screw, nut, bolt, stud, or load-indicating washer and is issued by a person who—

“(A) uses screws, nuts, bolts, studs, or load-indicating washers in the manufacture, assembly, or servicing of its products; and

“(B) with respect to such screws, nuts, bolts, studs, or washers, is a developer and

issuer of descriptions that have characteristics similar to consensus standards and that bear such user’s identification;

“(13) ‘record of conformance’ means a record or records for each lot of fasteners sold or offered for sale that contains—

“(A) the name and address of the manufacturer;

“(B) a description of the type of fastener;

“(C) the lot number;

“(D) the nominal dimensions of the fastener (including diameter and length of bolts or screws), thread form, and class of fit;

“(E) the consensus standard or specifications to which the lot of fasteners has been manufactured, including the date, number, revision, and other information sufficient to identify the particular consensus standard or specifications being referenced;

“(F) the chemistry and grade of material;

“(G) the coating material and characteristics and the applicable consensus standard or specifications for such coating; and

“(H) the results or a summary of results of any tests performed for the purpose of verifying that a lot of fasteners conforms to its grade identification marking or to the grade identification marking the lot of fasteners is represented to meet;

“(14) ‘represent’ means to describe one or more of a fastener’s purported characteristics in a document or statement that is transmitted to a purchaser through any medium;

“(15) ‘Secretary’ means the Secretary of Commerce;

“(16) ‘specifications’ means the required characteristics identified in the contractual agreement with the manufacturer or to which a fastener is otherwise produced, except that the term does not include proprietary standards; and

“(17) ‘through-harden’ means heating above the transformation temperature followed by quenching and tempering for the purpose of achieving uniform hardness.”

SEC. 4. SALE OF FASTENERS.

(a) AMENDMENT.—Sections 5 through 7 of the Fastener Quality Act (15 U.S.C. 5404–6) are repealed, and the following new section is inserted after section 3 of such Act:

“SEC. 4. SALE OF FASTENERS.

“(a) GENERAL RULE.—It shall be unlawful for a manufacturer or distributor, in conjunction with the sale or offer for sale of fasteners from a single lot, to knowingly misrepresent or falsify—

“(1) the record of conformance for the lot of fasteners;

“(2) the identification, characteristics, properties, mechanical or performance marks, chemistry, or strength of the lot of fasteners; or

“(3) the manufacturer’s insignia.

“(b) REPRESENTATIONS.—A direct or indirect reference to a consensus standard to represent that a fastener conforms to particular requirements of the consensus standard shall not be construed as a representation that the fastener meets all the requirements of the consensus standard.

“(c) SPECIFICATIONS.—A direct or indirect contractual reference to a consensus standard for the purpose of identifying particular requirements of the consensus standard that serve as specifications shall not be construed to require that the fastener meet all the requirements of the consensus standard.

“(d) USE OF ACCREDITED LABORATORIES.—In the case of fasteners manufactured solely to a consensus standard or standards, end-of-line testing required by the consensus standard or standards, if any, for the purpose of verifying that a lot of fasteners conforms with the grade identification marking called for in the consensus standard or standards to which the lot of fasteners has been manufac-

tured shall be conducted by an accredited laboratory.”

(b) EFFECTIVE DATE.—Subsection (d) of section 4 of the Fastener Quality Act, as added by subsection (a) of this section, shall take effect 2 years after the date of enactment of this Act.

SEC. 5. MANUFACTURERS’ INSIGNIAS.

Section 8 of the Fastener Quality Act (15 U.S.C. 5407) is redesignated as section 5 and is amended—

(1) by amending subsection (a) to read as follows:

“(a) GENERAL RULE.—Unless the specifications provide otherwise, fasteners that are required by the applicable consensus standard or standards to bear an insignia identifying their manufacturer shall not be offered for sale or sold in commerce unless—

“(1) the fasteners bear such insignia; and

“(2) the manufacturer has complied with the insignia recordation requirements established under subsection (b).”; and

(2) in subsection (b), by striking ‘and private label’ and all that follows and inserting ‘described in subsection (a).’

SEC. 6. REMEDIES AND PENALTIES.

Section 9 of the Fastener Quality Act (15 U.S.C. 5408) is redesignated as section 6 and is amended—

(1) in subsection (b)(3), by striking ‘of this section’ and inserting ‘of this subsection’;

(2) in subsection (b)(4), by inserting ‘arbitrate,’ after ‘Secretary may’; and

(3) in subsection (d)—

(A) by inserting ‘(1)’ after ‘ENFORCEMENT.—’; and

(B) by adding at the end the following new paragraph:

“(2) The Secretary shall establish and maintain a hotline system to facilitate the reporting of alleged violations of this Act, and the Secretary shall evaluate allegations reported through that system and report any credible allegations to the Attorney General.”

SEC. 7. RECORDKEEPING REQUIREMENTS.

Section 10 of the Fastener Quality Act (15 U.S.C. 5409) is redesignated as section 7 and is amended by striking subsections (a) and (b) and inserting the following:

“Manufacturers and importers shall retain the record of conformance for fasteners for 5 years, on paper or in photographic or electronic format in a manner that allows for verification of authenticity. Upon request of a distributor who has purchased a fastener, or a person who has purchased a fastener for use in the production of a commercial product, the manufacturer or importer of the fastener shall make available information in the record of conformance to the requester.”

SEC. 8. RELATIONSHIP TO STATE LAWS.

Section 11 of the Fastener Quality Act (15 U.S.C. 5410) is redesignated as section 8.

SEC. 9. CONSTRUCTION.

Section 12 of the Fastener Quality Act (15 U.S.C. 5411) is redesignated as section 9 and is amended by striking ‘in effect on the date of enactment of this Act’.

SEC. 10. CERTIFICATION AND ACCREDITATION.

Sections 13 and 15 of the Fastener Quality Act (15 U.S.C. 5412 and 14) are repealed, and the following new section is inserted at the end of that Act:

“SEC. 10. CERTIFICATION AND ACCREDITATION.

“(a) CERTIFICATION.—A person publishing a document setting forth guidance or requirements for the certification of manufacturing systems as fastener quality assurance systems by an accredited third party may petition the Director to approve such document for use as described in section 3(7)(B)(iii)(I). The Director shall act upon a petition within 180 days after its filing, and shall approve such petition if the document provides equal

or greater rigor and reliability as compared to ISO/IEC Guide 62.

“(b) ACCREDITATION.—A person publishing a document setting forth guidance or requirements for the approval of accreditation bodies to accredit third parties described in subsection (a) may petition the Director to approve such document for use as described in section 3(7)(B)(iii)(I). The Director shall act upon a petition within 180 days after its filing, and shall approve such petition if the document provides equal or greater rigor and reliability as compared to ISO/IEC Guide 61.

“(c) LABORATORY ACCREDITATION.—A person publishing a document setting forth guidance or requirements for the accreditation of laboratories may petition the Director to approve such document for use as described in section 3(1)(A). The Director shall act upon a petition within 180 days after its filing, and shall approve such petition if the document provides equal or greater rigor and reliability as compared to ISO/IEC Guide 25.

“(d) APPROVAL OF ACCREDITATION BODIES.—A person publishing a document setting forth guidance or requirements for the approval of accreditation bodies to accredit laboratories may petition the Director to approve such document for use as described in section 3(1)(B). The Director shall act upon a petition within 180 days after its filing, and shall approve such petition if the document provides equal or greater rigor and reliability as compared to ISO/IEC Guide 58. In addition to any other voluntary laboratory accreditation programs that may be established by private sector persons, the Director shall establish a National Voluntary Laboratory Accreditation Program, for the accreditation of laboratories as described in section 3(1)(B), that meets the requirements of ISO/IEC Guide 58 (or another document approved by the Director under this subsection), including revisions from time to time.

“(e) AFFIRMATION.—(1) An accreditation body accrediting third parties who certify manufacturing systems as fastener quality assurance systems as described in section 3(7)(B)(iii)(I) shall affirm to the Director that it meets the requirements of ISO/IEC Guide 61 (or another document approved by the Director under subsection (b)), including revisions from time to time.

“(2) An accreditation body accrediting laboratories as described in section 3(1)(B) shall affirm to the Director that it meets the requirements of ISO/IEC Guide 58 (or another document approved by the Director under subsection (d)), including revisions from time to time.

“(3) An affirmation required under paragraph (1) or (2) shall take the form of a self-declaration that the accreditation body meets the requirements of the applicable Guide, signed by an authorized representative of the accreditation body, without requirement for accompanying documentation. Any such affirmation shall be considered to be a continuous affirmation that the accreditation body meets the requirements of the applicable Guide, unless and until the affirmation is withdrawn by the accreditation body.”

SEC. 11. APPLICABILITY.

At the end of the Fastener Quality Act, insert the following new section:

“SEC. 11. APPLICABILITY.

“The requirements of this Act shall be applicable only to fasteners fabricated 180 days or more after the date of the enactment of the Fastener Quality Act Amendments Act of 1999, except that if a manufacturer or distributor of fasteners fabricated before that date prepares a record of conformance for such fasteners, representations about such fasteners shall be subject to the requirements of this Act.”

SEC. 12. COMPTROLLER GENERAL REPORT.

Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall transmit to the Congress a report describing any changes in industry practice resulting from or apparently resulting from the enactment of section 3(6)(B) of the Fastener Quality Act, as added by section 3 of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Colorado (Mr. UDALL) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 1183.

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

There was no objection.

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

Mr. Speaker, the Fastener Quality Act was signed into law in 1990. It requires all threaded metallic fasteners of one-quarter inch diameter or greater that reference a consensus standard to be documented by a National Institute of Standards and Technology certified laboratory.

Although the legislation has been on the books for over 8 years, concerns over the bill's impact on the economy have delayed NIST's implementation of final regulations. NIST's regulations are slated to go into effect on June 24, 1999.

When enacted in 1990, the act was supposed to cover only high-strength critical application fasteners vital to the public safety. Yet all these fasteners represent only 1 percent of fasteners used in the United States. However, if the existing Fastener Quality Act regulations are implemented next month, even garden hose fasteners produced by Sheboygan Screw Products, Incorporated, in my home district would be forced to comply with the burdensome act.

I am not sure how faulty garden hose fasteners may pose a significant threat to public safety, but I am sure that regulating them will be expensive.

The Fastener Quality Act in its current form is unworkable, and implementing its regulations would cause great disruption to the United States economy without providing any significant public safety benefit.

Garden hose fasteners are only one example of the excesses associated with the law. A recent study conducted by the Department of Commerce concludes that significant improvements in fastener manufacturing and quality control have virtually eliminated the threat of substandard fasteners. These changes, however, are not reflected in the current law.

Mr. Speaker, H.R. 1183 continues the commitment of the Committee on

Science to streamlining the outdated and unnecessary provisions of the act in a manner that recognizes the positive development of quality products in the fastener industry; focuses on assuring the public safety; and imposes the least possible additional burdens on an already regulated industry.

Specifically, provisions of H.R. 1183, first, fight fraud by clarifying that anyone intentionally misrepresenting the strength or other characteristic of a fastener is subject to both criminal penalties and civil remedies.

Second, ensure traceability by requiring virtually all fasteners sold in commerce to be labeled with the registered trademark of their manufacturer.

Third, reduce some of the burdensome paperwork requirements of the act by allowing documents to be stored and transmitted in electronic format.

Fourth, recognize industry's growing utilization of dramatically improved quality assurance in management systems by allowing fasteners manufactured in accordance with certain quality systems to be deemed in compliance with the requirements of the act.

The provisions of H.R. 1183 were crafted in consultation with the Committee on Commerce and the Committee on the Judiciary, as well as the Department of Commerce.

In addition, I wish to thank the chairwoman of the Subcommittee on Technology, the gentlewoman from Maryland (Mrs. MORELLA), and the ranking member of the subcommittee, the gentleman from Michigan (Mr. BARCIA), for their work on the legislation.

Finally, Mr. Speaker, I wish to again point out that the pending Fastener Quality Act regulations are slated to be implemented next month. With that in mind, I urge all of my colleagues to support the swift passage of H.R. 1183 and hope that the other body and the White House will follow our lead and act expeditiously in the coming weeks.

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

Mr. UDALL of Colorado. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1183, the Fastener Quality Act Amendments Act of 1999.

The gentleman from Wisconsin (Mr. SENSENBRENNER) has already summarized the provisions of the legislation. I will only add that H.R. 1183 is the result of bipartisan efforts and that this bill represents the hard work of the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from California (Mr. BROWN), the ranking member of the Committee on Science, and the gentleman from Virginia (Mr. BLILEY) and the gentleman from Michigan (Mr. DINGELL), the ranking member on the Committee on Commerce.

Further, as always, it has been a pleasure working with the gentlewoman from Maryland (Mrs. MORELLA), my chairwoman on the Subcommittee on Technology.

While I am new to this committee and this issue, I have had a particular interest in this bill because it so directly relates to the work of the National Institute of Standards and Technology, NIST, an agency that has important facilities in my district.

H.R. 1183 remains true to the intent of the original Fastener Quality Act passed 10 years ago. H.R. 1183 maintains the necessary standards to ensure the quality of high-strength fasteners, while recognizing advances in manufacturing techniques, such as quality assurance systems.

Moreover, it would not have been possible to craft this legislation without the close cooperation of industry and labor. I want to specifically mention the Automotive Industry Fastener Manufacturers and affected labor groups for their frank and candid discussions with us, as well as their willingness to compromise.

Ultimately, it was this prevailing sense of cooperation that allowed us to develop this legislation.

In closing, I would urge my colleagues to support 1183.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mrs. MORELLA), the Chairwoman of the Subcommittee on Technology.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. SENSENBRENNER) for yielding me this time. I also thank him for his leadership in bringing this very important piece of legislation to the floor, as well as the ranking member, the gentleman from California (Mr. BROWN), and to the ranking member of the Subcommittee on Technology, the gentleman from Michigan (Mr. BARCIA), as well as the gentleman from Colorado (Mr. UDALL) and other Members of the Subcommittee on Technology, the gentleman from Minnesota (Mr. GUTKNECHT), as well as Members of the Committee on Science and all its supporters.

As chair of the Committee on Science Subcommittee on Technology, we have held three hearings in the last 14 months to discuss the need for the existing Fastener Quality Act, as well as to consider any changes to the act that might be warranted.

□ 1430

At the hearings we received testimony from a variety of fastener manufacturers, distributors, and consumers. There is a clear consensus that two factors have dramatically changed since passage of the Fastener Quality Act in 1990. First, the implementation of modern manufacturing quality procedures have dramatically increased the quality of fasteners used in U.S. commerce. In today's business place, heavy volume fastener users like automotive, aerospace, and heavy equipment manufacturers, they invent, they demand, and they ensure quality from their sup-

pliers. They have a clear economic incentive to do so.

Secondly, the implementation of more stringent government procurement practices have eliminated the military's problems with substandard or mismarked fasteners. In fact, the Defense Industrial Supply Center has checked military inventories over the past 4 years and found no evidence of faulty fasteners at all.

Recognizing these important developments, H.R. 1183 is intended to modernize the existing 9-year-old act to better reflect the practices of today's fastener industry and to ensure that the flow of the 200 billion fasteners used annually in our Nation's chain of commerce is not unnecessarily disrupted.

The legislation that we are considering also creates a level playing ground for all fastener manufacturers, distributors, and consumers. It does not drive small manufacturers out of business, nor does it place U.S. manufacturers at a competitive disadvantage with their foreign competitors.

As the gentleman from Wisconsin (Chairman SENSENBRENNER) mentioned, Fastener Quality Act regulations are slated to take effect next month, on June 24. The proposed regulations significantly exceed the original congressional intent of the 1990 Act, which was to cover about 1 percent of fasteners used in the U.S. for critical applications.

Although it is difficult to determine the exact percentage of fasteners that would be covered by the additional regulations, industry estimates it to be at least 50 percent, possibly as much as 70 percent.

The Department of Commerce recently released a study that concluded current fastener quality presented little or no threat to public safety, and that changes made since 1990 in the fastener industry to improve the quality of fasteners have been significant.

With the Department's study in mind, it simply does not make sense to enact additional burdensome and costly fastener regulations. The Automobile Manufacturers Association, for example, projects the cost of compliance for the motor vehicle industry alone to be greater than \$320 million a year, without necessarily enhancing vehicle safety.

So, Mr. Speaker, I am pleased that H.R. 1183 takes steps to modify the FQA in a way that focuses on assuring public safety without imposing costly new regulations.

H.R. 1183 was favorably reported by the Committee on Science on March 25 of this year, and it is bipartisan. It has been endorsed by many industry associations, including the National Association of Manufacturers, the U.S. Chamber of Commerce, and I strongly urge all my colleagues to support this commonsense legislation.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, in 1990 Congress enacted the Fastener Quality Act to protect Americans from foreign manufacturers who were dumping substandard fasteners in the U.S. market. The Fastener Quality Act required all threaded, metallic, through-hardened fasteners of one-quarter inch in diameter or greater to be tested or documented by a laboratory certified by the National Institute of Standards and Technology, otherwise known as NIST. In short, Mr. Speaker, this was a \$20 solution to a \$5 problem.

Earlier this year, the Department of Commerce submitted a report to Congress recommending that the Fastener Quality Act be amended to, number one, limit coverage under the act to only high-strength fasteners; number two, deem fasteners compliant if they are manufactured by a NIST-approved facility; number three, reduce paperwork burdens; and finally, address fraud in commercial transactions involving fasteners.

NIST even testified in front of our committee that the agency did not want to enforce the Fastener Quality Act as it was written because it was "overly burdensome." H.R. 1183 amends the Fastener Quality Act of 1990 to strengthen protections against the sale of mismarked, misrepresented, or counterfeit fasteners.

Let me make it very clear, Mr. Speaker, fraudulent marketing of fasteners is still a fraud. H.R. 1183 reduces the paperwork burdens of the Fastener Quality Act by allowing documents to be stored and transmitted by an electronic format.

Mr. Speaker, H.R. 1183 is the right solution to the real problem. I hope my colleagues will join me in supporting this important legislation.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mrs. BIGGERT).

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

Mr. Speaker, most Americans, myself included, do not completely realize the importance of fasteners in our everyday lives. Fasteners are the nuts, bolts, and screws that hold together everything from furniture and cars to construction equipment, bridges, and buildings.

I became more aware of the importance of these fasteners just last weekend when I had to assemble a piece of furniture for my home. Without nuts or bolts, the entertainment center I was assembling would have lacked the strength and stability to withstand the weight of my television.

Mr. Speaker, during the past decade the manufacturers and distributors of fasteners have taken significant steps to ensure the quality of their products. With the implementation of modern manufacturing quality procedures and improved procurement practices, the American fastener industry is a global quality leader.

Approximately 5,000 of the men and women who help make these fasteners

are residents of the State of Illinois. The Chicagoland area has the highest concentration of fastener manufacturers and distributors in the Nation, and is home to the largest U.S. producer of fasteners. These people continue to work tirelessly to make a quality product on which the world's builders and manufacturers can rely.

H.R. 1183 recognizes the efforts of these American companies and their workers. It prevents burdensome, costly, and duplicate regulations from being placed on the fastener industry, and holds companies accountable for the quality of their work.

H.R. 1183 changes the focus of the law from government regulation and bureaucracy to industry accountability. I ask my colleagues to support it.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2½ minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, I rise in support of H.R. 1183, the Fastener Quality Amendments Act of 1999. In 1990, Congress enacted the Fastener Quality Act in the belief that public safety was at risk because of the sale of faulty and mismarked fasteners in this country.

In its desire to ensure quality, Congress ended up creating a bureaucratic and regulatory nightmare that threatened the existence of smaller fastener manufacturing companies. The act proved rigid and obsolete as quality assurance technology within the industry advanced quickly.

In the district that I represent, we have over 80 fastener companies, the Pearson family, the Goellner family, all the way to the larger fastener companies, such as Elco-Textron. There are employers that employ as many as 1,800 people down to those that employ as few as 12, and every single one of these companies supports passage of H.R. 1183.

These manufacturers understand that the FQA in its current form imposes redundant testing requirements and regulations that simply do not work. I am pleased to be able to inform these hard-working Americans that H.R. 1183 addresses their concerns by creating a better system for identifying, reporting, and prosecuting the knowing misrepresentation of a mismarked fastener.

The bill targets the true essence of the problem; that is, it attacks fastener fraud, instead of trying to regulate quality. Any fastener maker worth its reputation will ensure the quality of its product, or else it will not be in business very long.

Many businesses wait anxiously for January 1 of 2000 to see the effects of the Y2K bug, but to the American fastener industry, the dreaded date comes much sooner, next month in fact, and its impact will not be a mystery. For on June 24, unless Congress passes H.R. 1183 and the President signs it into law, the Fastener Quality Act will take effect. This will set in motion the process of fastener companies going out of

business, and the dire consequences that that in turn will have on industries dependent on the production of fasteners.

I am pleased to support H.R. 1183, and urge its speedy passage.

Mr. DINGELL. Mr. Speaker, I support H.R. 1183, the Fastener Quality Act Amendments Act of 1999. The Fastener Quality Act, which would be amended by the bill before us today, was enacted in 1990 and originated in the Committee on Commerce. It resulted from an 18-month investigation conducted by the Committee's Subcommittee on Oversight and Investigations. This investigation uncovered deaths attributable to industrial and aircraft accidents in which fastener failures occurred; the use of substandard fasteners with false certificates in Army Corps of Engineer projects; defective fasteners in Army vehicles and in critical areas of Navy ships; and the falsification of test results for fasteners used in spacecraft and aircraft.

For the last nine years, the National Institute of Standards and Technology (NIST) at the Department of Commerce has attempted, without success, to issue regulations implementing the Fastener Quality Act. Last year, legislation was enacted which imposed yet another delay in the issuance of fastener regulations. Under the law passed last year, Congress has until June 23rd of this year to enact amendments to the Fastener Quality Act, or NIST is to go ahead and issue its regulations implementing the current law.

Why does the Fastener Quality Act need to be amended? The simple fact is that manufacturing in the United States has undergone the same technological revolution over the last 10 years that has occurred in virtually every other sector of American life. Manufacturing operations are now largely computer-controlled. Many of these systems can measure the conformity of each fastener being manufactured, and thereby reduce the need for end-of-the-line testing of a sample from each lot of fasteners being produced.

Similarly, it was never the intent of the law that fasteners manufactured to a proprietary standard be covered by the Act, since total responsibility for fasteners produced to a proprietary standard rests with the one setting that standard. Nevertheless, NIST's proposed regulations cover proprietary fasteners, subjecting manufacturers and consumers to unnecessary expense and costs. This bill exempts fasteners produced to proprietary standards from the requirements of the Fastener Quality Act.

The bill before us today is the product of an agreement involving the Department of Commerce and the fastener industry, as well as representatives of major industries that use fasteners. Not only does this legislation account for manufacturing innovations during the past 10 years, it also recognizes that problems in the fastener industry persist.

An article in the April 5, 1999, edition of a publication called *Engineering News* illustrates why the Fastener Quality Act is still very much needed. This article cites a Department of Commerce consultant who claims counterfeit fasteners were used in the 700-foot tall hoist that broke free from the scaffold of an office building under construction in Times Square last July, killing an elderly woman and injuring 12 others. While it is too soon to tell whether counterfeit fasteners caused or contributed to this terrible accident, David Sharp, a consult-

ant to the Commerce Department's New York Office of Export Enforcement, was quoted as saying there is "very clear evidence" that mismarked fasteners were used in the scaffold and hoist. Mr. Sharp also claims that initial findings indicate the use of inferior steel in some of the fasteners involved in this accident.

Clearly, the Fastener Quality Act remains important today, and the legislation we are considering continues the important elements of the original Act. Fastener manufacturers and distributors are prohibited from knowingly misrepresenting or falsifying fastener characteristics, properties, mechanical or performance marks, chemistry, strength, manufacturer's insignia, or the record of conformance concerning a lot of fasteners. The record of conformance, which a manufacturer or importer of foreign-made fastener is to make available upon request to end users or purchasers, must also contain a summary of any end-of-the-line testing required by a consensus standard to which the fastener is produced.

Records of conformance are required to be held for five years. Fasteners manufactured using quality assurance systems approved by accredited third parties would be exempt from these requirements of the Act. An accrediting body is required to provide notice to NIST that it meets the requirements of the published guide with which it purports to comply. All the criminal and civil penalties of current law are continued without charge.

Mr. Speaker, the health and safety of the American public depends on fasteners that are able to do the job they are represented to perform. The Fastener Quality Act is a very important tool in achieving this objective, and the amendments before us today should reduce the regulatory burden on industry while maintaining essential protections. I urge my colleagues to vote for this legislation.

Mr. BLILEY. Mr. Speaker, I rise today in support of H.R. 1183, the Fastener Quality Act Amendments Act of 1999. As you know, this is a measure over which the Committee on Commerce and the Committee on Science share jurisdiction, and I am pleased to lend my support to this effort.

The Commerce Committee's interest in this matter goes back to the 100th Congress, at which time the Committee undertook an investigation of counterfeit and substandard fasteners. The investigation resulted in the issuance of a unanimously approved Subcommittee report entitled "The Threat from Substandard Fasteners; Is America Losing Its Grip?" which ultimately led to the approval by our respective committees of the Fastener Quality Act of 1990.

In the years since the enactment of the original Fastener Quality Act, we have had to revisit the statute on a number of occasions because the statutory requirements resulted in real-world outcomes that significantly increased the burden on legitimate businesses, had the potential to reduce the supply and increase the cost of critical use fasteners, and in the end would do very little to protect the public from substandard screws, nuts, and bolts. Most recently, the Congress enacted the Fastener Quality Act Amendments (P.L. 105-234) which exempted certain fasteners regulated by the Federal Aviation Administration from coverage under the Act. More importantly, however, the amendments delayed implementation of the rules implementing the Act

until the Secretary of Commerce reported to the Congress regarding the applicability of the original Act to modern day manufacturing practices and any recommended statutory changes.

On February 24, 1999, the Secretary of Commerce submitted his report to Congress, making several recommendations regarding the class of fasteners that should be covered by the Act, the use of quality management systems in the manufacturing process as a substitute for lot-testing of fasteners, and the reduction of paperwork burdens. Using these recommendations as a framework for discussion, the Science Committee, Commerce Committee, and the affected industries worked to craft the rewrite of the Fastener Quality Act which is contained in H.R. 1183.

I particularly want to commend Chairman SENSENBRENNER for his willingness to work with the Commerce Committee on this issue. He and his staff openly solicited our input, and the product before the House today reflects that effort. In particular, I want to commend him for his willingness to listen and accommodate the concerns of the Ranking Member of the Commerce Committee, the gentleman from Michigan, Mr. DINGELL. As you know, Mr. DINGELL was the original author of the Fastener Quality Act, and had a keen interest in these amendments.

Given our involvement in the process and the willingness of the Science Committee to address the concerns of members of the Commerce Committee, I did not exercise the Committee's right to a referral. By agreeing to waive its consideration of the bill, however, the Commerce Committee does not waive its jurisdiction over H.R. 1183. Chairman SENSENBRENNER and I engaged in an exchange of letters of this matter, and I submit them for the RECORD.

Mr. Speaker, H.R. 1183 makes badly needed changes to the Fastener Quality Act. I wholeheartedly support these amendments, and encourage my colleagues on both sides of the aisle to support them as well.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON COMMERCE,
Washington, DC, April 17, 1999.

Hon. F. JAMES SENSENBRENNER, Jr.
Chairman, Committee on Science, Rayburn
House Office Building, Washington, DC.

DEAR CHAIRMAN SENSENBRENNER: On March 25, 1999, the Committee on Science ordered reported H.R. 1183, the Fastener Quality Act Amendments of 1999, with amendments. As you know, the Committee on Commerce was named as an additional committee of jurisdiction and has had a longstanding interest in the issue of fastener quality and the Fastener Quality Act (15 U.S.C. §5401 et al.). This interest goes back at least to the 100th Congress, at which time the Committee undertook an investigation of counterfeit and substandard fasteners. This investigation resulted in the issuance of a unanimously approved Subcommittee report—"The Threat from Substandard Fasteners: Is America Losing Its Grip?"—which ultimately led to the approval by our respective committees of the Fastener Quality Act of 1990.

As you know, the legislation, as amended, significantly restructures the Fastener Quality Act and adopts suggestions from both the Department of Commerce and the affected industries regarding changes in the Act. These changes must be enacted before June 23, 1999, when the rules promulgated by the Department of Commerce would otherwise become effective.

In light of the upcoming deadline, I recognize your desire to bring this legislation be-

fore the House in an expeditious manner. Given our involvement in the process thus far, and your assurance that we will work to address concerns raised by our minority before this legislation is considered by the House, I will not exercise the Committee's right to a referral. By agreeing to waive its consideration of the bill, however, the Commerce Committee does not waive its jurisdiction over H.R. 1183. In addition, the Commerce Committee reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I ask for your commitment to support any request by the Commerce Committee for conferees on H.R. 1183 or similar legislation.

I request that you include this letter as a part of the Committee's report on H.R. 1183 and as part of the Record during consideration of the legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

TOM BLILEY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
Washington, DC, April 22, 1999.

Hon. TOM BLILEY,
Chairman, House Committee on Commerce, Rayburn
House Office Building, Washington,
DC.

DEAR CHAIRMAN BLILEY: Thank you for your letter of April 17, 1999 regarding H.R. 1183, the Fastener Quality Act Amendments of 1999.

I appreciate your waiving your Committee's right to a referral on this bill so that it can move expeditiously to the floor. I recognize your historic jurisdiction in this area and will support any request you may make to have conferees on H.R. 1183 or similar legislation.

The exchange of letters between our two committees will be included in the Committee report on H.R. 1183 and will be made part of the floor record.

Sincerely,

F. JAMES SENSENBRENNER, Jr.
Chairman.

Mr. EWING. Mr. Speaker, I would like to take this opportunity to express my support for this important legislation. As a member of the Science Committee I was pleased to support this legislation, which I believe will fix the Fastener Quality Act once and for all.

Since the original Fastener Quality Act was enacted in 1990, manufacturers have been faced with costly, counterproductive regulations which have not addressed the real issues of reporting and monitoring the quality of fasteners.

This legislation changes the Fastener Quality Act's emphasis from federal monitoring of production methods to a focus on the reporting, identification, traceability, and prosecution of efforts to sell intentionally mismarked fasteners.

Our main concern should be public safety and I believe this bill will address that issue, while eliminating some of the unnecessary regulation manufacturers have been faced with.

Requiring fasteners that are sold to be marked with the registered trademark of their manufacturers will help to ensure that only quality fasteners are distributed. I also believe that regarding fasteners as compliant if they are manufactured at a NIST approved facility will cut down significantly on excess paperwork and regulatory red-tape manufacturers are currently required to go through.

Republicans have worked hard since 1994 to eliminate burdensome and costly federal regulations imposed on businesses in our country and this legislation is another example of our commitment.

Again, I would like to express my strong support for this legislation and I hope that all members will support it.

Mr. SMITH of Michigan. Mr. Speaker, although the legislation is obscure, the story of the FQA holds an important lesson about how government can go overboard with regulations. This bill is an example of what we're trying to do to repeal costly and ineffective rules.

About 380 companies in the U.S. manufacture fasteners, employing about 44,000 people and ringing up about \$7.5 billion in sales annually. Fasteners go into many products, including automobiles, aircraft, appliances, construction and agriculture machinery, and commercial buildings. Americans consume approximately 200 billion fasteners every year, 26 billion by the auto industry alone.

In the late 1980s, there were fears of harm from mismarked, substandard and fraudulently sold fasteners, mainly from abroad. Congress reacted by passing the FQA in 1990 (before I came to Congress). As originally written, it set federal standards for fasteners and required that they be tested at federally-certified laboratories.

The FQA has never gone into effect because no implementing regulations were written until 1998. Draft regulations had proven unworkable and rapid improvements in fasteners made some regulations out of date before they could be approved. By the time final implementing regulations were adopted last year, many questions had been raised about the FQA's regulatory burdens and the need for federal standards at all. Congress passed another law last year to delay the regulations from taking effect in order to have the Department of Commerce evaluate the need for the law.

In its study, the Department found no real threat to public safety from fasteners. At the same time, the regulations would have been extremely costly and created a new bureaucracy. The Automobile Manufacturers Association, for example, estimated that bureaucratic delays and other factors associated with the regulations would have cost the auto industry \$318 million in the first year alone.

This bill will replace the law's federal standards with a simpler rule: tell the truth. So long as sellers accurately represent a fastener's quality, they will comply with the law. Those who misrepresent a fastener's quality, however, will be subject to serious legal penalties.

This story shows both how government writes bad regulations and how they can be fixed. Too often, Congress allows itself to propose permanent regulatory solutions to temporary problems. The result is unnecessary expense. In this case, as in many others, market pressure did more to protect consumers than government could. Doing away with these rules represents the beginning of what many of us are trying to accomplish in reviewing and modifying laws to eliminate unnecessary government regulations.

Mr. STEBENOW. Mr. Speaker, I am a supporter of this legislation and appreciate the opportunity to share my thoughts on it with my colleagues. I would first like to thank Chairman SENSENBRENNER and Ranking Member BROWN of the Science Committee, as well as Chairman BLILEY and Ranking Member DINGELL of

the Commerce Committee for their efforts in bringing this bill to the floor today. It is the result of extensive talks between members of both committees and industry groups, and I believe we have reached a very satisfactory conclusion. This measure protects the safety of the citizens of this country while not impeding economic development, and does so in time to meet the June 1 deadline that was enacted during the last Congress.

For those that are not familiar with this issue, fasteners are nuts, bolts, screws used in manufacturing and construction. The fastener industry has a major impact on the economy operating 380 major manufacturing facilities with 44,000 employees and total U.S. sales of \$7.5 billion. This activity is strongly tied to the automobile, aircraft, appliance, construction, agricultural machinery and equipment, and the commercial building industries. For example, more than 200 billion fasteners are consumed annually in this country, 26 billion by the auto industry alone, which has a significant impact in my home state of Michigan. Given that the estimated cost to business of the Fastener Quality Act of 1999 was \$1 billion, it is appropriate that the original act has been updated to reflect changes in the fastener industry.

Mr. Speaker, this legislation promotes safety in a common-sense manner. It addresses the problems of substantial fasteners, requiring testing to be conducted by accredited laboratories and making it unlawful for a fastener manufacturer or distributor to knowingly misrepresent whether a product meets industry-set quality standards. Again, I support this bill and urge my colleagues to the same.

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

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1183, as amended.

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

A motion to reconsider was laid on the table.

TECHNOLOGY TRANSFER COMMERCIALIZATION ACT OF 1999

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 209) to improve the ability of Federal agencies to license federally owned inventions, as amended.

The Clerk read as follows:

H.R. 209

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 "Technology Transfer Commercialization Act of 1999".

SEC. 2. FINDINGS.

The Congress finds that—

(1) the importance of linking our unparalleled network of over 700 Federal laboratories and our Nation's universities with United States industry continues to hold great promise for our future economic prosperity;

(2) the enactment of the Bayh-Dole Act in 1980 was a landmark change in United States technology policy, and its success provides a framework for removing bureaucratic barriers and for simplifying the granting of licenses for inventions that are now in the Federal Government's patent portfolio;

(3) Congress has demonstrated a commitment over the past 2 decades to fostering technology transfer from our Federal laboratories and to promoting public/private sector partnerships to enhance our international competitiveness;

(4) Federal technology transfer activities have strengthened the ability of United States industry to compete in the global marketplace; developed a new paradigm for greater collaboration among the scientific enterprises that conduct our Nation's research and development—government, industry, and universities; and improved the quality of life for the American people, from medicine to materials;

(5) the technology transfer process must be made "industry friendly" for companies to be willing to invest the significant time and resources needed to develop new products, processes, and jobs using federally funded inventions; and

(6) Federal technology licensing procedures should balance the public policy needs of adequately protecting the rights of the public, encouraging companies to develop existing government inventions, and making the entire system of licensing government technologies more consistent and simple.

SEC. 3. COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.

Section 12(b)(1) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a(b)(1)) is amended by inserting "or, subject to section 209 of title 35, United States Code, may grant a license to an invention which is federally owned, for which a patent application was filed before the signing of the agreement, and directly within the scope of the work under the agreement," after "under the agreement,".

SEC. 4. LICENSING FEDERALLY OWNED INVENTIONS.

(a) AMENDMENT.—Section 209 of title 35, United States Code, is amended to read as follows:

"§ 209. Licensing federally owned inventions

"(a) AUTHORITY.—A Federal agency may grant an exclusive or partially exclusive license on a federally owned invention under section 207(a)(2) only if—

"(1) granting the license is a reasonable and necessary incentive to—

"(A) call forth the investment capital and expenditures needed to bring the invention to practical application; or

"(B) otherwise promote the invention's utilization by the public;

"(2) the Federal agency finds that the public will be served by the granting of the license, as indicated by the applicant's intentions, plans, and ability to bring the invention to practical application or otherwise promote the invention's utilization by the public, and that the proposed scope of exclusivity is not greater than reasonably necessary to provide the incentive for bringing the invention to practical application, as proposed by the applicant, or otherwise to promote the invention's utilization by the public;

"(3) the applicant makes a commitment to achieve practical application of the invention within a reasonable time, which time

may be extended by the agency upon the applicant's request and the applicant's demonstration that the refusal of such extension would be unreasonable;

"(4) granting the license will not tend to substantially lessen competition or create or maintain a violation of the Federal antitrust laws; and

"(5) in the case of an invention covered by a foreign patent application or patent, the interests of the Federal Government or United States industry in foreign commerce will be enhanced.

"(b) MANUFACTURE IN UNITED STATES.—A Federal agency shall normally grant a license under section 207(a)(2) to use or sell any federally owned invention in the United States only to a licensee who agrees that any products embodying the invention or produced through the use of the invention will be manufactured substantially in the United States.

"(c) SMALL BUSINESS.—First preference for the granting of any exclusive or partially exclusive licenses under section 207(a)(2) shall be given to small business firms having equal or greater likelihood as other applicants to bring the invention to practical application within a reasonable time.

"(d) TERMS AND CONDITIONS.—Any licenses granted under section 207(a)(2) shall contain such terms and conditions as the granting agency considers appropriate, and shall include provisions—

"(1) retaining a nontransferable, irrevocable, paid-up license for any Federal agency to practice the invention or have the invention practiced throughout the world by or on behalf of the Government of the United States;

"(2) requiring periodic reporting on utilization of the invention, and utilization efforts, by the licensee, but only to the extent necessary to enable the Federal agency to determine whether the terms of the license are being complied with, except that any such report shall be treated by the Federal agency as commercial and financial information obtained from a person and privileged and confidential and not subject to disclosure under section 552 of title 5 of the United States Code; and

"(3) empowering the Federal agency to terminate the license in whole or in part if the agency determines that—

"(A) the licensee is not executing its commitment to achieve practical application of the invention, including commitments contained in any plan submitted in support of its request for a license, and the licensee cannot otherwise demonstrate to the satisfaction of the Federal agency that it has taken, or can be expected to take within a reasonable time, effective steps to achieve practical application of the invention;

"(B) the licensee is in breach of an agreement described in subsection (b);

"(C) termination is necessary to meet requirements for public use specified by Federal regulations issued after the date of the license, and such requirements are not reasonably satisfied by the licensee; or

"(D) the licensee has been found by a court of competent jurisdiction to have violated the Federal antitrust laws in connection with its performance under the license agreement.

"(e) PUBLIC NOTICE.—No exclusive or partially exclusive license may be granted under section 207(a)(2) unless public notice of the intention to grant an exclusive or partially exclusive license on a federally owned invention has been provided in an appropriate manner at least 15 days before the license is granted, and the Federal agency has considered all comments received before the end of the comment period in response to that public notice. This subsection shall not

apply to the licensing of inventions made under a cooperative research and development agreement entered into under section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a).

“(f) PLAN.—No Federal agency shall grant any license under a patent or patent application on a federally owned invention unless the person requesting the license has supplied the agency with a plan for development or marketing of the invention, except that any such plan shall be treated by the Federal agency as commercial and financial information obtained from a person and privileged and confidential and not subject to disclosure under section 552 of title 5 of the United States Code.”

(b) CONFORMING AMENDMENT.—The item relating to section 209 in the table of sections for chapter 18 of title 35, United States Code, is amended to read as follows:

“209. Licensing federally owned inventions.”

SEC. 5. MODIFICATION OF STATEMENT OF POLICY AND OBJECTIVES FOR CHAPTER 18 OF TITLE 35, UNITED STATES CODE.

Section 200 of title 35, United States Code, is amended by striking “enterprise;” and inserting “enterprise without unduly encumbering future research and discovery;”

SEC. 6. TECHNICAL AMENDMENTS TO BAYH-DOLE ACT.

Chapter 18 of title 35, United States Code (popularly known as the “Bayh-Dole Act”), is amended—

(1) by amending section 202(e) to read as follows:

“(e) In any case when a Federal employee is a coinventor of any invention made with a nonprofit organization, a small business firm, or a non-Federal inventor, the Federal agency employing such coinventor may, for the purpose of consolidating rights in the invention and if it finds that it would expedite the development of the invention—

“(1) license or assign whatever rights it may acquire in the subject invention to the nonprofit organization, small business firm, or non-Federal inventor in accordance with the provisions of this chapter; or

“(2) acquire any rights in the subject invention from the nonprofit organization, small business firm, or non-Federal inventor, but only to the extent the party from whom the rights are acquired voluntarily enters into the transaction and no other transaction under this chapter is conditioned on such acquisition.”; and

(2) in section 207(a)—

(A) by striking “patent applications, patents, or other forms of protection obtained” and inserting “inventions” in paragraph (2); and

(B) by inserting “, including acquiring rights for and administering royalties to the Federal Government in any invention, but only to the extent the party from whom the rights are acquired voluntarily enters into the transaction, to facilitate the licensing of a federally owned invention” after “or through contract” in paragraph (3).

SEC. 7. TECHNICAL AMENDMENTS TO THE STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT OF 1980.

The Stevenson-Wylder Technology Innovation Act of 1980 is amended—

(1) in section 4(4) (15 U.S.C. 3703(4)), by striking “section 6 or section 8” and inserting “section 7 or 9”;

(2) in section 4(6) (15 U.S.C. 3703(6)), by striking “section 6 or section 8” and inserting “section 7 or 9”;

(3) in section 5(c)(11) (15 U.S.C. 3704(c)(11)), by striking “State of local governments” and inserting “State or local governments”;

(4) in section 9 (15 U.S.C. 3707), by—

(A) striking “section 6(a)” and inserting “section 7(a)”;

(B) striking “section 6(b)” and inserting “section 7(b)”;

(C) striking “section 6(c)(3)” and inserting “section 7(c)(3)”;

(5) in section 11(e)(1) (15 U.S.C. 3710(e)(1)), by striking “in cooperation with Federal Laboratories” and inserting “in cooperation with Federal laboratories”;

(6) in section 11(i) (15 U.S.C. 3710(i)), by striking “a gift under the section” and inserting “a gift under this section”;

(7) in section 14 (15 U.S.C. 3710c)—

(A) in subsection (a)(1)(A)(i), by inserting “, other than payments of patent costs as delineated by a license or assignment agreement,” after “or other payments”;

(B) in subsection (a)(1)(A)(i), by inserting “, if the inventor’s or coinventor’s rights are assigned to the United States” after “inventor or coinventors”;

(C) in subsection (a)(1)(B), by striking “succeeding fiscal year” and inserting “2 succeeding fiscal years”;

(D) in subsection (a)(2), by striking “Government-operated laboratories of the”;

(E) in subsection (b)(2), by striking “inventor” and inserting “invention”;

(8) in section 22 (15 U.S.C. 3714), by striking “sections 11, 12, and 13” and inserting “sections 12, 13, and 14”.

SEC. 8. REVIEW OF COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENT PROCEDURES.

(a) REVIEW.—Within 90 days after the date of the enactment of this Act, each Federal agency with a federally funded laboratory that has in effect on that date of enactment one or more cooperative research and development agreements under section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a) shall report to the Committee on National Security of the National Science and Technology Council and the Congress on the general policies and procedures used by that agency to gather and consider the views of other agencies on—

(1) joint work statements under section 12(c)(5) (C) or (D) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a(c)(5)(C) or (D)); or

(2) in the case of laboratories described in section 12(d)(2)(A) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(2)(A)), cooperative research and development agreements under such section 12, with respect to major proposed cooperative research and development agreements that involve critical national security technology or may have a significant impact on domestic or international competitiveness.

(b) PROCEDURES.—Within one year after the date of the enactment of this Act, the Committee on National Security of the National Science and Technology Council, in conjunction with relevant Federal agencies and national laboratories, shall—

(1) determine the adequacy of existing procedures and methods for interagency coordination and awareness with respect to cooperative research and development agreements described in subsection (a); and

(2) establish and distribute to appropriate Federal agencies—

(A) specific criteria to indicate the necessity for gathering and considering the views of other agencies on joint work statements or cooperative research and development agreements as described in subsection (a); and

(B) additional procedures, if any, for carrying out such gathering and considering of agency views with respect to cooperative research and development agreements described in subsection (a).

Procedures established under this subsection shall be designed to the extent possible to use or modify existing procedures, to mini-

mize burdens on Federal agencies, to encourage industrial partnerships with national laboratories, and to minimize delay in the approval or disapproval of joint work statements and cooperative research and development agreements.

(c) LIMITATION.—Nothing in this Act, nor any procedures established under this section shall provide to the Office of Science and Technology Policy, the National Science and Technology Council, or any Federal agency the authority to disapprove a cooperative research and development agreement or joint work statement, under section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a), of another Federal agency.

SEC. 9. INCREASED FLEXIBILITY FOR FEDERAL LABORATORY PARTNERSHIP INTERMEDIARIES.

Section 23 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3715) is amended—

(1) in subsection (a)(1) by inserting “, institutions of higher education as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)), or educational institutions within the meaning of section 2194 of title 10, United States Code” after “small business firms”; and

(2) in subsection (c) by inserting “, institutions of higher education as defined in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)), or educational institutions within the meaning of section 2194 of title 10, United States Code,” after “small business firms”.

SEC. 10. REPORTS ON UTILIZATION OF FEDERAL TECHNOLOGY.

(a) AGENCY ACTIVITIES.—Section 11 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710) is amended—

(1) by striking the last sentence of subsection (b);

(2) by inserting after subsection (e) the following:

“(f) AGENCY REPORTS ON UTILIZATION.—

“(1) IN GENERAL.—Each Federal agency which operates or directs one or more Federal laboratories or which conducts activities under sections 207 and 209 of title 35, United States Code, shall report annually to the Office of Management and Budget, as part of the agency’s annual budget submission, on the activities performed by that agency and its Federal laboratories under the provisions of this section and of sections 207 and 209 of title 35, United States Code.

“(2) CONTENTS.—The report shall include—

“(A) an explanation of the agency’s technology transfer program for the preceding fiscal year and the agency’s plans for conducting its technology transfer function, including its plans for securing intellectual property rights in laboratory innovations with commercial promise and plans for managing its intellectual property so as to advance the agency’s mission and benefit the competitiveness of United States industry; and

“(B) information on technology transfer activities for the preceding fiscal year, including—

“(i) the number of patent applications filed;

“(ii) the number of patents received;

“(iii) the number of fully-executed licenses which received royalty income in the preceding fiscal year, categorized by whether they are exclusive, partially-exclusive, or non-exclusive, and the time elapsed from the date on which the license was requested by the licensee in writing to the date the license was executed;

“(iv) the total earned royalty income including such statistical information as the

total earned royalty income, of the top 1 percent, 5 percent, and 20 percent of the licenses, the range of royalty income, and the median, except where disclosure of such information would reveal the amount of royalty income associated with an individual license or licensee;

“(v) what disposition was made of the income described in clause (iv);

“(vi) the number of licenses terminated for cause; and

“(vii) any other parameters or discussion that the agency deems relevant or unique to its practice of technology transfer.

“(3) COPY TO SECRETARY; ATTORNEY GENERAL; CONGRESS.—The agency shall transmit a copy of the report to the Secretary of Commerce and the Attorney General for inclusion in the annual report to Congress and the President required by subsection (g)(2).

“(4) PUBLIC AVAILABILITY.—Each Federal agency reporting under this subsection is also strongly encouraged to make the information contained in such report available to the public through Internet sites or other electronic means.”;

(3) by striking subsection (g)(2) and inserting the following:

“(2) REPORTS.—

“(A) ANNUAL REPORT REQUIRED.—The Secretary, in consultation with the Attorney General and the Commissioner of Patents and Trademarks, shall submit each fiscal year, beginning one year after enactment of the Technology Transfer Commercialization Act of 1999, a summary report to the President, the United States Trade Representative, and the Congress on the use by Federal agencies and the Secretary of the technology transfer authorities specified in this Act and in sections 207 and 209 of title 35, United States Code.

“(B) CONTENT.—The report shall—

“(i) draw upon the reports prepared by the agencies under subsection (f);

“(ii) discuss technology transfer best practices and effective approaches in the licensing and transfer of technology in the context of the agencies' missions; and

“(iii) discuss the progress made toward development of additional useful measures of the outcomes of technology transfer programs of Federal agencies.

“(C) PUBLIC AVAILABILITY.—The Secretary shall make the report available to the public through Internet sites or other electronic means.”; and

(4) by inserting after subsection (g) the following:

“(h) DUPLICATION OF REPORTING.—The reporting obligations imposed by this section—

“(1) are not intended to impose requirements that duplicate requirements imposed by the Government Performance and Results Act of 1993 (31 U.S.C. 1101 nt);

“(2) are to be implemented in coordination with the implementation of that Act; and

“(3) are satisfied if an agency provided the information concerning technology transfer activities described in this section in its annual submission under the Government Performance and Results Act of 1993 (31 U.S.C. 1101 nt).”.

(b) ROYALTIES.—Section 14(c) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710(c)) is amended to read as follows:

“(c) REPORTS.—The Comptroller General shall transmit a report to the appropriate committees of the Senate and House of Representatives on the effectiveness of Federal technology transfer programs, including findings, conclusions, and recommendations for improvements in such programs. The report shall be integrated with, and submitted at the same time as, the report required by section 202(b)(3) of title 35, United States Code.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Colorado (Mr. UDALL) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 209.

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

There was no objection.

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

Mr. Speaker, in the past two decades, Congress, through legislation considered by the Committee on Science, has established a system to transfer and commercialize unclassified technology from our Federal laboratories to ensure that United States citizens receive the full benefit from our government's investment in research and development.

To help further these goals, the Committee on Science first reported the Stephenson-Wylder Technology Innovation Act of 1980. The committee expanded on that landmark legislation with the passage of the Federal Technology Transfer Act of 1986, the National Competitive Technology Transfer Act of 1989, the American Technology Preeminence Act of 1991, and the National Technology Transfer and Advancement Act of 1995, among others.

As a result, the Committee on Science has strengthened and improved the process of technology transfer from our Federal labs. Technology transfer has resulted in products which are currently being used to enhance our quality of life.

A few examples include biomedical products, such as the AIDS home testing kit; transportation innovations, such as the global positioning system; and new materials technology that make automobiles lighter and more fuel-efficient.

H.R. 209 continues the Committee on Science's long and rich history of advancing technology transfer to help boost our Nation's standard of living. The bill improves and streamlines the ability of Federal agencies to license federally-owned inventions.

Under the Technology Transfer Commercialization Act, Federal agencies would be provided with two important new tools for effectively commercializing on-the-shelf government-owned inventions. First, the bill's revised authorities of Section 209 of the Bayh-Dole Act; and second, the ability to license technology as part of a cooperative research and development agreement.

Both mechanisms make Federal technology transfer programs much more attractive to American private industries that seek to form partnerships with the Federal labs.

I congratulate the chairwoman of the Subcommittee on Technology, the gentlewoman from Maryland (Mrs. MORELLA) for introducing H.R. 209, and for her very capable efforts in working cooperatively with members of the minority, the administration, and the other body to reach an agreement on this important bipartisan bill.

Mr. Speaker, H.R. 209 was reported by the committee without objection by voice vote and has been discharged by the Committee on the Judiciary, to which the bill was sequentially referred.

I appreciate the cooperation of the chairman and ranking member of the Committee on the Judiciary, the gentleman from Illinois (Mr. HYDE) and the gentleman from Michigan (Mr. CONYERS), for their cooperation in expeditiously bringing this bill to the floor. H.R. 209 is yet another important step in refining our Nation's technology transfer laws to remove existing impediments to enhance government and industry collaboration, and I urge its adoption.

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

Mr. UDALL of Colorado. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 209, the Technology Transfer Commercialization Act of 1999. H.R. 209 is the product of 2 years of hard work on the part of the Committee on Science, the Senate Committee on Commerce, the Senate Committee on the Judiciary, and the administration.

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We seem finally to have developed a version of the legislation that is acceptable to all these parties.

This is no small feat in the world of patent policy, and I want to thank the gentleman from Wisconsin (Chairman SENSENBRENNER), the gentleman from California (Mr. BROWN), the gentlewoman from Maryland (Mrs. MORELLA), the subcommittee chair, and the gentleman from Michigan (Mr. BARCIA), the subcommittee ranking Democrat, for their hard work which has put us in this enviable position.

H.R. 209 is the first comprehensive review of Federal patent policy in 15 years. The 1980 Bayh-Dole Act, which it amends, has made a major difference in the commercialization of Federal inventions. Before Bayh-Dole passed, it was relatively rare for inventions resulting from Federal research to reach their market potential.

As many as 20,000 Federal inventions were patented but not licensed. Only two or three inventions at that point had achieved royalties as high as a million dollars, and the total royalty stream for the entire Federal Government at that time was less than the royalties received by a mid-sized university today.

Bayh-Dole has opened major opportunities to research universities like the University of Colorado, which is in my

district in Colorado. It has been a major contributor to the outreach activities of contractor-operated laboratories like the National Renewable Energy Laboratory, located also in Colorado. It has led to benefits for Federally employed inventors and their laboratories, including NIST and NOAA at the Department of Commerce and throughout the government.

Over the 19 years since the enactment of the Bayh-Dole Act, we have learned of the need for some improvements. The bill before us takes advantage of the lessons learned and is intended to make the law more user friendly. It also updates the act to reflect the new ways that industry now gets and shares information.

One important section of the bill developed by the gentlewoman from California (Mrs. TAUSCHER) deserves special mention. That section provides for the Committee on National Security, part of the Office of Science and Technology Policy, to work with affected agencies, to make sure that major cooperative research and development agreements get proper interagency review.

Some of these cooperative agreements involve issues of national security, domestic competitiveness, and even international competitiveness. These clearly extend beyond the expertise of the contracting agency and interagency clearance will permit resolution of significant issues before agreements are signed.

We are pleased that the Committee on National Security has begun its work in anticipation of the passage of this provision and that they are also examining analogous situations that involve Work for Others agreements and patent licensing.

Mr. Speaker, H.R. 209 is very similar to legislation that passed the House twice last Congress. A handful of improvements have been made at the suggestion of the Senate Judiciary Committee. Jurisdictional differences in the Senate also appear to have been worked out.

So it is our hope that if we can pass this bill today, it will be considered in the near future by the Senate and cleared by the President perhaps this month. I urge passage of the bill.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Speaker, I shall not exceed 10 minutes, although I could with this bill, and it has been around long enough. It was passed by the House in the last session by our Committee on Science. I appreciate the time that the gentleman from Wisconsin has yielded to me.

Mr. Speaker, as previously stated by the gentleman from Wisconsin (Chairman SENSENBRENNER) from the Committee on Science, Congress has long encouraged the transfer of unclassified technology created in our Federal laboratories to United States private industry.

Our Federal laboratories have long been considered one of our greatest scientific research and development resources, employing one out of every six scientists in the country, and encompassing one-fifth of the country's laboratory and equipment capabilities.

Effectively capturing this wealth of ideas and technology from our Federal laboratories through the transfer to the private industry for commercialization has helped to bolster our Nation's ability to compete in the global marketplace. By permitting effective collaboration between our Federal laboratories and private industry, new technologies are being rapidly commercialized.

Federal technology transfer stimulates the American economy. It enhances the competitive position of the United States industry internationally, promotes the development and use of new technologies developed under taxpayer funded research so those innovations are incorporated quickly and effectively into practice, and that is to the benefit of the American public.

By reducing the delay and the uncertainty created by existing procedural barriers, by lowering the transactional costs associated with licensing Federal technologies from the government, we could greatly increase participation by the private sector in its technology transfer programs.

This approach would expedite the commercialization of government-owned inventions; and through royalties, it could reduce the cost to the American taxpayer for the production of new technology-based products created in our Nation's Federal laboratories. That is the intention of the bill that is before us.

The goal of H.R. 209, the Technology Transfer Commercialization Act, is to remove the procedural obstacles and, to the greatest extent possible within the public interest, the uncertainty involved in the licensing of Federally patented inventions created in a government-owned, government-operated laboratory by applying the successful Bayh-Dole Act provisions to a GOGO.

As a result, the Technology Transfer Commercialization Act provides Federal laboratories with two important new tools for effectively commercializing on-the-shelf, government-owned inventions: one, the bill's revised authorities of section 209 of the Bayh-Dole Act, and, two, the ability to license technology as part of a CRADA.

Both mechanisms make Federal technology transfer programs much more attractive to United States private companies that seek to form partnerships with Federal laboratories.

H.R. 209, as amended by the committee, also makes a number of smaller adjustments to the Bayh-Dole Act and the Stevenson-Wydler Act of 1980 to improve those laws and to reflect a series of consensus lessons learned from 19 years of practical application

of our current Federal technology transfer laws.

Given the importance and benefits of technology transfer, the Committee on Science and the Subcommittee on Technology, which I chair, continue to refine the technology transfer provisions to facilitate greater government, university, and industry collaboration.

I believe it is important to note that, with the enactment of these new authorities, most recently with the National Technology Transfer and Advancement Act of 1995, and now with the Technology Transfer Commercialization Act of 1999, that Congress has gone to great lengths to provide the Federal agencies with unprecedented authorities to enter into research and development partnerships with industry.

It is only fair that, as public stewards, these agencies must now be held accountable for aggressively applying these mechanisms.

Too many times the private sector's perception is that the bureaucracy's main concern is avoiding criticism in making decisions, not in completing the deal. This complaint has been heard too many times to not believe there is some truth behind the charge.

Innovation is always a difficult task. It must be approached aggressively and prudently. Those are not contradictory goals. They require good judgment combined with the willingness to take risks.

So it is my expectation using our oversight powers to ensure that this will be so, that Federal agencies can now effectively utilize the expanded authorities that we in Congress have provided and which we fully expect them to use to promote partnerships with industry.

I want to also note that the bill before us represents a bipartisan and a bicameral consensus. I am pleased to have worked closely with the members of the minority, the administration, and the Senate in helping to perfect the bill since it was originally introduced.

I am especially pleased that the administration has issued a statement of administration policy stating that, "the Administration supports House passage of H.R. 209, which will significantly facilitate the licensing of government-owned inventions by Federal agencies."

I would like to thank the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from California (Mr. BROWN), chairman and ranking member of the Committee on Science, as well as the gentleman from Michigan (Mr. BARCIA), ranking member of the Subcommittee on Technology, for their support of H.R. 209.

I also want to commend a number of the Members of the other body, Senators ROCKEFELLER, FRIST, HATCH and LEAHY for their input and support in helping to refine the legislation.

It is my understanding that H.R. 209 will soon be placed before the Senate

for its consideration. I look forward to its expedited consideration and its eventual enactment into law in the near future.

So I urge my colleagues to support H.R. 209 and to pass this important measure.

Mr. Speaker, as previously stated by the Chairman of the Science Committee, Congress has long encouraged the transfer of unclassified technology created in our Federal laboratories to United States private industry.

Our Federal laboratories have long been considered one of our greatest scientific research and development resources—employing one of every six scientists in the country, and encompassing one-fifth of the country's laboratory and equipment capabilities.

Effectively capturing this wealth of ideas and technology from our Federal labs, through the transfer to private industry for commercialization, has helped to bolster our Nation's ability to compete in the global marketplace.

By permitting effective collaboration between our Federal laboratories and private industry, new technologies are being rapidly commercialized.

Federal technology transfer stimulates the American economy, enhances the competitive position of United States industry internationally, and promotes the development and use of new technologies developed under taxpayer funded research so those innovations are incorporated quickly and effectively into practice—to the benefit of the American public.

One of the most successful legislative frameworks for advancing Federal technology transfer has been the Bayh-Dole Act.

The Bayh-Dole Act, enacted in 1980, permits universities, not-for-profit organizations, and small businesses to obtain title to scientific inventions developed with Federal Government support.

The Bayh-Dole Act also allows Federal agencies to license Government-owned patented scientific inventions either nonexclusively, partially exclusively, or exclusively, depending upon which license is determined to be the most effective means for achieving commercialization.

Critical pressures originally prompted the passage of the Bayh-Dole Act.

Prior to its enactment, many discoveries resulting from Federally-funded scientific research were not commercialized for the American public's benefit.

Since the Federal Government lacked the resources to market new inventions, and private industry was reluctant to make high-risk investments without the protection of patent rights, many valuable innovations were left unused on the shelf of Federal laboratories.

With its success licensing Federal inventions, the Bayh-Dole Act is widely viewed as an effective framework for Federal technology transfer.

For example, the Association of University Technology Managers (AUTM) conducted a 1996 study on the effect of the Bayh-Dole Act.

AUTM concluded that the law garnered tremendous economic benefits not just for the universities and private industry directly involved in each partnership, but more importantly, for the United States economy as a whole.

The AUTM report documented that the impact of the Bayh-Dole Act represented a very real gain to Federal agencies and the Nation

since it not only encourages the commercialization of Government-owned patents that would otherwise gather dust on the shelf, but it also brings in revenues to the Federal Government through licensing fees.

Accordingly, the process for the licensing of Government-owned patents should continue to be refined by streamlining the procedures and by removing the uncertainty associated with the licensing process.

Both past and prospective private industry partners, however, have voiced their concerns regarding the Federal technology licensing process.

The private sector has already demonstrated a strong interest in the strategic advantages of partnering with a Federal laboratory through a Cooperative Research and Development Agreement (CRADA) or through the licensing of Government-owned technology, but companies are deterred by the delays and uncertainty often associated with the lengthy Federal technology transfer process.

These procedural barriers and delays can increase transaction costs and are often incompatible with the private sector's need for a swift commercialization calendar.

The present regulations governing Federal technology transfer have also made it difficult for a Government-owned, Government-operated laboratory (GOGO) to bring existing scientific inventions into a CRADA even when its inclusion would create a more complete technology package.

Currently, a GOGO does not have the flexibility that small businesses and non-profits have in managing their inventions under the Bayh-Dole Act.

Also, a GOGO, unlike a GOCO, currently faces statutory notification provisions when granting exclusive licenses, and more importantly, it cannot include existing inventions in a CRADA.

By reducing the delay and uncertainty created by existing procedural barriers, and by lowering the transactional costs associated with licensing Federal technologies from the Government, we could greatly increase participation by the private sector in its technology transfer programs.

This approach would expedite the commercialization of Government-owned inventions, and through royalties, could reduce the cost to the American taxpayer for the production of new technology-based products created in our Nation's Federal laboratories.

That is our intention in the bill before us.

The goal of H.R. 209, The Technology Transfer Commercialization Act, is to remove the procedural obstacles and, to the greatest extent possible within the public interest, the uncertainty involved in the licensing of Federally patented inventions created in a Government-owned, Government-operated laboratory, by applying the successful Bayh-Dole Act provisions to a GOGO.

As a result, the Technology Transfer Commercialization Act provides Federal laboratories with two important new tools for effectively commercializing on-the-shelf, Government-owned inventions:

(1) The bill's revised authorities of Section 209 of the Bayh-Dole Act; and

(2) The ability to license technology as part of a CRADA.

Both mechanisms make Federal technology transfer programs much more attractive to United States private companies that seek to form partnerships with Federal laboratories.

H.R. 209, as amended by the Committee, also makes a number of smaller adjustments to the Bayh-Dole Act and the Stevenson-Wydler Act of 1980 to improve those laws and to reflect a series of consensus "lessons learned" from 19 years of practical application of our current Federal technology transfer laws.

Given the importance and benefits of technology transfer, the Science Committee and my Technology Subcommittee have continued to refine the technology transfer process to facilitate greater Government, university, and industry collaboration.

As a result, the ability of the United States to compete globally has been strengthened and a new paradigm for greater collaboration among the scientific enterprises that conduct our nation's research and development—Government, industry, and universities—has been developed.

Federal agencies have now been provided with unparalleled authorities to promote technology transfer.

I believe it's important, however, to note that with the enactment of these new authorities, most recently with the National Technology Transfer and Advancement Act of 1995, and now with the Technology Transfer Commercialization Act of 1999, Congress has gone to great lengths to provide the Federal agencies with unprecedented authorities to enter into research and development partnerships with industry.

It is only fair that as public stewards, these agencies must now be held accountable for aggressively applying these mechanisms.

Too many times the private sector's perception is that the bureaucracy's main concern is avoiding criticism in making decisions, not in completing the deal.

This complaint has been heard too many times to not believe there is some truth behind the charge.

Innovation is always a difficult task and must be approached aggressively and prudently.

These are not contradictory goals—they require good judgment combined with the willingness to take risks.

It is my expectation, and using our oversight powers to ensure that his will be so, that Federal agencies can now effectively utilize the expanded authorities we, in Congress, have provided and which we fully expect them to use to promote partnerships with industry.

Let me close by noting that the bill before us represents a bipartisan and bicameral consensus.

I am pleased to have worked closely with the members of the Minority, the Administration, and the Senate is helping to perfect the bill since it was originally introduced.

I am especially pleased that the Administration has issued a Statement of Administration Policy stating that, "the Administration supports House passage of H.R. 209, which will significantly facilitate the licensing of Government-owned inventions by Federal agencies."

I would like to thank the Chairman and Ranking Member of the Science committee, Mr. SENSENBRENNER and Mr. BROWN, as well as the Ranking Member of my Technology Subcommittee, Mr. BARCIA, for their support of H.R. 209.

I would also like to commend a number of members of the other body, Senators ROCKEFELLER, FRIST, HATCH, and LEAHY for their

input and support in helping to refine the legislation.

It is my understanding that H.R. 209 will soon be placed before the Senate for its consideration.

I look forward to its expedited consideration and its eventual enactment into law in the very near future.

I urge all of my colleagues to support H.R. 209, the Technology Transfer Commercialization Act of 1999 and to pass this important measure.

Mr. BERRY. Mr. Speaker, Ms. MORELLA is a Member I have great respect for because of her bipartisanship.

I appreciate the efforts made in the H.R. 209, the Technology Transfer Commercialization Act of 1999, to ensure members of the public benefit from inventions created by the federal government.

However, I am concerned that this bill could lead to consumers having to pay more for prescription drugs as a result of there not being adequate notification or time to raise public objections concerning the government granting a company the exclusive right to manufacture a prescription drug developed by federal researchers.

I look forward to working with members of the House of Representatives and the Senate to ensure that any legislation eventually enacted works to the benefit of the public and businesses, alike.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 209, as amended.

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

A motion to reconsider was laid on the table.

FIRE ADMINISTRATION AUTHORIZATION ACT OF 1999

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1550) to authorize appropriations for the United States Fire Administration for fiscal years 2000 and 2001, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1550

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 "Fire Administration Authorization Act of 1999".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 17 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 17. Except as otherwise specifically provided with respect to the payment of

claims under section 11 of this Act, there are authorized to be appropriated to carry out the purposes of this Act—

"(1) \$30,554,000 for fiscal year 1999;
"(2) \$46,130,000 for fiscal year 2000, of which \$2,200,000 shall be used for research activities, and \$250,000 shall be used for contracts or grants to non-Federal entities for data analysis, including general fire profiles and special fire analyses and report projects, and of which \$6,000,000 shall be for anti-terrorism training, including associated curriculum development, for fire and emergency services personnel; and

"(3) \$49,500,000 for fiscal year 2001, of which \$3,000,000 shall be used for research activities, and \$250,000 shall be used for contracts or grants to non-Federal entities for data analysis, including general fire profiles and special fire analyses and report projects, and of which \$8,000,000 shall be for anti-terrorism training, including associated curriculum development, for fire and emergency services personnel.

None of the funds authorized by paragraph (3) may be obligated unless the Administrator has certified to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that the obligation of funds is consistent with the strategic plan transmitted under section 3 of the Fire Administration Authorization Act of 1999."

SEC. 3. STRATEGIC PLAN.

(a) REQUIREMENT.—Not later than April 30, 2000, the Administrator of the United States Fire Administration shall prepare and transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a 5-year strategic plan of program activities for the United States Fire Administration.

(b) CONTENTS OF PLAN.—The plan required by subsection (a) shall include—

(1) a comprehensive mission statement covering the major functions and operations of the United States Fire Administration in the areas of training, research, data collection and analysis, and public education;

(2) general goals and objectives, including those related to outcomes, for the major functions and operations of the United States Fire Administration;

(3) a description of how the goals and objectives identified under paragraph (2) are to be achieved, including operational processes, skills and technology, and the human, capital, information, and other resources required to meet those goals and objectives;

(4) an identification of the fire-related activities of the National Institute of Standards and Technology, the Department of Defense, and other Federal agencies, and a discussion of how those activities can be coordinated with and contribute to the achievement of the goals and objectives identified under paragraph (2);

(5) a description of objective, quantifiable performance goals needed to define the level of performance achieved by program activities in training, research, data collection and analysis, and public education, and how these performance goals relate to the general goals and objectives in the strategic plan;

(6) an identification of key factors external to the United States Fire Administration and beyond its control that could affect significantly the achievement of the general goals and objectives;

(7) a description of program evaluations used in establishing or revising general goals and objectives, with a schedule for future program evaluations;

(8) a plan for the timely distribution of information and educational materials to State and local firefighting services, including volunteer, career, and combination services throughout the United States;

(9) a description of how the strategic plan prepared under this section will be incorporated into the strategic plan and the performance plans and reports of the Federal Emergency Management Agency; and

(10)(A) a description of the current and planned use of the Internet for the delivery of training courses by the National Fire Academy, including a listing of the types of courses and whether they provide real time interaction between instructor and students, and including the number of students enrolled, and the geographic distribution of students, for the most recent fiscal year;

(B) an assessment of the availability and actual use by the National Fire Academy of Federal facilities suitable for distance education applications, including facilities with teleconferencing capabilities; and

(C) an assessment of the benefits and problems associated with delivery of instructional courses using the Internet, including limitations due to network bandwidth at training sites, the availability of suitable course materials, and the effectiveness of such courses in terms of student performance.

SEC. 4. RESEARCH AGENDA.

(a) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Administrator of the United States Fire Administration, in consultation with the Director of the Federal Emergency Management Agency, the Director of the National Institute of Standards and Technology, representatives of trade associations, State and local firefighting services, and other appropriate entities, shall prepare and transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the United States Fire Administration's research agenda and including a plan for implementing that agenda.

(b) CONTENTS OF REPORT.—The report required by subsection (a) shall—

(1) identify research priorities;

(2) describe how the proposed research agenda will be coordinated and integrated with the programs and capabilities of the National Institute of Standards and Technology, the Department of Defense, and other Federal agencies;

(3) identify potential roles of academic and other research institutions in achieving the research agenda;

(4) provide cost estimates, anticipated personnel needs, and a schedule for completing the various elements of the research agenda;

(5) describe ways to leverage resources through partnerships, cooperative agreements, and other means; and

(6) discuss how the proposed research agenda will enhance training, improve State and local firefighting services, impact standards and codes, increase firefighter and public safety, and advance firefighting techniques.

(c) USE IN PREPARING STRATEGIC PLAN.—The research agenda prepared under this section shall be used in the preparation of the strategic plan required by section 3.

SEC. 5. SURPLUS AND EXCESS FEDERAL EQUIPMENT.

The Federal Fire Prevention and Control Act of 1974 is amended by adding at the end the following new section:

“SEC. 33. SURPLUS AND EXCESS FEDERAL EQUIPMENT.

“The Administrator shall make publicly available, including through the Internet, information on procedures for acquiring surplus and excess Federal fire, emergency, hazardous material, or other equipment or property that may be useful to State and local fire and emergency services.”

SEC. 6. COOPERATIVE AGREEMENTS WITH FEDERAL FACILITIES.

The Federal Fire Prevention and Control Act of 1974 is amended by adding at the end the following new section:

“SEC. 34. COOPERATIVE AGREEMENTS WITH FEDERAL FACILITIES.

“The Administrator shall make publicly available, including through the Internet, information on procedures for establishing cooperative agreements between State and local fire and emergency services and Federal facilities in their region relating to the provision of fire and emergency services.”

SEC. 7. MISCELLANEOUS REPEALS.

The Federal Fire Prevention and Control Act of 1974 is amended—

(1) by repealing section 10(b) and redesignating subsection (c) of that section as subsection (b);

(2) by repealing section 23;

(3) in section 24—

(A) by striking “(a) The” and inserting “The”; and

(B) by repealing subsection (b);

(4) by repealing section 26; and

(5) by repealing section 27.

SEC. 8. NEED FOR ADDITIONAL TRAINING IN COUNTERTERRORISM.

(a) IN GENERAL.—The Administrator of the United States Fire Administration shall conduct an assessment of the need for additional capabilities for Federal counterterrorism training of emergency response personnel.

(b) CONTENTS OF ASSESSMENT.—The assessment conducted under this section shall include—

(1) a review of the counterterrorism training programs offered by the United States Fire Administration and other Federal agencies;

(2) an estimate of the number and types of emergency response personnel that have, during the period between January 1, 1994, and June 1, 1999, sought training described in paragraph (1), but have been unable to receive that training as a result of the over-subscription of the training capabilities; and

(3) a recommendation on the need to provide additional Federal counterterrorism training centers, including—

(A) an analysis of existing Federal facilities that could be used as counterterrorism training facilities; and

(B) a cost-benefit analysis of the establishment of counterterrorism training facilities in regions where many applicants for such training reside.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator shall prepare and submit to the Congress a report on the results of the assessment conducted under this section.

SEC. 9. NATIONAL FIRE ACADEMY CURRICULUM REVIEW.

(a) IN GENERAL.—The Administrator of the United States Fire Administration, in consultation with the Board of Visitors and representatives of trade and professional associations, State and local firefighting services, and other appropriate entities, shall conduct a review of the courses of instruction available at the National Fire Academy to ensure that they are up-to-date and complement, not duplicate, courses of instruction offered elsewhere. Not later than 180 days after the date of enactment of this Act, the Administrator shall prepare and submit

a report to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) CONTENTS OF REPORT.—The report required by subsection (a) shall—

(1) examine and assess the courses of instruction offered by the National Fire Academy;

(2) identify redundant and out-of-date courses of instruction;

(3) examine the current and future impact of information technology on National Fire Academy curricula, methods of instruction, and delivery of services; and

(4) make recommendations for updating the curriculum, methods of instruction, and delivery of services by the National Fire Academy considering current and future needs, State-based curricula, advances in information technologies, and other relevant factors.

SEC. 10. INTERNET AVAILABILITY OF INFORMATION.

The Administrator of the United States Fire Administration shall make available through the Internet home page of the United States Fire Administration the abstracts relating to all research grants and awards made with funds authorized by the amendments made by this Act. Nothing in this section shall be construed to require or permit the release of any information prohibited by law or regulation from being released to the public.

SEC. 11. REPEAL OF EXCEPTION TO FIRE SAFETY REQUIREMENT.

(a) REPEAL.—Section 4 of Public Law 103-195 (107 Stat. 2298) is hereby repealed.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect 1 year after the date of the enactment of this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) each will control 20 minutes.

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

GENERAL LEAVE

Mr. SENSENBRENNER. 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. 1550.

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

There was no objection.

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

Mr. Speaker, H.R. 1550, the U.S. Fire Administration Authorization Act of 1999 reauthorizes training, research, data collection and analysis, and public education programs at the United States Fire Administration, which includes the National Fire Academy. It was passed out of the Committee on Science by a voice vote on April 29, 1999.

This year marks the 25th anniversary of the Fire Prevention and Control Act establishing the Fire Administration. Since its formation in 1974, the Fire Administration has played an important role in reducing the loss of life and property from fire. These declines can be traced in part to research sponsored by the USFA that led to afford-

able smoke detectors and its work in promoting sprinkler systems.

Recently, many in the fire-fighting community have begun questioning the value of a Fire Administration that appears to have lost its way. These concerns were raised in the recent Blue Ribbon Panel report that identified a number of deficiencies that have undermined the agency's effectiveness.

The Committee on Science shares these concerns and is dedicated to assuring that the report's recommendation, which reflect the consensus of the fire-services community, are implemented in H.R. 1550. This is the first step to getting the Fire Administration back on track, especially in research.

The bill provides a significant increase in funding, authorizing a total of \$95.6 million over fiscal years 2000 and 2001. Of this amount, \$5.2 million has been set aside for research, \$500,000 for outsourcing of data analysis, and \$14 million for antiterrorism training.

The bill also requires the Fire Administration to certify that funds obligated in fiscal year 2001 are consistent with the strategic plan required in section 3 of the bill.

The strategic plan provision of the bill matches closely the language's strategic plans in the Government Performance and Results Act. Additional elements of the plan include coordination with other Federal agencies, especially the Department of Defense; a plan for disseminating information and materials to State and local fire services; and an assessment of the use of the Internet in delivering training courses.

In addition to the increased authorization for research funding, the bill also requires the Fire Administration to establish research priorities and to develop a plan for implementing a research agenda.

The bill also directs the Fire Administration to make available the State and local fire and emergency services information on excess Federal equipment and on setting up cooperative agreements with Federal facilities, such as military bases; conduct an assessment on the need for additional counterterrorism training for emergency responders; review the content and delivery of the curriculum offered by the National Fire Academy; and to post abstracts of research grants it awards on its Internet homepage.

In addition, H.R. 1550 repeals obsolete sections of the Fire Administration statute. It also repeals, as of 1 year after enactment, a provision in law that exempts Federally-funded housing built in New York City from sprinkler requirements.

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Before closing, Mr. Speaker, I want to commend the gentleman from Michigan (Mr. SMITH), chairman of the Subcommittee on Basic Research of the Committee on Science, and the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), who is the ranking

minority member of the subcommittee, for all their hard work in producing a balanced bill that will rejuvenate and strengthen the Fire Administration. It is a bill that deserves broad bipartisan support. I urge its passage.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Fire Administration has long enjoyed the bipartisan support of the Congress because of its vital mission: to improve safety for all of our citizens.

I would like to acknowledge the collegial approach taken by the gentleman from Michigan (Mr. SMITH), the chairman of the Subcommittee on Basic Research, in developing H.R. 1550. It has been a pleasure working with him on the bill.

I also want to thank the chairman of the committee, the gentleman from Wisconsin (Mr. SENSENBRENNER), and the ranking Democrat member, the gentleman from California (Mr. BROWN), for their efforts in moving the bill through the committee and in bringing it expeditiously before the House for its consideration.

The Federal Fire Prevention and Control Act of 1974 was intended to address a serious problem affecting the safety of all Americans. Much progress has been made during the past 25 years in public education about fire safety, improvement in the effectiveness of fire services, and the wider use of home fire safety devices. Nevertheless, the United States still has one of the highest fire death rates among advanced nations. In 1997, 4,000 Americans died and 24,000 were injured in fires. Moreover, the approximately 2 million fires reported each year result in direct property losses estimated well over \$8 billion, with total direct and indirect costs reaching \$100 billion annually.

The bill before the House seeks to reinvigorate the efforts of the Fire Administration. I am pleased that it endorses the President's fiscal year 2000 proposal for a 40 percent funding increase and provides an additional 7 percent increase in the second year. Although these increases will raise the fire budget nearly \$50 million, it still pales compared to the scale of activity originally contemplated for the agency.

The landmark report, "America Burning", which was the genesis for the 1974 act, recommended an initial budget for the Fire Administration of \$124 million in 1974 dollars. H.R. 1550 is a good start for providing the level of resources the Fire Administration needs to carry out its important mission. In addition to resources, the bill provides for the agency to develop a management plan and establish the program priorities that will help to ensure the increased resources are used to maximize effect.

H.R. 1550 will enable the Fire Administration to increase support for its

critical responsibility of firefighter training through the National Fire Academy. Moreover, the budget growth will enable the agency to reverse the steep decline in support for fire research and for public education programs. Greater research is absolutely necessary so that we can help prevent firefighter injury and death nationally, including those that claimed the lives of three firefighters from the Dallas-Fort Worth area earlier this year.

Regarding public education, the Fire Administration must enlarge and improve its efforts to reduce losses for the population groups most at risk from fire death and injury. We know that the elderly, the very young and the poor are most vulnerable. I included language in the report accompanying the bill tasking the Fire Administration to carefully assess whether research and additional data collection activities could improve understanding of the factors that lead to increased fire risk. Effective targeted fire prevention campaigns can be developed only from a sound base of knowledge.

Also, I asked the Fire Administration to look into the current use of security bars, which are often called burglary bars. These devices offer protection from criminals but can become fire traps in the event of fire, as has recently been the case in Texas and other States. The Fire Administration could help prevent such tragedies by disseminating information about ways to install the security bars properly that also will allow for easy departure from a building in a fire emergency.

In addition to funding authorizations, H.R. 1550 establishes the requirement for a 5-year program plan for the agency. This plan will constitute the formal documentation of Fire Administration's response to the recommendations of the blue ribbon panel convened last year by FEMA Director Witt to review the agency's management and programs.

I am particularly concerned about the recent decision the FEMA director made to create the position of chief operating officer for the Fire Administration. The incumbent for this position, a civil service employee, would report directly to the FEMA director but assist rather than report to the administrator.

I understand the reasons that led to the creation of this new position and generally support the position. The problem lies in the tangling of lines of authority within the Fire Administration and confusing the roles of two officials. This arrangement, in my view, will create confusion in the line of authority within the Fire Administration that may be harmful to the functioning of the agency.

I believe the fire administrator is committed to carrying out reforms at the agency consistent with the blue ribbon panel's recommendations. I will be following this situation closely to be sure the fire administrator plays an important role in developing and im-

plementing the FEMA director's final response to the blue ribbon panel report.

One part of the process required by H.R. 1550 for developing the 5-year will include consultation with the National Institute of Standards and Technology and the fire service organizations to establish a prioritized set of research goals. I am particularly interested in seeing that this research prioritization places adequate emphasis on development of firefighter protection equipment. Firefighters put their lives on the line every day. It is only right they have the equipment that will allow them to do their jobs effectively and as safely as possible.

Mr. Speaker, H.R. 1550 is a useful bill that comes to the floor with bipartisan support and that authorizes programs that advance public safety. I am pleased to recommend the measure to my colleagues for their approval.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 8 minutes to the gentleman from Michigan (Mr. SMITH).

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

Mr. SMITH of Michigan. Mr. Speaker, more than ever the American fire and emergency services are being called upon to respond to new challenges and incidents, most notably chemical, biological, nuclear, and conventional weapons of mass destruction. At the same time, they have small budgets, higher operating costs and fewer volunteers.

To their credit, the fire and emergency services simply make do with what they have in every one of our communities, but the cost to them is high. Roughly 100 firefighters and first responders die every year on the job and nearly one-third of our firefighters are injured. This compares, incidentally, to about 180 law enforcement officers killed in the line of duty each year. However, both groups are vital to our communities. The difference is the budgets, with police getting about twentyfold of what we are giving to firefighters. For first responders, we can do better.

Today, the House will vote on the reauthorization of the United States Fire Administration. In this Congress the vote will not seem significant, but within the American fire services this is a landmark occasion. The United States Fire Administration is the lead agency for our 1.2 million first responders, the brave men and women who stand ready at a moment's notice to place their own lives in danger in order to protect ours. In the three terms I have served in Congress, this legislation is one of my proudest achievements.

The United States Fire Administration was established in 1975 under the Fire Prevention and Control Act of 1974. Its mission was divided into four program areas: data collection, public

education, training, and technology development. Much of the progress in reducing fire-related deaths over the past 25 years can be attributed to the work of the USFA.

In recent years, the United States Fire Administration has been subject to scrutiny and criticism from its own constituents. In fact, James Lee Witt, Director of the Federal Emergency Management Agency, appointed a blue ribbon commission to conduct a thorough review of the administration and report back with recommendations to revitalize its mission. The commission represented virtually every facet of fire services, including career and volunteer firefighters, chiefs, ethnic and female firefighters and instructors. Having had the pleasure of meeting with the chair and co-chairperson of this distinguished commission, I can say that this group made certain that all views were represented in the report.

They listed 34 recommendations to improve the United States Fire Administration. At the top of their list was additional funding.

As many of my colleagues know, I am a fiscal conservative. So, quite frankly, I was somewhat skeptical of their motives. However, after careful review of the report, I saw in it a serious and earnest effort on the part of these stakeholders to bring about positive change, to increase funding for the United States Fire Administration while at the same time holding it accountable for its own performance.

The measure we will consider today will increase USFA's authorization from \$30 million to \$46 million in fiscal year 2000, approximately a 40% increase. It provides a fourfold increase in research that is so vital for firefighter safety and reducing the amount of damage in this country from fires.

The legislation will require USFA to prepare a 5-year plan on how the funding will be spent, mandating the administration to coordinate activities with other Federal agencies, including the National Institute of Standards and Technology. It will channel new funding into the National Fire Academy for counterterrorism training for first responders and call for a review of National Fire Academy courses to ensure that they are up to date and complement, not duplicate, courses of instruction offered elsewhere.

Mr. Speaker, 3 weeks ago, as a member of the Congressional Fire Caucus, I had the pleasure of attending the 11th Annual National Fire and Emergency Services dinner here in Washington, D.C. The event was sponsored by leadership of the caucus, and I must say I was somewhat embarrassed to be seated at the head table when that honor should have been accorded to the 2,000 fire service leaders seated in the audience.

They came from every corner of the United States here to represent their segment of the firefighting industry. They were here in Washington to learn about the Federal process while also to

enjoy themselves at the dinner. But as I stand here today delivering these remarks, many of them are properly responding to emergencies placing their own lives in harm's way.

So when I say this legislation is one of my proudest achievements, my colleagues now know why. This will have the potential of saving countless numbers of lives, significantly reducing physical injuries and decreasing the dollar amount of damages caused by fire and other forms of disasters.

I would personally like to thank everyone from the fire service who offered their support to me throughout this entire reauthorization process. But more importantly, I would like to thank all 1.2 million first responders for their dedication and commitment to duty, and offer my best wishes for their continued success and safety. I am concerned that Washington's commitment to firefighters is not as great as firefighter's commitment to us. Too often, we take their willingness to protect and assist us for granted. The next time you hear a siren or see a fire truck, you should give some thought to the firefighters and rescue workers, who are mostly volunteers, going out of their way and often risking their lives to protect their communities and neighbors. I hope H.R. 1550 can be the beginning of a national effort to increase our support for these public-spirited citizens.

H.R. 1550 is an important piece of legislation that deserves broad bipartisan support. I ask my colleagues to support it.

Allow me to note some recent heroes, firefighter Matt Mosely, suspended from a helicopter hovering over a flame-engulfed factory plucked Ivers Sims from the top of a construction crane.

March 16, 1999, The Bourbonnais Fire Department, a volunteer department with 44 men and only three pumpers responded to the worst train wreck in America since 1993 found 14 dead and 119 injured. And acted with valor.

April 20, 1999, In Littleton, Colorado fire engineers placed their engines closer to the school to serve as cover for advancing officers and escaping students in Littleton.

Capt. Richard Knowlton, of the Austin Fire Department, dove from a 26-foot cliff into a Northwest Austin pond in June. After Knowlton pulled a swimmer from the pond, he attempted mouth-to-mouth resuscitation until emergency medical rescuers arrived.

We cannot overlook their needs without continued loss of life. Sgt. John Carter, who died last year in Washington, D.C. was an unnecessary fatality. The reconstruction report said that he could have been saved if his portable radio worked properly. It was old, it was faulty, and he died from drowning in a basement when his air ran out. If fireground communication can save even one life, how much is it worst spending.

Finally, it is very important to contrast spending on law enforcement vs. spending on the fire services. The federal government probably spends more than \$96 million a month on everything from cars to vests for cops, while the fire services get nothing.

And I would like to cite the lack of leadership in the Administration on this vote for H.R. 1550!

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Speaker, I thank the gentlewoman from Texas for yielding me this time to speak in support of H.R. 1550, the Fire Administration Authorization Act of 1999.

I would like to talk specifically about the merits of two provisions added by amendments I offered that are designed to strengthen our counterterrorism training efforts.

As we experience more instances of domestic terrorism, it is vital our first responders are trained to address the possibilities of terrorist attack. We are now facing a situation in which a policeman, paramedic or firefighter can be called upon to deal with a terrorist scenario.

Take Oklahoma City. In the bombing there, the incident commander was the fire chief. The law enforcement emergency professionals and others reported to him. In the future, given this example, training received at the National Fire Academy might mean life or death not just for our first responders but for uncountable numbers of people. It is essential that the Fire Administration have the resources necessary to help meet the anti-terrorism training needs of the fire services.

I agree with the Committee on Science's 1997 report authorizing the Fire Administration that important training programs for major fires, natural disasters and hazardous materials accidents should not come at the expense of existing USFA programs.

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I would also note that the Blue Ribbon Panel convened last year by FEMA Director Witt recommends that the Fire Administration budget for natural disaster and terrorism response activities be \$15 million.

Accordingly, my first amendment increased the authorization level for the Fire Administration's anti-terrorist training activities by \$1 million for fiscal year 2000 and by an additional \$2 million for fiscal year 2001. These increases raised the total authorization level for this important activity to \$6 million per year in the first year and to \$8 million, or twice the current level, by the second year.

Under my second amendment, the U.S. Fire Administration is required to assess the need for additional capabilities for Federal counterterrorism training of emergency response personnel.

We need to know how adequate our current efforts are, what our current need is, and how best to satisfy that need in the event that demand for training exceeds our current capacity for training.

My amendments were designed to ensure an important activity of the Fire Administration is placed on a reasonable growth track consistent with the Blue Ribbon Panel's recommendation. Terrorism is a problem that has reached endemic proportions; and I feel strongly that, whenever possible, we

should do our part to protect Americans from this national threat.

Mr. Speaker, I urge support for this bill.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. GILMAN).

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

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

Mr. Speaker, I am pleased to rise to take this opportunity to thank our colleagues, the gentleman from Wisconsin (Mr. SENSENBRENNER), the distinguished chairman of the Committee on Science, and the gentleman from Michigan (Mr. SMITH) for bringing this piece of legislation to the floor today.

This reauthorization addresses many of the concerns of today's firefighters and prepares them for the challenges ahead. I am pleased to cast my vote today in favor of the reauthorization of the Fire Administration. We trust America's firefighters with the lives of our families and the protection of our property, our homes, forests, and communities. In turn, they trust us with the protection of their lives by expecting us to provide them with the resources and training necessary to face the dangers ahead.

This legislation protects and prepares our Nation's firefighters for the critical challenges they face in our world today. This is a vital piece of legislation, preventing fires and protecting families and is ensuring our firefighters with the necessary funding to provide training and to enable them to gather information. By increasing funding by almost 40 percent, this reauthorization will assist Federal, State, and local firefighters in their efforts to develop and complete fire profiling, data analysis and reporting projects. It will provide today's firefighters with anti-terrorism training and develop a curriculum for fire and emergency services personnel.

Moreover, the bill requires the U.S. Fire Administration to develop a comprehensive mission statement which will cover the administration's major functions and operations in training, research, data collection and analysis, and public education and allows fire companies to identify the fire-related activities of the National Institute of Standards and Technology, the Department of Defense, and other Federal agencies, and open discussion of how those activities can be coordinated with and contribute to the achievement of these goals and objectives of the U.S. Fire Administration.

This reauthorization prepares today's firefighters by providing them with the up-to-date information that they sorely need by allowing them to input their ideas into national fire prevention efforts and giving them the funding support that will protect them as they face the challenges ahead.

Accordingly, I urge my colleagues to fully support this measure.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentlewoman for yielding me the time and for her leadership on this issue.

Mr. Speaker, the Fire Administration Authorization Act contains an important provision which closes the loophole specific to New York City, the area that I represent.

In 1993, a provision was slipped into a technical amendments bill which exempted New York City from the national requirement that all multi-family housing built using Federal funds must have fire sprinklers installed. This loophole allowed Federally funded multi-family housing only in New York City to be exempted from this requirement if the structure had "an equivalent level of safety." Yet it did not define what "an equivalent level of safety" was. And, as we have learned, there is absolutely no substitute to sprinklers when it comes to limiting fires and saving lives.

After a terrible string of fires in New York City apartment buildings, the City Council this year passed a very strict fire safety law which made sprinklers mandatory in multi-family housing. But with this loophole in place, if a developer receives any Federal funding, they can apply to be exempt from this fire safety requirement.

I introduced a stand-alone bill, H.R. 1126, to close this loophole; and the gentleman from New York (Mr. WEINER), an original cosponsor, added it as an amendment to this legislation.

I would like to publicly thank the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and the gentleman from Wisconsin (Mr. JAMES SENSENBRENNER) for supporting this provision and for making certain that apartment buildings in New York City are as safe from fire as they are in the rest of the country. I thank them for including the amendment.

Mr. LARSON. Mr. Speaker, I thank the gentlewoman from Texas for yielding me this time, and I rise today in support of the Fire Administration Authorization Act.

First, I wish to thank our Chairman, the gentleman from Wisconsin, Mr. SENSENBRENNER, for his work on this bill and the ranking member of our committee, the gentleman from California Mr. GEORGE BROWN, and my colleagues who have sponsored and introduced this legislation, the gentleman from Michigan, Mr. SMITH, and the gentlewoman from Texas, Ms. JOHNSON, for graciously accepting the amendment I offered during mark-up.

Fewer than two weeks ago we approved this bill in the Committee on Science. The bill, among other things, requires the United States Fire Administration to create a five-year plan laying out the agency's overall goals and program activities. My amendment added a provision to assess, within the strategic plan, the benefits of providing fire education to local fire departments through distance learning.

Under my amendment, the Fire Administration's strategic plan must now include full con-

sideration of how the Internet is currently used and could be used more effectively in the future to deliver National Fire Academy training courses at remote sites. It also asks the Fire Administration to review its current training activities over the Internet and assess the benefits and problems associated with Internet use for training. Finally, it requires an inquiry into the availability of federal facilities with advanced tele-communications capabilities which could be used as remote settings for Fire Academy courses.

The question that prompted me to propose this amendment is whether the National Fire Academy has carefully considered how best to make use of the Internet. At an authorization hearing on the Fire Administration in the Science Committee earlier this year, I learned that on-campus courses at the Academy are heavily oversubscribed and that distance learning is one mechanism to provide needed training for the fire services community. I believe that by assessing the viability of instituting this mechanism, we take a first step toward facilitating this needed training for our valued fire services community, who will stand to benefit from this practical application of information technology.

My amendment marks an important step in ensuring that the Government keeps pace with the uses and applications of the technological advances taking place in the world as we approach the next millennium. It also represents a continuation of my efforts in Congress to ensure that the Federal Government will be at the forefront of these technological changes.

Again, I wish to thank my colleagues on the committee for supporting the amendment and encourage all my colleagues in the House to support this bill.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1550, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

HONORING AND RECOGNIZING SLAIN LAW ENFORCEMENT OFFICERS

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 165) acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

The Clerk read as follows:

H. RES. 165

Whereas the well-being of all citizens of this country is preserved and enhanced as a

direct result of the vigilance and dedication of law enforcement personnel;

Whereas more than 700,000 men and women, at great risk to their personal safety, presently serve their fellow citizens in their capacity as guardians of peace;

Whereas peace officers are the front line in preserving our children's right to receive an education in a crime-free environment that is too often threatened by the insidious fear caused by violence in schools;

Whereas 158 peace officers lost their lives in the performance of their duty in 1998, and a total of more than 15,000 men and women have now made that supreme sacrifice; and

Whereas every year 1 in 9 officers is assaulted, 1 in 25 officers is injured, and 1 in 4,400 officers is killed in the line of duty; Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) all peace officers slain in the line of duty should be honored and recognized; and

(2) the President should issue a proclamation calling upon the people of the United States to honor and recognize slain peace officers with appropriate ceremonies and respect.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. CHABOT).

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

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

Mr. CHABOT. Mr. Speaker, as the eyes of most Americans are fixed on events in Yugoslavia and the brave service of our military forces there, it is easy to overlook the courageous service of another group of men and women who protect us much closer to home.

Over 700,000 law enforcement officers, serving at every level of government and in communities of every size, stand guard over our lives and our property every single day. These officers patrol our streets. They pursue those who threaten our security. They are just a phone call away.

Today, with the consideration of this resolution, we honor the dedication and devotion of America's law enforcement community. But, in particular, we honor the sacrifice of a specific heroic group of law enforcement officers. We honor those who have given their lives in the service to the rule of law.

Mr. Speaker, mere words cannot fully express the significance of this sacrifice. How do we adequately express our appreciation for those who are willing to die to protect us and our families? Police officers enjoy life just as much as of the rest of us. They long to see their children grow up and be successful and to some day hold their grandchildren, just like all of us do. And yet they are willing to risk all of their hopes and all of their dreams for us to ensure the safety and well-being of our communities.

It is far too easy for us to take for granted their devotion to duty. It is for this reason that we bring H.Res. 165 to

the floor today. It is to honor the 158 peace officers who lost their lives in the performance of their duties just last year. It is also to commemorate the more than 15,000 officers who have made the supreme sacrifice over the course of our Nation's history.

The names of these heroes are now enshrined on the Law Enforcement Memorial Wall only a few blocks away from this very House Chamber. That wall and this simple resolution are among the many ways that we can encourage all Americans to remember, to never forget, the extraordinary service of these extraordinary public servants.

This Saturday, Mr. Speaker, we will celebrate Law Enforcement Officer Memorial Day. The main event will be a ceremony in memory of peace officers killed in the line of duty in 1998 held on the West Lawn of the Capitol. This resolution calls on the President to issue a proclamation calling on the people of the United States to honor and recognize slain peace officers with ceremonies similar to Saturday's event. I am pleased that this Congress has the honor of hosting the annual memorial service.

Last night, in my hometown of Cincinnati, Ohio, I had the privilege of speaking at our local police memorial service. Over the last year, our community has suffered the tragic loss of three officers: Cincinnati Officer Daniel Pope and Specialist Ronald Jeter, and Officer Michael Partin from neighboring Covington, Kentucky, just across the river. Now today we honor officers from throughout the country who have made the ultimate sacrifice.

I want to thank the gentleman from Colorado (Mr. HEFLEY) for introducing this resolution and taking the lead in ensuring that this House expresses its profound appreciation for the commitment and sacrifice of America's law enforcement officers.

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

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

Mr. Speaker, I want to commend the gentleman from Colorado (Mr. HEFLEY) for his work on this important issue and for sponsoring the resolution to honor the men and women in law enforcement who each day proudly put their lives on the line to protect and serve communities across the Nation.

I also want to commend the Law Enforcement Caucus, particularly the gentleman from Michigan (Mr. STUPAK), for making sure that the concerns of law enforcement officers and their families are heard in Congress.

Today's law enforcement officers face numerous risks as they perform their duties. Last year over 150 law enforcement officers were killed in this country; and it is appropriate that at this time, during Police Week, that Congress take out time to salute these officers and their families.

All week long, thousands of law enforcement officers and their families will take part in events around the

country to honor those who have fallen and to salute the daily heroic efforts of men and women who continue to walk the beat.

Mr. Speaker, this resolution comes at a time when many of us in Congress still feel the loss of two members of the law enforcement community who died last year while protecting the people's House. The names of Special Agent John Gibson and Officer Jacob Chestnut are now listed alongside the names of 15,000 men and women who gave their lives in order to keep our community safe.

I also want to take time to extend my deep appreciation to the law enforcement officers who are currently serving in my home State of Virginia and to the families of those who lost their lives in the line of duty. Their dedication in preserving the safety of communities in Virginia has not gone unnoticed.

This resolution correctly acknowledges the sacrifices of law enforcement officers who have made the keeping of our communities, especially our schools and children, safe. I encourage my colleagues to support this resolution.

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

Mr. CHABOT. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. GILMAN), the distinguished chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Speaker, I am pleased to rise today in strong support of the slain peace officers resolution, H.Res. 165.

I want to commend the gentleman from Colorado (Mr. HEFLEY) for introducing this resolution, and I want to thank the gentleman from Ohio (Mr. CHABOT) for bringing it to the floor at this time, along with the gentleman from Virginia (Mr. SCOTT), the ranking minority member.

Our law enforcement officials represent an integral part of our society in which we have instilled public trust. As the vanguard of our public safety, we sometimes take for granted the risks that they assume in the course of their duties. Regrettably, we are far too often reminded of those risks.

In 1998, 158 law enforcement officers lost their lives in the line of duty, bringing the total number of slain officers to some 15,000 over the last 10 years. In July of that same year, we were witness to a tragedy here in our Nation's capital as two of our Capitol Police, Officer Jacob Chestnut and Officer John Gibson, were killed in an unforeseen act of violence by a lone, deranged gunman.

This resolution, which expresses the sense of Congress that all peace officers slain in the line of duty should be honored and recognized as well as stating that the President should issue a proclamation calling on the people of our

Nation to honor and recognize slain peace officers with appropriate ceremonies and respect, is an important measure. Properly recognizing and honoring those officers who lost their lives in the fulfillment of their duties is important to our Nation.

□ 1530

On May 15, the annually celebrated Law Enforcement Memorial Day, more than 15,000 law enforcement officers are expected to gather in our Nation's capital with their families to honor their comrades who have been killed in the line of duty. This resolution is an excellent tribute to those officers who have fallen while exercising their solemn duty to ensure the safety and livelihood of all of our citizens.

Accordingly, Mr. Speaker, I am pleased to be an original cosponsor of this vital resolution. I urge my colleagues to join in supporting its passage.

Mr. SCOTT. Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I very much thank the gentleman for yielding me this time, and I thank the gentleman from Ohio and the gentleman from Virginia for bringing this very timely and solemn resolution to the floor and the gentleman from Colorado for introducing it.

I rise to pay honor and respect to the officers of this country who have been slain in the line of duty.

Mr. Speaker, yesterday the Congressional Black Caucus sponsored a compelling hearing on police brutality in this country, which tragically has gone up as crime has gone down, especially in many black and Hispanic communities. The Nation's capital has been number one in police shootings of civilians. These are matters that must be answered and attended to.

At the same time, Mr. Speaker, I reported at that hearing that there is enormous respect and appreciation for police officers in the District of Columbia as residents have clamored for more of them, particularly as we now come out of one of the worst crime epidemics in our history. The depth of the feeling was revealed especially during the 1990s when 11 police officers in the District of Columbia lost their lives in the line of duty. There was deep feeling, as well, in the District and across the Nation at the tragic slayings of Officers Chestnut and Gibson and, of course, of other public safety officers in the District of Columbia and throughout the country.

One of these especially brutal killings in the District led me to introduce, and Congress to pass, the Brian Gibson Tax-Free Pension Equity Act, which allows the family of a slain Federal or local law enforcement officer killed in the line of duty to receive that officer's pension tax free, just as officers for some time who retired on disability could receive their pension tax free. I want to thank the gen-

tleman from Michigan (Mr. STUPAK) and the gentleman from Minnesota (Mr. RAMSTAD), who are co-chairs of the Congressional Law Enforcement Caucus, and the gentleman from Texas (Mr. ARCHER) and the gentleman from New York (Mr. RANGEL), who helped me get this through the Taxpayers Relief Act of 1997.

Mr. Speaker, the next order of business is to build the Visitors Center. I have long had a bill and ultimately named it for Officers Chestnut and Gibson for a Visitors Center. In the wake of the tragedy, an appropriation allowed a Visitors Center to go forward. It would make the Capitol more secure for all of us and especially more secure for the officers. The Visitors Center would help avoid tragedies like the killings of two brave officers in this Capitol in 1997.

I salute the Capitol Police and the District of Columbia Police and especially the families of the slain peace officers in this country who have died in the line of duty and whom we honor this week.

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

I would like to thank the gentleman from Ohio (Mr. CHABOT) for his leadership in advancing this legislation. I urge my colleagues to support it.

Mr. STUPAK. Mr. Speaker, I rise today to support this resolution to honor law enforcement officers who were killed in the line of duty. I want to thank my colleague, Mr. HEFLEY, for sponsoring this important legislation. I am pleased to be here to participate in this debate.

Before coming to Congress in 1993, I served for 12 years as a police officer, both as a city officer and as a state trooper. I have known many officers who have given their lives for the people they serve and understand the importance of the House of Representatives taking this step to honor law enforcement officers who have made the ultimate sacrifice.

In May of 1998, in my district, Traverse City Sgt. Dennis Finch was killed while on duty. A 30 year veteran of the police force, Sgt. Finch was shot during a stand off with an armed gunman. He was survived by his wife and two daughters who will be in Washington this week participating in many of the Police Week activities.

Just last summer everybody in this body was reminded of the extreme sacrifice our nation's law enforcement and public safety officers make to our communities and our nation when Officers Chestnut and Gibson were killed here in the Capitol.

Unfortunately, there were many more officers killed last year. In 1998, 158 officers lost their lives while on the job. This brings the total to more than 15,000 men and women who have given their lives serving the public as law enforcement officers.

This legislation recognizes the value our government places on the work of our public safety officers. It is important that we take time this week to show our respect and recognition for the jobs that police officers do every day in every city and town in America.

Join me to support this resolution. It is the least we can do for those who put their lives on the line every day.

Mrs. KELLY. Mr. Speaker, I rise today for the purpose of honoring those police officers who have given their lives for the sake of others. A reflection on the sacrifice made by these officers can only lead one to feelings of sadness, humility, and pride. These Americans have demonstrated a commitment to the public good that could not be eclipsed, and their courage serves as a profound testament to the strength of our nation and our purpose.

I was privileged last Congress to introduce the Public Safety Memorial Scholarship Act. This bill sought to provide education funding to the families of state and local public safety officers who were killed in the line of duty. I was certainly gratified when legislation which was very similar to my bill was signed into law last year.

In honoring the memories of these fallen officers, we in Congress must continue our efforts to create safer and stronger communities through an active commitment to supporting those in the law enforcement community. I know that I speak for all of my colleagues when I say that our constituents deserve nothing less than our best efforts as we work towards this goal.

Mr. CRAMER. Mr. Speaker, I rise today in support of this House Resolution to honor law enforcement officers killed in the line of duty.

This resolution is in recognition of National Peace Officers Memorial Day, which serves as a solemn reminder of the sacrifice and commitment to safety that law enforcement officers make on our behalf every day.

Law enforcement officers who have died in the line of duty sacrifice not only their own lives, but also the lives of their spouses, children, parents, and friends. In fact, the whole community suffers a profound loss when a law enforcement officer dies.

Last year, in 1998, 155 of our country's brave law enforcement officers died protecting the citizens of this nation. This resolution serves as a tribute to those fallen officers and their families.

This simple gesture will send a signal across the country that our law enforcement officers deserve our utmost respect for putting their lives on the line day-in and day-out.

Every day, law enforcement officers are at war against criminals that threaten the security of this country. Passing this resolution to honor those officers is the least that we in Congress can do to thank them for their sacrifices.

I am proud to support this resolution that is before us today.

Mr. RAMSTAD. Mr. Speaker, I rise as a cosponsor and strong supporter of the important resolution before us today to honor those brave police officers who have given their lives to keep our communities safe.

As co-chair of the bipartisan Law Enforcement Caucus, I applaud the courage and dedication to duty of all peace and police officers serving their communities. These officers put their lives on the line for us, every day they put on the badge. Their courage and sacrifice was demonstrated in a very dramatic way last summer, when shots rang out in the Capitol and two of the U.S. Capitol Police's finest lost their lives.

It is fitting that we consider this resolution during National Police Week. I encourage members of this body and the public to participate in other events this week honoring America's fallen police officers. On May 13, the

11th Annual Candlelight Vigil will take place at 8 p.m. at the National Law Enforcement Memorial grounds, followed by a reading of the 312 names newly engraved on the Memorial. At noon on May 15, the 18th Annual National Peace Officers' Memorial Day Service will take place on the west front of the Capitol, with a wreath-laying ceremony to follow.

In my home state of Minnesota, May 8 was Law Enforcement Appreciation Day at the Metrodome in Minneapolis, where "Top Cops" were honored during the Minnesota Twins game. I encourage my fellow Minnesotans to attend events on May 15, in which uniformed officers will stand in silence all day at the Peace Officers Memorial on the State Capitol grounds. Also, a 5-kilometer "Race to Remember" will be held in St. Paul, and a candlelight service will be held at 7:30 p.m. at the Peace Officers Memorial.

Mr. Speaker, 156 law enforcement officers were killed in the line of duty in 1998, and over 15,000 officers have been killed since our nation began recording their deaths. My home state of Minnesota has lost 207 officers.

On average, a law enforcement officer is killed every other day in America. Each year, one in nine officers is assaulted and one in 25 is injured while on duty. These sacrifices are made daily to fight crime and make our citizens safer.

These law enforcement heroes and their families deserve our gratitude and respect, during National Police Week and throughout the year. We must never forget their sacrifices, including the ultimate sacrifice paid by too many officers.

We must all work for a day when no more names will be added to the Law Enforcement Memorial wall, and a resolution like this will no longer be necessary.

Mr. KILDEE. Mr. Speaker, I rise today to ask the House of Representatives to join me in honoring the 40th annual observance of Peace Officers Memorial Day. Flint Memorial Park is the setting for this observance on May 14 in my hometown of Flint, Michigan. On this day the Flint community will take time to reflect on the loss of some of its finest police officers.

For the past 40 years, Flint Memorial Park has honored Peace Officers that have fallen in the line of duty. A memorial service is held annually to remind us of their bravery and sacrifice. The names of the officers that have been immortalized on the monument at Flint Memorial Park are:

Patrolman Terry Lee Thompson—Burton Police Department July 5, 1983.

Patrolman Russell A. Herrick—Burton Police Department May 8, 1980.

Trooper Norman Killough—Michigan State Police, Detroit Post October 6, 1978.

Deputy Ben R. Walker—Genesee County Sheriff Department April 6, 1971.

Detective Alton C. Fritcher—Flint Police Department January 5, 1969.

Trooper Albert Souden—Michigan State Police, Brighton Post September 3, 1959.

Trooper Burt Pozza—Michigan State Police, Flint Post November 19, 1956.

Patrolman Karl J. Liebengood—Burton Township Police Department January 11, 1955.

Trooper George Lappi—Michigan State Police, Flint Post November 19, 1956.

Detective James McCullough—Flint Police Department February 28, 1952.

Patrolman Neil Krantz—Flint Police Department April 24, 1951.

Deputy James W. Cranston—Genesee County Sheriff Department July 26, 1945.

Patrolman Gerald Leach—Flint Police Department September 21, 1940.

Patrolman John Wopinski—Flint Police Department August 9, 1932.

Detective Matthew Hauer—Flint Police Department April 18, 1924.

Patrolman Avera M. Hudson—Flint Police Department June 28, 1924.

In addition to the memorial to slain Peace Officers a monument to police dogs that have been killed in the line of duty will be unveiled at this year's ceremony. The names of the canines and their handlers are: Aiko—Handler—Trooper Joel Service, Symmon—Handler—Sgt. Richard E. King, Gillette—Handler—Officer Bruce Burton, Romel—Handler—Sgt. Dan Spaniola, Charlie—Handler—Deputy Dale Glover, Major—Handler—Sgt. Jerry Wilhelm.

Mr. Speaker, I ask the House of Representatives to please reflect on these individuals and their families and pay tribute to their ultimate sacrifice. We pay homage these slain officers and all peace officers everywhere that are asked to give so that the rest of us can live in a safer world.

Mr. GREEN of Texas. Mr. Speaker, I rise in strong support of this resolution that pays honor to slain law enforcement officials.

Law enforcement officers place themselves in harms way every day to protect all Americans. Despite these inherent risks, peace officers go out and make our streets, our businesses, and our country safe.

It takes a special person to respond to this call to duty. It takes someone with courage, honor, bravery, integrity, a sense of community, and concern for their fellow man.

Today we come together to honor the memories of those men and women who have fallen while in the line of duty. We gather to remember and honor the memory of those law enforcement agents who made the ultimate sacrifice.

There is no greater sacrifice than to lay down your life for your fellow man.

Their sacrifices came while these brave individuals were doing their duty of protecting us, fighting crime, and making our community a better place.

While today we honor the memories of those persons who have passed away, we must remember and never forget their sacrifice. The duty they felt will always be felt in our hearts, and will be carried on by their fellow officers, friends and family.

Our hearts go out to the family, friends, and colleagues that have had to say good bye to a loved one. We are indebted to every spouse, every child, every parent, sister, brother, grandchild, aunt, uncle, and every friend of all those whom we come here to honor today. We pay tribute not only to those who have died, but to those who have lost them, to their survivors. And we pay tribute to the more than half million law enforcement officers who continue to go to work every day, not knowing for sure if on that day they will be required to make the ultimate sacrifice.

Today, I would say that, more than anything else, we ought to rededicate ourselves to becoming a country worthy of the heroes we come here to honor. Every day, law enforcement officers take the oath to uphold the law and defend citizens. Danger is a constant

companion; still, law enforcement officers go out every day carrying the badge that symbolizes their commitment.

The job of law enforcement is so dangerous today not only because criminals are better armed, but because our society is too often coming apart when it ought to be coming together.

And so today we must dedicate ourselves—all of us—to making America worthy of the sacrifice of the law enforcement officials who have fallen, and those who still risk their lives every day. I ask today that we remember the law enforcement officers and their families who paid the ultimate sacrifice.

Mr. HOYER. Mr. Speaker, I rise today to honor the men and women of law enforcement who made the ultimate sacrifice in protecting our civil society.

Yesterday, I joined the families and colleagues of Officers Christopher Eney and Jacob Chestnut and Detective John Gibson in dedicating the Capitol Police Headquarters in their honor. Their deaths, as tragic as they were, are only three of more than 15,000 men and women who have lost their lives in the line of duty.

Thousands of law enforcement officers are converging on Washington for the Annual National Law Enforcement Week. This year, the names of Officer Chestnut and Detective Gibson will be read at the Candlelight Vigil along with the names of 156 other officers from around the Nation. The names of those 158 officers will forever be remembered on the walls of the National Law Enforcement Officers Memorial.

Whether in the Capitol Building, on the highway, or in our neighborhoods, these men and women put on a badge and strapped on a gun, knowing that they risked their lives. No one escapes death. That is a fact that we have known since a young age. Our lives are precious, and a gift that is to be cherished and celebrated to its fullest. Yet, putting duty to their profession ahead of boundless risks, these officers forfeited that gift for what they believed in.

For the 158 officers who lost their lives in 1998, their tragic deaths came too soon and without reasonable cause. In an instant, the families and colleagues of these officers had someone they loved and cared for taken away from them. And in an instant, we lost a dedicated and committed community servant.

Abraham Lincoln once stated that "Those brave men who here gave their lives that that Nation might live." The fallen men and women that we honor today gave their lives upholding the laws vital to maintaining our democratic form of government. Just as President Lincoln honored the fallen heroes of a war between brothers, we honor the brave husbands, wives, fathers and mothers from departments across the country that sacrificed their lives, enforcing the laws of rural towns and urban cities across America.

God bless our fallen officers.

Mr. HAYES. Mr. Speaker, I rise today in honor of National Police Week to pay tribute to the men and women who serve as Law Enforcement officers across the United States. This includes police officers, sheriff's deputies, correctional officers, parole and probation agents, and pretrial services officers.

Police officers are on the front lines every day protecting our streets, communities, and neighborhoods. So often we overlook the

many duties that police officers perform on a daily basis.

Crime statistics nationwide have shown a dramatic decrease over the past 3 years in homicides, violent crimes, and property crimes. But, until those statistics become non-existent, we need to support our law enforcement officials at every level of government.

On a federal level, we need to give local law enforcement the support they need to be successful and safe. Programs like the Bulletproof Vest Initiative, has given rural communities the chance to quality for grants to increase officer safety. Advancements in the Criminal Justice Information Network have given local agencies the ability to better communicate and exchange critical information.

Mr. Speaker, we will also be celebrating Peace Officers Memorial Day this week. Two communities in my district in North Carolina have been leaders in paying tribute to fallen officers. Ann Cannon led the effort in my hometown, Concord, N.C., to erect a memorial in the center of town. Even today, citizens in Albermarle, N.C., are dedicating a memorial to their fallen officers.

I want to highlight the efforts of one local sheriff in my district. Sheriff Tony Frick, of Stanly County, is looking inward to community members to help solve crime problems. Stanly County residents are sponsoring the Save our Sheriff (S.O.S.) Walk-a-thon in support of the Sheriff's Department and updating obsolete equipment.

I would remiss if I did not mention the families of those we recognize today. The families of our peace officers deserve our admiration for their steadfast support of those selfless citizens who willingly make the necessary sacrifices to preserve public safety.

Ms. JACKSON-LEE of Texas. Mr. Speaker, President John F. Kennedy once remarked, "A man does what he must—in spite of personal consequences, in spite of obstacles and dangers and pressures—and that is the basis of all human morality." These slain officers truly uphold this lofty standard. As responsible defenders of our country, they protected our citizens from mortal danger, and it cost them their very lives.

Mr. Speaker, I rise in support of this House Resolution. This bill expresses the sense of the House that law enforcement officers killed in the line of duty should be honored, their dedication and sacrifice recognized and their service to the nation remembered.

Today, I would like to acknowledge the courage and dedication that these slain officers exemplified in their careers. The resolution before us seeks to honor the memories of these brave men who served their country with the utmost dignity.

Whenever an officer is killed in the line of duty the pall of sorrow falls upon our great Nation. We all pause today to remember our heroes whose lives were prematurely ended. In 1997, some 159-law enforcement officers died in the line of duty.

Mr. Speaker, it is fitting that as we pause today to remember our nation's fallen officers, that we remember the two Capitol Hill Police officers who lost their lives in the line of duty. Officer Chestnut and Officer Gibson protected the very core of our American society, our belief in the preservation of life. I am also honored that the names of Officer Chestnut and Gibson will be associated with the building, which houses the Capitol Hill Police. This

small gesture will ensure that we remember their selfless acts of valor.

I offer my utmost sympathy to the families and friends of our fallen heroes who will gather in Washington on May 15, 1999 to honor the memories of their loved ones. Given their loss, I feel that we must ensure the memory of the courage displayed by these fallen officers by supporting this House resolution.

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

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and agree to the resolution, House Resolution 165.

The question was taken.

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

The yeas and nays were ordered.

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

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The Speaker pro tempore laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure, which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, CONGRESS OF THE UNITED STATES, HOUSE OF REPRESENTATIVES,
Washington, DC, April 15, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House, Washington, DC.

DEAR MR. SPEAKER: Enclosed are copies of resolutions adopted on April 15, 1999 by the Committee on Transportation and Infrastructure. Copies of the resolutions are being transmitted to the Department of the Army.

With kind personal regards, I am

Sincerely,

BUD SHUSTER,
Chairman.

Enclosures.

RESOLUTION—DOCKET 2592—HUDSON RIVER AT HUDSON, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Hudson River, New York published as House Document 149, 72nd Congress and other pertinent reports, with a view to determining whether any modifications of recommenda-

tions contained therein are advisable at the present time, in the interest of water resources development including navigation, environmental restoration and protection, and other allied purposes for the Hudson River at Hudson, New York.

Adopted: April 15, 1999.

Attest: Bud Shuster, Chairman.

RESOLUTION—DOCKET 2593—VENTURA RIVER, VENTURA COUNTY, CALIFORNIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Ventura River, Ventura County, California, published as House Document 323, 77th Congress, 1st Session, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at this time, in the interest of environmental restoration and protection, and related purposes, with particular attention to restoring anadromous fish populations on Matilija Creek and returning natural sand replenishment to Ventura and other Southern California beaches.

Adopted: April 15, 1999.

Attest: Bud Shuster, Chairman.

RESOLUTION—DOCKET 2594—ST. JOSEPH RIVER, LEO-CEDARVILLE, INDIANA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the St. Marys River, Ohio and Indiana, published as House Document 166, 72nd Congress, 1st Session, and other pertinent reports with a view to determining the advisability of providing flood control, erosion control, environmental restoration and protection, and related water resource improvements, including a riverfront master plan, and allied purposes at and in the vicinity of Leo-Cedarville, Allen County, Indiana.

Adopted: April 15, 1999.

Attest: Bud Shuster, Chairman.

RESOLUTION—DOCKET 2595—CITY OF SAN BERNARDINO, SAN BERNARDINO COUNTY, CALIFORNIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Santa Ana River Main Stem, including Santiago Creek, California, published as House Document 20, 99th Congress, 1st Session, and other pertinent reports to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of reducing the risks to public safety and property caused by flooding from high groundwater conditions, ground liquefaction, related water quality contamination, and environmental damage in the City of San Bernardino, California, and adjacent communities.

Adopted: April 15, 1999.

Attest: Bud Shuster, Chairman.

RESOLUTION—DOCKET 2596—PORT OF NEW YORK AND NEW JERSEY ENVIRONMENTAL RESTORATION

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the reports of the Chief of Engineers on the New York and New Jersey Channels, published as House Document 133, 74th Congress,

1st Session; the New York and New Jersey Harbor Entrance Channels and Anchorage Areas, published as Senate Document 45, 84th Congress, 1st Session; and the New York Harbor, NY Anchorage Channel, published as House Document 18, 71st Congress, 2nd Session, as well as other related reports with a view to determining the feasibility of environmental restoration and protection relating to water resources and sediment quality within the New York and New Jersey Port District, including but not limited to, creation, enhancement and restoration of aquatic, wetland, and adjacent upland habitats.

Adopted: April 15, 1999.

Attest: Bud Shuster, Chairman.

RESOLUTION—DOCKET 2597—UPPER MISSISSIPPI RIVER FROM LAKE ITASCA TO LOCK AND DAM 2, MINNESOTA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Mississippi River above Coon Rapids Dam near Minneapolis, Minnesota, published as House Document 66, 73rd Congress, 1st Session, and other pertinent reports with a view to determining whether modifications of the recommendations contained therein are advisable at this time in the interest of flood damage reduction, environmental restoration and protection, water quality and other purposes, with a special emphasis on determining the advisability of developing a comprehensive coordinated watershed management plan for the development, conservation, and utilization of water and related land resources in the Upper Mississippi River Basin from the Mississippi's headwaters to Lock and Dam #2 at Hastings, Minnesota.

Adopted: April 15, 1999.

Attest: Bud Shuster, Chairman

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The Speaker pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 1999.

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

DEAR MR. SPEAKER, Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on May 10, 1999 at 5:40 p.m., and said to contain a message from the President whereby he submits a certification pursuant to Section 1512 of Public Law 105-251.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk.

CERTIFICATION REGARDING EXPORT OF SATELLITE FUELS TO CHINA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106-60)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together

with the accompanying papers, without objection, referred to the Committees on Armed Services and the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

In accordance with the provisions of section 1512 of Public Law 105-261, the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999, I hereby certify that the export to the People's Republic of China of satellite fuels and separation systems for the U.S.-origin Iridium commercial communications satellite program:

(1) is not detrimental to the United States space launch industry; and

(2) the material and equipment, including any indirect technical benefit that could be derived from such export, will not measurably improve the missile or space launch capabilities of the People's Republic of China.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 10, 1999.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain special order speeches without prejudice to the resumption of legislative business.

ON HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Iowa (Mr. GANSKE) is recognized for 60 minutes as the designee of the majority leader.

Mr. GANSKE. Mr. Speaker, I have taken to the well of this Chamber many times to talk about the need to enact meaningful patient protection legislation. Unfortunately, there remains a compelling need for Federal action, and I am far from alone in holding that view.

Last week, for example, Paul Elwood gave a speech at Harvard University on health care quality. Elwood isn't exactly a household name, but he is considered the father of the HMO movement.

Elwood told a startled group that he did not think health care quality would improve without government-imposed protections. Market forces, he told the group, "will never work to improve quality, nor will voluntary efforts by doctors and health plans."

Mr. Elwood went on to say, and I quote, "It doesn't make any difference how powerful you are or how much you know. Patients get atrocious care and can do very little about it. I've increasingly felt we've got to shift the power to the patient. I'm mad, in part because I've learned that terrible care can happen to anyone."

This is a quote by Paul Elwood, the father of the American HMO movement. Mr. Speaker, this is not the commentary of a mother whose child was injured by her HMO's refusal to author-

ize care. It is not the statement of a doctor who could not get requested treatment for a patient. Mr. Speaker, these words suggesting that consumers need real patient protection legislation to protect them from HMO abuses come from the father of managed care.

Mr. Speaker, I am tempted to stop here and to let Dr. Elwood's speaks for themselves, but I think it is important to give my colleagues an understanding of the flaws in the health care market that led Dr. Elwood to reach his conclusion.

Cases involving patients who lose their limbs or even their lives are not isolated examples. They are not anecdotes.

In the past, I have spoken on this floor about little Jimmy Adams, a 6-month-old infant who lost both hands and both feet when his mother's health plan made them drive many miles to go to an authorized emergency room rather than stopping at the emergency room which was closest.

The May 4 USA Today contains an excellent editorial on that subject. It is entitled, Patients Face Big Bills as Insurers Deny Emergency Claims.

After citing a similar case involving a Seattle woman, USA Today made some telling observations:

"Patients facing emergencies might feel they have to choose between putting their health at risk and paying a huge bill they may not be able to afford."

Or, "All patients are put at risk if hospitals facing uncertainty about payment are forced to cut back on medical care."

This is hardly an isolated problem. The Medicare Rights Center in New York reported that 10 percent of complaints about Medicare HMOs related to denials for emergency room bills.

The editorial noted that about half the States have enacted a "prudent layperson" definition for emergency care this decade, and Congress has passed such legislation for Medicare and Medicaid.

Nevertheless, the USA Today editorial concludes that this patchwork of laws would be much strengthened by passage of a national prudent layperson standard.

The final sentence of the editorial reads, "Patients in distress should not have to worry about getting socked with big health bills by firms looking only at their bottom line."

Mr. Speaker, I include the full text of the editorial in the RECORD at this point.

[From USA Today]

TODAY'S DEBATE: PAYING FOR EMERGENCY CARE—PATIENTS FACE BIG BILLS AS INSURERS DENY EMERGENCY CLAIMS

Our View—Industry Promises to Fix the Problem Fail, Investigations Begin

Early last year, a Seattle woman began suffering chest pains and numbness while driving. The pain was so severe that she pulled into a fire station seeking help, only to be whisked to the nearest hospital, where she was promptly admitted.

To most that would seem a prudent course of action. Not to her health plan. It denied payment because she didn't call the plan first to get "pre-authorized," according to an investigation by the Washington state insurance commissioner.

The incident is typical of the innumerable bureaucratic hassles patients confront as HMOs and other managed care companies attempt to control costs. But denial of payment for emergency care presents a particularly dangerous double whammy:

Patients facing emergencies might feel they have to choose between putting their health at risk and paying a huge bill they may not be able to afford.

All patients are put at risk if hospitals, facing uncertainty about payment, are forced to cut back on medical care.

Confronted with similar outrages a few years ago, the industry promised to clean up its act voluntarily, and it does by and large pay up for emergency care more readily than it did a few years ago. In Pennsylvania, for instance, denials dropped to 18.6% last year from 22% in 1996.

That's progress, but not nearly enough. Several state insurance commissioners have been hit with complaints about health plans trying to weasel out of paying for emergency room visits that most people would agree are reasonable—even states that mandate such payments. Examples:

Washington's insurance commissioner sampled claims in early 1998 and concluded in an April report that four top insurers blatantly violated its law requiring plans to pay for ER care. Two-thirds of the denials by the biggest carrier in the state—Regence BlueShield—were illegal, the state charged, as were the majority of three other plans' denials. The plans say those figures are grossly inflated.

The Maryland Insurance Administration is looking into complaints that large portions of denials in the state are illegal. In a case reported to the state, an insurance company denied payment for a 67-year-old woman complaining of chest pain and breathing problems because it was "not an emergency."

Florida recently began an extensive audit of the state's 35 HMOs after getting thousands of complaints, almost all involving denials or delays in paying claims, including those for emergency treatments.

A report from the New York-based Medicare Rights Center released last fall found that almost 10% of those who called the center's hotline complained of HMO denials for emergency room bills.

ER doctors in California complain the Medicaid-sponsored health plans routinely fail to pay for ER care, despite state and federal requirement to do so. Other states have received similar reports, and the California state Senate is considering a measure to toughen rules against this practice.

The industry has good reason to keep a close eye on emergency room use. Too many patients use the ER for basic health care when a much cheaper doctor's visit would suffice.

But what's needed to address that is better patient education about when ER visits are justified and better access to primary care for those who've long had no choice other than the ER, not egregious denials for people with a good reason to seek emergency care.

Since the early 1990s, more than two dozen states have tried to staunch that practice with "prudent laypersons" rules. The idea is that if a person has reason to think his condition requires immediate medical attention, health plans in the state are required to pay for the emergency care. Those same rules now apply for health plans contracting with Medicare and Medicaid.

A national prudent layperson law covering all health plans would help fill in the gaps left by this patchwork of state and federal rules.

At the very least, however, the industry should live up to its own advertised standards on payments for emergency care. Patients in distress should not have to worry about getting socked with big health bills by firms looking only at their own bottom line.

Mr. Speaker, there are few people in this country who have not personally had a difficult time getting health care from an HMO. Whether we are talking about extreme cases like James Adams or the routine difficulties obtaining care that seem all too common, the public is getting frustrated by managed care. The HMO industry has earned a reputation with the public that is so bad that only tobacco companies are held in lower esteem.

Let me cite a few statistics to back this up. Mr. Speaker, by more than two to one, Americans support more government regulation of HMOs. Last month, the Harris Poll revealed that only 34 percent of Americans think that managed care companies do a good job of serving their customers. That is down sharply from the 45 percent who thought so just a year ago.

Maybe more amazing were the results when Americans were asked whether they trusted a company to do the right thing if they had a serious problem. By nearly a two to one margin, Americans would not trust HMOs in such a situation. That level of confidence was far behind other industries, such as hospitals, airlines, banks, automobile manufacturers and pharmaceutical companies. In fact, the only industry to fare worse in the survey than HMOs were tobacco companies.

Anyone who still needs proof that managed care reform is popular with the public just needs to go to the movie, *As Good As It Gets*. Audiences clapped and cheered when during the movie Academy Award winner Helen Hunt expressed an expletive about the lack of care her asthmatic son was getting from their HMO. No doubt the audience's reaction was fueled by dozens of articles and news stories highly critical of managed care and also by real-life experiences.

□ 1545

In September 1997 the Des Moines Register ran an op-ed piece entitled, "The Chilly Bedside Manner of HMOs," by Robert Reno, a Newsweek writer.

The New York Post ran a week-long series on managed care. The headlines included "HMO's Cruel Rules Leave Her Dying for the Doc She Needs."

Another headline blared out: "Ex New Yorker Is Told: Get Castrated So We Can Save Dollars."

Or how about this headline? "What His Parents Didn't Know About HMOs May Have Killed This Baby."

Or how about the 29-year-old cancer patient whose HMO would not pay for his treatments? Instead the HMO case manager told him to have a fund-raiser. A fund-raiser. Mr. Speaker, I cer-

tainly hope that campaign finance reform will not stymie this man's attempts to get his cancer treatment.

To counteract this, this image in the public, even some health plans have taken to bashing their colleagues. Here in Washington one ad declared, "We don't put unreasonable restrictions on our doctors, we don't tell them they can't send you to a specialist."

In Chicago Blue Cross ads proclaimed, "We want to be your health plan, not your doctor."

In Baltimore an ad for Preferred Health Network assured customers: "At your average health plan cost controls are regulated by administrators. At PHN doctors are responsible for controlling costs."

Mr. Speaker, advertisements like these demonstrate that even the HMOs know that there are more than a few rotten apples in the barrel.

An example of this problem can be found in the recent 10th Circuit Court of Appeals decision in the case *Jones v. Kodak*. The name Jones is particularly appropriate because after this decision other health plans will rush to keep up with what their competitors are doing to the Joneses in this world. In *Jones v. Kodak* the 10th Circuit Court of Appeals showed how a clever health plan can use federal law to keep patients from getting needed medical care. The facts are relatively simple:

Mrs. Jones received health care through her employer, Kodak. The plan covers inpatient substance abuse treatment when medically necessary. The determination as to whether a particular substance abuse service is medically necessary is made by American Psych Management, APM.

Mr. Speaker, APM reviewed a request for inpatient substance abuse treatment and found that Mrs. Jones did not meet APM's protocol for inpatient mental health hospitalization. The family pursued the case further, eventually persuading the health plan to send the case to an independent medical expert for review. The reviewer agreed that Mrs. Jones did not qualify for the benefit under the criteria established by the plan. But the reviewer observed that, "the criteria are too rigid and do not allow for individualization of case management." In other words, the criteria were not appropriate to Mrs. Jones' condition. His hands being tied, the reviewer was unable to reverse APM's original decision.

So Mrs. Jones sued for the failure to pay the claim. The trial court affirmed the court's decision to grant summary judgment to the defendants. The 10th Circuit Court of Appeals held the following:

"The Employment Retirement Income Security Act's disclosure provisions do not require that the plan's summary contained particularized criteria for determining medical necessity."

The court went on.

"The unpublished APM criteria were part of the plan's terms. Because we

consider the APM criteria a matter of planned design and structure rather than implementation, we agree that a court cannot review them.”

Mr. Speaker, in layman's terms this means that a plan does not have to disclose the treatment guidelines or protocols it uses to determine whether or not a patient should get care. Moreover, any treatment guidelines used by the plan would be considered part of the plan design and thus are not reviewable by a court.

The implications of this decision, Mr. Speaker, are in a word “breath-taking”. *Jones v. Kodak* provides a virtual road map to enterprising health plans on how to deny payment for medically necessary care. The decision is a clear indication of why we need Federal legislation to ensure that treatment decisions are based on good medical practice and take into consideration the individual patient's circumstances.

Under *Jones v. Kodak*, health plans do not need to disclose to potential or even current enrollees the specific criteria they use to determine whether a patient will get treatment. There is no requirement that a health plan uses guidelines that are applicable or appropriate to a particular patient's care.

Despite these limitations, *Jones* compels external reviewers to follow the plan's inappropriate treatment guidelines because to do otherwise would violate the sanctity of ERISA, and most important to the plan, the decision assures the HMOs that, if they are following their own criteria, then they are shielded from court review. It makes no difference how inappropriate or inflexible the criteria may be since, as the court in *Jones* noted, this is a plan design issue and, therefore, not reviewable under ERISA.

Mr. Speaker, if Congress through patient protection legislation does not act to address this issue, many more patients are going to be left with no care and no recourse to get that care. *Jones v. Kodak* sets a chilling precedent making health plans and the treatment protocols untouchable. The case in effect encourages health plans to concoct rigid and potentially unreasonable criteria for determining when a covered benefit is medically necessary. That way they can easily deny care and cut costs, all the while insulated from responsibility for the consequences of their actions.

Let me give my colleagues an example. A plan could promise to cover cleft lip surgery for those born with that birth defect. But they could then put in undisclosed documents that the procedure is only medically necessary once the child reaches the age of 16. Or that coronary bypass operations are only medically appropriate for those who have previously survived two heart attacks.

Mr. Speaker, you may think that sounds absurd, but that is the way the law reads. Logic and principles of good medical practice would dictate that that is not sound health care, but the

Jones case affirms that health plans do not have to consider medicine at all. They can be content to consider only the bottom line.

Unless Federal legislation addresses this issue, patients will never be able to find out what criteria their health plan uses to provide care, and external reviewers who are bound by current law will be unable to pierce those policies and reach independent decisions about the medical necessity of a proposed treatment using clinical standards of care, and Federal ERISA law will prevent courts from engaging in such inquiries also. The long and the short of the matter is that sick patients will find themselves without proper treatment and without recourse.

Mr. Speaker, I have introduced legislation, H.R. 719, the Managed Care Reform Act, which addresses the very real problems in managed care. It gives patients meaningful protections. It creates a strong and independent external review process, and it removes the shield of ERISA which health plans have used to prevent State court negligence actions by enrollees who have been injured as a result of that plan's negligence.

This bill has received a great deal of support and has been endorsed by consumer groups like the Center For Patient Advocacy, the American Cancer Society, the National MS Society. It is also supported by many health care provider groups such as the American Academy of Family Physicians whose professionals are on the front lines and have seen how faceless HMO bureaucrats thousands of miles away, bureaucrats who have never seen the patient, can deny needed medical care because it does not fit their, quote, criteria unquote.

Mr. Speaker, I would like to focus on one small aspect of my bill, specifically the way in which it addresses the issue of the Employee Retirement Income Security Act, ERISA. It is alarming to me that ERISA combines a lack of effective regulation of health plans with a shield for health plans that largely gives them immunity from liability for their negligent decisions.

Personal responsibility has been a watch word for this Republican Congress, and this issue should be no different. Health plans that recklessly deny needed medical service should be made to answer for their conduct. Laws that shield entities from their responsibility only encourage them to cut corners. Congress created the ERISA loophole and Congress should fix it.

Mr. Speaker, my bill has a compromise on the issue of health plan liability. I continue to believe that health plans that make negligent medical decisions should be accountable for those decisions, but winning a lawsuit is little consolation to a family that has lost a loved one. The best HMO bill assures that health care is delivered when it is needed, and I also believe that the liability should attach to the

entity that is making those medical decisions. Many self insured companies contract with large managed care plans to deliver care. If the business is not making those discretionary decisions, under my bill they would not face liability. But if they cross the line and they determine whether a particular treatment is medically necessary in a given case, then they are making medical decisions and they should be held responsible for their actions.

Now, Mr. Speaker, to encourage health plans to give patients the right care without having to go to court my bill provides for both an internal and an external appeals process that is binding on the plan, and an external review could be requested by either the patient or the health plan. I can see circumstances where a patient is requesting an obviously inappropriate treatment; let us say laetrile, and the plan would want to send the case to external review. The external review would back up their denial. It would give them, in effect, a defense if they are ever dragged into court.

When I was discussing this idea with the President of Wellmark Iowa Blue Cross/Blue Shield, he expressed support for the strong external review. In fact, he told me that his company is instituting most of the recommendations of the President's Commission on Health Care Quality and that he did not foresee any premium increases as a result. Mostly what it meant, he told me, was tightening existing safeguards and policies already in place.

Now, Mr. Speaker, this chief executive also told me that he could support a strong, independent, external review system like the one in my bill, but he cautioned: If we did not make the decision and are just following the recommendations of the review panel, then we should not be liable for punitive damages, and I agree with that. Punitive damages awards are to punish outrageous and malicious conduct. If a health plan follows a recommendation of an independent review board composed of medical experts, it is tough to figure out how they acted with malice. So my bill provides health plans with a complete shield from punitive damages if they follow the recommendation of that external review panel, and that I think is a fair compromise on this issue of health plan liability.

And I certainly suspect that Aetna wishes that they had had an independent peer panel available even with a binding decision on care when it denied care to David Goodrich. Earlier this year a California jury handed down a verdict of \$116 million in punitive damages to his widow, Teresa Goodrich. If Aetna or the Goodriches had had ability to send the denial of care to external review, they could have avoided the courtroom. But more importantly, David Goodrich might still be alive today.

Mr. Speaker, that is why my plan should be attractive to both sides. Consumers get a reliable and quick external appeals process which will help

them get the care they need. But if the plan fails to follow the external reviewer's decision, the patient can sue for punitive damages, and health insurers whose greatest fear is that 50 or \$100 million punitive damage award can shield themselves from those astronomical awards but only if they follow the recommendations of an independent review panel which is free to reach its own decision about what care is medically necessary.

□ 1600

The HMOs say that my legislation and other patient protection legislation would cause premiums to skyrocket. There is ample evidence, however, that that would not be the case.

Last year, the Congressional Budget Office estimated that a similar proposal, which did not include the punitive damages relief, would increase premiums around 4 percent over 10 years.

When Texas passed its own liability law 2 years ago, the Scott and White Health Plan estimated that premiums would have to increase just 34 cents per member per month to cover the costs. These are hardly alarming figures.

The low estimate by Scott and White seems accurate since only one suit has been filed against the Texas health plan since Texas passed patient protection legislation removing the liability shield. That is far from the flood of litigation that opponents predicted.

I have been encouraged by the positive response my bill has received, and I think that this could be the basis for a bipartisan bill this year. In fact, the Hartford Courant, a paper located in the heart of insurance country, ran a very supportive editorial on my bill by John MacDonald. Speaking of the punitive damages provision, MacDonald called it a reasonable compromise and urged insurance companies to embrace the proposal as, quote, the best deal they may see in a long time, unquote.

Mr. Speaker, I include the full text of the editorial by John MacDonald in the RECORD at this point.

[From the Hartford Courant, March 27, 1999]

A COMMON-SENSE COMPROMISE ON HEALTH CARE

(By John MacDonald)

U.S. Rep. Greg Ganske is a common-sense lawmaker who believes patients should have more rights in dealing with their health plans. He has credibility because he is a doctor who has seen the runaround patients sometimes experience when they need care. And he's an Iowa Republican, not someone likely to throw in with Congress' liberal left wing.

For all those reasons, Ganske deserves to be heard when he says he has found a way to give patients more rights without exposing health plans to a flood of lawsuits that would drive up costs.

Ganske's proposal is included in a patients' bill of rights he has introduced in the House. Like several other bills awaiting action on Capitol Hill, Ganske's legislation would set up a review panel outside each health plan where patients could appeal if they were denied care. Patients could also take their appeals to court if they did not agree with the review panel.

But Ganske added a key provision designated to appeal to those concerned about an explosion of lawsuits. If a health plan followed the review panel's recommendation, it would be immune from punitive damage awards in disputes over a denial of care. The health plan also could appeal to the review panel if it thought a doctor was insisting on an untested or exotic treatment. Again, health plans that followed the review panel's decision would be shielded from punitive damage awards.

This seems like a reasonable compromise. Patients would have the protection of an independent third-party review and would maintain their right to go to court if that became necessary. Health plans that followed well-established standards of care—and they all insist they do—would be protected from cases such as the one that recently resulted in a \$120.5 million verdict against an Aetna plan in California. Ganske, incidentally, calls that award "outrageous."

What is also outrageous is the reaction of the Health Benefits Coalition, a group of business organizations and health insurers that is lobbying against patients' rights in Congress. No sooner had Ganske put out this thoughtful proposal than the coalition issued a press release with the headline: Ganske Managed Care Reform Act—A Kennedy-Dingell Clone?

The headline referred to Sen. Edward M. Kennedy, D-Mass., and Rep. John D. Dingell, D-Mich., authors of a much tougher patients' rights proposal that contains no punitive damage protection for health plans.

The press release said: "Ganske describes his new bill as an affordable, common sense approach to health care. In fact, it is neither: It increases health care costs at a time when families and businesses are facing the biggest hike in health care costs in seven years."

There is no support in the press release for the claim of higher costs. What's more, the charge is undercut by a press release from the Business Roundtable, a key coalition member, that reveals that the Congressional Budget Office has not estimated the cost of Ganske's proposal. The budget office is the independent reviewer in disputes over the impact of legislative proposals.

So what's going on? Take a look at the coalition's record. Earlier this year, it said it was disappointed when Rep. Michael Bilirakis, R-Fla., introduced a modest patients' rights proposal. It said Sen. John H. Chafee, R-R.I., and several co-sponsors had introduced a "far left" proposal that contains many extreme measures. John Chafee, leftist? And, of course, it thinks the Kennedy-Dingell bill would be the end of health care as we know it.

The coalition is right to be concerned about costs. But the persistent No-No-No chorus coming from the group indicates it wants to pretend there is no problem when doctor-legislators and others know better.

This week, Ganske received an endorsement for his bill from the 88,000-member American Academy of Family Physicians. "These are the doctors who have the most contact with managed care," Ganske said. "They know intimately what needs to be done and what should not be done in legislation."

Coalition members ought to take a second look. Ganske's proposal may be the best deal they see in a long time.

Mr. Speaker, it is also important to state what this bill does not do to ERISA plans. It does not eliminate the Employment Retirement Income Security Act or otherwise force large multistate health plans to meet benefit mandates of each and every of the 50

States. This is an exceedingly important point.

Just 2 weeks ago, representatives of a major employer from the upper Midwest were in my office. They urged me to rethink my legislation because they alleged it would force them to comply with benefit mandates of each State and that the resulting rise in costs would force them to discontinue offering health insurance to employees.

Frankly, Mr. Speaker, I was stunned by their comments, because their fears are totally unfounded. It is true that my bill would lower the shield of ERISA and allow plans to be held responsible for their negligence, but it would not alter the ability of group health plans to design their own benefits package.

Let me be absolutely clear on this point. The ERISA amendments in my bill would allow States to pass laws to hold health plans accountable for their actions. It would not allow States to subject ERISA plans to a variety of State benefit mandates.

Mr. Speaker, there are other pressing issues that require our prompt attention. In particular, the crisis in the Balkans is becoming a humanitarian tragedy of unspeakable proportions. No matter what else Congress does, we have to stand ready to help the displaced Kosovars with food, clothing and shelter.

Regardless of how the crisis in the Balkans evolves, it would be irresponsible for Congress to ignore domestic policy issues. The need for meaningful patient protection legislation continues to fester.

Before closing, Mr. Speaker, I also want to address something that should not be in patient protection legislation, and I am speaking specifically of extraneous provisions that could bog down the bill and severely weaken its chances for passage and for being signed into law.

In particular, there have been reports in the press and elsewhere that the managed care reform legislation will at some point be married with a bill to increase access to health insurance. Let me be perfectly clear on this. I strongly believe that Congress should consider ways to make health insurance more affordable. It would be a tremendous mistake, however, in my opinion, to try to marry these two ideas together. It would present too many opportunities for needed patient protections to become sidetracked in fights over tax policy and the future of the employer-based health system.

There are many reforms to improve access to health care that I support. I have long advocated medical savings accounts. In fact, Mr. Speaker, I wrote a white paper about their potential benefits in 1995 and was pleased to see them created first for small businesses and the uninsured and then 2 years ago for Medicare recipients.

I also support changing the law so individuals receive the same tax treatment as large businesses when buying

health insurance. It makes no sense to me why a big business and its employees can deduct the cost of health benefits but an employee of a small company that does not offer health insurance must pay all of the cost with after-tax dollars.

Finding the money to provide this tax equity is not going to be easy.

I believe that ideas like association health plans, also known as multiple employer welfare associations, MEWAs, and healthmarts could destroy the individual market by leaving it with a risk pool that is sicker and more expensive.

Let me give some specific concerns about association health plans or multiple employer welfare associations. Simply put, an association health plan is a pool of individuals who are employers who band together and form a group that self-insures. By doing so, they remove themselves from regulation by State insurance commissioners and instead subject themselves to regulation by Federal ERISA law.

While association health plans may provide a measure of efficiency for employers, they leave employees without any real safeguards against the less honorable practices of HMOs. In a very real sense, ERISA remains the Wild West of health care. Unlike State laws which regulate quality, ERISA contains only minimal safeguards for quality. Let me explain.

ERISA places only limited requirements on health plans. They must act as fiduciaries, meaning they must exercise sound management consistent with rules established by a plan sponsor. They must provide written notice to beneficiaries whose claims have been denied, setting forth the reasons. They must disclose some information about the plan to participants of beneficiaries. They cannot discriminate against beneficiaries. They have to allow certain employees, usually those who have been terminated, to purchase COBRA coverage. They have to provide coverage to adopted children in the same manner they cover natural children, and they have to comply with the 1996 HIPAA law in regards to portability.

That sounds all right, but consider what ERISA does not require. Among its many requirement shortcomings, ERISA does not impose any quality assurance standards or other standards for utilization review. ERISA does not allow consumers to recover compensatory or punitive damages if a court finds against the health plan in a claims dispute. ERISA does not prevent health plans from changing, reducing or terminating benefits; and with few exceptions ERISA does not regulate the design or content such as covered services or cost sharing of a plan. Remember from the Jones case how important that can be. And ERISA does not specify any requirements for maintaining plan solvency.

I confess, I cannot understand why some Members would want to place

more employees in health plans regulated by ERISA. If anything, we should be moving in the opposite direction and returning regulatory authority to State insurance commissioners.

The patient protection legislation is intended to fix some very real problems in ERISA. I will not consider adding to the number of people under its regulatory umbrella until I see meaningful patient protections for them signed into law.

I am certainly not alone in my concerns about association health plans. When they were proposed as part of the Republican patient protection bill last year, they drew significant opposition from Blue Cross/Blue Shield plans and the National Association of Insurance Commissioners.

Blue Cross, the insurer of last resort for many States, fears that association health plans will undermine State programs to keep insurance affordable. Joined by the Health Insurance Association of America, they wrote, "Association health plans would undermine the most volatile segments of the insurance market, the individual and small group markets. The combinations of these with healthmarts could lead to massive market segmentation and regulatory confusion."

A constituent of mine and an insurance industry professional wrote to me to express his concerns about association health plans. He wondered why these plans "can sell whatever level of benefits they want to provide and can limit coverage for any type of benefit the plan might want to cover."

Now, some may say that these concerns reflect the self-interest of the industry. Before buying into that argument, consider an editorial by *The Washington Post* a year ago. In criticizing association health plans, and I would say, by extension, healthmarts, the *Post* pointed out that, "if you free the MEWAs, multiple employer welfare associations, you create a further split in the insurance market which likely will end up helping mainly healthy people at the expense of the sick."

Some may say that *The Washington Post* is a relentlessly liberal paper and that it cannot be considered an objective source. Then consider what the American Academy of Actuaries had to say about association health plans. In a letter to Congress in June, 1997, they wrote, "While the intent of the bill is to promote association health plans as a mechanism for improving small employers' access to affordable health care, it may only succeed in doing so for employees with certain favorable risk characteristics. Furthermore, this bill contains features which may actually lead to higher insurance costs."

The Academy went on to explain how these plans could undermine State insurance regulation. "The resulting segmentation of the small employer group market into higher and lower cost groups would be exactly the type of segmentation that many State reforms have been designed to avoid. In this

way, exempting them from State mandates would defeat the public policy purposes intended by State legislatures."

The Academy also pointed out that these plans "weaken the minimum solvency standards for small plans relative to the insured marketplace, which may increase the chance for bankruptcy of a health plan."

Still not convinced? Well, how about a letter jointly signed by the National Governors Association, the National Conference of State Legislatures and the National Association of Insurance Commissioners. In a letter to Congress, these groups argued that association health plans, and I might add healthmarts, "substitute critical State oversight with inadequate Federal standards to protect consumers and to prevent health plan fraud and abuse."

Think these are just the concerns of Washington insiders? Legislators in my own State took time to write and express their concerns about association health plans. A letter signed by six members of the Iowa House of Representatives urged rejection of association health plans. They wrote, "Under the guise of allowing employers to join large purchasing groups to lower health care costs, these proposals would result in large premium increases for small employers and individuals by unraveling State insurance reforms and fragmenting the market."

Mr. Speaker, attempting to attach association health plan legislation or healthmart legislation to patient protection legislation poses two very real dangers. First, association health plans undermine the individual insurance market and can leave consumers without meaningful protections from HMO abuses; and, second, I am very concerned that opposition to healthmarts and association health plans, much like that I have already cited today, will bog down patient protection legislation, leading it to suffer the same death that it did last year.

Mr. Speaker, on behalf of patients like Jimmy Adams, who lost his hands and feet because an HMO would not let his parents take him to the nearest emergency room, I will fight efforts to derail managed care reform by adding these sorts of extraneous provisions; and I pledge to do whatever it takes to ensure that opponents of reform are not allowed to mingle these issues in order to prevent passage of meaningful patient protections.

Mr. Speaker, I look forward to working with all my colleagues to see that passage of real HMO reform is an accomplishment of the 106th Congress, something we all, on both sides of the aisle, can be proud of.

RECESS

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

Accordingly (at 4 o'clock and 15 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1800

AFTER RECESS

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

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 775, YEAR 2000 READINESS AND RESPONSIBILITY ACT

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106-134) on the resolution (H. Res. 166) providing for the consideration of the bill (H.R. 775) to establish certain procedures for civil actions brought for damages relating to the failure of any device or system to process or otherwise deal with the transition from the year 1999 to the year 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H.R. 1550, as amended, by the yeas and nays; and House Resolution 165, by the yeas and nays.

The Chair will reduce to 5 minutes the time for the second electronic vote.

FIRE ADMINISTRATION AUTHORIZATION ACT OF 1999

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1550, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 1550, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 417, nays 3, not voting 13, as follows:

[Roll No. 121]

YEAS—417

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

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

NAYS—3

NOT VOTING—13

□ 1821

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COBLE. Mr. Speaker, on rollcall No. 121, I was unavoidably detained. Had I been present, I would have voted "aye."

Mr. KASICH. Mr. Speaker, on Tuesday, May 11, 1999, I was unable to record a vote by electronic device on Roll Number 121, to authorize appropriations for the United States Fire Administration for fiscal years 2000 and 2001, and for other purposes. Had I been present, I would have voted "yea" on Roll Number 121.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

HONORING AND RECOGNIZING SLAIN LAW ENFORCEMENT OFFICERS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 165.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and agree to the resolution, H. Res. 165, 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 420 nays 0, not voting 13, as follows:

[Roll No. 122]

YEAS—420

Abercrombie	Cubin	Hilliard
Ackerman	Cummings	Hinchev
Aderholt	Cunningham	Hinojosa
Allen	Danner	Hobson
Andrews	Davis (FL)	Hoeffel
Archer	Davis (IL)	Hoekstra
Army	Davis (VA)	Holden
Bachus	Deal	Holt
Baird	DeFazio	Hooley
Baker	DeGette	Horn
Baldacci	DeLahun	Hostettler
Baldwin	DeLauro	Houghton
Ballenger	DeLay	Hoyer
Barcia	DeMint	Hulshof
Barr	Deutsch	Hunter
Barrett (NE)	Diaz-Balart	Hutchinson
Barrett (WI)	Dickey	Hyde
Bartlett	Dicks	Inslee
Barton	Dingell	Isakson
Bass	Dixon	Istook
Bateman	Doggett	Jackson (IL)
Becerra	Dooley	Jackson-Lee
Bentsen	Doolittle	(TX)
Bereuter	Doyle	Jefferson
Berkley	Dreier	Jenkins
Berman	Duncan	John
Berry	Dunn	Johnson (CT)
Biggert	Edwards	Johnson, E. B.
Bilbray	Ehlers	Johnson, Sam
Bilirakis	Ehrlich	Jones (NC)
Bishop	Emerson	Jones (OH)
Blagojevich	Engel	Kanjorski
Bliley	English	Kaptur
Blumenauer	Eshoo	Kelly
Blunt	Etheridge	Kennedy
Boehlert	Evans	Kildee
Boehner	Everett	Kilpatrick
Bonilla	Ewing	Kind (WI)
Bonior	Farr	King (NY)
Bono	Fattah	Kingston
Borski	Filner	Klecza
Boswell	Fletcher	Klink
Boucher	Foley	Knollenberg
Boyd	Forbes	Kolbe
Brady (PA)	Ford	Kucinich
Brady (TX)	Fossella	Kuykendall
Brown (FL)	Fowler	LaFalce
Brown (OH)	Frank (MA)	LaHood
Bryant	Franks (NJ)	Lampson
Burr	Frelinghuysen	Lantos
Burton	Frost	Largent
Buyer	Gallegly	Larson
Callahan	Ganske	Latham
Calvert	Gejdenson	LaTourette
Camp	Gekas	Lazio
Campbell	Gibbons	Leach
Canady	Gilchrest	Lee
Cannon	Gillmor	Levin
Capuano	Gilman	Lewis (CA)
Cardin	Gonzalez	Lewis (GA)
Carson	Goode	Lewis (KY)
Castle	Goodlatte	Linder
Chabot	Goodling	Lipinski
Chambliss	Gordon	LoBiondo
Chenoweth	Goss	Lofgren
Clay	Graham	Lucas (KY)
Clayton	Granger	Lucas (OK)
Clement	Green (TX)	Luther
Clyburn	Green (WI)	Maloney (CT)
Coble	Gutierrez	Maloney (NY)
Coburn	Gutknecht	Manzullo
Collins	Hall (OH)	Markey
Combest	Hall (TX)	Martinez
Condit	Hansen	Mascara
Conyers	Hastings (FL)	Matsui
Cook	Hastings (WA)	McCarthy (MO)
Cooksey	Hayes	McCarthy (NY)
Costello	Hayworth	McCollum
Cox	Hefley	McCreary
Coyne	Hergert	McDermott
Cramer	Hill (IN)	McGovern
Crane	Hill (MT)	McHugh
Crowley	Hilleary	McInnis

McIntosh	Price (NC)
McIntyre	Pryce (OH)
McKeon	Quinn
McKinney	Radanovich
McNulty	Rahall
Meehan	Ramstad
Meek (FL)	Rangel
Meeks (NY)	Regula
Menendez	Reynolds
Metcalf	Riley
Mica	Rivers
Millender-	Rodriguez
McDonald	Roemer
Miller (FL)	Rogan
Miller, Gary	Rogers
Miller, George	Rohrabacher
Minge	Ros-Lehtinen
Mink	Rothman
Moakley	Roukema
Mollohan	Royce
Moore	Rush
Moran (KS)	Ryan (WI)
Moran (VA)	Ryun (KS)
Morella	Sabo
Murtha	Salmon
Myrick	Sanchez
Nadler	Sanders
Neal	Sandlin
Nethercutt	Sanford
Ney	Sawyer
Northup	Saxton
Norwood	Schaffer
Nussle	Schakowsky
Oberstar	Scott
Obey	Sensenbrenner
Olver	Serrano
Ortiz	Sessions
Owens	Shadegg
Oxley	Shaw
Packard	Shays
Pallone	Sherman
Pascrell	Sherwood
Pastor	Shimkus
Paul	Shows
Payne	Shuster
Pease	Simpson
Pelosi	Skeen
Peterson (MN)	Skelton
Peterson (PA)	Smith (MI)
Petri	Smith (NJ)
Phelps	Smith (TX)
Pickering	Smith (WA)
Pickett	Snyder
Pitts	Souder
Pombo	Spence
Pomeroy	Spratt
Porter	Stabenow
Portman	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
Trafficant
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)

PERSONAL EXPLANATION

Mrs. CAPPS. Mr. Speaker, on rollcalls No. 121 and 122, an airline delay due to mechanical failure caused me to be late. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. OSE. Mr. Speaker, I was inadvertently detained due to a canceled flight, and therefore was not present to vote today for rollcall number 121. Had I been present, I would have voted "yea."

Mr. Speaker, I was inadvertently detained due to a canceled flight, and therefore was not present to vote today for rollcall number 122. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. GREEN of Texas. Mr. Speaker, on May 6, 1999, I missed four votes because I was unavoidably detained in my district. If I had been present I would have voted "no" on rollcall 117; "yes" on rollcall 118; "no" on rollcall 119; and "yes" on rollcall 120.

ANNOUNCEMENT OF INTENTION TO OFFER ON TOMORROW MOTION TO INSTRUCT ON H.R. 1141, 1999 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

Mr. DEUTSCH. Mr. Speaker, pursuant to clause 7(c) of rule XXII, I hereby notify the House of my intention tomorrow to offer the following motion to instruct House conferees on H.R. 1141, the emergency supplemental appropriations bill.

Motion to instruct conferees on H.R. 1141: Mr. Deutsch moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H.R. 1141 be instructed to instruct on the funding level of \$621 million contained under the heading "Central America And The Caribbean Emergency Disaster Recovery Fund" of the House bill for necessary expenses to address the effects of hurricanes in Central America and the Caribbean and the earthquake in Colombia.

BECOME A PART OF THE "I WILL" FOUNDATION

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

Mr. TANCREDO. Mr. Speaker, the issue I want to rise today to discuss is actually to draw attention to a couple of people in my district. I represent the area that includes Columbine High School in which we had such a tragic event a short time ago.

We keep talking about what we can do to stop something like this from happening again. Eventually, it all gets down to changing people's hearts. That is really all that can happen. But there

NOT VOTING—13

Brown (CA)	Lowey	Scarborough
Capps	Napolitano	Sisisky
Gephardt	Ose	Slaughter
Greenwood	Reyes	
Kasich	Roybal-Allard	

□ 1832

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. KASICH. Mr. Speaker, on Tuesday, May 11, 1999, I was unable to record a vote by electronic device on Roll Number 122, acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers. Had I been present, I would have voted "yea" on Roll Number 122.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present for rollcall votes 121 and 122. Had I been present, I would have voted "yea" on both rollcall votes 121 and 122.

is something that is going on that can work in that direction, and I want to draw attention to it.

Two teachers, one Mary Catherine Bradshaw in Hillsboro High School in Nashville, and Heather Beck, a teacher at Green Mountain High School in Colorado, and also a student, Rebecca Hunter, they have created a pledge, a pledge which I will enter into the record, a pledge they ask each student to take.

It says: As a part of the blank community, I will pledge to be a part of the solution. I will eliminate taunting from my own behavior. I will encourage others to do the same. I will do my part to make my school a safe place by being more sensitive to others. I will set the example of a caring individual. I will not let my word or actions hurt others. I will become a part of the solution.

This is the real way to address it.

Mr. Speaker, I include the following for the RECORD:

Please print this out and sign this petition.
As a part of the _____ Community, I will . . .

I will pledge to be a part of the solution.
I will eliminate taunting from my own behavior.

I will encourage others to do the same.
I will do my part to make _____ a safe place by being more sensitive to others.

I will set the example of a caring individual.

I will not let my word or actions hurt others.

. . . and if others won't become a part of the solution, I will.

Signing here reflects your commitment to your pledge through graduation 1999.

GETTING A BETTER RETURN ON INVESTMENT

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. SMITH of Michigan. Mr. Speaker, just reporting to my colleagues, today at our Social Security Task Force meeting, Roger Ibbotson was one of the witnesses, and he estimated that the stock market would increase to 100,000 by the year 2025. So as we talk about the possibility of taking advantage of some of the investment money coming in in Social Security taxes and helping to solve the Social Security problem by using some of that money for private retirement investment accounts, if his estimates are a little bit high or a little bit low, and I would recall to our attention that it was Dr. Ibbotson that said in 1974 that the stock market would go from 1,000 to 10,000. Of course, that was at a time when the stock market was significantly depressed.

So as we look for real solutions to Social Security, I think it is becoming more agreed that part of the effort that we must take is getting a better return

on the investment that workers of this country pay in.

Doctor Gary Burtless also testified before our Social Security Task Force today and agreed that long-term investment rates can enhance Social Security.

Dr. Gary Burtless is a Senior Fellow in Economic Studies with the Brookings Institution. Dr. Burtless has published various articles on Social Security, Medicare and social welfare, and testified before several House and Senate committees. He has published various articles and presented testimony.

Dr. Roger Ibbotson, Professor of finance at Yale School of Management, also serves as Chairman of Ibbotson Associates, which publishes an annual Yearbook of stock, bonds, treasury bill, and inflation rates. He has been recognized as a leading expert in measuring rates of return for the past twenty years.

Our bi-partisan Social Security Task Force meets every week on Tuesday at noon. All members are welcome to attend and I will again send out a report to, colleagues on today's hearing.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BRADY of Texas). 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.

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

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

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

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

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

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

DIFFICULT VOTE FOR CONGRESS ON EMERGENCY SUPPLEMENTAL

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

Mr. SOUDER. Mr. Speaker, last week and probably again either Thursday of this week or early next week we will have one of the most difficult votes that a Congress can cast, and that is on our emergency supplemental.

It might be called a war-plus bill. It is not just to forward fund the war, because there are over \$3 billion to for-

ward fund the war; and it is not just monies that could escalate the war, because there are multiple categories in this bill, including money intended to rebuild our national defense that could, in fact, expand this to a ground war, and the motion to limit that was defeated.

So this, in fact, is not just a funding bill for the war, however, because it also includes important funds to rebuild what has been a devastating number of years on our military, where we do not have the readiness and where we have sent troops into battle without being properly prepared and without the munitions necessary. We have weakened ourselves around the world, and I realize that.

It also has important funds for our agricultural catastrophes, and it may even have things for Hurricane Mitch and the victims of the earthquake in Colombia in this bill. It has a pay boost for our veterans.

But, ultimately, this is a vote on war. And that becomes a very difficult subject for Members of Congress to handle in their districts because, in fact, we have troops on the ground, and none of us want to be perceived as weakening them and putting them in the battle without adequate supplies. At the same time, many of us have strong reservations about this war, that, in fact, it is not winnable and, in fact, we are putting our soldiers' lives unnecessarily at danger by continuing to fund this war.

I have been regularly visiting high schools and elementary schools in my district since the first of the year as part of the Committee on Education and the Workforce efforts to look at the Elementary and Secondary Education Act. And when I talk to students, whether about the drug-free school program or school violence, inevitably the war comes up. Because many of them are concerned that they may soon become involved in this, especially if it expands to a ground war and we should have to resort to a draft, which in fact we might have to do if we need 400,000 troops.

The question I get regularly asked, since I express my skepticism that this war cannot be successful and we have had a poor strategy, is how do we stop genocide and the ethnic cleansing around the world if in fact we do not fight this war; and what are we to do to show our disapproval if we do not go to war? These are difficult questions but not easily addressed or solved merely by saying, therefore, we are going to bomb everybody who we disagree with or who we think has committed genocide.

Clearly, this has been a problem in the past. It has happened in Turkey vis-a-vis the Armenians. We watched the Communists overrun Hungary. And many of us, I was only 6 years old at the time of the Hungarian revolution, but many Americans felt we should have intervened at that point.

But there are certain things in American history we have said that are criteria for when we get involved in these type of conflicts. One is generally that it has to cross international boundaries. This question is complicated here because it is inside a nation, albeit an autonomous subsection of that nation or at least an area we believe should be autonomous.

We have also historically argued that there has to be a clear national interest. And the only clear national interest here is the instability of Europe; and, quite frankly, what we have seen is that every week this war goes on, Europe is becoming less stable and the agreement will be less good. In other words, our peak in American interest agreement was before we started bombing. Every week the bombing has continued, the agreement in the end will be worse.

The agreements that are now on the table we could have had several weeks ago. In truth, the Kosovars are less willing and the Serbians less willing to live together in peace in the future because of the conflict escalating. The more we bomb, the more we destabilize Montenegro.

Now we have accidentally hit the Chinese embassy, and China has used this at least as an occasion to stir up their people. Russia is concerned as to whether we will be coming in there, and they have reactivated and are concerned about their nuclear defenses because they do not want us coming in if it is Chechnya.

Other nations around the world are concerned about what our international policy is. Israel is concerned, justly, that if we recognize an independent Kosovo, what does that mean for the Palestinians? Turkey is concerned about what this means for the Kurds. The settlement we are looking towards is worse than we would have had early on while there was still a possibility to put this thing back together.

Furthermore, it does not appear to be winnable. Historically, wars or efforts that have worked have been winnable or had an exit strategy. But that does not and still begs the fundamental moral question: How then do we deal with a Milosevic or a Serbian population? Or, for that matter, in Croatia, where many people were killed and moved out? The ethnic cleansing being the moved out; the killed being the genocide without a trial.

Now Sandy Berger, the National Security Adviser to our Republican conference, suggested that the goal of this administration, and he said this point-blank, was to teach the world how to live together in peace. This shows some of the divisions that we have in this country and in the world regarding, quite frankly, the perfectibility of man. Can we, in fact, especially through bombs, teach the world how to live in peace? Or even without bombs, is that a realistic goal?

In my opinion, that is more a humanist perfectibility of man argument and

not one rooted in the Judeo-Christian beliefs that this country was founded on.

Mr. Speaker, I will extend my comments with written remarks, because I am very concerned the premises of this war are unachievable and the goals are false and, therefore, because of a kind heart, we have plunged ourselves in an unwinnable conflict that is contrary to our own moral traditions.

TRANSPORTATION AND COMMUNITY SYSTEMS PRESERVATION PROGRAM

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

Mr. BLUMENAUER. Mr. Speaker, this last week at the Conference on Sustainable Development in Detroit, Michigan, the administration announced the winners of the Transportation and Community Systems Preservation Program. The TCSP was a little noticed title in TEA-21, which really did not get the attention and recognition it deserved.

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There are a number of programs that spend far more than the \$13 million involved, but there are few that will have more long-term impact.

The program had its origin in the experience in my State of Oregon in the early 1990s, where citizen activists successfully petitioned the State Department of Transportation to consider an alternative to a traditional beltway that included careful land use planning, connecting the transportation links, and grouping uses in a way that might be able to achieve the transportation and congestion and air quality objectives without as much concrete. And the fact is that the alternative that they developed was more cost effective than simply building a traditional road.

This LUTRAC program, helping communities design local initiatives to maximize their infrastructure investment, has found its way into ISTEA.

Yesterday morning, I visited with Federal, State and local officials and local business people in my community dealing with FEMA's Project Impact. And here we found that Oregon's requirement of careful land use planning with local governments actually has made a significant impact in lowering the losses to flood damage. It has resulted in saving Oregon's homeowners and businesses millions of dollars as a result of disaster mitigation.

The TCSP is designed to extend these principles beyond natural disasters to potential manmade disasters of needless loss of farmland, forests, unnecessary traffic congestion, and conflicts between residential, commercial, and industrial uses.

Recently we had a presentation from the director of our State watchdog

agency, the Land Conservation and Development Commission, which was set up to enforce and regulate the land use requirements that our Oregon voters have repeatedly supported. He presented the data that I found rather compelling that, in the 20 years that we have had our system, we actually protected an increase of 4 percent more agriculture land in the Willamette Valley in Oregon.

The metropolitan Portland area, although it has increased in population 42 percent, the urbanized area has only increased 20 percent. Unlike what has happened in New York City, where the urbanized area increased eight times more rapidly than the population increase, in Chicago it was 11 times more rapidly urbanization in the population increase, Detroit 13 times.

An even more interesting comparison is we have two fast growing counties in the Portland metropolitan area, one, Washington County, just to the west of the City of Portland, and one to the north in the State of Washington, Clark County. Both have been the fastest growing counties in their States.

Clark County, in Washington, lost 6,000 more acres of farmland than Washington County, even though in Washington County we have increased more than 40,000 more residents than Clark County. Not only that, but the per-farm income actually dropped by 10 percent in Clark County, while in Washington County, with the land use and transportation protections, farm income rose by 30 percent, farm income rising in a county that is the home of Oregon's high-tech industry.

The TCSP program is going to make a difference in localities that do not have the Oregon land use planning framework and it is going to make a huge difference in our community building on that system.

There have been over 500 applications submitted around the country. This week, in Denver, there are people studying at a conference right now how to use the program.

I strongly urge that each Member of Congress look at the applications from their district, understand how they work. These concepts of smart growth can include a number of programs that simply are not going to be funded without having the adequate support from our Congressional representatives. It will in the long run save far more tax dollars than the modest investment in planning; and, most important, it will include our citizens in helping shape impacts on their destiny.

WHITE HOUSE YOUTH VIOLENCE SUMMIT

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

Mr. DREIER. Mr. Speaker, I have taken out this time to make some comments about the horrendous tragedy

which shook this entire Nation when we saw two deranged young men go into the Columbine High School in Littleton, Colorado, and rampantly murder classmates, schoolmates of theirs.

All of us have done a great deal of thinking about this over the past few weeks. We know that the White House held a conference just yesterday, a youth violence summit, during which many thoughts and recommendations were provided. But I think it is very important that as we look at this situation, the problem of violence in our schools, that we keep this in perspective.

First, our thoughts and prayers continue to go to the families and friends of those who were victims and, of course, to the many young people who have heard of this around the country who have gotten very, very rattled and frightened because of the prospect of this happening again.

But, again, I believe it is important for us to keep this situation in perspective. In fact, I am one who believes that the victims in this case are more representative of the young people of America today than these two deranged individuals.

There are many people who believe that American culture has gone bad. Mr. Speaker, I do not believe that American culture has gone bad. It actually has gotten broadened. We have a broadened culture today.

A quarter of a century ago, this country had four television networks: ABC, CBS, NBC, and the Public Broadcasting System. We could choose books from our local library or the corner book store, and that was about it. And we all know what it is that we have today: Two hundred channels on television. We have a million websites out there. And we can go to "Amazon.com" and choose from 4.7 million CDs or books.

And so, as we approach the year 2000, we do not have a violent culture. What we have is a create-your-own culture. And it is mostly a very, very good create-your-own culture. But, obviously, with that broadened culture, at the extreme edges, it can be downright horrible.

So before condemning America, first we should consider that, as I mentioned, that the child victims in Columbine are a lot more reflective of American culture, of American youth, than their child killers.

They were terrific kids. Based on all the reports that we have gotten, they were creative, energetic, religious, and very involved in their community. Those are the kids we find in high school libraries across the country today.

We also know, based on the figures we have seen, that American kids today are more religious, they volunteer more. And I am very proud that, in just a few weeks, I am going to be presenting for about the 15th year Youth Volunteer Awards in Southern California to scores of young people in

the San Gabriel Valley in California who have stepped up and volunteered in law enforcement and libraries and hospitals and a wide range of areas where community needs exist.

We find that there are today fewer out-of-wedlock births, and students are less violent today than they were a decade ago. So I think that another tragedy of Columbine is that two mentally deranged individuals can cause us to question and look past all of the extraordinarily positive work of American parents and the positive work that has taken place in our communities. It is impossible to explain or in any way justify insanity, and that is exactly what we have witnessed here.

More than anything, Mr. Speaker, we need to do a better job of identifying and helping young people who are deeply troubled. With this make-your-own culture to which I referred that is so broad, a hateful, sick person can in fact create an entire world of hate and evil for themselves. It is obvious that the answer is not for us to go back to four television networks, 10,000 books, and PAC Man. But the answer is for us to more successfully intervene in the lives of troubled youth who are spiraling into a world of violence.

It seems to me that we need to recognize, Mr. Speaker, that there are solutions, not necessarily Federal governmental solutions, but we want to do what we can here. But there are solutions. Last week I met with the sheriff of Los Angeles County who is proposing that we move ahead and do everything possible to have boot camps for those kids who are taking guns into schools. And we need to prosecute those young people who take guns into schools.

So those are just a couple of the steps. And I hope very much that we can recognize the positive things that are taking place there, as I know many of my colleagues will be presenting Youth Volunteer Awards throughout their districts in the coming weeks.

TRANSITIONING TO A NEW ECONOMY

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

Mr. SMITH of Washington. Mr. Speaker, I rise today to talk a little bit about our new economy, the information-based economy, and all the transitions that have been happening during this decade and really since about the mid-1970s and into the 1980s.

It has been a dramatic change, one of the largest changes arguably in human history in terms of the direction of our country; and it has been shifted towards a new economy, based primarily on technology and information. And one of the most important challenges that we in this body will face in the years ahead is adjusting to that, is figuring out how to understand how our economy has changed and, as a con-

sequence, how we need to change to embrace that.

One of the biggest arguments that I want to make off the start is this is not an option. The new economy is not something that we can choose to opt in or opt out of. It is a fact of life, and we need to be prepared to adjust to it. And there are some policies that we can adopt.

But, more than anything, right up front we need to increase our knowledge as policymakers, I urge all Members of Congress to do this, of the changes that have occurred in our economy that have moved it more toward a high-tech economy, and what changes do we need to make as policymakers to address that.

I would like to lay out five broad categories today and just say that, as a member of the New Democratic Coalition on the Democratic side of the House, we are working very closely on these issues, working with leaders in the technology field, leaders in the education field to try to make the policy changes that are necessary because I think it is critical that we address those.

The biggest one, of course, is education. We need to shift our education systems from K-12 to beyond to embrace the idea of life-long learning and the importance of technology. The three R's are still absolutely necessary. But if they do not have some knowledge in there about computers as well, they are going to be left behind in the new economy, and we need to make sure that that is included.

We need to make sure that people understand that the world has changed, they are not simply going to be able to get through high school and then move into a job and never have to update their skills. They are going to have to be willing to constantly update their skills, and we in government are going to have to provide the access to the updating of those skills, whether it is Voc, higher education of any kind, retraining on the job. We need to create those incentives.

But at the beginning, at the front, before we get to that, we need to change our K-12 system to make it more aware of the needs of technology and of the need of teaching kids how to learn and how to learn for life.

Secondly, we have to invest in research and we have to give our companies in this country the incentive to make those investments.

An important issue is going to come through Congress at some point this session that would permanently extend the R&D tax credit. That will have a critical impact on our economy. Research and development is absolutely necessary to keep up with the breakthrough technologies that seem to be happening on a daily basis. We need to give our companies the incentives to make those investments.

Currently, we only offer the R&D tax credit for one year and then we play this game of roulette in the next year

as to whether or not we are going to let it go on from there. Companies cannot plan in that sort of an environment. They do not know whether or not they are going to have the money to do the research over the long haul. We need to make that permanent.

Third, we need to build the technology structure. This is about broadband communication, giving people access to the Internet. The Internet has the ability to be the greatest equalizer of all time in terms of knowledge. It is not going to divide us. It is going to give anybody with a PC and a link to their phone line to get to the Internet the ability to gather knowledge which they never would have had access to before. But we have got to give companies the incentive to build that infrastructure so that people will get that access.

This means deregulation and allowing that competition to flow so that we will build the infrastructure and get access to the Internet beyond just the urban areas which have it now and out into the rural and suburban areas where it is desperately needed.

Fourth, we need to leave the Internet alone. Overregulating the Internet can potentially strangle its ability to get that information out there and help companies grow. Too much regulation would be a very bad thing, and we need to leave the Internet alone and not overregulate it.

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Lastly, we need to increase exports. We need to get access to more markets. Ninety-six percent of the people in the world live someplace other than the United States. If we are going to increase markets for all goods, we are going to have to do it overseas.

I want to emphasize that this is not limited to certain technology areas, the Silicon Valley or Seattle or the research triangle or Boston. Any company one can think of is affected by technology.

We just heard today that we had another 4 percent increase in productivity this last quarter. That is driven almost exclusively by advances in technology and helps grow the economy everywhere. Regardless of what business you are in, technology can help make that business more productive, help make our economy stronger and, most importantly, help people get and keep good jobs that will enable them to raise their family and take care of their bills and obligations. We must embrace the new economy and the high-tech economy so that we can prepare for the future.

THE BOMBING OF YUGOSLAVIA

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

Mr. DUNCAN. Mr. Speaker, many people have felt right from the start

that the President and Secretary of State made a horrible mistake in starting the bombing of Yugoslavia. The President and Secretary Albright have made this horrible mistake even worse by escalating the bombing so much. Now Yugoslavia has been bombed far more than in World War II when it was bombed by both sides.

This war has been and is so unpopular that I read last week that the main White House spin doctor had gone over to try to help improve NATO's public relations. We certainly did not have to have White House spin doctors to convince us to go to war after Pearl Harbor. At that time, only one Member of Congress voted against the U.S. entering World War II, but at that time the people were solidly behind the war effort because we and our allies had been attacked.

In Yugoslavia, for the first time ever, the U.S. has become an aggressor nation. Our foreign policy has been turned upside down.

Tony Snow, the columnist-commentator, wrote last Friday: "Three features distinguish the war in Kosovo from every other in American history. This is the first in which we have been the unambiguous aggressor; the first in which we've had no discernible national interest at stake; and the first in which we have let others act as our sovereign."

Paul Harvey, in his Friday newscast, said someday this will be called "Monica's War," meaning many people believe the President was in part attempting to improve his image as a world statesman after the embarrassment of the impeachment scandal.

Now the party line coming out of the White House is simply to label anyone who opposes the war as doing so because of hatred for the President.

Well, while I strongly disagree with the President over all these bombings, I do not hate him or even feel any personal animosity toward him. But anyone who uses this hatred argument is simply trying to avoid discussing the case on its merits or lack thereof. They are appealing to emotion and prejudice and resorting to name calling when they accuse people of opposing the war simply because of hatred for the President. It is so obvious that an argumentative ploy like that is simply an attempt to avoid discussing the merits of the war.

We bombed Afghanistan and the Sudan just 3 days after the President's apology about the Lewinsky scandal was such a flop.

We started bombing Iraq on the afternoon before the House was scheduled to begin impeachment proceedings.

When bad publicity started coming out about the Chinese espionage, on the eve of the Chinese Premier's visit, we started bombing Yugoslavia.

We should not be so eager to bomb people. We should only go to war when absolutely forced to and when our national security is threatened or our

very vital national interest is at stake. Neither is present in Yugoslavia.

The U.S., using NATO for a political cover, has now done over \$50 billion worth of damage to Yugoslavia, a very small country with less than 4 percent of our population.

It is obvious that Milosevic cannot hold out much longer, but we have already spent billions which we are taking from Social Security, and we will have to spend many billions more on this stupid war before it is all through, all to make a bad situation much worse than it was before we started. We are creating enemies all over the world, giving up our reputation as a peace-loving nation by attacking a country that had not attacked us nor had even threatened to do so. And apparently this was done mainly to help improve the President's legacy and because NATO was desperately seeking a new mission.

Very soon this war will be settled, I hope, and then the President and his spin doctors will declare a great victory. But, in reality, it will take us many years to recover from the damage that we are doing to ourselves and our country, both financially and diplomatically.

Don Feder, the nationally syndicated columnist of the Boston Herald, summed it up this way:

President Clinton and Secretary of State Madeleine Albright set the stage for the catastrophe in Kosovo. If there were a Nobel Prize for ineptitude in diplomacy, they would be its joint recipients.

He continued:

The military will be so exhausted by doing social work with bombs and troops that resources won't be there to defend the United States when our vital interests are at stake. When China confronts us in Asia, we can tell our allies there that we have spent all of our missiles in the Balkans.

He wrote this before we bombed the Chinese embassy in Belgrade.

Finally, Mr. Feder, wrote this:

Kosovo was an avoidable tragedy. Clinton and Albright should toast marshmallows over the flames of Kosovo. They lit the fire.

TCSP GRANTS AWARDED AS PART OF ADMINISTRATION'S LIVABILITY AGENDA

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

Mr. HOEFFEL. Mr. Speaker, I am very pleased to join a number of my colleagues this evening in reporting on the benefits to our congressional districts of the TCSP grants that were awarded last week by the Secretary of Transportation and by the Administrator of the Federal Transit Administration.

The TCSP grants stand for Transportation, Community and System Preservation grants. These are a vital part of the transportation program as part of the administration's livability agenda.

Montgomery County, Pennsylvania, the 13th District of Pennsylvania, received a grant of \$665,000 to promote a transit-oriented development along a proposed rail line.

I would like to talk about that in some detail, but first it is clear to me in my travels around the district, in my town meetings and meetings at supermarkets, that the questions of suburban sprawl, of gridlocked traffic, of overdevelopment are the very highest issues facing the suburbs throughout this country and certainly the suburbs of Philadelphia. We need to do a better job in managing our growth, in fighting traffic gridlock, in fighting sprawl, in making sure we plan for the orderly growth and development in our suburban communities. These transportation grants are a very important way of doing that.

We are trying to restore train service that was stopped 15 years ago from the City of Philadelphia through Montgomery County, my district, out to Reading, Pennsylvania. This train service, if restored, would allow for both commuting into the city and reverse commuting from the city every day.

It would take shoppers to the largest mall on the East Coast. It would take shoppers to the Reading discount markets. It would allow access to cultural and historical benefits and assets, such as Valley Forge National Park. It would do a number of very beneficial things in my area.

The question is, why did passenger service end on this train route 15 years ago? Why was ridership so low? It is because we were not doing a very good job in promoting that service or making it attractive to people.

The Transportation Department, through its transit-oriented development grant, is trying to promote the expansion of this commuter service along what will be called the Schuylkill Valley Metro by urging municipalities to plan for adequate parking at train stations to allow dense development so that there can be residential opportunities and retail and commercial opportunities surrounding the proposed train stations. We need to make commuting by rail not only attractive to those who would drive to a station and park their car but to create an area where people would be attracted to come and live, to rent an apartment or buy a condo around a train station with all of the commercial amenities and recreational amenities that a small town can offer, so that people would be attracted to live there and drive their cars there as well, to use the transit program.

This is an exciting opportunity and one that we have to aggressively market if we are going to help reduce the traffic gridlock around Philadelphia and make people come back to trains and come back to a place of living and working, where they can walk to their train station from their apartment, they can walk to commercial and re-

tail opportunities. If they are driving to the train station from a more remote area, they can do shopping, they can drop off their dry cleaning or get their hair cut when they come back from work, whatever it takes to make life more manageable and more livable and improve the quality of life while, at the same time, getting people off of highways.

This is the goal. This sort of transit-oriented development encouraged by the Secretary of Transportation will help to fight sprawl in the suburbs. It will encourage smart growth strategies so that we can have a more livable community. It will ease traffic congestion and help to end some of the traffic gridlock that make our suburban areas so difficult.

And it would also encourage what is called location-efficient mortgages. This is an exciting aspect of this program that will encourage lenders to lend more money to folks that live in these transit areas because they will not need to have the high expense of owning a car that many Americans have to face. So if they can live in an area where they can walk to a train station and take the train to work, a lender will be encouraged to give more money in terms of a loan to that prospective homebuyer or condominium buyer so that he or she can buy more house for the same income than they would if they had to factor into their expenses the cost of owning two or three cars and living in a remote suburban community.

Fundamentally, this will reduce pressure on green space. It will allow us to save open space, preserve farmland and make all of the suburbs a more livable area for all of us.

So the transit-oriented development to be encouraged by this transportation grant is exactly the right sort of thing that we should be promoting to improve livability throughout the suburbs and throughout this country.

GENERAL LEAVE

Mr. HOEFFEL. 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 my special order today.

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

There was no objection.

NATIONAL TAX FREEDOM DAY

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

Mr. THUNE. Mr. Speaker, today is national Tax Freedom Day. That means that if you are an American taxpayer, every penny you have earned from January 1 through the end of your workday yesterday has gone to pay the cost of government. Today is the first day that the American taxpayer starts working for him or herself. Today is Tax Freedom Day.

Now, that is the good news. The bad news is that Tax Freedom Day falls later and later every year. This year Tax Freedom Day falls one day later than it did last year, which means the government has grown fast enough over the last year alone to take in one more 8-hour day of the American taxpayer's paycheck. That is wrong.

Now, a lot of people in this country do not think they need tax relief. They think, I do okay. I pay my bills. I take care of my family. They have most of the things they need. Well, I am here to tell you today that if you do not think your taxes are too high, you do not know how many times you have been paying your taxes.

I would like to walk you through the average American taxpayer's average American day just so that people in this country realize how much they are actually paying in the form of taxes.

It starts when the alarm goes off in the morning. You hit the alarm clock. You paid a sales tax on the alarm clock. As soon as you turn on the light, you are paying a utility tax. You walk in the bathroom, turn on the faucet to brush your teeth, or at least your co-workers hope you will, you pay a utility tax on the water. You go in to get ready to go to work. You put on your suit or your work clothes on which you paid a sales tax.

You drive to work. You grab your car keys. You probably paid some form of sales tax or excise tax on the car and on the tags and on the license that you need to drive it. You stop at the gas station to put gas in your car. You pay the gas tax every time you fill up at the pump.

You probably stop along the way somewhere to have a nutritious breakfast, maybe coffee and a doughnut, on which again you likely paid the sales tax.

You finally get to work. Here is where it really starts adding up. Because from the moment you walk in the door, every second of that 8-hour day is subject to the income tax. In fact, you will spend the next 2 hours and 51 minutes of your day working to pay taxes. That is more time than you spend working to pay for food, clothing and shelter combined.

But maybe it is your lucky day. Today could be payday. So you look at your pay stub and you see that Social Security, which you may never see depending on how old you are, and FICA and everything else is taken out. If you have enough left over you may go out pay your bills and buy your lunch somewhere, maybe at McDonald's again, on which you pay sales tax. You stop at the bank at the end of the day to deposit what is left of your paycheck in a savings account on which you will pay income tax on the interest.

Finally, you get home, your castle, on which you pay property tax. You say hello to your spouse and discover, of course, that even love is not free because when you got married you paid a hefty marriage penalty tax.

You decide to call your mother after dinner and find out how she might be doing. You pay a utility tax when you use the phone.

□ 1915

Finally it is your time. It is time to relax, sit down. So you kick up, turn on Sportscenter to see how your favorite team might be doing.

In our case in South Dakota it happens to be the Minnesota Twins. Mr. Speaker, they are in last place. If that were not bad enough, you had to pay a cable tax to find out that information.

Finally, the day ends back where it began, as you lay down on your bed, close your eyes and go to sleep. And guess what? Just on the chance that you do not wake up before the morning you get hit one last time by the government; yes, with the death tax.

Now this is sort of a humorous way of looking at this issue, but there is a very serious message here, and that is the tax burden on the average American has grown every year, and Tax Freedom Day now falls 11 days later than it did back in 1993. In South Dakota we do a little bit better. Our Tax Freedom Day comes on May 2, which is about a week earlier than the Nation Tax Freedom Day, but it still is not right to spend more than 4 months of every year working for someone other than yourself.

South Dakotans know how to spend their money, they know what their family and their community needs, and they ought to be allowed to keep more of the income that they earn to spend it on the things that they need most. Maybe that is the children's education, maybe it is to make a down payment on a house, a farm or a ranch, or maybe it is time to trade in the old car and get a new one. Maybe it is time to invest in a favorite charity or perhaps church, and maybe it is time for you or your spouse just to cut down on some of the hours or quit working altogether and spend more time at home with the children.

The point is, Mr. Speaker, that it is the American people's money, and they should be spending it according to what is in their best interests.

We cut taxes in 1997 for the first time since 1981. We need to do it again. People of this country work hard, they need to keep more of what they earn, and every time they send money to Washington they are giving up power and control. Mr. Speaker, we want to see that the power and control stays at home with the American family, with the individual and with the community.

Mr. Speaker, I hope that we can work in a very deliberate way to bring about additional tax relief for hard-working Americans.

LIVABILITY

The SPEAKER pro tempore (Mr. REYNOLDS). Under a previous order of the House, the gentleman from New Jersey (Mr. HOLT) is recognized for 5 minutes.

Mr. HOLT. Mr. Speaker, since World War II, the American dream has been a house in the suburbs. But in many places in our country, that dream is turning into a nightmare—traffic, air pollution, lost farms and parks and higher taxes.

Suburban sprawl is one of the fastest growing threats to America's environment as prime farmland is replaced with malls, parking lots and housing developments.

Unplanned suburban growth means increased traffic jams, costlier public services, wasted tax revenue and increased pollution.

Most importantly, it means a deteriorating quality of life for ourselves and our neighbors.

How do we explain to our children that their neighborhood wasn't always housing developments and shopping malls? And how many hours with family have been lost in traffic? How far do we have to drive to see and enjoy open, naturally preserved acres?

We need to change the way cities think about growth and plan their development.

It is for those reasons that I support the Transportation and Community and System Preservation Pilot program, otherwise known as TCSP. The TCSP program was created by the Transportation Equity Act for the 21st Century. It is an initiative consisting of research and grants that to communities as they work to solve interrelated problems involving transportation, land development, environmental protection, public safety, and economic development.

Of the 35 projects selected from an initial pool of 524 applications, two grants were awarded to New Jersey. One project in Northern New Jersey will prepare modern intermodal freight infrastructure to support brownfield economic redevelopment. The completed plan will address needed transportation access to brownfield sites and effectively market the sites for freight related activities. In addition, it will provide new employment opportunities for residents, reduce the volume of trucks on regional roads, and safeguard the environment.

The second project, Transit-friendly Communities for New Jersey, will work with diverse community partners to develop specific ways that New Jersey towns can become more "transit friendly." By building on both New Jersey Transit's initiatives to make train stations themselves "passenger friendly" and on statewide "smart growth" initiatives to reduce sprawl, we can encourage new development within walking distance of transit stations. It also allows New Jersey Transit leverage the resources of its non-profit and government partners to shape the future of communities around transit stations well into the future.

The results will be models for other New Jersey communities to follow in future projects. In addition, the project will ensure that communities understand how transportation investments can enhance the environment, create strong downtown centers, and improve quality of life. Moreover, New Jersey Transit is committed to using the process developed under this program as a way to change innovative efforts from "pilot projects" to "the way we always do business." With its diversity of station types and communities, this program will be a model for the nation.

By funding innovative activities at the neighborhood, local, metropolitan, state, and regional level, the TCSP program will increase our knowledge of the costs and benefits of different approaches to integrating transportation

investments with community preservation efforts, land development patterns, and environmental protection.

These strategies will help New Jersey grow according to their best values by: improving the efficiency of the transportation system; reducing environmental impacts of transportation; reducing the need for costly future public infrastructure investments; ensuring efficient access to jobs, services, and centers of trade; and examining private sector developmental patterns and investments that support these goals.

The reason for this initiative is clear.

Across America, we are discovering that livable communities—places with a high quality of life—are more economically competitive communities.

The way we build and develop determines whether economic growth comes at the expense of community and family life, or enhances it.

By helping communities pursue smart growth through initiatives such as the TCSP program, we can build a better America for our children.

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

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

CLEVELAND AREA PROGRAMS AND PROJECTS THAT DEAL WITH MAKING OUR COMMUNITIES LIVABLE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Mrs. JONES) is recognized for 5 minutes.

Mrs. JONES of Ohio. Mr. Speaker, I rise today to join my colleagues in speaking in support of livable community initiatives.

I represent Ohio's 11th Congressional District that consists of both urban and suburban areas. Creating areas all citizens can enjoy is important. I believe we must not sacrifice our environment for expansion or destroy that which is already in place when we can utilize our spaces better.

I would like to discuss several programs and projects in my district that deal with making our communities livable:

The first program is in a small suburb of Cleveland called Woodmere Village. Woodmere is a small, predominantly African American community. Today the main thoroughfare in the village is Chagrin Boulevard, a busy two-lane road. Chagrin Boulevard, or Kinsman Road, as it was originally known, has long been a center for commerce with restaurants and stores, places like Gino's Jewelry and Trophy and Tuscany Gourmet Foods are examples of businesses that draw people from all over the greater Cleveland area.

It is really wonderful for the Cleveland area to have such a vital route in

it, but a blessing can also create a burden. Chagrin Boulevard daily has traffic of nearly 26,000 vehicles. There are countless turnoffs from the street into private parking lots that cause traffic delays. The lanes of traffic are wide, often meaning that two-lane road turns into a four-lane highway with drivers exceeding the posted 25 miles per hour limit. People regularly drive simply to cross the street.

This traffic problem resulted in Woodmere Village applying for a grant from the Transportation and Community and System Preservation Pilot Program. This grant will provide money for studies to be done to best create livable solutions for Chagrin Boulevard. I am happy to say that Woodmere received a grant of \$195,000 for the Chagrin Boulevard project.

The Transportation and Community Systems Preservation Act was a provision in our TEA-21 legislation, the Surface Transportation Act of last year. This program provides areas like Woodmere funds to improve by considering alternative transportation projects rather than simply constructing a traditional bypass to look at what would happen if more time, thought and resources were available to make a more comprehensive approach to the situation. The plan in Woodmere is not simply to create more lanes and widen the roadway, as was originally recommended. Rather, with some ingenuity the village is planning to create a true small-town thoroughfare. There will be tree-lined medians flanking the boulevard on both sides creating more pedestrian-friendly frontage roads. New sidewalks, crosswalks and traffic signals will be installed.

Mr. Speaker, we must give people the option to leave their cars and walk to shops and restaurants. Chagrin Boulevard would be safer for drivers, accessible to people walking or wanting to ride a bike and better for those businesses along its routes should this proposed plan be accepted. This is a perfect example of creating a livable space with what is already available.

I look forward to using the new Chagrin Boulevard because I travel it regularly.

As the gentleman from Oregon (Mr. BLUMENAUER), the driving force behind many livable initiatives such as this, said on the floor a week ago, it is not about Federal interference but partnership. It is about giving people more choices rather than fewer, and that will end up costing people less money rather than more.

I would also like to highlight ParkWorks. This is a program working to reclaim urban parks. In Cleveland, Forest Hills Park, a large park bordered by three municipalities, one such area was rehabilitated by ParkWorks. It is now a thriving area for children and families. ParkWorks plans outdoor activities in these parks, encouraging those of us living in cities to enjoy available natural resources.

ParkWorks has also worked with schools and churches in Cleveland funding things like a new running track for a local high school and has planted 50,000 trees and created gardens for neighborhoods. The money for improvements is donated from the Lila Wallace Reader's Digest Fund for the parks and through public-private partnerships for other projects. I would like to commend the involvement of ParkWorks in making urban areas more livable. By increasing green space and making that space available to the greater community they encourage a sense of partnership and camaraderie.

Finally, I would like to commend an organization in my district working for affordable housing. The Affordable Housing Tax Credit Coalition is awarding the Cleveland housing network \$5,000 for winning the Tax Credit Excellence Award in metropolitan urban category. The Cleveland Housing Network develops affordable housing in Cleveland's neighborhoods on a lease-purchase basis. These affordable options serve families in poverty by providing home ownership opportunities. Participants in the program of the Cleveland Housing Network will own their own homes within 15 years. By promoting home ownership organizations like the Cleveland Housing Network give poor citizens the ability to have a stake in the overall community. This sort of program is also important to livable communities.

Mr. Speaker, I commend the Cleveland Housing Network.

Without adequate housing we ostracize capable and interested citizens and deny them the ability to enjoy the true feeling of community. I commend the work of the Cleveland Housing Network and congratulate them on their receipt of this award. Specifically I would like to commend and recognize both Rob Curry, the Executive Director, and Andrew Clark, the Chairman of the Board for the Cleveland Housing Network.

PEACE OFFICERS MEMORIAL WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mrs. CAPPS) is recognized for 5 minutes.

Mrs. CAPPS. Mr. Speaker, I rise to pay tribute to fallen peace officers in California and all across this Nation. This week is Peace Officers Memorial Week, when Congress and the American people will honor our fallen officers. Law enforcement officers will come from all over the country to pay their respects at the National Law Enforcement Officer's Memorial. The memorial honors all of America's Federal, State and local law enforcers. Inscribed on its marble walls are the names of more than 14,000 officers who have been killed in the line of duty. Tragically, this week more names will be added to that list.

Mr. Speaker, each day our Nation's officers are faced with rigors and risks that most of us could never even imag-

ine. Sometimes these risks result in tragedy. We must provide law enforcement with our strongest level of support.

Sadly, this year the State of California lost 17 brave law enforcement officers. These officers died while serving the people of my State. I would like to extend my deepest condolences to their families and to their loved ones. In particular, I want to single out two brave officers from the central coast of California, Britt Irvine and Rick Stovall. These two California Highway Patrol officers made the ultimate sacrifice in the pursuit of public safety. They gave their lives while responding to an emergency call to assist a stranded truck driver on a local road during El Nino storms. They leave behind loving families, friends and coworkers. Officers Stovall and Irvine are our heroes as are all the fallen police officers in California and all across this Nation. We are forever indebted to them.

Inscribed on the National Law Enforcement Memorial are these words that give us comfort at this solemn time:

In valor there is hope.

WE CANNOT HAVE DEMOCRACY IN SERBIA IF WE BLOW UP THE CIVILIAN INFRASTRUCTURE

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

Mr. KUCINICH. Mr. Speaker, the impersonality of the Balkan War and of the NATO bombing deprives all of us of a necessary deeper understanding of the powerful human dimension of the conflict of people on both sides whose fragile lives are ripped apart. A month ago I wrote an opinion piece in the New York Times editorial pages challenging the logic of the bombing, its impact on civilians, their lives, their communities. Tonight I have two reports to submit to this House. The first report comes from a pro-democracy group in the Federal Republic of Yugoslavia, and it is an appeal in the form of a letter to Albanian friends from non-governmental organizations, and I would like to read from it:

"Dear Friends: We are writing to you in these difficult moments of our shared suffering. Convoys of Albanians and other citizens of Kosovo, among whom many of you were forced to leave their homes, the killings and expulsions, homes destroyed and burnt, bridges, roads and industrial buildings demolished paint a somber and painful picture of Kosovo, Serbia and Montenegro as indicating that life together is no longer possible. We, however, believe it is necessary and possible. The better future of citizens of Kosovo, Serbia and Montenegro, of Serbs and Albanians, as citizens of one state or closest neighbors will not arrive by itself or over night, but it is something we can and must work on together as we have many times in the past not so long ago.

We know that it will now be very difficult and sometimes very painful. The example of the German-French post-war reconciliation and cooperation could serve as a model and stimulus. In the sake of future life together the pain of crime has to be revealed so that it is with forgiveness remembered. This tragedy, yours and ours, personal and collective, is a result of a long series of erroneous policies of the most radical forces among us and in the international community. The continuation of these policies will take both Serbs and Albanians into abyss. Also, the road of collective guilt is a road of frustration, continuation of hatred and endless vengeance. That is why this road has to be abandoned. Our first step of distancing from hatred, ethnic conflict and bloody retaliations is a public expression of our deepest compassion and sincere condemnation of everything that you and your fellow citizens are experiencing," and keep in mind, Mr. Speaker, this is a letter from members of a Serbian nongovernmental organization pro-democracy group.

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They go on to say, and this is a letter to their Albanian brothers and sisters, "As citizens of Serbia we today suffer destruction and casualties as a result of NATO bombing, armed conflict in Kosovo and long-lasting economic and social tumbles under the burden of the dictatorship's deadly policies. Ethnic cleansing, NATO bombing and armed conflict should stop because they are not contributing to the solution of the Kosovo crisis but only making it deepen. There should be no more casualties. All refugees should be allowed to return safely to their homes and live in the manner appropriate for free and proud people. We are convinced that together we will find strength and courage to step on the road of peace, democracy, respect of human rights, mutual reconciliation and respect. Dialogue, political negotiations and peace process have no alternative. For all of us, it is the only way out of the war conflict. It is the safest way to secure the return of refugees to their homes, to renew normal life and activities and find a solution to the status of Kosovo. In order to make this happen, we have to join our efforts to end the war conflict, revitalize the peace process and reconstruct, economically and democratically, the development of Kosovo, Serbia and the entire Balkan region. We are convinced that by joining forces we can contribute to the reaching of a just and rational political solution to the status of Kosovo and build confidence and cooperation between Serbs and Albanians."

This heartfelt letter comes from the Alternative Academic Education Network; the Association of Citizens for Democracy, Social Justice and Support for Trade Unions; the Belgrade Circle; the Belgrade Women Studies Center; the Center for Policy Studies Center;

Center for Policy Studies NEZAVISNOST; Center for Transition to Democracy; Civic Initiatives; District 0230 Kikinda; EKO Center; European Movement in Serbia; Forum for Ethnic Relations and Foundation for Peace and Crisis Management; Foundation for Peace and Crisis Management; Group 484; the Helsinki Committee for Human Rights in Serbia; Society for Peace and Tolerance (Backa Palanka); Sombor's Peace Group (Sombor); the Student Union of Yugoslavia; the Trade Union Confederation; the Union for Truth about Anti-Fascist Resistance; the Urban Inn (Novi Pazar); VIN Weekly Video News; Women in Black; YU Lawyers Committee for Human Rights.

This comes from Belgrade, dated April 30, 1999.

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

Mr. KUCINICH. I yield to the gentleman from California.

Mr. CAMPBELL. Mr. Speaker, I ask the indulgence of the House simply to put on record that the citizens of Ohio and the citizens of Cleveland in particular ought to recognize the courage and wisdom of their representative, the gentleman from Ohio (Mr. KUCINICH), that alone, in the midst of a lot of pressure, he stood up for the constitutional obligation that this body go on record before we commit our troops to war, and in a bipartisan way I wish to recognize that this evening during his special order.

Mr. KUCINICH. Mr. Speaker, I thank the gentleman from California (Mr. CAMPBELL) for those remarks.

WE CANNOT HAVE DEMOCRACY IN SERBIA IF WE BLOW UP THE CIVILIAN INFRASTRUCTURE

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

Mr. CAMPBELL. Mr. Speaker, I yield to my friend, the gentleman from Ohio (Mr. Kucinich), to finish his remarks.

Mr. KUCINICH. Mr. Speaker, I thank the gentleman from California (Mr. CAMPBELL) for yielding his time.

Mr. Speaker, I read that letter from the pro democracy groups in Serbia because they are relating to the suffering of their Kosovo brothers and sisters.

At the same time, as this bombing continues, I just want to read briefly from a list of the damages that have been done already by NATO bombing. Over 190 schools, faculties and facilities for students and children have been damaged in the NATO bombing up to April 19, according to this report. Over 20 faculties, 6 colleges, 40 secondary and 80 elementary schools; 6 student dormitories, including elementary schools; 16 oktobar and Vladimir Rolovic in Belgrade; the day care center in the settlement of Petlovo Brdo in Belgrade; 2 secondary schools in the territory Nis; elementary schools Toza

Markovic, Djordje Natosevic, Veljko Vlahovic, Sangaj, and Djuro Danicic and a day care center Duga.

Mr. Speaker, I have a list I would like to submit to the House of Representatives of all of the public facilities, the hospitals, the schools, the housing facilities, the infrastructure, telecommunications, cultural, religious shrines and cultural and historical monuments and museums that have been damaged in the NATO bombing.

4. HOSPITALS AND HEALTH CARE CENTRES (16):

Hospitals and health-care institutions, which have been damaged in bombing include:

Hospital and Medical Centre in the territory in Leskovac; Hospital and Poly-clinic in Nis; Gerontological Centre in Leskovac; General Hospital in Djakovica; City Hospital in Novi Sad; Gynaecological Hospital and Maternity Ward of the Clinical Centre in Belgrade; Neuropsychiatric Ward "Dr. Laza Lazarevic" and Central Pharmacy of the Emergency Centre in Belgrade; Army Medical Academy in Belgrade; Medical Centre and Ambulance Centre in Aleksinac; "Sveti Sava" hospital in Belgrade; Medical Centre in Kraljevo; Dispensary on Mount Zlatibor; Health Care Centre in Rakovica.

5. SCHOOLS (MORE THAN 190 FACILITIES)

Over 190 schools, faculties and facilities for students and children were damaged in NATO bombing (over 20 faculties, 6 colleges, 40 secondary and 80 elementary schools, 6 student dormitories), including:

Elementary schools "16. oktobar" and "Vladimir Rolovic" in Belgrade; Day-care centre in settlement Petlovo Brdo in Belgrade; Two secondary schools in the territory of Nis; Elementary schools "Toza Markovic", "Djordje Natosevic", "Veljko Vlahovic", "Sangaj" and "Djuro Danicic" and a day-care centre "Duga" in Novi Sad and creches in Visarionova Street and in the neighborhood of Sangaj; Traffic School Centre, Faculty of Philosophy; Four elementary schools and a Medical high school in the territory of Leskovac.

Elementary school in Lucane, as well as a larger number of education facilities in the territory of Kosovo and Metohija; Faculties of Law and Economics and elementary school "Radoje Domanovic" in Nis; Elementary schools in Kraljevo and the villages of Cvetka, Aketa and Ladjevci; In Sombor: elementary schools "Ivo Lola Ribar", "A Mrazovic", "N. Vukicevic" and "Nikola Tesla" in Kljajicevo; School centre in Kula; Elementary school and Engineering secondary school centre in Rakovica.

6. PUBLIC AND HOUSING FACILITIES (TENS OF THOUSANDS)

Severe damage to the facilities of the Republican and Federal Ministry of the Interior in Belgrade (3 April 1999). Damage to the building of the Institute for Security of the Ministry of the Interior in Banjica (3 April 1999); Severe damage to the TV RTS studio in Pristina; Heavy damage to Hydro-Meteorological Station (Bukulja, near Arandjelovac); Post Office in Pristina destroyed (7 April 1999); Refugee centre in Pristina destroyed (7 April 1999); "Tornik" ski resort on Mount Zlatibor (on 8 April 1999); "Divcibare" mountain resort (on 11 April 1999); "Baciste" Hotel on Mount Kopaonik (on 12 April 1999); City power plant in the town of Krusevac (12-13 April 1999); Meteorological Station on Mount Kopaonik damaged (on 13 April 1999).

Four libraries in Rakovica sustained heavy damage: "Radoje Dakic", "Isidora Sekulic",

"Milos Crnjanski" and "Dusan Matic"; Refugee camp "7 juli" in Paracin has sustained heavy damage; Office building of the Provincial Executive Council of Vojvodina, Novi Sad; Several thousand housing facilities damaged or destroyed, privately or State owned, across Yugoslavia—most striking examples being housing blocks in downtown Aleksinac and those near Post Office in Pristina.

7. INFRASTRUCTURE

Electrical Power Supply in Batajnica (26 March 1999); Damage to water supply system in Zemun (5 April 1999); Damage to a power station in Bogutovac (10 April 1999); Telephone lines cut off in Bogutovac (10 April 1999); Damage to a power station in Pristina (12 April 1999); Damage to Bistrica hydroelectric power station in Polinje (13 April 1999);

TELECOMMUNICATIONS

TV TRANSMITTERS (17):

Jastrebac (Prokuplje), Gucevo (Loznica), Cot (Fruska Gora), Gmija (Pristina), Bogutovac (Pristina), TV transmitter on Mt Goles (Pristina), Mokra Gora (Pristina), Kutlovac (Stari Trg), "Cigota" (Uzice), "Tornik" (Uzice), Transmitter on Crni Vrh (Jagodina), Satellite station (In Prilike near Ivanjica), TV masts and transmitters (Novi Sad), TV transmitter on Mt Ovcara (Cacak), TV transmitter on Kijevo (Belgrade), TV transmitter on Mt Cer, Communications relay on Mt Jagodnji (Jrupanj).

CULTURAL-HISTORICAL MONUMENTS AND RELIGIOUS SHRINES

MEDIEVAL MONASTERIES AND RELIGIOUS SHRINES (16):

Monastery Gracanica from 14th century (24 March—6 April 1999); Monastery Rekovica from 17th century (29 March 1999); Patriarchate of Pec (1 April 1999); Church in Jelasnica near Surdulica (4 April 1999); Monastery of the Church of St. Juraj (built in 1714) in Petrovaradin (1 April 1999); Monastery of Holy Mother (12th century) at the estuary of the Kosanica in the Toplica—territory of municipality of Kursumljica (4 April 1999); Monastery of St. Nicholas (12th century) in the territory of the municipality of Kursumljica (4 April 1999); Monastery of St. Archangel Gabriel in Zemun (5 April 1999); Roman Catholic Church St. Antonio in Djakovica (29 March 1999); Orthodox cemetery in Gnjilane (30 March 1999); Monuments destroyed in Bogutovac (8 April 1999); "Kadinjaca" memorial complex (8 April 1999); Vojlovica monastery near Pancevo (12 April 1999); Hopovo monastery, iconostasis damaged (12 April 1999); Orthodox Christian cemetery in Pristina (12 April 1999); Monastery church St. Archangel Michael in Rakovica (16 April 1999).

CULTURAL-HISTORICAL MONUMENTS AND MUSEUMS (8):

Severe damage to the roof structure of the Fortress of Petrovaradin (1 April 1999); Heavy damage to "Tabacki bridge", four centuries old, in Djakovica (5 April 1999); Substantial damage to the building in Stara Carsija (Old street) in Djakovica (5 April 1999); Destroyed archives housed in one of the Government buildings in Belgrade (3 April 1999); Memorial complex in Gucevo (Loznica); Memorial complex "Sumarice" in Kragujevac; Vojvodina Museum in Novi Sad; Old Military Barracks in Kragujevac—under the protection of the state (16 April 1999).

Mr. Speaker, we cannot have democracy in Serbia if we blow up the civilian infrastructure, which is a precondition for ever having a democratic movement in that country.

I am so grateful to my colleague, the gentleman from California (Mr. CAMP-

BELL), for his leadership, his willingness to stand up and speak out and challenge this illegal and immoral war.

Mr. CAMPBELL. Mr. Speaker, reclaiming my time, I want to thank my colleague and applaud his courage and farsightedness.

LIVABILITY

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

Mr. LARSON. Mr. Speaker, today I rise to support a program that is helping cities and towns across the country find ways to build safer, stronger, and more economically viable communities. It is called the Transportation and Community and System Preservation Pilot program. While many of our state and local governments are struggling to deal with the problems relating to urban sprawl and how to create livable communities, this is one program that focuses on finding solution to these difficult problems.

Funds from this pilot program are provided to eligible state and local governments and municipal planning organizations to help them accomplish goals such as improving the efficiency of their transportation system and ensuring access to jobs, services, and centers of trade.

Just how necessary is this pilot program to cities and towns? Let's look at the numbers: This year 324 applications were received from communities across the country, all vying to be one of the 35 that were finally selected.

Fortunately for the First District of Connecticut, one of the those 35 final selections was a joint application filed by the city of Hartford, the town of Suffield, and the town of West Hartford. After reading this unique and resourceful proposal, I was pleased to write a letter of support to Secretary Slater on behalf of the three communities. The driving force behind their project is quite simple: teamwork.

Their proposal, which has received a \$480,000 grant through the pilot project, acknowledges the tension that often exists between grassroots, neighborhood efforts and more top-down regional planning. Therefore, it proposes to use this tension for its creative potential. They will work from both a regional and a neighborhood level to develop intermodel design standards that address walking, biking, parking, transit, trucking and easing traffic congestion.

I urge my colleagues to continue to support this innovative program so that our cities and towns can be better prepared to meet the challenge of the 21st century. They can only succeed if we provide the financial framework, but let their vision create the communities of tomorrow.

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

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE TECHNOLOGY EDUCATION CAPITAL INVESTMENT ACT OF 1999

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Ms. HOOLEY) is recognized for 5 minutes.

Ms. HOOLEY of Oregon. Mr. Speaker, I rise today to address one of our Nation's fastest-growing industries, the high-tech industry. In 1998 alone, the information technology industry accounted for 15 percent of our Nation's economic growth, and there is no indication that this trend will slow in the future.

Our high-technology economy creates better-paying jobs, increases productivity in all sectors of the economy and relies on a knowledgeable workforce. Further, high-tech companies currently employ 4.8 million people.

But, Mr. Speaker, we have a problem. Recent studies have shown a significant shortage of qualified workers in high-tech industries nationwide. Today, there are about 190,000 unfilled information technology jobs in the United States, and nearly half of the CEOs of these companies report having inadequate numbers of workers to staff their companies.

This personnel shortage is expected to grow rapidly over the next decade. If we fail to give this issue the appropriate attention today, we may send many of these well-paying, high-paying jobs overseas.

In order to address this shortage, I have introduced H.R. 709, the Technology Education Capital Investment Act. This legislation would help to stimulate technology education and increase the number of graduates of engineering and technology workers from our universities and community colleges.

The act addresses the issue of worker shortage in high-technology industry by making science and technology a priority for elementary schools, higher education and businesses alike. My bill would provide money to the National Science Foundation to provide elementary school children with programs that encourage math and science.

H.R. 709 also creates scholarships for students entering math, science and engineering degree programs and develops partnerships between high-technology firms and institutions of higher education by providing hands-on internships for college students.

Finally, this legislation extends tax exemption for employer-provided education assistance and establishes a Technology Workforce Commission that would report back to Congress on what to do about this issue.

I have introduced this bill not only because I am deeply concerned with the shortage of well-trained high-tech workers but also out of concern that our children are falling behind their peers in what is already a worldwide marketplace.

We must make education and learning a priority. This bill, in fact, will reduce the current shortage of qualified

high-tech workers and provide our Nation's next generation of leaders with the resources they need to succeed.

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Hawaii (Mrs. MINK) is recognized for 5 minutes.

(Mrs. MINK of Hawaii addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

MANAGED CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentlewoman from California (Ms. WOOLSEY) is recognized for 60 minutes as the designee of the minority leader.

Ms. WOOLSEY. Mr. Speaker, we are going to speak today in our special order about managed care reform. To get started, I yield to my colleague, the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I thank the gentlewoman from California (Ms. WOOLSEY) for yielding me this time; and I thank her for arranging this special order on the Patients' Bill of Rights. I also thank her for her leadership in this area.

Mr. Speaker, there is a young woman in my district who attends East Carolina University. She is a student in the Allied Health Department. This young woman is no different than any other student at ECU. She has hopes, dreams, goals and ambitions. However, her hopes and dreams, her goals and ambitions are inhibited.

She is a quadriplegic. The story of this young person, disadvantaged due to a disability, is not a new story, but this is a story that is distinct from others. This story is distinct because it could have been different. It could have been very different because if she had received the treatment she required she may have been able to avoid the complete paralysis that she must live with for the rest of her life. If she had received the treatment required, she may not have been a quadriplegic, which she is now.

Why then, one may ask, did she not receive the proper treatment? The reason is that her neurologist, under pressure from her insurance provider, did not render the treatment.

Mr. Speaker, let me share the words of this student. She states, "Eventually, I had the surgery, and they told me that if I had the MRI that my radiologist recommended, I would not be in the condition I am today."

She goes on to say, "I feel that managed care, along with my neurologist,

made a decision that changed my whole life."

Life-changing decisions are being made every day by those who count numbers and do not count individuals.

Life-changing decisions are being made every day by those who put profit before people and the bottom line before the end result.

Witness, for example, the father of another student in my district. This father, a veteran, faced terminal illness. While hospitalized, his family was informed that his HMO had instructed that he be removed to a nursing home within 24 hours. The family was out of town, and while grappling with the pain of a father's illness, they had to endure the pressure from the HMO.

This father had defended the country when he had good health but now that he was down he could not defend himself. Worse, under current conditions, the country could not or would not defend him.

Mr. Speaker, there are countless horrible stories like these. Perhaps that is why 22,000 citizens nationwide now have signed a petition demanding a change. Almost 2,000 of those persons came from the State of North Carolina. These persons recognize that it is fundamental that every citizen have access to doctors of their own choice.

It is fundamental that every citizen have access to needed prescription drugs. It is fundamental that every citizen can appeal poor medical decisions, can hold health care providers accountable when they are wrongfully denied care and can get emergency care when necessary. The Patients' Bill of Rights Act, H.R. 358, provides these fundamental rights.

A bill reported from the Senate, which is S. 326, does not provide these fundamental rights. Health care should be about curing diseases, not counting dollars and dimes. Medical treatment should be about finding remedies, not a rigid routine that puts saving money over sparing pain and suffering of human beings.

Patients deserve service from trained, caring individuals; not narrow-thinking persons more interested in crunching numbers than saving lives.

The Patients' Bill of Rights Act effectively provides a panoply of basic and fundamental rights to patients.

The other managed care reform bill, passed by the Senate, does not.

The Patients' Bill of Rights Act provides real choice. The other bill does not.

The Patients' Bill of Rights provides access. The other bill does not provide comparable access.

The Patients' Bill of Rights Act provides open communication. The Senate committee-passed bill does not.

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Mr. Speaker, these are not radical rights, these rights are very basic and fundamental. Legislation of this type is needed and necessary because 60 percent of the American people living in

this country do not have protection that will give them patient protection regulations.

The Patients' Bill of Rights Act simply provides minimum standards for the protection of patients in managed care. I am proud to be a cosponsor of the Patients' Bill of Rights Act. I am proud to join my colleague today in this special order, and I urge and encourage all the citizens to continue to sign onto the Internet, but more importantly, I urge my colleagues to make sure they support the Patients' Bill of Rights Act. We must change the way we provide health care, and we must respect the Patients' Bill of Rights Act.

Again, I thank my colleague for providing me the opportunity and arranging this special order.

Ms. WOOLSEY. I thank the gentlewoman for being here. I would like to point something out that the gentlewoman will find sad and yet interesting.

As far back as 1997, the Henry J. Kaiser Foundation and Harvard University School of Public Health had a study. One of their questions asked was, in the past few years, did they or someone they know have an HMO or managed care plan deny treatment or payment for something a doctor recommended.

Like the young woman the gentlewoman referred to earlier, the answer from 48 percent of the participants was, yes, denied care that was necessary from an HMO or a managed care plan. That 48 percent represents 96 million people who have had problems with health care, or know of someone who has. That is why we are here tonight. I thank the gentlewoman very much for coming and being part of this.

Mr. Speaker, 5 years ago the Republicans defeated President Clinton's health care reform bill. They claimed it would allow the Federal Government to interfere with doctor-patient relationships. Yet, when that same relationship between a doctor and a patient was threatened by a corporate bureaucracy, the managed health care industry, Republicans last year offered legislation that did absolutely nothing to protect the sanctity of choices made by doctors and their patients.

It is the same story in the 106th Congress. Democrats have been waiting for 2 years to pass the Patients' Bill of Rights Act, the bill that is outlined here on this board. Right now we are ready to work to improve Americans' access to quality health care. There must be enforceable rights to make consumer protections real and meaningful for all Americans.

Many States have passed legislation making a patchwork of protections. This patchwork does not provide a good fix for over 175 million Americans who need the Patients' Bill of Rights Act to be passed. We must remember, when we are talking about the Patients' Bill of Rights Act and managed care, that three of four people are in the managed care system.

While there are many top notch managed care organizations, particularly in my own district, I represent Marin and Sonoma Counties, just north of the Golden Gate Bridge in California, there are good managed care systems in that part of this country, but we hear too many horror stories across the rest of this country.

Doctors tell us the real life horror stories. They tell us about how they are gagged by insurance companies that dictate what they can tell their patients about their treatment options. They tell us that a patient's treatment decisions are often overruled by an insurance clerk, and that often patients are denied a specialist's care, or patients are shuttled out of a hospital before they are fully or adequately recovered and ready to go home.

Americans are demanding that the Republican leadership take real action and take it now, but instead, today, the Republican leadership has legislation that does not provide better patient access to quality care, nor does the Republican bill provide an independent external appeals process to review complaints when a patient's life or health is jeopardized.

Further, the Republican legislation does not ensure that patients have the right to see a specialist, nor does it prevent insurance companies from continuing to send women home after a mastectomy early, against the advice of their doctors and their health care providers. As important as all the rest, lastly, under the Republican bill, patients do not have the right to sue for damages.

In the final analysis, the Republican bill will do little to prevent medical decisions from being made by insurance companies instead of by doctors. What our country needs is the Patients' Bill of Rights Act. This legislation will make certain that doctors and patients are free to make decisions about health.

The Patients' Bill of Rights Act will ensure that patients have the right to openly discuss all of their treatment options with their doctors. The Patients' Bill of Rights Act provides patients access to important health care specialists, and allows specialists to be primary care providers.

Under the Patients' Bill of Rights Act, patients have the right to receive uniform information about their health plan, go to the emergency room when the need arises, provide continued care to patients when a doctor leaves a plan, and seek remedy from the courts when claims have been unfairly denied.

It is time to put doctors and patients back in charge of our health care system, and it is time for Congress to get out of the pocket of the managed care industry. The Republicans have the managed care industry on their side. They know it. But the Democrats have the support of the American people, and that is what counts.

I urge the Speaker, I urge all of my colleagues, to listen to what the people

in this Nation are saying. They want a Patients' Bill of Rights Act, and they want it now.

Mr. Speaker, I yield to my colleague, the gentleman from Connecticut (Mr. MALONEY).

Mr. MALONEY of Connecticut. Mr. Speaker, I thank the gentlewoman from California (Ms. WOOLSEY) for yielding to me.

Mr. Speaker, I rise today to express my strong support for H.R. 358, the Patients' Bill of Rights Act of 1999. Last year we came within 5 votes of adopting this strong, meaningful patients' protection legislation, legislation that would have assured access to medically necessary care for patients, that would have prevented inappropriate interference in the doctor-patient relationship, and guaranteed timely, independent external appeals when plans inappropriately deny care.

Unfortunately, our efforts to reestablish patient health as the primary focus of health plans were blocked by the partisan leadership opposed to reform. Their alternative bill, which was denounced by the American Medical Association as a sham, barely squeaked through this House, and was not even brought up for debate in the other body.

The partisan obstructionists had hoped that this issue would go away, but the real problems besetting patient care by HMOs still exist, and momentum for real change continues to build.

Although many States, including my home State of Connecticut, have enacted reforms to provide basic protections to patients, the Federal ERISA law exempts a significant segment of the insured population from the reach of those State laws.

About 40 percent of the total American population is left unprotected. Consequently, millions of Americans are covered by managed care plans who do not have to meet any quality standards whatsoever. Indeed, 122 million Americans are not guaranteed any enforceable patient protections.

In Connecticut alone, more than 1.7 million people are relegated to second-class medical care citizenship by the ERISA law and the failure of the Congress to enact meaningful reform. Each day that reform efforts are delayed, more patients will unjustly suffer from adverse decisions about their coverage.

It is time to enact a comprehensive set of strong, enforceable patient protections that will guarantee quality health care for all Americans. The Patients' Bill of Rights Act of 1999 would do just that. I am proud to be a cosponsor of this critical managed care reform legislation.

Let me stress five key provisions.

First, among other things, the bill would guarantee that if a patient has an emergency, hospital services would be covered by their plan. The bill says that individuals must have access to emergency care without prior authorization in any situation that a prudent layperson would regard as an emergency.

Second, patients with special conditions must have access to specialists who have the requisite expertise to treat their problem. The Patients' Bill of Rights Act allows for referrals for patients to go outside of their plan's network for specialty care at no extra cost to the patient if there is no appropriate provider inside the plan.

Third, the Patients' Bill of Rights Act provides important protections specific to women in managed care: Direct access to OB-GYN care and the ability to designate an OB-GYN physician as a primary care provider. The proposal also provides protection regarding mastectomy length of stay.

Fourth, prescription medications must be reasonably available. For plans that use a formulary, a standard list of prescription drugs, our legislation says beneficiaries must be able to access medications that are not on the formulary when the prescribing physician dictates those medicines for sound medical reasons.

Fifth and finally, individuals must have access to an external independent body with the capability and authority to resolve disputes for cases involving a denial of service which the patient's doctor determines is medically necessary, or for other cases where a patient's life or health is put in jeopardy.

In the Patients' Bill of Rights Act, States and the Department of Labor must establish an independent external appeals process for the plans under their respective jurisdictions. The plan pays the cost of the process, and any decision is binding on the plan.

Americans need and deserve these protections, protections which have been endorsed by the American Medical Association and the American Nurses Association, and 168 other major health and business organizations.

I urge my colleagues to support and pass the Patients' Bill of Rights Act of 1999, the real Patients' Bill of Rights Act.

Ms. WOOLSEY. Mr. Speaker, I thank the gentleman for coming. I was wondering if the gentleman would like to consider with me the importance of this bill, H.R. 358, based on some data that we have.

We all know that the way that most Americans obtain and paid for health care has drastically altered in the last few years, because a decade ago fewer than three out of ten health insurance companies were in managed care, three out of ten. Today more than three out of four people are in managed care plans.

So while managed care has been successful, it has slowed down the increase of health costs temporarily, at least, this change has been quite unsettling, and therefore, that is why consumers are clamoring for a Patients' Bill of Rights Act that will control managed care providers.

Mr. MALONEY of Connecticut. They are indeed clamoring for action by the Congress. I regularly hold what we call

neighborhood office hours on Saturdays outside of a shopping center, and not a Saturday goes by when I hold those office hours but one or more people in a short period of time, an hour or an hour and a half, will come up and tell me one more horror story about problems that they have had.

It is clear that managed care has had some benefits in controlling costs. The problem is that there are no rules for managed care. There are rules for how lawyers practice law, there are rules for how security agents practice security transactions, there are rules for real estate agents, there are rules for our local plumber, but there are no rules for managed care, and in fairness to the American public, there need to be a set of minimum guarantees, rules, for managed care.

Ms. WOOLSEY. And without those rules, the good managed care providers are having to slip and slide to the bottom of the rung of the ladder with the poorer providers, because they cannot compete in the marketplace. That is why we are here, and that is why we support the Democrats' Patients' Bill of Rights Act, H.R. 358.

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One of the other reasons we support it so strongly is that, as of last summer, 1998, not one State had passed a comprehensive set of protection consumer laws. So leaving it up to each State will not make the grade. It will not help consumers.

As a matter of fact, Vermont has enacted the greatest number of protections, 11; and South Dakota, the fewest, none. Sixteen States have enacted between five and 16 protections. The State I live in, California, makes the mark on six patient protections and misses the mark on seven of the key protection areas. Thirty-three States have enacted between one and four of these protections.

About 30 percent of Americans with employer-provided plans, which is about 51 million people, are in self-insured plans. Self-insured plans are preempted from patient protections established by State laws. So what does that tell us? We are not protecting people under the managed care plans.

Americans who have health insurance provided by their employers, of those Americans, 83 percent or 124 million Americans cannot seek remedies for wrongful denials of health care.

So I want to make it clear that all of these individuals who are not able to seek remedy would benefit from meaningful Federal remedies and a good health care safety plan and one that would protect American citizens. By the way, when the gentleman from Connecticut (Mr. MALONEY) was talking about what was going on, it is clear to me that if we do not do something very soon, the public, even those of how many millions that are covered, 124 million Americans who are covered by their company's health care plan, they, too, are worried about what

health care means to them and where is it going to go when they pay more and get less.

I think we are getting ever so much closer to a national health care system because we are being ever so irresponsible in providing good health care to the people of this Nation. A good health care reform plan like the Patients' Bill of Rights can protect them and may make that difference.

Mr. CUMMINGS. Mr. Speaker, I rise today in support of placing the reigns of health and well-being back where they belong—in the hands of the patient.

Sadly, over 50% of Americans believe that with the advent of managed care, the quality of health care has declined. The root of this dissatisfaction is the fear that they are powerless and unprotected in the face of possible violations of their rights.

The solution: A bill of rights.

When drafting our nation's Constitution, our forefathers were concerned about protecting individual rights. As such, they had the insight to enact a Bill of Rights, guaranteeing freedom of religion and speech, protection against unreasonable search and seizure, and subsequently outlawing slavery and providing people of color and women the right to vote. These built-in Constitutional checks and balances were included to keep the government from becoming too powerful and unresponsive to the will of the people.

Well, we are currently witnessing a period in which managed care has become unresponsive to the will of the people. To date, over 22,000 persons have signed a petition calling for patients' rights. And as lawmakers, we have a duty to provide checks and balances to guarantee our nation's patients the right to quality health care.

A Patients' Bill of Rights should include: Access to specialists, emergency care, and reproductive services; the right to appeal or seek legal redress on HMO decisions; guaranteed transitional care; physicians and patients determining what care is medically necessary; and expanded access to prescription drugs and clinical trials.

Enactment of these provisions is a critical and essential step towards fulfilling our duty to our citizens and creating the health care safety net that they deserve.

Let's adopt the insight of our forefathers who believed that all citizens had the right to life, liberty and the pursuit of happiness.

Let's enhance these rights by renewing our citizens' sense of empowerment in their own health and welfare.

Pass H.R. 358, the Patient's Bill of Rights.

Mr. VENTO. Mr. Speaker, I rise today in support of H.R. 358, the Patients' Bill of Rights. I'm pleased to have joined as a co-sponsor of this measure. This important legislation reaffirms Congress' commitment to address the fundamental health insurance concerns of America's workers. More importantly, it recognizes that quality, access and protection should be the basic cornerstones of our health care system.

As possibilities of higher costs or burgeoning numbers of uninsured workers arise, there is too often a reluctance to enact important changes in our national health care policy. However, without managed care reform, we will see a continued decline in the scope and effectiveness of health care coverage for millions of Americans.

Since a growing number of Americans get their health insurance through managed care plans, and since managed care is premised on the ability to contain costs, an important impetus for the Patient's Bill of Rights has been the prevalence of underinsurance. Americans are underinsured when they are denied medically necessary treatment, and have no form of recourse. Americans are also underinsured if they are unable to see necessary providers or have insufficient coverage options.

The patient's health care bill of rights establishes a framework of appeals to encourage fairness and expeditious review, while acknowledging that women, children and patients with special needs should have common sense access to specialty care. Furthermore, it seeks to prevent the interference of managed care in medical decisions, which adversely impacts the quality of care and helps destabilize the doctor-patient relationship.

Mr. Speaker, managed care has been an important innovation attempting to stretch the health care funding to cover more needs, but managed care policy needs balance, a voice for the patient and medical personnel. Furthermore, states cannot affect many interstate insurance programs under the authority of ERISA. Only national policy can address the deficiencies of such multi-state insurance programs.

It is unfortunate that we continue to subordinate significant reform to uncertain financial consequences. It is unfortunate that we continue to allow a slow erosion of health care coverage at the expense of some of our most vulnerable workers and their families. As the world's wealthiest nation, equity and quality should be the unquestioned foundation of our health care system. I urge my colleagues to support a sound Patients' Bill of Rights this session.

Mr. VISLOSKY. Mr. Speaker, as my colleagues have pointed out, access to emergency care is one of the most important issues in the managed care debate. Protection during medical catastrophes—the confidence lent by knowing that we have a doctor, and have access to quality medical care—is one of the primary reasons we buy health insurance. We want to make sure that if something happens to us or our family, we will be covered. It is an unjust shock to insurance-holders when their time of need comes, and they rush themselves or their loved ones to an emergency room, only to have their insurance company tell them that because they did not have the medical knowledge to foretell the true extent of the emergency, their medical care will not be covered.

It is clear why insurance companies have these policies; emergency care is the most expensive type of medical attention available. It requires 24-hour staffing and resources that must be instantaneously available for any incident. But the fact is that people buy health insurance because they know they could not afford to pay for medical care out of pocket if they needed extensive treatment. Emergency care is one of those treatments that is just too expensive to pay for up front. However, if multi-million dollar corporations cannot afford this care, surely private individuals who are also paying their monthly health insurance premiums cannot either.

Managed care companies' continuing denials of emergency care are changing the face

of health care in a very broad way. What happens when insurance companies refuse to pay for treatment is that, often, it just doesn't get paid. The debate over instituting a prudent layperson standard for emergency care does not just involve patients and insurance companies, it involves hospitals, as well. Hospitals are already required to treat uninsured patients out of their emergency rooms, and lost millions of dollars doing so. When we let insurance companies impose arbitrary limits on the type of emergency care they will cover, we essentially increase the population of uninsured that hospitals are required to serve. The number of uninsured individuals in this country is already a problem; we surely do not need to allow insurance companies to create another population of "pseudo-insured," whose insurance premiums are never passed on to the health care providers.

In addition to this overarching change in the relationship between patients, hospitals and insurance companies, denials of emergency claims are also changing health care in a more personal way. Emergency rooms, aware of the unfunded liability posed by the pseudo-insured, are treating patients differently.

For example, I was contacted by one woman in Northwest Indiana, whom I shall refer to as Louise. She is not a member of a health maintenance organization (HMO). However, when she rushed her seven-year-old son to the emergency room with a broken arm, she was not able to stop home first and pick up her insurance card. The hospital, again aware that if it did not follow protocol it could be left with the bill, protected itself by acting on the assumption that she was in an HMO. The Emergency Room doctor tried to get prior authorization to run several diagnostic tests on the boy, who had fallen from a slide and was having abdominal pain in addition to the pain in his arm. He could not. But the denial did not come about because it was immediately obvious that there was a confusion about the insurance. Louise's participation in the HMO was not questioned. Rather authorization was denied and Louise was instead told to drive her son to a clinic thirty miles away. When the doctor attending to the boy at the emergency room objected, he was told that, because the bone was not sticking out of the skin, Louise was expected to sign a form assuming all responsibility for the boy's condition and drive him to the clinic. Instead, Louise agreed to pay for the tests out of pocket, thinking that the insurance company would surely pay for treatment if the tests proved it was necessary. She was wrong. By the time the emergency room physician reviewed the x-rays and tests and found that the boy's arm was broken at a greater than 45-degree angle, the clinic to which he had been referred had closed. When the emergency room physician again asked for permission to set the arm, Louise was told to go home and bring the boy to an orthopedic physician's office at the clinic in the morning, fourteen and one-half hours later. She was encouraged to carefully monitor her son's finger circulation and sensation, because if there was further loss of circulation or if the bone broke through the skin she would have to take him back to the emergency room. Louise could not believe the treatment her son was receiving. At this point, when her son had been lying on his back with a broked arm for five hours, the confusion over Louise's, insurance was cleared up, and her son's arm was finally treated.

Managed care organizations' unfairly limiting patients' access to emergency care is having a ripple effect on our health care system, and it has to stop. Reasonableness must be introduced into the health insurance system. It is reasonable for an insurance-holder to go to the emergency room, the emergency care must be covered. If the treatment prescribed by a licensed medical practitioner is reasonable, that must be covered as well. Letting profit-seeking obscure the basis understanding in health insurance—that you buy health insurance to pay for your health care—is wrong. The Patients' Bill of Rights, which would institute a "prudent layperson" standard for emergency care, will go a long way toward making it right.

Mr. FILNER. Mr. Speaker, here we go again! Once again, we hear that the Republican party wants real managed care reform, but what we see coming to us in legislation from your party is just a shell offering few real patient protections.

The bill Republicans tout as their solution to the pleas we hear from our constituents—many of whom have been the victims of harmful decisions meted out by managed care administrators—makes its mark by its failings.

Rather than protect patients, the Republican bill should be more correctly titled the "Insurance Industry Protection Act." The bill leaves medical decisions in the hands of insurance company accountants and clerks, instead of doctors; fails to provide access to care from specialists; fails to provide continuity in the doctor-patient relationship; fails to provide an effective mechanism to hold plans accountable when a plan's actions or lack of action injures or kills someone; fails to respect doctors' decisions to prescribe the drugs they believe would provide the best treatment; fails to prevent plans from giving doctors financial incentives to deny care; and allows health maintenance organizations to continue to penalize patients for seeking emergency care when they believe they are in danger.

Most importantly, the Republicans' bill will not even provide its "shell" protection to more than 100 million of the American people—it fails to cover two-thirds of all privately insured people in the United States.

As you can see, the Republicans' bill has many failings! On the other hand, Senate Bill 6 and H.R. 358, part of the 1999 Families First (Democratic) Agenda, will deliver real protections to millions of American families. These bills, which have the backing of dozens of consumer groups, include these vital protections—and more. They provide a vital mechanism for a timely internal and independent external appeals process—an essential tool when someone's life is in the balance! But the Republicans' bill is deliberately deceiving—it was introduced in the Senate after the Democratic-sponsored bill that contains real safeguards (and is also co-sponsored by Senate Republicans,) yet those promoting this "protection-in-name-only" bill gave it the same name, "The Patients' Bill of Rights."

The Republicans and the high-powered health insurance industry are trying to scare everyday working Americans, telling them if Congress mandated the protections that the Republicans left out—and which are contained in the Democrats' bill—then health care premiums would increase. The non-partisan Congressional Budget Office, however, estimates that each person would only pay \$2 a month more for the protections in the Democrats' bill.

The reality is that the cost of the Republican bill is too high.

It would continue the present system of administrators making health care decisions, exposing countless more people to inadequate care that could injure or kill them; it would force Americans to pay their own emergency room bills unless a doctor or nurse first told them to go there; and it would fail to allow doctors to freely practice medicine without the constraints of gag rules or limitations on prescription drugs.

Two dollars a month for these important patient protections is a reasonable cost for access to quality care!

Let us stop this destructive game of trying to convince people that they are better off with a reform bill that is "reform" in name only—that lacks the substance and real protections! To offer so-called "protections" with few safeguards to back them up is a deadly game we should not be playing!

GENERAL LEAVE

Ms. WOOLSEY. 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 my special order.

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

There was no objection.

ISSUES OF CONCERN IN THE COUNTRY TODAY

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, during this special order hour, I have secured this hour on behalf of the Republican majority and would invite all those Members who are monitoring tonight's proceedings and who would like to participate in this hour to join me on the floor here tonight, again those Members from the majority party who would wish to be present.

There are several issues that I want to discuss tonight: taxes, education, Social Security, and of course the President's war in Kosovo.

I want to engage in that discussion by reading into the RECORD a letter that many of us here received last week from the American Legion. The American Legion, of course, is one of the Nation's leading organizations representing veterans throughout the country.

They sent to Members of Congress copies of a letter that was written by the national commander of the American Legion. The letter was sent to the President of the United States.

That letter, again, also copied and sent to Members of Congress read as follows: "The American Legion, a wartime veterans organization of nearly three million members, urges the immediate withdrawal of American

troops participating in 'Operation Allied Force.'

"The National Executive Committee of the American Legion, meeting in Indianapolis today, adopted Resolution 44, titled 'The American Legion's Statement on Yugoslavia.' This resolution was debated and adopted unanimously.

"Mr. President, the United States Armed Forces should never be committed to wartime operations unless the following conditions are fulfilled:

Number one, "That there be clear statement by the President of why it is in our vital national interest to be engaged in hostilities;"

Two, "Guidelines be established for the mission, including a clear exit strategy;"

Three, "That there be support of the mission by the U.S. Congress and the American people; and"

Four, "That it be made clear that U.S. Forces will be commanded only by U.S. officers whom we acknowledge are superior military leaders.

"It is the opinion of the American Legion, which I am sure is shared by the majority of Americans, that three of the above listed conditions have not been met in the current joint operation with NATO ('Operation Allied Forces').

"In no case should America commit its Armed Forces in the absence of clearly defined objectives agreed upon by the U.S. Congress in accordance with Article I, Section 8, of the Constitution of the United States."

It is signed again by the national commander of the American Legion. Copies of this letter were sent to several individuals in the administration, the Secretary of State, the Secretary of Defense, the Joint Chiefs of Staff chairmen, the Speaker of the House, the majority leader in the Senate, the minority leader in the House and several others, members on the Committee on Armed Services, and so on.

This resolution was adopted, again, in Indianapolis, as I mentioned earlier, on May 5, just last week. It is again referred to as Resolution Number 44 by the American Legion. It is their statement on Yugoslavia.

This is a sentiment certainly expressed by members of the veterans throughout the country. It is indicative, I think, of several other veterans organizations. Of course they are capable and prepared to speak for themselves, as many of them have.

But I can say, Mr. Speaker, that over the last weekend, as I returned home to Colorado, I had an opportunity to receive opinions and comments from several individuals throughout the district on this matter. I would say that the voice of veterans as expressed by the American Legion rings in a consonant cord with those sentiments expressed by my constituents.

Several other letters have been sent and forwarded to my office by constituents. One of the things I enjoy doing at these special orders is relaying the concerns of my constituents as expressed

in writing to my office and through E-mails and telephone calls and so on.

I use this opportunity to encourage constituents to write and to call, not just my constituents, but all those from throughout the country who are concerned about the affairs of our great Nation. It is worthwhile to write letters to Members of Congress. It is a proper role in the course of active citizenship to demand accountability from our elected officials, to let them know what is on the minds of those who constitute the citizenry of our great country.

Here is one letter I received last week as well. It starts out, Dear Congressman Schaffer, "This is a belated thank you for your vote to impeach" the occupant of the White House; we have to maintain our House rules I understand so I will have to edit the letter a little bit, "and your stand, unfortunately useless, against the current action in Kosovo.

"We've heard that the CIA, NATO, military advisors, and our own military recommended against the bombing in Kosovo but that" the President, "with the great military astuteness he's shown since Somalia, decided to go ahead. Is there any way, in this life, to hold this man accountable for the damage he's done to this country over the years?

"Just a side note, I'm opposed to paying the U.N. this so-called debt we are claimed to owe. I'd love to see us disengage from that organization in all ways.

"Thanks for your dedication and service." This is a woman from Fort Collins, Colorado who sent this letter in.

This is another letter from a constituent of mine: "The mood of the country over the recent past is that the United States is not at war unless we say that we are at war." In the first portion, Mr. Speaker, of this letter he writes a little bit tongue in cheek. "And the way we say that we ARE at war is to have Congress declare war. In other words, even if we are ACTUALLY at war it is not a war until we call it a war."

That sounds a bit bizarre, but in fact the writer accurately characterizes the current disposition of the Congress and certainly the Presidency. There has been no declaration of war in this war, and there are many people running around here in Washington claiming that we are somehow not at war.

It certainly was something to explain when the three members of the United States Army who were held as prisoners by the Yugoslavian forces, upon their release, received the Prisoner of War Medal. I would love to hear someone over at the White House try to explain that, prisoners of a war that does not exist. Nonetheless, they were pinned with a medal, which I think they deserve.

I do believe we are clearly engaged in an act of war and outside the parameters of Article I, Section 8 of the Con-

stitution, that which gives the authority to this Congress to declare a war, and that is our responsibility.

This writer from Fort Collins, Colorado goes on. He says, "The recent presidents and Congresses have moved toward erasing the separation of powers called for by the Constitution. Congress is to decide if we are going to go to war and when, and declares war when it is ready. The President executes the war as commander and chief. It is about time we called for a halt in this tendency toward an imperial presidency."

He goes on: "The country seems to think that the NATO treaty supersedes the U.S. Constitution where war is involved. Well, that is a very serious matter indeed, to say that a bunch of bureaucrats in Brussels can say that the U.S. has to go to war. But the matter is not that complicated. We can still have the treaty but should place in it that the U.S. will not go into any war unless and until Congress declares war."

Again, this is from a constituent in Fort Collins, Colorado.

There is another writer from Johnstown, Colorado. He says: "I believe that our American National Security interests are adversely affected by the NATO-USA involvement in Yugoslavia.

"Our national defense/military preparedness is already marginal from years of downsizing in defense capabilities. Further USA military expenditures for the Kosovo cause are not warranted and our military shows", it is very difficult to read; this is handwritten, and our military has shown to protect our country. "I support increased spending in missile defense systems, advanced aircraft and substantial size/numbers increases in our land, sea, and air forces.

"I applaud your votes of" April 28 "concerning withholding of ground forces and not supporting the air strikes.

"Please continue your efforts to extricate our country from a colossal mistake by" our Commander in Chief "and the Secretary of State Albright."

Again a letter from Johnstown, Colorado.

Another letter that I would like to share with our Members from Greeley, Colorado: "I would like to express some concern for the path we seem to be taking in Kosovo. As I recall, we were only assigning troops to Bosnia for a short time and they are still there. Our recent history in being the 'world's' peacekeeper is not outstanding. We continually 'draw lines in the sand' and then say, well not this time but next time. I wish I had confidence this was not a political ploy but a legitimate diplomatic endeavor—but I do not."

This is a student, it seems, from the University of Northern Colorado who wrote just last week. He put a postscript on his letter. It says: "It takes humility to seek feedback. It takes wisdom to understand it, analyze it, and appropriately act on it." Keep "First Things First Every Day".

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A letter from Aurora, Colorado, also within my district: "As a conservative Republican and as a Vietnam veteran, I appreciate your opposition to the U.S. Attack on Serbia. The Clinton policy is misguided. The commander seems only interested in his place in history. If he had wanted historic recognition for foreign adventures, he should have gotten some experience in 1968, when he had the chance.

"It is the wrong leadership with the wrong policy taking the wrong action. I urge you to do whatever you can to end this adventure as quickly as possible by sponsoring or supporting legislation to end funding for this hopeless intervention in another civil war."

Again, this is letter from a constituent of mine in Aurora, Colorado.

Here is another one. "Dear Congressman Schaffer:" This is from Wellington, Colorado. "The best idea I have heard yet is Senator SMITH's bill to stop any funding of the Kosovo bombing. I fully support it. It should prove difficult to fly a bomber with no MasterCard for the fuel. Sincerely, Ben." From Wellington, Colorado.

Here is another letter I received from a gentleman from Bellvue. He said that he recently met a woman from Yugoslavia, a graduate student from Colorado State University in the 1980s. She continued her studies there and got her Ph.D. in the 1990s. The writer says, "She is a beautiful lady, and I have enjoyed many hours in friendship with her. Her mother came to her graduation party, and I had a chance to meet her. Our common language was Italian, and she said that I was the only person in America, except for her daughter, that understood her. She is a lovely lady in her 80s and lives in peace in Yugoslavia. This week American bombs, rockets and missiles were exploded in anger over her homeland. For the sake of all that is right and in the name of humanity, please don't kill this lady. She is a friend. We are not at war with anybody." He is reminding us that this Congress has not declared war under Article I, Section 8.

"If we are a member of some club," again referring to the U.N. or NATO, or perhaps both, "that says we have to bomb other countries, perhaps we should get out of it. As a taxpayer, I cannot afford to spend millions of dollars for cruise missiles that might land on my friend's mother. Please tell the President to stop bombing other countries. I repeat, we are not at war with anybody. Thank you."

I have received several letters on that order; and, Mr. Speaker, I include for the RECORD those letters I have referred to.

THE AMERICAN LEGION,
OFFICE OF THE NATIONAL COMMANDER,
Washington, DC, May 5, 1999.

THE PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: The American Legion, a wartime veterans organization of nearly three-million members, urges the im-

mediate withdrawal of American troops participating in "Operation Allied Force."

The National Executive Committee of the American Legion, meeting in Indianapolis today, adopted Resolution 44, titled "The American Legion's Statement on Yugoslavia." This resolution was debated and adopted unanimously.

Mr. President, the United States Armed Forces should never be committed to wartime operations unless the following conditions are fulfilled:

That there be a clear statement by the President of why it is in our vital national interests to be engaged in hostilities;

Guidelines be established for the mission, including a clear exit strategy;

That there be support of the mission by the U.S. Congress and the American people; and

That it be made clear that U.S. Forces will be commanded only by U.S. officers whom we acknowledge are superior military leaders.

It is the opinion of The American Legion, which I am sure is shared by the majority of Americans, that three of the above listed conditions have not been met in the current joint operation with NATO ("Operation Allied Force").

In no case should America commit its Armed Forces in the absence of clearly defined objectives agreed upon by the U.S. Congress in accordance with Article I, Section 8, of the Constitution of the United States.

Sincerely,

HAROLD L. "BUTCH" MILLER,
National Commander.

Enclosure.

NATIONAL EXECUTIVE COMMITTEE—
THE AMERICAN LEGION

May 5, 1999

RESOLUTION NO. 44: THE AMERICAN LEGION
STATEMENT ON YUGOSLAVIA

Whereas, The President has committed the Armed Forces of the United States, in a joint operation with NATO ("Operation Allied Force"), to engage in hostilities in the Federal Republic of Yugoslavia without clearly defining America's vital national interests; and

Whereas, Neither the President nor the Congress have defined America's objectives in what has become an open-ended conflict characterized by an ill-defined progressive escalation; and

Whereas, It is obvious that an ill-planned and massive commitment of U.S. resources could only lead to troops being killed, wounded or captured without advancing any clear purpose, mission or objective; and

Whereas, The American people rightfully support the ending of crimes and abuses by the Federal Republic of Yugoslavia, and the extending of humanitarian relief to the suffering people of the region; and

Whereas, America should not commit resources to the prosecution of hostilities in the absence of clearly defined objectives agreed upon by the U.S. Congress in accordance with Article I Section 8 of the Constitution of the United States; now, therefore, be it

Resolved, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, May 5-6, 1999, That The American Legion, which is composed of nearly 3 million veterans of war-time service, voices its grave concerns about the commitment of U.S. Armed Forces to Operation Allied Force, unless the following conditions are fulfilled:

That there be a clear statement by the President of why it is in our vital national interests to be engaged in Operation Allied Force;

Guidelines be established for the mission, including a clear exit strategy;

That there be support of the mission by the U.S. Congress and the American people; and

That it be made clear U.S. Forces will be commanded only by U.S. officers whom we acknowledge are superior military leaders; and, be it further

Resolved, That, if the aforementioned conditions are not met, The American Legion calls upon the President and the Congress to withdraw American forces immediately from Operation Allied Force; and, be it further

Resolved, That The American Legion calls upon the Congress and the international community to ease the suffering of the Kosovar refugees by providing necessary aid and assistance; and, be it finally

Resolved, That The American Legion reaffirms its unwavering admiration of, and support for, our American men and women serving in uniform throughout the world, and we reaffirm our efforts to provide sufficient national assets to ensure their well being.

DEAR REPRESENTATIVE SCHAFFER: This is a belated thank you for your vote to impeach Clinton and your stand, unfortunately useless, against the current action in Kosovo.

We've heard that the CIA, NATO military-advisors, and our own military, recommended against the bombing in Kosovo but that Clinton, with the great military astuteness he's shown since Somalia, decided to go ahead. Is there any way, in this life, to hold this man accountable for the damage he's done to this country over the years?

Just a side note. I'm opposed to paying the UN this so-called debt we are claimed to owe. I'd love to see us disengage from that organization in all ways.

Thank you for your dedication and service.

Sincerely,

MRS. C. LILE.

APRIL 17, 1999.

REP. BOB SCHAFFER,
Cannon House Office Building,
Washington, DC.

DEAR MR. SCHAFFER: How much longer will we have to sit and watch the genocide going on in Kosova? The United States failed to stop the genocide of Jews and Gypsies in World War II; we failed to stop the genocides in Laos and Rwanda. This is not a matter of foreign policy; this is not a matter of a Democratic President and a Republican Congress. This is a matter of morality, of humanity and human dignity. We have a moral imperative to do something.

We say: send in ground troops NOW, before it's too late.

Sincerely,

JONATHAN BELLMAN,
DEBORAH KAUFFMAN.

REPRESENTATIVE SCHAFFER: Best idea I've heard yet is Sen. SMITH's bill to stop any funding of the Kosovo bombing. I support it fully. It should prove difficult to fly a bomber with no MasterCard for the fuel.

Sincerely,

BEN MAHRLE.

REPRESENTATIVE SCHAFFER: As a conservative Republican and as a Vietnam vet, I appreciate your opposition to the US attack on Serbia. The Clinton policy is misguided. Clinton is only interested in his place in history. If he had wanted historic recognition for foreign adventures, he should have gotten some experience in 1968 when he had the chance.

It is the wrong leadership with the wrong policy taking the wrong action. I urge you to do whatever you can to end this adventure as quickly as possible by sponsoring or supporting legislation to end funding for this hopeless intervention in another civil war.

Sincerely,

JAMES BEETEM.

DEAR MR. SCHAFFER, I would like to express some concern for the path we seem to be taking in Kosovo. As I recall we were only assigning troops to Bosnia for a short time and they are still there. Our recent history in being the "world's" peacekeeper is not outstanding. We continually "draw lines in the sand" and then say, well not this time but next time. I wish I had confidence this was not a political ploy but a legitimate diplomacy endeavor—but I don't.

Sincerely,

DR. DAVID CRABTREE,
DR. KAREN CRABTREE.

APRIL 29, 1999.

DEAR CONGRESSMAN SCHAFFER: I believe that our American National Security interests are adversely affected by the NATO/USA involvement in Yugoslavia.

Our national defense/military preparedness is already marginal from years of downsizing in defense capabilities. Further USA military expenditures for the Kosovo cause are not warranted and our military should exist to protect our country. I support increased spending in missile defense systems, advanced aircraft and substantial size/numbers increases in our land, sea, and air forces.

I applaud your votes of April 28, 1999 concerning withholding of ground forces and not supporting the air strikes.

Please continue your efforts to extricate our country from a colossal mistake by President Clinton and Secretary of State Albright.

Sincerely yours,

THOMAS H. STEELE.

MAY 2, 1999.

TO: REPRESENTATIVE SCHAFFER: The mood of the country over the recent past is that the United States is not at war unless we SAY that we are at war. And the way we say that we are at war is to have Congress declare war. In other words, even if we ACTUALLY at war it is not a war until we call it a war.

If we are actually at war but do not want to call it a war we use a legal fiction, or an euphemism, to call being at war something else: a police action, attack, intervention etc.

The mood of the country is that declaring war is a BIG DEAL, and we do not want to do it unless we have to. But actually going to war without calling it a war is not so big a deal because we think we can pull out if we want, do not have to win, do not have to defeat, etc. We can simply play at war but without the commitment. But declaring war does not really have to be a big deal. There are big wars and little wars, costly wars and cheap wars, easy wars and hard wars.

The situation is similar to the act of recognizing the existence of a foreign regime. When we said that we did not recognize Communist China it did not exist as far as we were concerned, even though we all know that it did actually exist. Non recognition is not dangerous to the country. But actually going to war is a serious matter, at least in my view. Therefore I strenuously object to using euphemisms when engaging in it. And it seems to me that this was exactly what the founding fathers had in mind when they said that it was up to Congress to declare war. They did not want the president to just start wars any time he wanted to, especially since he is also the Commander in Chief. And that is what has been happening. But Congress has abnegated its responsibility by not calling him on it. Exactly what will, or would happen if they called him on it and he ignored them is a serious constitutional question. It seems to me that he could and should be impeached and removed from office.

The recent Presidents and Congresses have moved toward erasing the separation of powers called for by the Constitution. Congress is to decide if we are going to go to war and when, and declares war when it is ready. The President EXECUTES the war as commander in chief. It is about time we called for a halt in this tendency toward an imperial presidency.

This country seems to think that the NATO treaty supercedes the U.S. Constitution where war is involved. Well, that is a very serious matter indeed, to say that a bunch of bureaucrats in Brussels can say that the U.S. has to go to war. But the matter is not that complicated. We can still have the treaty but should place in it that the U.S. will not go into any war unless and until the Congress declares war.

MICHAEL MORAN.

MARCH 25, 1999.

DEAR CONGRESSMAN: Olga Radulaski is from Yugoslavia. She graduated from CSU in the 1980's. She continued her studies there and got her PhD in the 90's. She's a beautiful lady and I've enjoyed many hours in friendship with her. Olga's mother came to her graduation party and I got a chance to meet her. Our common language was Italian, and she said I was the only person in America, except for her daughter, that understood her. She's a lovely lady, in her eighties, and lives in peace in Yugoslavia.

This week American bombs, rockets and missiles were exploded in anger on her homeland. For the sake of all that is right in the name of humanity, please don't kill this lady. She's a friend.

We are not at war with anybody. If we're a member of some "club" that says we have to bomb other countries, perhaps we should not get out of it. As a taxpayer, I cannot afford to spend a million dollars for a cruise missile that might land on Olga's mother.

Please tell the President to stop bombing other countries. I repeat, we're not at war with anybody.

Thank you.

FRED COLLIER.

Mr. SCHAFFER. Mr. Speaker, I am joined tonight by one of the stellar Members of the class that was elected at the same time I was, in 1996, which constituted a very solid block of new Members in that year for the United States Congress, now in our sophomore year, and it is a great privilege to serve with the gentleman from Montana. I yield to him.

Mr. HILL of Montana. Mr. Speaker, I thank the gentleman from Colorado; and I want to thank him for securing this time. I certainly want to echo the comments of the folks writing to the gentleman with regard to the activities in Kosovo.

I joined with the gentleman voting to withdraw our troops and to require the President to secure the approval of Congress before he puts in any ground troops.

If we look at the policy with respect to Kosovo, the objectives that were set out in the beginning of this adventure, I guess we would say, of course, that one of our goals was to prevent the ethnic cleansing. That is the effort on the part of the Serbs to drive the Kosovars out of Kosovo.

Of course, that aspect of the policy is an obvious failure. Every night our heart aches for those refugees we see in the neighboring provinces and in the neighboring countries.

The objective was, of course, to bring stability to the region. These refugees have brought greater instability to the region. Macedonia is a very unstable setting. The large number of refugees are being held in encampments because, if they were allowed out of those encampments, the concern would be that that would destabilize Macedonia.

What is really interesting is that this President, under the War Powers Act, is required to submit reports to the Congress whenever troops are put in harm's way. Of course, the War Powers Act was passed over President Nixon's veto, but, as I recall, President Ford made four reports under the War Powers Act, President Carter made one, President Reagan made 14, President Bush made 7, and President Clinton has made 46 reports under the War Powers Act. That means that he has put troops in harm's way on more than twice as many occasions as have all the previous presidents under the War Powers Act.

Interestingly, two of those reports were to deploy troops to Albania, where rioting Albanians were threatening our embassy in 1997 and in August of 1998. And of course the other objective of this activity has been to protect the prestige of NATO. In every one of those instances, I think the President's objectives of this war in Kosovo have not been fulfilled, and that is why I joined with my colleague in voting to bring our troops home. Unfortunately, we were not successful in getting that done.

But one of the things I wanted to visit a little bit tonight about, and I think this has kind of gone unnoticed, is the fact that those men and women over there fighting today are going to be our veterans of tomorrow.

Mr. SCHAFFER. That is right.

Mr. HILL of Montana. And we, as the gentleman knows, passed a budget here in the House of Representatives where we made a very strong commitment to veterans' health care. The President proposed a budget that basically flat-lined it. There was no increase in veterans' health care. And Congress, recognizing the importance of living up to the commitments that we have made to our veterans, increased the funding by about \$1.7 billion.

I have a few letters from folks in Montana. Veterans' health care is a pretty interesting issue in Montana. One of the interesting aspects of the Montana experience in World War II is that there is a larger proportion of Montana's population that served in World War II than any other State in the country. That had a lot to do with the census during the 1930s. Montana lost a lot of population, and the allocation of forces and the draft quotas were based upon population numbers that predated 1940. So Montanans sent more men and women to fight in World War II than other States did proportionately.

So, as a consequence of that, we have a larger proportion of veterans; and, of

course, we have a very large State also to deal with.

They just recently closed a veterans facility in Miles City, a veterans hospital in Miles City. In fact, one veteran wrote to me and said, "I'm wondering what message you are trying to send to us. You expanded the veterans cemetery and you closed the Veterans Hospital. Does that tell us that you have something in mind for the World War II and Korean War veterans?"

In any event, this Congress has approved a budget that will increase spending to provide health care to veterans, and it is extremely important that we live up to the commitment that we made to these disabled veterans and other senior citizens who are veterans who need to secure their health care.

Budgets are about more than numbers. Budgets are about priorities. And the budget that we just passed, I think, is an important one because I think it tells the American people what our priorities are for the future of America. And I want to just outline again what those are.

I talked briefly for a few minutes about increasing spending for veterans' health care, but also we included in our budget a provision to set aside all of the Social Security taxes that are collected for Social Security, which is something that is unique. Congress has not done that. Over the last 20 years, the surpluses coming from Social Security, as I know most of my colleagues know, has been spent on other things. We established a milestone. We say from now forward all of the Social Security taxes, 100 percent, will be set aside to save Social Security.

We also want to strengthen our national defense. I think it is obvious to everyone who is paying attention to the situation in Kosovo, the war in Kosovo, it is obvious that our military is strapped to the absolute limit. We cannot fly many of our airplanes. We are running short of armaments. It is clear we have inadequate training or insufficient training in many cases, that our men and women are being stretched to the limit and perhaps beyond it. We need to put more resources to the national defense.

Also, as part of this budget, there is a plan to lower taxes on the American people. I think it is important for us to have some discussion about why it is important for us to lower taxes for the American people. The portion of our national income today that is going to taxes, to the burden of taxes of the Federal Government, is the third highest it has ever been in the national history. In fact, the only time the percentage of our national income was higher going to taxes was in World War II, in 1945 and 1946. So it is a simple matter of fairness, that the tax burden is too high and we need to lower the tax burden on American families.

I think it is really important that we talk about and have a clear debate about where we think we ought to re-

duce taxes. There are two areas I think that are particularly important.

One is eliminating the marriage penalty. I think it is grossly unfair that 70,000 of my constituents in Montana pay on average \$1,400 more in taxes because they are married than if they were single.

I also believe that we need to do something about the estate tax. There is not a tax that is more unfair than the estate tax. The fact that we tax somebody simply because they die seems to me to be extraordinarily unfair. While it is often perceived as a tax on the rich, the very wealthy do not pay that tax. It is working men and women, small business owners and people who have saved and have been prudent with their money. Farmers and ranchers particularly are hard hit by the death tax.

We just passed on May 8, Tax Freedom Day. The American people have been working all year long, until May 8, to support government. Now they get to work for their families.

One of the ways we can help them live up to the responsibilities of their families, be able to provide for their families, is by reducing taxes. We did that in the last Congress. We passed the \$400 per child tax credit. It will go to \$500 this year. It is surprising how many Montanans have written to me thanking me for that \$400 per child tax credit, saying that that is going to allow them to be able to spend more money on education for their children, or perhaps even clothing or food or the necessities of the family, or even maybe a family vacation. But Montanans are grateful for that.

Incidentally, that is \$50 million more that will be made available to the citizens of Montana to spend in Montana, which will, of course, strengthen the economy of the State of Montana.

So many Montanans write to me and say that both the husband and the wife have to work in order to support their family, or a woman might even write and say that her husband has two jobs, a full-time job and a part-time job, just to support the family.

Forty percent of that income is going to the government. That is too high of a percentage. We ought to be 20 or 25 percent total going to government. And the best way to do that is a downpayment with the marriage penalty.

Mr. SCHAFFER. The gentleman is absolutely right. The tax burden on the American family is upwards of 40 percent. And that is just the tax burden. When we include the cost of Federal regulation and other compliance costs associated with just being an American citizen and doing business in the United States, the actual tax burden on the American family averages well over 50 percent today. It is one that we are constantly reminded of back home when we go back home to visit constituents.

I wanted to read a letter I received from a constituent in Loveland, Colorado, which reinforces what the gen-

tleman just said. It is a letter from a small business owner, runs a sprinkler and landscape company, and he says, "Dear Congressman Schaffer: I am your constituent from Loveland. As a business owner and a grandparent, I am very concerned about the serious economic problems facing our country. I feel our current income tax structure is having a very negative impact by taxing production, savings and investment, the very things which can make the economy strong."

So these folks support a national consumption tax, as the letter goes on, and they want to see some answers. But this is pretty typical of what we are hearing more and more from a greater number of American citizens throughout the country that are realizing that this silly notion of punishing hard work and success cannot be a successful formula for the United States of America. They are asking us to look harder and work more vigorously toward wholesale tax reform and at the very least reducing the overall tax burden.

I ask constituents all the time, what would be a reasonable level of taxation? I ask, if they could pick a number, a fair number, as an American citizen, what their percentage of income should be to pay to live in the United States, and the answer is typically somewhere around 20 to 25 percent. Well, we are almost twice that. And, again, when we include the regulatory costs of State, local and Federal governments, the American taxpayers are crying out for relief.

And not just on the tax side, but they are demanding that we be a little more critical of the expenditures that take place here in Congress. There is extravagant spending on programs that constitute nothing more than grand waste. It is unfortunate that this city seems to have a sense of momentum about it.

We make progress in small increments every year, and we really have turned the corner over the last 6 years. Republicans have had the majority in this Congress. We have made a remarkable difference and changed the overall trend line for everything from the national debt to eliminating deficit spending and now putting aside dollars over the next 10 years that can be used to achieve real priorities and objectives of the country such as saving Social Security, providing for a world-class education system, providing for a strong national defense and so on.

□ 2030

So the point my colleague mentioned and the voices of Montana are remarkably similar to those of my home State of Colorado and I presume throughout the rest of the country, as well.

Mr. HILL of Montana. If the gentleman would continue to yield, why is it important for us to save Social Security?

First of all, we have to look at what the President's actuaries say. And they

say, if we do not do something now to address this, we are going to be faced with two choices. One is to cut benefits by as much as a third, or to increase taxes by as much as a third.

Neither of those options are acceptable to me. And one of the reasons is that most working families today pay more in Social Security taxes than they do any other form of taxes. That is the tax rate that has gone up the fastest. And the idea that people have been paying into this year after year after year and now we are being told that because Congresses in the past have not had the discipline to put that money aside that they are either going to have their benefits cut or the tax burden is going to go simply higher simply is wrong.

I think that people who pay into Social Security all of their lives have the right to expect that it is going to be there when their turn comes to be able to collect on it. But beyond that, I think it is really important for us to understand how important it is to us.

My mom is 80 years old, and I can tell my colleagues that I feel great knowing that she is going to have a Social Security check coming every month, that she is going to be able to take care of the needs that she has. And I am very grateful that she has Medicare so I do not have to worry about whether or not she is going to have quality or adequate health care.

That is why it is so essential that we exercise the discipline today so that those programs are going to be there for the next generation of people but they are also going to be there for this generation of retirees.

Frankly, when I first ran for Congress, I used to talk about my granddaughter Katie and I used to point out that she is going to pay \$185,000 in taxes in her lifetime just to pay her share of interest on the national debt. But we cannot pass a bigger tax burden on to our children and grandchildren because the consequence of that is that they are not going to have their shot at owning their own business or pursuing their dream, the American dream, because the tax burden would have to go up.

So fairness dictates that we save Social Security, that we save Medicare, that we exercise the discipline today to make sure that those programs are going to be there and they are going to be sustained for my mother's generation, my generation, my children's generation, my grandchildren's generation, and even, hopefully, my great grandchildren's generation.

Mr. SCHAFFER. Mr. Speaker, all those concerned about saving Social Security, providing for a world-class education, providing for a national defense, and the other great priorities of our country are just grieving I think right now over the notion that we had to pony up \$13.1 billion last week in the supplemental appropriations bill to support the President in his war and it is tremendous expense.

When the failure of diplomatic policy disintegrates to the extent that it has and is carried out by unskilled administrators at the other end of Pennsylvania Avenue, there is a huge expense that detracts and takes away not only from all of these priorities that we discussed but from these children.

At a \$5.6 trillion national debt divided by all the men, women, and children in America, that comes out to about \$20,000 per person. Now, a child born today has to pay that back over the course of his or her working life with interest, and it comes out to about 10 times that amount. A child born today literally owes on today's debt approximately \$200,000.

So we just have to fight harder not only at being more fiscally frugal here in Congress but insisting that our international policy and the skill with which we carry out diplomacy is done properly and done in a way that is emblematic of the most free, most powerful country on the planet.

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

Mr. SCHAFFER. I yield to the gentleman from California.

Mr. OSE. Mr. Speaker, I thank the gentleman from Colorado for yielding.

The manner in which he has described the inner workings of the Federal Government is very accurate in that what we do in one arena does affect what we do in another, particularly with respect to our financial condition, which is why I came down to the floor tonight was to bring the attention of this chamber to the continuing disastrous foreign policy being pursued by the Clinton administration.

The activities being promulgated by the Clinton administration in Yugoslavia remain unauthorized by the Congress, unapproved by the Congress, and completely bewildering to the vast majority of the residents of the Third District of California.

What is the national security interest that the administration is seeking to protect by destroying the infrastructure of Yugoslavia? What is the standard by which the administration will judge their air campaign a success?

Going to the reference of my colleague, how much will this ill-founded campaign cost our country in blood, bombs, and bullion that has to be taken from Social Security if nowhere else?

It is inarguable that the administration's foreign policy in Yugoslavia is reducing our military readiness and preparedness. What will be the consequence to our national interest as a result of this stripping of our ability to conduct our military efforts elsewhere in the world, and for what purpose?

My friend from Ohio (Mr. KUCINICH) earlier shared with us the list of obviously non-military targets being destroyed or damaged in this air campaign. Those are my colleagues' and my tax dollars being used on, as the gentleman from Ohio (Mr. KUCINICH) said, day-care centers, schools, church-

es and the like. That is Social Security money being used to destroy day-care centers, schools, churches and the like.

Do my colleagues know what I find the most ironic? I go home on Friday of last week and I find it extremely ironic that all of America's foreign policy eggs now rest in a Russian basket.

Mr. Speaker, my colleagues, this must stop, not next month, not next week, not tomorrow, now.

Mr. SCHAFFER. Mr. Speaker, reclaiming my time, it is remarkable, just as my colleague says, about our reliance on a Russian partnership to try to resolve this matter and keep some peaceful solution.

I found it disturbing somewhat the level to which the communications and diplomacy with our Russian counterparts have disintegrated. Two weeks ago we had a Republican Conference meeting downstairs and the gentleman from Pennsylvania (Mr. WELDON) announced that he was at wit's end that we can no longer rely on communication between the President of the United States and the President of Russia.

The President of Russia, of course, is virtually incapacitated as a result of a medical condition and lacks the mental coherence to lead the country, and so there is a shell of a Government that operates around him. And our own President, of course, is typically preoccupied with other things and unable to devote the full attention that the American people deserve to the crisis.

And so Members of Congress, again, had proposed to meet with members of the Russian Duma in Vienna a week ago Friday; and it was the greatest hope for optimism that we had in resolving the crisis between the two countries. And I say remarkable because, as a Congress, we have no diplomatic leverage, we have no diplomatic authority, we cannot sign treaties, we cannot engage in the kind of discussions that the State Department can. Yet, absent the leadership from the White House, it has come to the legislative body of two countries to meet together to try to hammer out a compromise and a solution.

The fortunate outcome of that meeting was that there were some positive results that were reported back to this Congress just last week. Again, keeping in mind the limited authority that legislators have to engage in diplomacy, there were still pretty promising prospects for the Russian Government to use its considerable leverage over Milosevic to try to get him to cease the efforts toward ethnic cleansing; and that would, of course, have to correspond with an effort by the United States to withdraw from military activity and put in place an international coalition of peacekeepers.

Unfortunately, for a long period of time, that is an expensive proposition. Far cheaper, however, than even one week's worth of a full-scale war that is being undertaken today.

But I point that out to my colleagues and to the American people in general

just so that we all can keep in the proper perspective about the miserable failure in leadership that is occurring again at the White House, the lack of skill and expertise in carrying forward the position of leadership that the United States of America for 223 years has traditionally enjoyed.

Mr. OSE. Mr. Speaker, if the gentleman would continue to yield on that point. The gentleman's point is well made. And I do not think we need to go further than to examine simply our ability to communicate with the Russian Duma, for instance.

The administration did not approve of those trips, did not sanction them, did not disprove them, nor did they discourage that trip. Interestingly enough, Reverend Jackson, who went and met with Milosevic and obtained the release of those three gentlemen with one of our members, the gentleman from Illinois (Mr. BLAGOJEVICH), that was a remarkable event. That was leadership, taking on the burden, unsanctioned, unapproved, unencouraged. And yet he went forward. That is what leadership is all about. And he brought those three people home to the grateful arms of this country.

I really wish that that kind of leadership existed more in the administration. Because that was a great victory for just our ability in America to act in our best interest.

Mr. HILL of Montana. Mr. Speaker, if the gentleman would continue to yield, I know that before coming here to the House he was a businessman; and like me I think as a businessman, I think I used to always try to contemplate the consequences of the decisions that I made as a businessman and tried to anticipate them. And I keep trying to anticipate what the outcome will be of this war in Kosovo.

If, by chance, Milosevic agrees at some point to withdraw his troops and allows us to put peacekeeping occupying troops, in reality, into Kosovo, which the administration would consider a victory, the consequence of that is going to be that we will elevate the KLA, which our own State Department has identified as a terrorist organization. It obtains its funding by being a conduit for illicit drugs and drug trafficking. It is an organization that has its ties to Bin Laden, the terrorist group. It has as its objective the autonomy of Kosovo but probably the linking of Kosovo to Albania, which would create greater Albania, which would be a terrible destabilizing influence on that part of the world.

My point, simply, is that any definition of "victory" as it might be described by the White House leads to serious consequences that substantially complicate the proposition in the Balkans, increases the level of commitment that we are going to have to make in terms of personnel and troops and resources, all of which appear to be negative. And that is the question that I have with the policy from the begin-

ning is I could not see any outcome from our decision to go to war and to bomb Kosovo that was a positive one other than the potential to stop the ethnic cleansing.

I mean, if it would have been possible through our actions to stop the Serbs from driving the Kosovars out of Kosovo, that is possible. But the fact is that the policy was an utter failure.

And interestingly, in all the briefings that I attended prior to our decision to go to war, I was told that that was the likely result, that the air strikes could not stop Milosevic, that it would not cause him to change his mind, and that it could not stop the Serbs from driving the Kosovars out of their country. So, from the beginning, where we are today was fully anticipated.

Now, the problem is that is there any outcome that would be a positive outcome for us and for that region of the country, and I am having difficulty in my own mind being able to draw that conclusion.

Mr. SCHAFFER. There are a few American people that are not able to, as well. I have another letter that I want to share with my colleagues. This woman is from Loveland, Colorado. I just received the letter last week. She wrote:

DEAR CONGRESSMAN SCHAFFER, "I am writing to voice my opposition to our bombing of Kosovo. It seems I am never called by the public opinion polls that seem so influential in Government policy-making. I hope that you, as my representative in Colorado, will vote against financing any further aggression against Kosovo.

I hope the War Powers Act will get serious reconsideration and be revoked. I feel this act tempts the President to use war as a tool of diplomacy. If a NATO member had been attacked, I would certainly be behind this bombing. It is not that I condone ethnic cleansing, but I do feel it should only be addressed by war when it crosses a country's border. Otherwise it falls to diplomatic or U.N. action, sanctions, in my humble opinion.

It is very hard to pay your taxes April 15 and realize, less than a week later, \$6 billion is being requested for actions in Kosovo. It is time Congress take back some control.

I just grabbed the sample of letters that happened to be sitting on the desk. I think out of 30 or 40 anti-Kosovo letters, there was one among them that is in favor of the action. I am curious as to whether the woman from Loveland, Colorado, echoes similar sentiments to those that my colleague hears among his constituency?

□ 2045

Mr. OSE. I thank the gentleman for yielding.

Are you sure of the postmark of that letter? That sounds like it came from Sacramento or Woodland or Yuba City.

My colleague earlier referred to the law of unintended consequences that we all deal with in business and having to ever so carefully calibrate what we are doing and the consequence thereof. I have to say, I have never seen a truer example of what happens under the law of unintended consequences than this fiasco we are involved in in Yugoslavia.

The President has no plan, the President has no means of measuring success, the President does not know what it is going to cost, and the President does not know when we are coming home.

Contrary to the depiction of this body last week where someone in the administration said we voted against coming home, against going forward and against supporting anything, in fact we did vote to keep our troops out of Yugoslavia, to not declare war in a situation that does not threaten our national security interest, and to require the President and the administration to comply with the constitutional requirement that Congress retains the sole authority to declare war. That was a strength of our system and a triumph for American democracy. I was pleased to be part of it.

Mr. HILL of Montana. I just want to make one comment.

We had the vote on the appropriations issue. I think a lot of folks out there are thinking, well, if Congress had not appropriated that money, that would have stopped the President from conducting the war. Of course, that is not true. The President is conducting this war, was conducting this war out of the normal defense budget. That will be tested under the War Powers Act, what the limits of his constitutional authority as Commander in Chief is. But the fact is that, had Congress not approved that appropriation, the President could have continued to wage this war.

This Congress, this House of Representatives, however, sent a strong message to the President that we do not believe that we should be at war with Yugoslavia and that we do not believe that he ought to send ground troops in, whether they are for peacekeeping purposes or whether they are for combat purposes or whether they are there for an occupying force.

At a recent meeting that we had with the Secretary of Defense, he made it clear that the level of commitment of ground forces if we win this war will be several times higher than the level of commitment that was being talked about before we started the air campaign. I do not think the American people are prepared for the size of the force that it is going to take to occupy that country. What we have to understand is that the President's current plan for rules of engagement if we do send those troops in there, which would be to further this disaster, would be to disarm the Kosovar Liberation Army, which is now doubled or tripled in size according to the latest reports, who are prepared to fight a war of attrition as they have fought for centuries for independence for that country.

The fact is we will be putting our troops into a very troubling, very harmful situation where the warring parties are still going to have conflicting interests.

It concerns me deeply, where the President is leading us. The best thing

for us to do is to find some peaceful solution that allows us to end our commitment to this fiasco, as my colleague from California calls it.

Mr. SCHAFFER. The confidence of the American people as well needs to be considered, also. We are not used to seeing wars carried out in the fashion that this President is carrying out this war. We are used to winning decisively. We are used to seeing U.S. leaders clear the way through securing the support of the global community to stand against world tyrants as Milosevic certainly represents.

I held a town meeting just yesterday morning, as I hold a town meeting every Monday morning, between Fort Collins and Loveland, Colorado, from 7 o'clock to 8:30. It is at that same place and same time. We open up the morning with a question of the day and see what is on the minds of the 60 or 70 people who routinely show up.

The sense of outrage over the mistaken bombing of the Chinese embassy was something that just had American citizens in my district shaking their heads in disbelief. It is certainly unfortunate. Apologies from our country have gone out to the Chinese. It was acknowledged that this was a mistake, that the CIA had been operating under, as I understand, 6-year-old maps in choosing this target.

The B-2 that flew the mission actually hit the target it was intending to hit. It is just that our government and the folks over in the White House had no idea that, over the 6 years since that map had been constructed, that the real estate had changed ownership and has come into the hands of the country led by the gentleman who was in the United States just 3 weeks ago where we rolled out the red carpet for the Premier of China and welcomed him with open arms.

Well, relationships are not all that favorable today, are quite strained and have set us back for a number of years.

I yield to the gentleman from Arizona.

Mr. HAYWORTH. I thank my colleague from Colorado as well as those from Montana and California for this very informative special order.

As my colleague raises the question of our relationship with China, I would invite my colleagues to rejoin me, Mr. Speaker, and those American citizens who watch these proceedings on the House floor in 1 hour's time, thereabouts, commensurate with the rules of the House in special orders, as we graciously provide time to our friends, the minority, and then return with majority viewpoint on what is transpiring in the world.

But I want to thank you for the letters, the points of reference and the fact that our national security is at risk and we have to take steps to provide for the common defense. I look forward to furthering that discussion in about 1 hour's time.

Mr. OSE. I would like to return, finally, to the point that the gentleman

from Colorado was touching on just prior to my initial remarks, that being that following on the law of unintended consequences, the consequence to us in Congress is that we are forced to make choices. When one member of the government, that being the President, interjects our military forces into an arena where arguably we do not belong and have no national security interest at risk, it forces us to choose between standing behind the troops and making sure that they have the adequate munitions and materiel to conduct this campaign and defend themselves or the other choice being reducing our ability to fund domestic programs such as Social Security, Medicare, education and infrastructure.

I do not relish that choice. I want to take care of our military to the highest degree possible. We stand today in a position that is seriously degraded relative to our historical positions on a military sense. But we have responsibilities elsewhere in this country of a domestic nature. Having the administration conduct this affair, if you will, I use that word advisedly, forces us to take money from other programs that are desperately needed here, being Social Security and Medicare. It is, again, a prime example of the law of unintended consequences. We are engaged in something overseas that has no constitutional authority, for which there is no identified national security interest at stake, and are being forced to reduce our ability to deal with programs here at home that are vitally important to our seniors and our youth and the people throughout this country. It is a difficult choice that we are faced with.

I think last week Congress stepped up and sent a clear and unequivocal signal that there were people who disagreed with the administration. Again, I want to get back to my point, that is a triumph of our system.

Mr. HILL of Montana. The gentleman from Colorado I think drew some contrasts with regard to leadership. One I think can look at the Gulf War and the Kosovo War and see some differences in terms of leadership.

President George Bush and Colin Powell provided outstanding leadership in organizing our political interests, our military interests, identifying our vital national interests, getting the support of the American people and then using overwhelming military force to accomplish the mission. We have engaged in the war in Kosovo now longer than we were engaged in the Gulf War. A lot of folks I do not think realize that.

But my point simply is, is that the Powell doctrine grew out of that. I want to remind my colleagues what that is. First, our political and military interests have to be aligned. There has to be a vital national interest.

General Powell has pointed out that he sees no vital national interest. He sees, by the way, there it has no threat to NATO as well.

And then the American people have got to be brought on board. That takes leadership. It takes a President who is willing to go out and explain to the American people why this is important, it is important to our national interest, and why it is important for us to commit the resources and take the risks that are associated with it.

And then there has to be a plan for what victory is going to look like and then a full commitment of whatever it is going to take to accomplish that.

Look at this situation. Whereas we had, I do not recall how many, 40 nations or so, supporting us in the Gulf War, we really have 19, but they are not really fully committed. Our political and military interests are not aligned at all. Congress does not support the effort. There is no plan for victory. The commitment of force is insufficient to accomplish the mission. It was noted from the beginning. The difference in leadership is stark.

That is why we are in this terrible dilemma that we are in today. Congress is facing a difficult dilemma because we have a worn-out and hollowed-out military; and this adventure, this war in Kosovo, is making that situation worse and more complicated and weakening our ability to defend our true national interests in other parts of the world. And so it is a very difficult proposition for all of us, I know.

But if we had a leader who understood the principles that are associated with what we need in terms of foreign and military policy, I know a lot of us would feel a lot more comfortable going forward from here.

I thank the gentleman from Colorado for arranging the time.

Mr. SCHAFFER. The gentleman from Montana hit the nail on the head when it comes to this letter that I received from a constituent again last week from Brighton, Colorado. He writes:

DEAR CONGRESSMAN SCHAFFER: I am writing this letter in response to NATO's action in Kosovo. I do not agree with this action. Specifically, and he has a number of points here, six points:

NATO should not be involved in an offensive action. It is a defensive treaty organization.

Number two, I do not believe that the United States should be involved in this action because it is not in the national interest, and I believe the bombing of Kosovo has made the refugees worse off than if we had stayed out of it.

Number three, I view what is going on in Kosovo as an ageless civil war which we have no business getting into.

Number four, I do not agree with sending ground troops, either NATO's or the U.S.'s into Yugoslavia.

Number five, I will never agree to allowing the U.S. to spend untold billions of dollars to support the NATO effort in Kosovo or Yugoslavia.

Number six, I do not agree with favoring the selective aid to one country which is being subjected to, quote, ethnic cleansing over many others that have suffered the same fate in the near past and the present.

Again, this is from a constituent in Brighton.

In the closing minutes that we have, I would like to invite my colleagues to

comment on letters like this. We are receiving thousands and thousands of letters from constituents. I view these letters to be very, very important. They provide for me the encouragement and the direction from my constituency to help me be a more forceful leader on the House floor and to speak more clearly about the interests of my constituency that I propose to represent here and believe that I do.

I think it is a healthy thing for all Americans right now, if they have ever considered writing a letter, showing up at a town meeting, calling a Member of Congress, submitting a letter to the President, this is the time to do it. We have not had a crisis of this proportion in a long, long time. This is not a time for inaction among the constituents.

I would like to hear in the minute or two that we have left from the others their opinions on the value of constituent input.

Mr. OSE. I thank the gentleman from Colorado.

I, too, had town hall meetings this weekend. In fact, I had one last night in a community called Carmichael. It was probably a 95 percent opposition to what we are doing in Yugoslavia.

The characterization that you lent to your constituent I think is extremely accurate. The American people have a very clear understanding of what America is all about. America is not about being undefined, ill-equipped and undirected towards an objective. America is about figuring out what we want to do and then doing it.

We are not in that situation today by virtue of a lack of leadership from the administration. The voters of this country understand how America works, and they are looking to us to conduct our affairs in accordance with that clear thing. That is, identify the objective and then go do it.

I thank the gentleman for including me in this hour tonight. I am pleased to reinforce the sentiments that he has seen in his constituents.

Mr. SCHAFFER. Let me just ask one more question. How important are letters like this in your office and among your constituency? What happens to these letters when they get to your desk?

Mr. OSE. The gentleman from Colorado brings up an interesting point. We probably receive upwards of 5 to 700 letters a week, some by e-mail, some by Postal Service. We respond to every one. The subject matter is all over the map, depending on what happens.

We find that an absolutely credible means of identifying things that are affecting our constituents directly. It is an immediate thing. It is like squeezing a water balloon in my district. If something happens, bam, I have got a letter. Something happens, bam, I have got an e-mail.

I want to encourage everybody, as we have for 220 years, to stay in touch with their representatives and continue to write. In fact, now would be a very timely period to write because of

our difficulty with the administration in Yugoslavia.

I thank the gentleman for that point.

Mr. HILL of Montana. As the gentleman knows, certainly there are well-informed Members of Congress on most every issue, but I find that there is greater wisdom in my district than there is wisdom here in this Capitol. Very often, my constituents write to me and give me special insights into how an issue or how a matter would impact them.

□ 2100

Certainly people have, I think, a personal view of the situation in Kosovo. They have sons and daughters who may be called upon to fight, or they have neighbors who will or friends.

But also I think that there is an issue here about who we are as a country and how we are governed as a country. I do not think that the American people are comfortable with the idea that one person can make a decision to put this Nation at war, put our men and women at risk and the treasury of the country at risk without the consent of the American people and their Congress.

The letters that I have received are overwhelming in opposition to this war, but I have found some of them very insightful. Even had one member of the Armed Services send me a letter resigning his commission as a consequence of this.

But the fact is, is that I find that extraordinarily valuable. Like my colleagues, I think we received 40,000 or more letters a year. We respond to them all. It is a challenge for us to get that job done. But the value to me, of course, is hearing from my constituents, having their input, having their ideas and their views. I always learn from them, and I appreciate it very much.

Mr. SCHAFFER. We are all part of the Republican majority here in Congress, and many people wonder how it is that we have two divergent viewpoints in Washington about how to lead the country, that which is represented by the President and that which is represented by the majority here in Congress, and I think tonight's special order by Republicans, Members of the majority party, is one indication of how it is we come to differences of opinions on such important matters of public policy.

I am proud to be a part of the party that takes its direction from the people of the country, that reads the mail, that listens to the phone calls, that responds to the opinions that come to us at town meetings, and, as we all know, there are legions of special interests whose lobbyists parade through the halls of Congress trying to leverage every bit of influence that they can on politicians, but it is the voice of real people, ordinary Americans who will commit to 10, 15, 20 minutes to sit down and put their thoughts in writing and communicate to their Congressman that, if they continue to do so in

great numbers and reach out and realize the tremendous difference that a Republican majority has made in this Congress for the American people, it is not only possible but, I believe, imminent that the voice of the people will rise up over and above those of the special interests that have so much influence at the other end of Pennsylvania Avenue.

So I am very, very proud to be associated with the colleagues that have joined me here tonight, Mr. Speaker, in this special order. I am grateful for the indulgence in yielding to us an hour for the majority party, and for those members of the majority party we try to reserve this hour every Wednesday night, and we will be back next week.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KUYKENDALL). The Chair is concerned about a couple of remarks made by previous speakers earlier this evening and will remind all Members that the rules of decorum in the debate prohibit the attribution of unworthy motives to the President. That standard applies both to debate and to extraneous material read into the RECORD.

A NECESSARY EVIL?

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, I want to follow up on the previous set of speakers and talk about the Kosovo burden, the Kosovo burden and decision-making in the 106th Congress, how it impacts and will impact on everything we do in the rest of this Congress.

I might begin by stating that I previously stated already that Kosovo is, in my opinion, a campaign of compassion. I think that it was important to confront Slobodan Milosevic. He gave the civilized nations no choice. I think this war is a necessary evil.

All wars are evil, necessary evils, but the word "necessary" becomes very important. "Necessary" is a vital word that many of my constituents are questioning, and like the gentlemen before me, I have gotten many letters and many comments, and I welcome those comments and those letters, both those that agree with me and those that do not agree with me. It is important that we discuss and have a dialogue about whether or not this war, like all other wars, it is an evil, but is it a necessary evil?

I think it very important to note that I, too, have had a series of town meetings, and in three or four town meetings, the first three, unanimous agreement when I asked do they support the present actions in Kosovo. Ninety-five percent of the people in the audience raised their hands. One meeting I had 200 people. I was shocked to

see that kind of percentage. When I got to the fourth meeting already, less than half of the people raised their hands. That was on April 27. So it is obvious that the conduct of the war, the implementation of the war, has a great deal to do with the opinions that people now have of the action, and I would like to separate the blundering conduct of the war from the cause, the fact that we are confronting what I call a sovereign predator.

Slobodan Milosevic is a sovereign predator who has given us no choice, if you want to accept a new kind of morality in the world. The old morality was you never, you never interfered with the internal affairs of a country. If they want to do things within their boundaries, then you do not get involved. You let them destroy their people if they want to. I suppose, as my colleagues know, following that reasoning, Adolf Hitler, as long as he was murdering Jews in Germany, the world had no basis for condemning him or no basis for challenging him. As my colleagues know, as long as you do things within your borders, the sovereign Nation can do whatever it wants to do. That is the old morality, international morality.

I like to believe that in the Kosovo action that is now underway we have challenged that old morality and said you cannot do whatever you want to do to people within your borders and not have the condemnation of the international community, and beyond the condemnation they may take some action in some cases and have taken action in this case. So I welcome and applaud the actions of my colleagues who are questioning how we can get out of this mess.

I support what the President is doing. I support the initial action. I certainly do not support all the blunders that have taken place. But despite my support for the action, I also welcome and applaud the actions of many of my colleagues in Congress, those who have taken upon themselves to initiate their own kinds of diplomatic initiatives. This is an unprecedented action, and so I think the dialogue and the debate and the methods ought to also be unprecedented.

I think that the journey that the Members of Congress took to Vienna was a remarkable initiative, especially since it was led by the gentleman from Pennsylvania (Mr. WELDON) and the gentleman from Hawaii (Mr. ABERCROMBIE). As my colleagues know, they are two Members of Congress which everybody generally would acknowledge are different ends of the spectrum with respect to ideology, if you can still put old labels on people in terms of who is conservative, who is liberal, who is progressive, and who is militaristic, and who is a dove and who is a hawk. The joint delegation led by Mr. ABERCROMBIE and Mr. WELDON certainly defy all of those descriptions.

I think it was a great initiative. I do not know the details of it. I have heard

the reports that were made on the floor, and I applaud what they did.

I think we should always bear in mind what Robert McNamara has been saying for the last decade. Robert McNamara was the Secretary of Defense under President Johnson during most of the time of the Vietnam War, and McNamara has come out with some revelations and confessions that are really astounding. We ought to pay close attention to the unfortunate experience and the grieving of Mr. McNamara, who has now spent a lot of time in Vietnam, of all places, talking to the Vietnamese who were in charge of the war in Vietnam and, through that dialogue, trying to leave a legacy for mankind so that we will not make the same kinds of mistakes in the future.

In this particular war, in this particular situation involving Kosovo, it would be good if we were to take many of those things into consideration. One of the things Mr. McNamara said was that both sides greatly misjudged the intensity of the others in terms of their conviction and what they were willing to do in order to prevail, and I think that it is important, if we are going to get out of this present situation, that that be remembered by both sides. We should not have any more slaughter, any more deaths than are necessary, and maybe we have already had too many and more than are necessary, but we still have a situation that there is a basic moral problem here, and, unlike the behavior of nations in the past, the NATO nations have chosen to take a moral action.

Agreement with the basic moral thrust does not mandate that we blindly obey the total policy, although we blindly submit to the total policy or to the implementation and execution of a policy, but I think it is important to discuss thoroughly the basic moral thrust of what we are doing in Kosovo.

All the NATO nations, and, as my colleagues know, we are talking about very mature nations who have citizens who have elected their leadership in a democracy, and, as my colleagues know, they are not taking reckless actions, they are not the kind of nation that would trivialize what they are doing; as my colleagues know France, Britain, Germany, the Netherlands, you know the NATO nations, are civilized nations with histories of seeking justice, they are democracies, and they have to answer to their people. So, if they are taking an action with these dimensions, then we ought to stop and seriously consider what they are doing, why they are doing it before we proceed any further and discuss the unfortunate execution of the war, establish whether or not we really think it is necessary.

I have been disappointed by the fact that certain kinds of things, actions that I assumed would take place or had taken place have not, did not take place before the bombing began. I was shocked to learn that economic sanctions and the oil embargo were not

thoroughly considered before we started the bombing, that that came after the bombing. As my colleagues know, I would expect that that would be the kind of actions that would have been put in place and we would have tested whether that would have an impact on the actions of Mr. Milosevic and his warlords or not.

I had the experience of being the chairman of the Congressional Black Caucus Task Force on Haiti during the time when we were trying to return the democratically-elected President of Haiti to Haiti, and you had at the head of the Haitian government two sovereign predators of the type of Milosevic, as my colleagues know, and they were not budging at all. These were Army men who had taken over the government with tanks and guns after Mr. Aristide, Bertram Aristide, won by an overwhelming landslide in a democratic election. They took over the government, and with guns and tanks they were intending to stay there forever.

Now we did try sanctions, we tried an oil embargo, we tried a number of things. Over a 3-year period we tried a number of things that did not work because these sovereign predators did not understand anything except the language of force, and only when the troops were in the airplanes and on the way to Haiti did they agree to sign an agreement to step down and return Haiti to democratic rule. But we had tried every possible diplomatic maneuver. They had agreed several times to do things and then reneged on those agreements.

I assumed when we started the bombing in Yugoslavia that all diplomatic maneuvers had been exhausted. It is unfortunate that that was not the case, and I felt a bit betrayed to find that only afterwards did they consider an oil embargo and economic sanctions.

□ 2115

I thought we had done that already.

I am also baffled by the failure of the NATO powers and the U.S. to charge Mr. Milosevic as a war criminal. Why are we going to war, taking such extraordinary measures, bombing a nation, running the risk of killing large numbers of civilians, as we are doing, a very serious matter? War is hell.

There is no way to avoid the hell of war. Once one gets into it, things go wrong. Most modern wars have found that it is the civilians, innocent civilians, who die in the largest numbers. In most modern wars, the innocent civilians die in the largest numbers, and it is the most unfortunate. It is one of the other reasons why we should at all cost try to avoid war.

Here we are, in a war action, and the head of the nation, Mr. Slobodan Milosevic, who was there 10 years ago when the breakup of Yugoslavia started, the ethnic cleansing started, the massacres started, the rape, the pillage, all of the things that they are doing in Kosovo they have done it before already in Bosnia.

Sarajevo, one of the great metropolitan cities of the world, was almost destroyed. We saw on television the bombardments. Then after we finally got some kind of peace agreement and outside forces went into the territory, all of the charges that had been made before about massacres and rapes and so forth was confirmed. It happened. We were not the victims of propaganda, as Mr. Milosevic would have us believe now that it is really not his forces that are driving the people of Kosovo out of the country but it is our bombing that is doing that; that they were quite content to stay before.

All of it is a little ridiculous, but a lot of people are believing it, so we must address it. We have already heard from this same man and his regime in Yugoslavia the same tales which he tried to paper over and camouflage barbarity on a mass scale, modern barbarity backed up by tanks and machine guns. Milosevic has done it already. Why did not we go ahead, as a nation, this Nation and the other members of NATO, and call him a war criminal, brand him as a war criminal and begin to move in the world as if, no matter what he does in the future, he will be punished in some way? Certainly, locked out of any kind of recognition and unable to travel in any other nation in the world and try it in The Hague.

Whether we are going to fight our way into Belgrade or not, certainly let the whole world know what we are dealing with.

I think it is unfortunate that NATO and the U.S. have sort of taken a fuzzy-minded approach to the menace of a sovereign predator. He is a sovereign predator, a killer, a murderer, with the authority of a nation behind him, and there ought to be a new way to deal with these people, at least label them clearly as to what they are. If we are going to take a drastic and extreme step like bombing the nation, then we ought to clearly let our people understand why we are doing it, and one of those ways to communicate the necessity of war is to clearly describe who the instigators are.

I think that there is room for creative intervention by the Members of Congress as a result of some of these unfortunate gaps and lapses in our own foreign policymaking and even though there are very experienced people involved in the diplomacy, there are the diplomats of France, the diplomats of Great Britain, the diplomats of all the European nations, as well as we have the diplomats here.

I do not think the kind of criticisms that have been leveled at Madeleine Albright are justified. They are right there in the middle of a very difficult situation. The question is, are we going to stand by and allow the massacres to take place so that in the future we can tell our children, well, it did happen, it was most unfortunate but never again? Do we want to be able to boast never again when now we have the oppor-

tunity to make certain that it does not happen right now? The challenges, why do we not make certain that it does not happen now? Let us not be in a position of repeating the slogan, never again.

We sat by and allowed 6 million or more Jews and other people to be massacred by the Nazi powers and now we say that is most unfortunate. We build museums, we have films made, and we write books, and we look at the horror that was perpetuated while civilized nations stood by. Some of it could have been prevented. Finally, the civilized nations, of course, united; and the Hitler regime was defeated in order to stop what was going on.

Even then, it took some actions which if we had CNN on the scene, if we had the kind of press coverage now that we have of wars, where the enemy, that is propaganda-wise, allows one behind the scenes, I do not know whether we would have prosecuted the war that defeated Hitler in Germany the same way and it would have come to the same conclusion. We might have negotiated a peace with Hitler and he might still be around if we had CNN filming the cities of Hamburg and Cologne and a number of other places in Germany that were bombed to rubble because Hitler refused to surrender. The bombing of Germany was one of the ways that was undertaken to break the back of the resistance of the people who followed Hitler. That was most unfortunate.

War is barbaric, but if we had been able to see the large numbers of civilians die then, would we have decided, no, let us make peace with Hitler at any price to end the carnage?

There is room for creative intervention here, and I think we ought to understand that the intervention ought to be creative, that when we interject ourselves and try to influence the foreign policy of our Nation we ought to be thorough about it, we ought to think deeply about what we are doing.

The gentleman from Pennsylvania (Mr. WELDON) and the gentleman from Hawaii (Mr. ABERCROMBIE) were very serious, the discussions that they had with the Russians in Vienna. I hope the White House takes it into consideration. I think that perhaps some things behind the scene are moving now, and the diplomatic initiatives that are going on now with the Russians certainly may be helped by what our Members of Congress have done.

We should not stop, but we should reflect deeply on what we are doing. We should remember that it is up to us to try to interpret to our constituents whether or not this war is necessary. When is it necessary? What kind of new morality are we willing to undertake in the definition of necessary?

I welcome the initiative of Jessie Jackson; and I think it is great that three men, three soldiers who were captured illegally to begin with, are now back home. No amount of technicalities and diplomatic protocol viola-

tions should be accepted as an excuse for not doing everything possible to get those soldiers back. We got them back, and I congratulate Jessie Jackson and that initiative, the ministers who went with him and the whole delegation.

I do not think that we should allow that kind of action to let us minimize or trivialize the evil of the Milosevic regime. I do not think we should let Milosevic score a propaganda victory because he releases three soldiers who should not have been kidnapped in the first place. I do not think we should let Milosevic appear to be a reasonable, peaceful guy, willing to talk, when he has been on the rampage for all of this time and continues to be the guiding force behind a brutal war machine, killing and pillaging and destroying whole villages and driving people out of cities.

Ethnic cleansing is not exactly as bad perhaps as the gas chambers of Hitler. Many people are allowed to get out with their lives in the case of ethnic cleansing. They are not systematically destroyed, but large numbers are destroyed, and it is systematic, and it has the authority of the government behind it, and Milosevic is the government.

In other words, what I am saying is that diplomacy should not be business as usual. This is a situation which is very difficult. It is like a snake pit in the midst of quicksand in a mine field. Everything complicated and dangerous that one can imagine is involved in this situation.

The fact that the implementation of the war has gone so badly certainly has destroyed a lot of support for it in areas where there should be support.

I do not want to be in a position of making excuses for the blunders of the military. I do not think we should drop bombs in areas where there is a danger that there is going to be a tremendous amount of civilian collateral. I do not think we should take those chances.

I certainly do not think we should trust the CIA to do our targeting for us if they do not have maps and cannot discern an embassy building that has been there for some time. They say they had people on the ground who double-checked that site as well as whatever we are using in terms of satellite guidance of our bombing attacks. There is no excuse for that.

I have been on this floor many times during the reauthorization and the appropriations process for the CIA, and I have criticized the CIA for its waste of a \$30 billion budget. They have Aldrich Ames who was in charge of the counteroffensive against the Russian spy agency, and we found that Aldrich Ames was on the payroll of the Russians, and at least 10 of our agents were executed as a result of Aldrich Ames sitting there as the head of the CIA counterspy operation against Russia.

We had other people who defected from various positions who showed

that the CIA is quite a shabby organization. Why the President has not dismantled the present CIA and reorganized it totally, I do not know. There is certainly a good basis for it, even before the bombing of the Chinese embassy by using the wrong maps.

It is a ridiculous explanation to have to offer to the world. The CIA is a multibillion dollar agency. Their budget is probably more than \$30 billion. Surely they can find a building on the map and pinpoint it properly if they had any kind of integrity.

The CIA in Haiti was my first close-up experience with the CIA and why I moved from the position of questioning the CIA's existence on the basis of the fact that it could not tell that the Soviet Union was collapsing.

Senator MOYNIHAN once made a speech and I thought it was very interesting because he was on the Intelligence Committee, and he should know. He said that the CIA never informed them. They had no idea that the economy of the Soviet Union was collapsing. With all of the agents, the money and analysis, et cetera, the CIA was caught by surprise when the economy of the Soviet Union collapsed. The whole government of the Soviet Union sort of collapsed, and we were caught by surprise. I thought that was startling.

Then up close, as the chairman of the task force, Congressional Black Caucus Task Force on Haiti, I saw how the CIA worked against the policy of its own government. During the course of our negotiations with Haiti, we reached the point where we thought we had an agreement where the military junta in charge of Haiti would allow us to begin to take some steps toward normalizing the situation by allowing the delegation to come into Haiti. One part of the delegation would be a group of Canadian policemen who would help work with the law enforcement agency in Haiti and some other people who were going to do some other things, and they were all on a ship going to dock in Haiti.

□ 2130

And on the day they were supposed to disembark from the ship, there was a huge demonstration on the dock in Haiti, and guns were fired. The American embassy personnel were threatened, and a number of things happened that caught us by surprise. It made the President withdraw the people who were supposed to be part of that contingent.

It turned out later that the people who organized that demonstration against the delegation sent by the President of the United States to begin to normalize the situation in Haiti, those people were on the payroll of the CIA.

Emanuel Constant was the head of the organization funded by the CIA. He was on the payroll of the CIA. We do not know the full story yet because they refuse to release all the docu-

ments and papers connected with Emanuel Constant. They refused to allow him to be tried by the present government of Haiti.

So the CIA is an animal that we ought to take a close look at. It may be obsolete, extinct, and begging for retirement. It ought to be done away with and something new should be organized using somebody different, because the blunders continue. They become more and more dangerous.

I think that our government and the NATO alliance is now in an almost untenable position, having bombed the Chinese embassy and giving the Chinese, who opposed the action in Yugoslavia all along, giving them an excellent excuse to take us to the United Nations and to raise the actions of NATO up for the whole world and indignantly protest the fact that they were victimized. It is totally unnecessary. A CIA that would do that needs to be certainly examined closely. Some heads ought to roll. I agree with the Chinese, somebody ought to be severely punished for what has happened.

But the CIA, of course, is a very political animal. It is an agency of government which professes it has nothing to do with politics, of course. They are there for the national security. They report to the President. But during my sojourn on the task force for Haiti, I learned different.

There are people in Washington who belong to something called the intelligence community. The intelligence community protects the CIA. There are a number of characters in the CIA who can almost do anything they want. We saw some of them do almost anything they wanted to do in Haiti, and there was no accountability.

There were CIA reports that were total lies. They had the duly elected president of Haiti, Mr. Aristide, almost a drug addict, a psychopath. All kind of things were charged. When we examined the basis for their charges, there was nothing there. He was placed in hospitals for psychiatric treatment that did not even exist, and all kinds of fabrications we found that had been accepted by the CIA.

The prosecution of this war just brings to light the fact that we have some serious problems in a very expensive governmental operation. The gentleman who preceded me was talking about waste in government and the expenditures, and how so much of our tax money goes into wasteful government. I assure Members, there are many places where there is waste, but I never hear the majority party talking about the real waste.

In fact, we saw last week that when we had a bill on the floor presented by the President calling for \$6 billion to conduct the activities related to the war in Kosovo, the majority party added to that and the \$6 billion price tag was raised to \$13 billion.

We saw before our very eyes in bold relief an example of how the waste gets accumulated. Most of what they were

doing was going to go into weapons systems and activities that are not related to the Kosovo war, but they do make for very high profits in terms of the productions of certain weapons systems, some of which are questionable.

One of the things that the Kosovo war maybe brings into bold relief, again, is the fact that our high-tech weaponry has a lot of shortcomings. The precision bombing, precision bombing turns out not to be so precise.

Strange things are happening with our helicopters. The Apache helicopters were coming, and the way the press played up the helicopters, they did them a great injustice, because they kept hyping, the Apaches are coming, the Apaches are coming.

One got the impression from hearing over the news day after day that the Apaches are coming that the Apaches were going to turn the situation around and win the war. I do not think that the Army had asked for that kind of publicity, but for some reason, there it was. Even Ted Koppel on several shows had people dealing with the way the Apache functions and how the pilots think. It was all this hype about the Apaches, the Apaches.

Now two Apaches have crashed in training sessions. It is just one more reason why the public, the voters, the American citizens have real doubts about this war, when we have blunders of that kind which are placed under a magnifying glass and raised to a level of visibility that destroys the effectiveness of whatever we are going to do afterwards.

The Apaches are there now. It looks as if the Apaches are going to work no miracles and make no great differences, but they are high-tech weapons. We have learned these high-tech weapons are so loaded down that they cannot fly over the mountains. They have so much on them until they have difficulty flying over the mountain ranges, and Yugoslavia has mountain ranges. Every night that I listened to the discussion of the Apaches I was appalled at the kind of facts we pick up in terms of why our high-tech weaponry fails.

Now is the time for every Member of Congress, and indeed, every American citizen, to think seriously and deeply and thoroughly about the activities that are going on. Kosovo and the burden of the war in Kosovo will impact on all the decisions we make in Congress for this 106th session of Congress.

We are going to be saddled with discussions about the fact that \$13 billion was appropriated when only \$6 billion was requested by the President, and many of the same people on the majority side who advocated and voted for those appropriations are going to tell us now that we have no money for education, we have no money to deal with prescription drug benefits for people on Medicare. They are going to tell us we have to have tremendous across-the-board cuts in any program that is a domestic program that is nondefense.

We should expect all of this and get ready for it because of Kosovo becoming an excuse for certain people who have always wanted to cut back drastically on the spending by the Federal Government to help the people in America who need help the most.

Mr. Speaker, I have tried to think deeply and thoroughly about all of it. I greatly regret that now, in my pursuit of greater funding for education, of greater funding for school construction, that I am going to have to deal with the Kosovo burden. I deeply regret that. I think all American citizens regret that, in a situation where we have a tight budget already, we have to also now deal with additional expenditures for Kosovo.

I have thought deeply about this. I understand all the implications. I would like to invite my constituents who disagree with me about why, despite all this, I still support the actions of the President and the NATO alliance, I would like for them to follow my thought processes for a moment, those among my constituents who disagree.

The first consideration is my experience with Haiti, the experience with Haiti. At least 3 years of negotiations brought me face-to-face with an example of a sovereign predator. There were two of them, Raoul Cedras and Michel Francoise.

We looked at their faces in negotiation after negotiation and they seemed like rational, reasonable people at the time, when you were negotiating, but they went back on agreement after agreement. They broke agreements. They were determined to squeeze from their country as much as they could for themselves.

Haiti had a thriving drug-running business. Drug transshipments were feeding the coffers of the same men we were negotiating with. They did not mind the deteriorating conditions of the economy, the misery. They did not mind that. They added to the misery by killing large numbers of people every night. The total went up to about 5,000 people killed during that 3-year period.

Negotiations, discussions, diplomacy, sanctions, embargo of oil, none of it worked. It was not until a determination was made to pursue a course of military intervention in Haiti that we got some real action.

As we know, we did not have to fire a shot. There was just the threat of the troops, the understanding that they were on the way, that led Raoul Cedras to step down. Force, however, had to be the threat to do that. We had to be willing to do it.

In the case of Saddam Hussein, I was against the Gulf War, I was against bombing, I was against the ground war, and I watched as Saddam Hussein allowed his own people to be pulverized, his own armies to be destroyed, and he stubbornly held on.

The bombing did have a great effect in the desert. It was a place where you

could impact greatly upon the armed forces. His forces were ravished. They were destroyed long before the ground war began, but he was a sovereign predator who did not care about his own people, and not until the ground war started and the tanks were rolling did we see Saddam Hussein willing to yield.

He played some tricks, and at one point there was an announcement that he was trying to seek asylum in another Nation. For that reason I think the calculations of the Bush administration were thrown off and they did not pursue Saddam Hussein's army to the point of destroying the army. That is most unfortunate. This sovereign predator still sits there, like the sovereign predator in Yugoslavia.

We had an encounter with him, but we did not go any further. We did not go far enough to destroy him and his powers; not the Nation, but a single person surrounded by his own cronies, who becomes the perpetrator of large-scale dislocation and death in the world.

Stop to think of it for a moment. When we add up all the people in the last 50 years, and let us take the last 100 years, because World War I was in the last 100 years, World War II, all the hurricanes, tornadoes, the earthquakes, if we add up all the people who have died in all the natural disasters in the last 100 years, yet it will come nowhere close to the people who have died in wars perpetrated by the Adolph Hitlers and Saddam Husseins of the world.

Millions died in World War II as a result of Adolph Hitler and his Nazi regime, millions died. The authoritarian totalitarian regime in Tokyo, millions died; in China, millions died. They were ready for more millions to die if we had to invade Japan. They were going to hold on at all costs. Too many died in Okinawa, too many died in Iwo Jima.

The sovereign predators do not yield, and they are the cause of more death than nature or God has ever caused. It is a serious consideration. It is a serious thing to think about. Should they be allowed to wreak havoc?

In Rwanda, the Hutus who were in charge of government went on the radio and used all the methods of communication to raise their own population, the Hutus, who were the vast majority of the population, to a high level of anger, and they went out and savagely slaughtered at least a half a million people. Some say it approaches a million. We saw the bodies on television. We saw the churches full of people hacked to death. We saw the people, bodies floating in the river.

The sovereign predators of Rwanda were demagogues who wanted power. It is all about a demagogue who wants power, becomes a sovereign predator, because the best way to achieve that power is to use the tribal, ethnic, or racial card against his own people to throw them into turmoil.

Maybe there are some ancient instincts that make us all distrustful of

each other, but people do not attack each other in large groups. We do not have ethnic wars, tribal wars, automatically. They are instigated by somebody. The demagogues instigate the wars for the purpose of their own power.

Netanyahu, Benjamin Netanyahu is the prime minister or president, I am sorry, of Israel right now. His father wrote a book about anti-Semitism and the ancient origins of anti-Semitism, the history of anti-Semitism. And in the discussion of anti-Semitism in Egypt, he talked about the fact that for so long there was a peaceful existence there. Jews existed along with everybody else, and there was no problem.

□ 2145

Antisemitism arose. And studying the origins of that antisemitism and using his ancient sources and analyzing it, he came to the conclusion that that antisemitism that arose out of Egypt and led to the Exodus and the kinds of cruel things that preceded the Exodus is similar to a pattern that takes place in the world whenever these things happen. That is that a minority is always at risk because a minority by simply being a minority is in a position to be victimized if a demagogue finds it convenient to use the fact that that minority is there to incite the majority and get the majority into a mode of thinking which supports the demagogue.

So demagoguery by sovereign predators has caused more death and destruction of the world than any natural calamities, all the natural calamities put together. Think about it.

Here we have a demagogue, Slobodan Milosovic, like the demagogues in Haiti, the sovereign predators, demagogues that become sovereign predators. They become sovereign predators because they have the authority of the government and they can command the guns and the tanks. Although the majority of the people may be against them, they have no way to counter-attack against modern weapons so the demagogues prevail.

It may be that sometimes they have the majority of people on their side after they have captured all of the propaganda machinery and they are in the control of the mass communications. They brainwash people to the point where they do sometimes, maybe many times, command the majority. But the sovereign predators are in charge, and something has to be done to counteract them.

My framework for thinking was shaped by this development that I saw up close in Haiti. When one is dealing with a sovereign predator, force is the only thing that they understand. War, force becomes the necessary evil. It is necessary. I want to get back to the point. It is a necessary evil. The burdens we bear as a result of the war in Kosovo are a necessary evil.

The framework for thinking of all of us are also being influenced by giving

due recognition to World War II and the phenomena of World War II. One man was the driving force behind World War II; Adolf Hitler and his ambitions. Of course he had a German war machine that he made good use of, and it bowed to his will.

It is a complicated situation. People who argue that one man did it all are in danger of oversimplifying, but if Hitler had not been there, you know, like Alexander the Great, would Alexander the Great have died as generals began to fight among themselves. The great war machine that Alexander the Great had created fell apart.

Without Hitler I imagine the great war machine and all that went with that war machine, the propaganda machine, the organization of the whole nation, it would not have been the same without Adolf Hitler.

So the sovereign predator of Hitler and I think that the Hitler syndrome we can see in Slobodan Milosovic, like we can see the Hitler syndrome in Saddam Hussein, as I saw the Hitler syndrome in Raoul Cedras and Michel Francois in Haiti.

There is a Hitler syndrome where they do not care, they reach the point where they have some kind of sense where they are the most important creatures in the world, and they have the power to make the world bow to their desires and their will, and nothing can stop them but force.

So in World War II, we saw it happen right before our very eyes. We later on got a lot of documentation. It was not propaganda that millions of Jews were being put to death. We now have the documentation. We saw the bodies. We saw the gas chambers. We have the files. We have a museum here in Washington which if one does not believe it, one can go look at the documentation and the evidence with one's own eyes. It all happened. It all happened.

Do we respond to that lesson in history by saying that Yugoslavia is a sovereign nation and therefore we should not meddle? Do we respond to that by saying we should not break international law and international tradition by intervening in Yugoslavia. We did that.

In the case of Hitler, of course, he was challenged when he went across borders and started war. When he attacked the nations in Europe surrounding him, he had already annexed a couple of nations before that and some territory. We took it as long as we could, and finally Hitler was challenged.

Slobodan Milosovic does not represent a threat to the United States as Hitler did. He had world ambitions. He moved in a way where, as he destroyed the nations of Europe and brought them under subjugation, he was building a foundation which certainly could have been the basis for challenging any part of the world.

He had his counterpart in Japan. For a while, he had his allies in Italy. It was a movement that threatened all

parts of the world. Certainly it was a situation different from the one we see now.

We are not threatened by Yugoslavia in that same way. They will never attack America. They will not send missiles here. We are not in a situation where our national interests are at stake. I think that previous speakers who made that point over and over again were correct. I agree. Our national interests are not at stake in Yugoslavia. We are in no way threatened by Slobodan Milosovic in terms of our own national security. There will be no military threats, no military problems as far as this Nation is concerned.

That makes it even more important, even more noble the fact that we have gone into a conflict where we do not have a vital interest, we do not have our national interest threatened. This is a moral crusade. This is raising morality to a new level, as I said before, a new level of morality when one engages one's troops, one's resources, one's political destiny. Because anybody who starts a war in America runs a risk of paying a high price politically. Any party that is a part of starting and executing a war will pay a high price, will teeter on a precipice.

The politically expedient thing to do in the case of Kosovo would be to stay away from any conflict that might place the Democrats in a difficult position in the year 2000 as we go into those elections. The politically expedient thing to do would be to negotiate forever, even negotiate away principles, but do not do anything which jeopardizes one's power.

Criticism I hear of the President, criticisms of this administration, but the gamble they are taking is a noble gamble. The risks being taken here are noble risks for noble reasons.

The fact is that our interests are not being threatened. There is no oil. We went to war in the Gulf. The Gulf War, I think there was some principles were involved. One nation was invaded by another, but I do not think that is why we went to war in the desert. We went to war in the desert because the price of gasoline was threatened. The supplies of oil in the whole world were threatened. There was a clear vital national interest.

Is that the only reason we should ever go to war? I think this action taken by this administration by the NATO alliance is saying there ought to be another reason to go to war, especially in a situation where one has been dealing for 8 years, one has been negotiating for 8 years with the sovereign predator, one has been trying to resolve the situation for 8 years, especially a situation where the European nations all agree. They reached agreement about the horrors of what is happening in Yugoslavia. Is it not time to take some action?

My framework of thinking is shaped by what I understand of what happened in World War II with Hitler. My frame-

work of thinking is shaped also by my experiences with Haiti up close. My framework of understanding of what is going on here is shaped also by my preoccupation and concern and understanding of the war to end slavery in America, the Civil War, the War Between the States, whatever you might want to call it.

If ever there was a war that was fought as a moral crusade, then that was a moral crusade war. The war to end slavery was a campaign of compassion. The large numbers of men who fought and died in that war, and more Americans died in that war than have died in all the wars combined. Certainly I speak for the Union soldiers who fought to end slavery.

Some people say it was not a war about slavery. But if ever there was a war that had a clear purpose, then this war had a clear purpose. The war to end slavery was a war for a high moral principle.

If Abraham Lincoln had been a better politician, he would have done what James Buchanan did in his latter part of administration, avoided a confrontation at all cost with his confederates. The war to end slavery would not have taken place if there had not been a principled politician who was willing to take risks in support of that principle.

Yes, there were abolitionist forces in the North who had a great role, and I do not like to see the abolitionists portrayed as fanatics. The abolitionists were people who wanted to end slavery. The abolitionists were people who thought slavery was unjust and that one had to take steps to rid the Nation of that great abominable crime.

There were forces at work that certainly wanted to confront the people who were trying to extend slavery forever. The Confederates wanted to create two Americas. If they had succeeded, we would have had two Americas; one built on slave labor, probably a formidable economic power.

When one has free labor, certainly during that period where the agriculture needed free labor, but when the first industries were formed, if free labor had been available for industries on one-half of the North American continent, and the other half did not have free labor, probably the part of the continent that had free labor would have become the economic power over the part of the continent that did not have free labor through slaves.

So I mean there were many, many possible ramifications of a situation where slavery was allowed to continue because the political powers in charge chose to negotiate and to compromise.

Many of my close, young friends who talk about slavery and the state of African Americans now in America are often unaware of how close we came to a situation where there were two Americas instead of one. The entire strategy at one point of the Confederacy was to prolong the war in order to force a compromise, a negotiated settlement.

The pursuit of the war, the Civil War, required a great deal of serious consideration of the cost. The cost in lives, as I said before, was tremendous. More Americans died in the Civil War than all the wars together. General Ulysses Grant was called a butcher because of his tactics and the number of men that he delivered up in order to win.

If we had CNN covering the Civil War, they would have filmed the burning of Atlanta and some of the other things that were done by General Sherman as he marched across the South and called it barbarity and maybe label Sherman as a war criminal. But, again, it was similar to what happened in Germany. They had to bomb the cities of Germany in order to break the back of the Hitler war machine and the people's resistance, their support for a demagogue who refused to surrender.

□ 2200

In the case of the South, the prolonging of the war was the strategy. And the terrible things that happened as a result of that, the large numbers of civilians, who, if they did not die in those days from the firepower of modern weapons, they died from hunger, deprivation, et cetera. It was a nasty war, a war for a moral purpose.

There would have been no Emancipation Proclamation. There would have been no 13th amendment, no 14th amendment, or no 15th amendment if the bloody war had not been won.

So I say to my constituents who insist that this is a terrible thing we are doing because civilians are dying, it is a terrible thing when we have to bomb cities, it is a terrible thing that we are using our military might to try to get a solution to a problem, but the choice is not ours. The demagogue who is a sovereign predator has determined what the situation should be.

We have been given no choice in the matter, if we care about moral principles, if we are going to lay aside the conventional morality which says that whatever a nation does within its borders, it is their business; that whatever a nation does, no matter how horrible it may be, it is not the concern of the rest of the world. We broke that tradition when we went into Yugoslavia in the first place.

We have been in Yugoslavia a number of years. More than \$7 billion have been spent there by this country alone in helping to maintain a peacekeeping force. We are involved. So, therefore, the moral crusade that we are mounting in Kosovo is a continuation of a new kind of morality that we have established. We are saying that never again will the civilized world stand by and allow people to be destroyed by sovereign predators without intervention.

Sometimes that intervention, most of the time, it will be diplomatic condemnation. Diplomatic condemnation of genocide will always be a certainty, I hope, from now on when that happens. But sometimes military con-

frontation will also be possible, and it will happen in protection of a principle.

I hope that all the other sovereign predators of the world will take heed that they will not be allowed to exist without being labeled war criminals. General Pinochet, who is now sort of trapped in England, I hope we have seen the last of those people who think they can kill and maim and destroy people and then rise up and travel around the world as ordinary citizens and enjoy their old age. There ought to be a condemnation of the sovereign predators, if we cannot go to war with them, do whatever is necessary to make certain they never live among men again as normal people.

So I appeal to my constituents, I appeal to people everywhere to do a thorough analysis and remember the Hitler syndrome. Never again, the phrase we used in connection with the millions of Jews who died, must not be an abstract slogan. It must not be a slogan that our generation uses in the future because we sat by and let things happen and we feel bad about it and say we will not let it happen next time. This is the time. This is the time to stop it.

Each one of us has a duty to take a forceful position, to be thorough in our thinking and to support the most intelligent effort possible to end this war as fast as possible. But we should, in the meantime, be proud of the fact that this indispensable Nation of ours has both the will and the power to reinforce the foundations of a compassionate civilization.

The Roman Empire only dispatched their allegiance to achieve greater conquests and to bring home the booty. This American indispensable Nation has deployed its armies in an unprecedented campaign of compassion.

A CRISIS WE MUST NOT SHRINK FROM

The SPEAKER pro tempore (Mr. KUYKENDALL). Under the Speaker's announced policy of January 6, 1999, the gentleman from Arizona (Mr. HAYWORTH) is recognized for 60 minutes.

Mr. HAYWORTH. Mr. Speaker, oft-times I have the privilege of visiting elementary schools in the 6th Congressional District of Arizona, the folks whom I represent, and enjoy reading to elementary schoolchildren a book entitled "House Mouse, Senate Mouse", and it tells the story in bipartisan, or nonpartisan, fashion of the legislative process. It is written in verse, and it follows a letter sent to Capitol Hill by a group of schoolchildren. And as I point out to the students, if they ever want to receive a lot of mail, they need only be elected to the Congress of the United States, and they will receive mail on a daily basis.

Mr. Speaker, this time of year, I am sure my colleagues would concur, among the pieces of mail we get are a variety of commencement announce-

ments and graduation invitations, and I received one such invitation today from one of this Nation's foremost institutions, the United States Military Academy at West Point. The announcement reads as follows:

"Congressman Hayworth, after 4 years, I wanted to write and thank you for the appointment to the United States Military Academy you obtained for me in 1995. I am graduating and will be a commissioned armor officer stationed in Germany. I look forward to this exciting challenge. Thank you for giving me this opportunity to serve my country and fulfill a childhood dream."

And the young man about to be commissioned as Second Lieutenant in the United States Army sent his graduation picture along.

And, indeed, as a previous Member of this Chamber long ago reflected upon this job, indeed one man in American history, the only man thus far to serve as President following the service in that same job of his own father, John Quincy Adams, who, following his service as President, was asked by the people of Massachusetts to return to government service in this role, as a Member of Congress, said, "There is no greater honor than serving in the people's House."

And I would only add to that, Mr. Speaker, by saying one of the great honors of service in this House is the opportunity to appoint outstanding young men and women to our military academies because their sense of duty, honor and country serves as an example to us all.

I have also had an occasion to travel around the width and breadth of the district I represent here, a district in square mileage that is almost the size of the Commonwealth of Pennsylvania. Across the width and breadth of eastern Arizona, from the small hamlet of Franklin in southern Greenlee County, north to Four Corners on the sovereign Navajo Nation, west to Flagstaff, and south again to Florence, including portions of metropolitan Phoenix, North Scottsdale, Central Mesa, and what we call the East Valley, a district of incredible contrasts and diversity. And yet the stories remain the same, stories of proud service to our country.

In Pinal County last month I had occasion to speak at the dedication of a new city hall in Casa Grande, Arizona. And that city hall is a unique design for it is a renovation of the historic Casa Grande High School, and the city hall dedication almost served as a mini reunion for the proud alumni of Casa Grande High.

One of those who joined us that day was a member of the class of 1941, and he brought his school photograph, not unlike the West Point cadet who I mentioned earlier. This year, this alumnus of Casa Grande High School, brought his high school yearbook picture; and he related to me the story of how his dreams were deferred because of his sense of duty and the ominous and momentous acts, acts that have

been recorded in history by our late President Franklin Roosevelt, who stood not far from this spot and proclaimed December 7, 1941, as a day which would live in infamy.

That proud member of the class of 1941 at Casa Grande High School spoke of his commitment to our Nation and his realization that the freedom we enjoy is never free. It comes at great cost.

And I mention my two constituents this evening, Mr. Speaker, one preparing to graduate, to become a commissioned officer in the United States Army; the other, now an honored senior citizen who gave the flower of his youth, the prime of his life, indeed, as one Hollywood motion picture of the 1940s was entitled "The Best Years Of Their Lives", to preserving the freedom of our constitutional republic.

And I am reminded of Mark Twain's observation, which I have shared with the Speaker many times on the floor of this House, that history does not repeat itself, but it rhymes. Challenges remain, but we should thank our Heavenly Father that there are those who are willing to step forward to meet those challenges.

And a recurring theme throughout the history of this constitutional republic is the resiliency and the resolve of the American people. When confronted with a crisis, when put in harm's way, when our very national survival is threatened, the American people instinctively understand that to have economic security, that to have security in one's home, in one's community, we must also have a strong sense of national security. We have been willing to step forward.

And, Mr. Speaker, it is in that spirit that I come to this floor tonight to relate and bring to the CONGRESSIONAL RECORD and highlight different articles that have appeared in prominent national newspapers reporting on a crisis that we face today, a crisis which we need not shrink from, which we dare not shrink from, which both history and duty compel us to confront.

Joyce Howard Price writes in yesterday's Washington Times, and I quote, "Energy Secretary Bill Richardson admitted Sunday that the Chinese government has obtained nuclear secrets during the Clinton administration despite the President's claims to the contrary. There have been damaging security leaks. The Chinese have obtained damaging information during past administrations and the current administration," Mr. Richardson said on NBC's Meet the Press.

The Energy Secretary's comments contradict President Clinton's statement of March 19. Mr. Clinton was asked about a classified congressional report detailing leaks at the nuclear weapons laboratory in Los Alamos, New Mexico. The initial disclosure of the congressional report, published in The New York Times, said the spying began in the 1980s but was not discovered until 1995. "To the best of my

knowledge, no one has said anything to me about any espionage which occurred by the Chinese against the labs during my Presidency," the President said.

According to The New York Times, counter-intelligence experts told senior Clinton administration officials in November that China posed an acute intelligence threat to the weapons labs. The counterintelligence report, purportedly distributed to Mr. Richardson and others in the highest levels of the administration, and I would parenthetically add here that would include the President of the United States, warned that China was constantly penetrating computers at the nuclear weapons labs.

□ 2215

"The document revealed that the Energy Department, which has authority over nuclear weapons labs, recorded 324 attacks on its unclassified computer systems from outside the United States between October 1997 and June 1998. China was the worst offender. But there were others as well," the report said.

Mr. Speaker, from today's New York Times, William J. Broad writes:

"Secrets that China stole in 1997 about a space radar that can expose submerged submarines could aid it in finding subs from commercial satellites or airplanes and might also help it hide its own undersea weapons, intelligence experts say.

"For two decades, seeking to protect its submarine fleet from such surveillance, the Pentagon has tried to monopolize the radar. When it made its debut in 1978 with surprising powers of discernment, military powers blocked public release of satellite photos that showed deep, normally invisible wakes of speeding craft. Last year the military had the Federal Government set strict limits on the visual powers of proposed commercial radar satellites.

"Now it turns out, according to Pentagon officials, that an American scientist gave radar secrets to China in 1997, forcibly easing the Pentagon's grip. The implications of this disclosure are unclear because the size of the breach is unknown publicly and because the secret method is reportedly difficult to put into practice even after years of study. But at worst, experts say, American subs are now in danger of losing some of their cover. Among the vulnerable are missile subs, the most important part of the Nation's nuclear arsenal because of their stealthiness.

"Publicly, the unanswered questions include how deep submarines must go to elude radar prying, and sea currents and temperatures can help restore visibility, and how advances with submarines, satellites, and computers will most likely affect such probing in the future.

"Today the radar technique is believed to be able to uncloak submarines hundreds of feet beneath the

waves but not thousands of feet. Experts say that recent trends have already hurt the Pentagon's game and the Chinese espionage, at least in theory, has made things worse."

"As for China, it can use the stolen technology not only to hunt foreign subs but also to better cloak its own submarines finding ways to reduce the deep wakes that produce subtle clues of stealthy movement."

Mr. Speaker, these two articles from two prominent national publications today and yesterday compel this House to again renew the call, Mr. Speaker, that the report of the bipartisan Select Committee on Unauthorized Transfers of Technology to China, informally known as the Cox committee, that the report of that Select Committee be released at once to the American people.

Mr. Speaker, it has been a long time, at least 4 months, indeed just after the convening of this 106th Congress the Cox committee, in a bipartisan fashion, completed its report. Its findings are available to Members of the House once Members of Congress are willing to submit to a classified briefing.

But, Mr. Speaker, I must again say that, with each passing day, the American people are deprived of the full knowledge they deserve of the extent to which China has penetrated our nuclear labs, stolen our nuclear secrets, and left this country with what euphemistically can be called a challenge with what, Mr. Speaker, must more realistically be called a clear, present threat.

Mr. Speaker, the articles appearing in our major newspapers have given way to opinion columns. William Safire, a syndicated columnist, in this morning's Mesa Arizona Tribune in a column entitled "Connect the Dots on China," has this to say:

Mr. Safire relates that he called three friends in the Department of Energy, Defense, and Justice and asked them to turn on their office computers and read the first banner that came on their screens. "Anyone using this system expressly consents to monitoring," is the message. "Government employees using Government equipment on Government time thus waive privacy claims.

"Wen Ho Lee, the scientist who downloaded millions of lines of the nation's most secret codes to a computer easy to penetrate, also signed a waiver consenting to a search of his computer without his knowledge. And yet the Reno Justice Department denied the FBI's request for permission to search Lee's government computer.

"Eric Holder, Janet Reno's deputy, decided that a court search warrant was necessary but then refused to apply to the special foreign surveillance court to get it. Of more than 700 such FBI requests a year, a surveillance official admits that a flat turn-down is extremely rare."

"Why?" Mr. Safire writes and asks, "why this one?"

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

Mr. HAYWORTH. I yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Speaker, I am very curious about this. I was participating in a debate earlier tonight where the director of the CIA, it was proposed, should resign because of the bombing in Belgrade of the Chinese Embassy, quickly looking for a scapegoat.

Now, I hope that we are not going to be quickly looking for a scapegoat and put somebody's head on the chopping block too hastily as respects that. But it is interesting that that rumor, which may or may not have come from the administration, about let us fire the head of the CIA, we do not ever hear that about let us talk about Janet Reno.

Because, as my colleague knows, the attorney general, Ms. Reno, did not go along with Louis Freeh's recommendation for a special prosecutor to look into the Chinese money laundering scandal and the things that Johnny Chung, the great Democrat donor, testified today for 5 hours before a committee on. And yet here we have the same attorney general who did not want to proceed with the investigation of Mr. Lee.

Now, that is very curious to me. Because bombing the Embassy was tragic and a huge international mistake. Yet, at the same time, giving away our nuclear arsenal, the so-called W-88, which is the nuclear technology that can arm a Trident nuclear submarine, that is a huge matter. And why this administration and this attorney general drug their heels on taking disciplinary action or even investigating is beyond me. And I cannot see that.

And we are already hearing from the folks up at the White House that, well, this started with the Reagan-Bush folks. Well, okay, everybody does it. We heard that before, "everybody does it." And I am appalled. But I know this, that the Reagan-Bush team did not know of spying and did not have the reason to believe that apparently this administration did that this was going on and yet totally ignored it. Nothing was going on. And for months and months and months reports of what was going on in Los Alamos were apparently forwarded on or forwarded up the ladder and they were ignored time and time again.

Mr. HAYWORTH. Mr. Speaker, I thank my friend from Georgia for his remarks and his very salient observations.

I would also point out for the record, Mr. Speaker, that even while we have American fighting men and women placed in harm's way in an air campaign above Yugoslavia dealing with the challenges confronted by Kosovo, nonetheless, it is the Constitutional responsibility of this Congress to exercise oversight and to ask some important questions. And my colleague from Georgia outlines many.

I would offer another. It is worth noting that our national security advisor,

one Mr. Sandy Berger, prior to his employment in this administration, was a paid lobbyist for the People's Republic of China. Indeed, according to Dick Morris, the political advisor who conducted the bulk of the 1996 reelection campaign for the President, he said in a publication here on the hill, fittingly titled "The Hill," quoting now: "Sandy Berger has about as much business being national security advisor as I do."

My friend from Georgia brought up the curiosities of the conduct of our attorney general. And, Mr. Speaker, I would suggest that this House and our colleagues take a look at a commentary by this same Dick Morris appearing on the pages of the New York Post today where he outlines some very curious conduct and speculates on the reasons why the attorney general has been so reticent to take up these investigations and to exercise her constitutional authority to ensure that laws are being obeyed and, I might add, the same constitutional charge that we take on in an oath, that our friends in the executive branch take on, when we raise our right hand and swear to faithfully execute and protect and uphold and defend the Constitution of the United States. We have a very troublesome situation on our hands.

My colleague from Georgia also mentioned the testimony today of Johnny Chung. I must, Mr. Speaker, confess to this House and to the American people at large how dismayed I am with my former colleagues in broadcast journalism, even now with the advent of 24-hour news networks, how noticeably devoid the cable cast and the broadcast fair was of coverage of the testimony of Johnny Chung today before the Committee on Government Reform and Oversight.

Contrast that with the gavel-to-gavel coverage in 1987 of the Iran-Contra hearings during the Republican administration. And please do not misunderstand, because I know the temptation of some on the left is to engage in cat calls and to say this is simply whining. But when we have observers from partisan think tanks, both left and right, saying that the news judgment of the major networks and the cable networks is sadly askew when they refuse to offer gavel-to-gavel coverage I think again, in our free society, sadly, some purveyors of information choose not to highlight issues that go to the very core of our national survival and our national security.

Mr. KINGSTON. Mr. Speaker, if the gentleman would continue to yield, it is interesting that my colleague says that. Because we are both members of a communication team that looks at a lot of media numbers. The big three networks in percentage of news loss I think have gone from something like 60 percent of the market in 1990 to about 25 percent of the market now. Because Americans are turning on cable and they are watching Fox News, which did give gavel-to-gavel coverage of the 5-

hour Johnny Chung, which this is an outrageous issue.

Here is a person who gets money filtered to him through General Ji of the People's Liberation Army of Communist China. He gives \$360,000 to the Democrat National Committee, which they admitted to and they returned. He has pled guilty, I think, of \$20,000 of it, which has been nailed on him pretty solid.

This is not casual stuff, and China is not some casual country out there. It is not like, they came from Luxembourg and we have got to watch those folks in luck Luxembourg. This is Communist China, not exactly strong American allies right now, particularly under this administration. But it is not covered.

But what is interesting is that each year the network news loses more and more of its market share, and I think one reason is people are tired of filtered news. They enjoy C-SPAN. And I am sure many of the people watching tonight are channel suffering. They may be here 10 seconds, they might be here 5 minutes, and they are going to move on. But that is what Americans want in choice of television and choice of coverage right now.

But this is a huge situation where we have an operative who visited the White House 50 different times and he was peddling influence. And not all the money that he got from Communist China went to the White House or the Democrat National Committee. I am not going to say that it did.

Just like when I was in college and my dad had a little checking account for me and he would give me money for gas, some of that money found its way to beer.

□ 2230

But I am saying it was the same account. The man had one account, and that money was dispersed to politicians. And 50 different visits to the White House. Let me ask you, you are on the Committee on Ways and Means, clearly one of the most powerful committees in the United States House of Representatives. How many times have you, as a member of that powerful committee, gone to the White House? Fifty, 60, 70 times? You have been up here 6 years. Eighty times? One hundred times? How many times have you been to the White House?

I am not talking about meeting with the President, but I am talking about meeting with the administration as a key committee member during the passage of welfare reform, tax reductions, balancing the budget. Surely you have been there at least as many times as Johnny Chung.

Mr. HAYWORTH. I have not been invited to the Oval Office nor to the White House to discuss policy with the President or any of his immediate advisors on a single occasion. The visits to the Oval Office I have made, Mr. Speaker, my colleague from Georgia, the old goose egg, zilch, zero, nada.

Mr. KINGSTON. Well, let me ask you this. So you are one of the 435 Members of Congress and you have never been invited to the White House for anything but a social occasion, but let me ask you this. Surely the Democrat members, let us get partisan here, the Democrat members have probably been there 50 or 60 times. You know a lot of your Democrat colleagues on the Committee on Ways and Means. Estimate how many times they have been over there.

Mr. HAYWORTH. I would not presume to speak for my friends on the other side of the aisle but, based on my own observations, I would think even with, pardon the pun, the most liberal interpretation, the ranking member and some of the leaders or my friends on the other side of the aisle on the Committee on Ways and Means have probably been there maybe a dozen times, two dozen if we want to be very charitable, but certainly not 50 occasions to my knowledge.

Mr. KINGSTON. So here is a man named Johnny Chung, gives generously to the Democrat National Committee, is partially funded through the Chinese Communists, and he goes to the White House 50 times. And during this period of time we transfer approval of nuclear technology sales to China, we transfer that from the Department of Defense, which is very, very protective of national security to the Department of Commerce which is very, very pro-trade, not worried about security. And during that period of time China is not only buying nuclear technology knowledge, but they are also stealing it at Los Alamos. Meanwhile, Mr. Chung is running around in the White House.

Mr. HAYWORTH. I would point out as Wesley Pruden, editor-in-chief of the Washington Times pointed out in a column about a month and a half ago, the same month when Vice President GORE had his self-described community outreach event at the Buddhist temple in Los Angeles, later proven to be a fundraising exercise again involving non-American citizens, that same month the aforementioned Mr. Berger, the National Security Adviser, we understand, was informed of the security breach at Los Alamos.

There are those in this city, in fact, Mr. Chung was part of the spin today, if you heard some of his comments, and I have heard them rebroadcast on some of the cable news outlets in the 30-some seconds they would devote to the story as opposed to gavel-to-gavel coverage, where he impugned the American political system in terms of fund raising. I must tell you, that tradition is in keeping with the curious reaction of many others in this city about financing campaigns and having people involved. In fact, to me the historical analogy would have been for Bonny and Clyde at the height of their crime spree to suddenly call a press conference to invite the leading newspapers and newsreels of their era and come out publicly for stiffer penalties against bank robbery.

It is asinine to see some of the spin going on here. Now you have the desperate attempt by Secretary Richardson, our former colleague, my neighbor from New Mexico, saying, "Well, now we're going to get tough. Now we're going to appoint a security czar at Los Alamos."

Friends, the nuclear genie is out of the bottle. The nuclear horse has left the barn. To continue to mix metaphors, the nuclear chickens are coming home to roost. And it is a little late, after the fact, for Mr. Berger, Secretary Richardson, Attorney General Reno or, as described in various accounts, the hustler named Johnny Chung to purport to lecture the American people about the conduct of campaigns, to attempt to lecture the American people about how now, once these ills have been exposed, "Oh, now we're going to get tough." It leads to cynicism and distrust on the part of the body politic.

Mr. KINGSTON. Let me ask the gentleman something. You have been an active Member up here. Foreign nationalists, can they give to campaigns in the administration? I know they cannot give to Members of Congress. What is Mr. Chung saying is the problem with the law?

As I see it, laws were broken. We do not need to revamp the campaign finance law, although there are certain things we can do, but for this particular situation, we do not need to revamp campaign laws, we just need to follow them. Or am I missing something?

Mr. HAYWORTH. No, you are quite right. To offer another analogy, it would be like someone speeding and have an officer stop the speeder and the speeder say to the officer, oh, gee, I was going over 50 in that 35 miles per hour zone, but you know that is such a hazard at just 35 miles an hour, you ought to lower that speed limit to 25. And because I had the moral suasion to make that observation to you, officer, just let me go along on my way. Because, after all, I cared enough, officer, I cared enough, to tell you that the speed limit is excessive even though I broke it many times over.

This asinine reasoning and this cynical spin that permeates this town is both sickening and cynical and it needs to stop. Mr. Speaker, my colleague from Georgia. And to the American people, Mr. Speaker, who join us tonight, we need to move beyond spin for some straight talk with the American people. And whether it is campaign finance reform or these emerging scandals that threaten our very national security, Mr. Justice Brandeis was right, Mr. Speaker, when he said, sunshine is the best disinfectant.

That is why, Mr. Speaker and my colleagues, I renew my call for this House, if necessary, to go into closed session as soon as possible and to vote the release of the Cox committee report, because we know that our colleague from California has worked in a good-faith

effort to negotiate with this White House.

We also know that the President of the United States has within his power under existing law the ability to release the select committee report today if he would take it up. I would, Mr. Speaker, invite our President to release the report forthwith, if he is to deal with us in candor and to serve effectively as our Commander in Chief as he sends American men and women into harm's way in the Balkan theater. He owes no less to the American public so that we understand what exactly is at stake across and around the world in terms of our defense capabilities.

Mr. KINGSTON. I want to clarify two things.

Number one, what the Cox report is; and the Cox report is the bipartisan commission report, special appointed committee by Congress, Democrats and Republicans, to look into this scandal of Chinese money influencing the American election system and taking nuclear secrets from America.

Now, that is point number one, that is what the Cox report is, but, number two, it was passed unanimously by the committee, Democrats and Republicans, 100 percent passed it. Now it is at the White House waiting to get their approval to declassify some of the information, and the White House is dragging. What you are saying is, if the White House persists on dragging, then it is likely the Democrats and Republicans at large in the House of Representatives will vote to get this thing out on the floor and so that we can address these problems.

That is where there is some real hypocrisy by this administration. They are saying, number one, well, all administrations have had spying at Los Alamos, in the nuclear labs. And then they are saying, but we are the only ones to deal with it. That is not quite true, but if you were dealing with it, you would put the Cox report out so we could all say, what is going on? Do we need more money here? Do we need more involvement here? Do we need this nuclear secrets czar which Energy Secretary Richardson has promoted now?

To me, I do not know if we do or we do not. If the Attorney General is not going to enforce the law, maybe we do need a nuke czar. I do not know. But let us put the Cox Commission report on the table and look at it, because we are united that the Communist Chinese were trying to influence the election. We are united in the knowledge that the Chinese communists were trying to get our nuclear secrets. We are not pointing fingers at 1600 Pennsylvania Avenue. We are pointing fingers at Beijing right now. I think that is a very significant and unifying factor.

Right now China is certainly unified against America. They are burning flags. They are rioting. They are protesting. They are doing everything they can. They are having bigger protests than Tiananmen Square. The Ambassador, Mr. Sasser, cannot even leave

the American embassy over in China right now. They are on the streets. They are demonstrating. As you know, it is morning there right now and the three journalists who were killed in the embassy, their bodies are returning to China today as we speak, and the Chinese people are all unified against America. What is worse than that, they are unified with Russia against America. China has become a player now in Kosovo. So our Chinese problems are just beginning. We need to go ahead and get beyond the Cox report and figure out what we should do.

Mr. HAYWORTH. As my colleague so capably points out, Mr. Speaker, it is time to address this, not as Republicans or as Democrats but as Americans. This is a situation which confronts us with reference to our national security and the safety of all our citizens, and the future of our country with reference to the rest of the world and most specifically to that giant nation in the East, Communist China. We must be resolute, rational, sober-minded about this, but it is very difficult, Mr. Speaker, and the frustration seeps over in the constant spinning and cajoling and cynical remarks that emerge in a very defensive fashion.

I believe my colleague from Georgia used that well-worn chorus, "Everybody does it. Oh, people spy all the time. What's the big deal?" Mr. Speaker, here is the big deal, as has been reported in the mainstream press. While many in this town very publicly search for what they call their legacy, the irony is that their legacy quite literally is our legacy, the legacy codes to America's nuclear arsenal that were transferred, downloaded into unsecure computers, where the Communist Chinese and others could have access to the width and breadth and majority of our technological know-how that American taxpayers subsidized in our national interest to protect this American Nation. That sadly is the legacy. Our national security has been squandered and jeopardized, and we must get to the root of that very vexing problem.

Mr. KINGSTON. One of the things I wanted to point out to you when you talk about a country of 1.2, 1.4 billion people, their army is 3 million strong right now. Now they are downsizing it to a skeletal 2 million people, but this is a huge army. They have just recently purchased 50 Russian SU-27 fighters and are building about 100 more. They have plans to install 650 short range missiles on China's coastline. This is an army that is being reorganized but it is on the move. But perhaps one of the best things they got in terms of stolen secrets were these so-called legacy codes.

I am going to read from a Wall Street Journal article today:

According to the U.S. Department of Energy, the most valuable data comes in the form of legacy codes. These are computer programs used by scientists at the two U.S. weapons labs to model how a newly config-

ured weapon might work based on digital records of hundreds of U.S. tests that are built into the codes. It can take 5 years for a beginning U.S. weapons scientist to master the codes even with support from veteran bomber designers. Discovering just when China may have obtained these codes may be one of the keys to determine how fast it could develop its arsenal.

So it is these legacy codes that are just as important as the W-88. The W-88 as we have pointed out earlier, that is the nuclear design for the nuclear submarine stuff. They also got the W-56, W-57, and I think it was W-72 and W-78 and W-87. These are all our nuclear warhead secrets, the drafts and the designs and the plans. As one of the Pentagon officials said, "They basically have all the secrets in our nuclear arsenal right now."

□ 2245

The only question remains is how much, how far they are along in applying this information. It is scary.

Mr. HAYWORTH. Small wonder then that a long-time observer of our intelligence scene and apparatus described this breach, and it has been reported, again in the mainstream press, as the worst breach of national security since the Rosenbergs, and, Mr. Speaker, that is chilling. But the challenge for us is not to stand mortified or paralyzed or irresolute or intent on political gamesmanship. Mr. Speaker, the challenge for us is to remember what has worked through our history, to have a deep and abiding faith in the American people.

My colleague from Montana was here earlier tonight along with my colleague from Colorado and a colleague from California, and he made this point that I have seen time and again, and I am sure my friend from Georgia would echo this sentiment. When we return home to our districts, when we meet with our constituents, we are reassured and overwhelmed by the common sense of the American people who understand a clear and present danger and who do not shrink from a threat to their family's security and to the national security.

We have learned through our history, Mr. Speaker, and it appears as a paradox, but in fact it is the foundation of our successful policy around the world in what has been referred to as the American Century, and that is we find true peace through our military strength and we seek strength not to dominate or colonize the world, as our detractors would say, using the buzz phrase of imperialism. No, we only seek that power and advantage in our own national interest so that we may ensure the peace in our own legitimate national interests.

That is why I was pleased to vote one week ago to supplement our defense capabilities, to give our men and women in uniform a much needed pay raise for the work they do, to recognize their value and to refortify our Nation's Armed Forces because, Mr. Speaker, we have a situation fast developing that was reminiscent of what we saw 20

years ago, the erosion of our capabilities, our manpower, our munitions, our material, to the point where our capabilities were described as a hollow force.

Again we face those challenges because even as this administration has disagreed with the new majority in Congress while we have tried time and again to increase allocations to preserve our national security, and the administration said, no, we do not need to spend funds in that fashion and put our national security at risk, we have a situation where our Commander in Chief has deployed our Armed Forces into more than 30 locations, and now we are faced with the vexing dilemma of having an Armed Forces apparatus incapable of fighting a two-front war or dealing with two regional conflicts.

That exacerbates the problem today in the Balkans. Whatever one's opinion of the course of action that should be followed, and good Americans can disagree as to the intent and what should be done, and certainly the gentleman from Georgia (Mr. KINGSTON) and I have weighed in with our points of view on this in the past, but incumbent upon this Congress and our Commander in Chief is to act in the national interest to make sure that we have the manpower, the materiel, the munitions necessary to defend our constitutional republic.

Mr. KINGSTON. Mr. Speaker, if the gentleman would yield, it was interesting. Yesterday I went to an Air Force base, and I am not sure if I should say the name so I will not, but they told me that last year they had 11 fighter jets that sat basically on the tarmac because they needed spare parts, and they sat there, and, as my colleague knows, it is a tragic waste of millions of dollars worth of equipment. They finally got the spare parts, and now they are up and running because last year, as my colleague knows and he supported some money for spare parts; very simple, you just have to do that in the world; but, as my colleagues know, the other bad part was the morale.

As my colleagues know, here we have these trained pilots who say, look, you know I work hard, it is very competitive to get where I am, and I got here, and now you will not let me fly these jets because you do not even spend the money on the spare parts. I am out of here. I can find a better job in the private sector. Will not be what I wanted, will not be the excitement and the thrill of flying a jet, but there is no reason.

And so also in the bill that my colleague supported last week was money for more spare parts for tanks and equipment, and, as my colleagues know, maybe it is a little mundane, a little boring, to have to spend money responsibly on things like spare parts, but we have to have it.

As my colleagues know, these planes go from Georgia to the Middle East. They get sand in the engine. They have

to be down for two or three days while they clean everything to make sure that the sand is out of there because it grinds it down. Then they go to another region that has completely different elements, and they have to keep up with their equipment. But when we are spending millions and millions of dollars on it, it is well worth it.

But the equipment is nothing compared to the soldiers and the soldiers. My colleague mentioned deployments. I believe the rough numbers are that from World War II until 1989 there were 11 United States deployments of Armed Services, 11 from World War II until 1989, and since 1989 there have been 33, and this administration with its very peculiar relationship with the military or its view of the military seems to deploy them at the drop of a hat, and, as my colleagues know, we have fought putting Americans under command of U.N. generals. We want our American soldiers under the commands of Americans. As we get more into this strange period of when we have a defensive coalition like NATO that is acting offensively, when we are involved in a civil war where there is no clarified American peril, and you know there is an American peril if you back into the argument of whether economic stability in Europe is at stake. I am not 100 percent sure that it is, but let us say you buy that. Then why out of 19 NATO countries is America picking up anywhere from 60 to 80 percent of the cost of this war?

Mr. HAYWORTH. Mr. Speaker, on that observation I thank the gentleman from Georgia for raising that because again one cannot help but note the contrasts with this latest campaign in Kosovo and the air campaign of the NATO forces, and yet the fact that our European allies are not paying their fair share of this military involvement, and it almost sounds, Mr. Speaker, like a test question for history: Compare and contrast the demands of President Bush on the allied nations in Desert Storm with the lack of demands President Clinton has placed upon our European NATO allies during the Kosovo campaign. Again, good people can disagree as to the advisability of having forces in the Balkans, but we should be united in the observation that our European allies, who have this action in just the fact of geography and of life that the Balkans theater is there closer to their homelands, literally in their own backyards. They should pick up their fair share of that burden if there is to be involvement at all.

Mr. KINGSTON. And if they decide that they cannot pick up their fair share of the military action, let them weigh in on the humanitarian assistance.

Can you imagine 750,000 refugees outside of the country, and tonight I saw statistics that said there are 600,000 inside the country.

Now, as my colleagues know, the numbers are fluid so we are never 100 percent sure, but these are people who

have left their homes with nothing, no time to pack, no money, no food, no clothing, no transportation, and if they are lucky enough to return, then their house may be destroyed, the roads and transportation will be destroyed, the hospital will be destroyed, their food system, the distribution system, so we are going to need medicine, food, shelter. We are going to be committed to this humanitarian part of the war for a long, long time, and let us hope that our NATO allies, their European brothers and sisters, are going to be on the front line of that because that is going to cost us a lot of money for many, many years.

Can my colleague imagine the rebuilding that we will be involved in?

Mr. HAYWORTH. And it boggles the mind, Mr. Speaker, as my colleague from Georgia points this out, there is of course a larger context both to the Balkan theater that is transpiring in Kosovo and the other challenges we face around the world, and, Mr. Speaker, there is a legacy of modern conservatism and a common train of thought reflected in the notion of peace through strength, which President Reagan was so dogged and devout in pursuing, and indeed earlier this century by our former Supreme Allied Commander in Europe during World War II, later President of the United States, General Dwight David Eisenhower. In his book Eisenhower, The President, William Blake Ewold sets forward the components that Eisenhower used, the criteria upon which Eisenhower based any notion of military involvement by our Nation.

No. 1, said Ike, define the compelling national interest that would prompt us to act militarily. No. 2, Eisenhower said, let us have a clearly definable military objective. General Eisenhower, subsequently President Eisenhower, went on. No. 3, understand that there is no such thing as a little force. Once the decision to use force is made, force must be applied overwhelmingly and, yes, even brutally to achieve the desired ends. And, No. 4, once the objectives are achieved, there must be a clear exit strategy.

Mr. Speaker, I must lament the fact that whether it is in Kosovo or simply the notion of state craft and diplomacy confronting the challenges as we do today with Communist China how bereft and bankrupt and totally removed from the criteria Eisenhower outlined in what came to be known as the Eisenhower Doctrine, how far afield this administration is both in the conduct of our foreign policy and in the use of American fighting men and women around the world. Unapologetically we should stand for our national interests and our national security, and to those who come to this floor and offer what they believe to be a humanitarian argument, I notice very seldom do we hear about the almost 2 million people who have died in the Sudan, or the tribal warfare that has gone on in Rwanda, and that is not

in any way to diminish the suffering in Kosovo, but let me suggest this, Mr. Speaker and my colleague from Georgia:

If we are to change and enlarge the definition of our national interest to include every atrocity that occurs somewhere around this world, we would be asking for the conscription of American men and women for almost a 10-year tour of duty, and this constitutional republic would look more like the ancient city state of Sparta in terms of our citizens under arms.

No, we must have a logical, sober, reasonable definition of our compelling national interest clearly and unapologetically, and that is the foundation upon which we must base all of our actions in the field of diplomacy and certainly in the introduction of our military forces.

Mr. KINGSTON. The gentleman has pointed out why America is now divided on this war effort. In Desert Storm, as my colleague knows, preceding the January bombing, we had a 6 month build-up of the military called Desert Shield, and we got our allies on board, and we got the American people on board, and that was not done in this case, and we went in there, as you and I have heard rumors from the Pentagon, expecting a two or three day campaign, and yet there was warning that it was going to be prolonged, that we could not achieve the objectives without ground forces, but we also understood that people within the White House thought it was going to be a two or three day campaign, and lo and behold, here we are now with 45th, 46th day; I am not certain.

But we have not clearly articulated to the American people and the administration has not what the peril is, and it is just this vague, well, humanitarian assistance and economic stability of Europe.

But the interesting thing I think right now is that there is this overture of if you quit bombing, we will have a peace talk, and I think most Americans right now are actually on the side of, okay, let us stop bombing and let us get talking again and see what happens.

Now there are critics who say once you stop bombing you cannot start again because the NATO alliance might not stick together. Well, I do not think that is that big of a deal based on what they have been contributing.

□ 2300

I think what we need to do is to get back to the peace table and start talking. Remember, we did not even start boycotting Yugoslavia for trade until 2 weeks ago. We should have done that a year ago, even earlier than that, because this has been going on since really 1989, 1990 and 1991 when the Republic of Yugoslavia started breaking out. Slovenia pulled out, and then Croatia and Bosnia.

None of this stuff has been surprising. Again, the bombing of the Chinese embassy, why did the most powerful military alliance in the world not

know that they were bombing an embassy?

Mistakes happen in war, and I am certainly not going to say that is the biggest problem we have right now but that one they should have known. Was it the fault of the CIA or is that just a neat little package that we are going to put a scapegoat on? Or is it just this chain of NATO command where we have too many cooks in the broth? Is this a war by committee? That is, I think, one of our big problems that we are not even discussing.

Mr. HAYWORTH. Mr. Speaker, my colleague from Georgia (Mr. KINGSTON) adds to the litany of compelling, provocative questions that confront us as we prepare to enter the next century.

I mentioned earlier in this special order that this has been referred to as the American century. Some around the world might claim that is a bit jingoistic, but it is a label that for better or worse has been given the 20th century.

History does not occur in a vacuum. All of the questions outlined by my colleague, the gentleman from Georgia, are undergirded again by this notion: To have security here at home, to have economic security, to have the security that promotes domestic tranquility, undergirding all of that is the notion of our national security.

In the beautiful preamble to our Constitution, those who gathered in Philadelphia for what Catherine Drinker Bowen called the miracle at Philadelphia wrote that it was their purpose, in ordaining and establishing a constitution for the United States, to provide for the common defense. That challenge continues even more in this world today.

Mr. Speaker, I began this hour speaking of an invitation I had received for commencement exercises at the United States Military Academy at West Point. I might also add, and I know my colleague, the gentleman from Georgia, shares this sentiment, there is no greater honor than calling a young man or woman to congratulate them upon their appointment to one of our fine military academies.

Just a few weeks ago, Mr. Speaker, I had occasion to do that for a young lady in one of the high schools in the northern part of our district, and a reporter from the White Mountain Independent was there, as the phone call was patched through on a speaker and this proud academy nominee and her family gathered along with her friends, and the reporter asked me, what does this mean to you to be able to nominate this young woman to the academy?

I said to him, you have to understand what this young person is doing. Yes, she is given a tremendous opportunity to receive an unparalleled education but it comes at a price because she and her family understand in no uncertain terms that quite literally her life will be on the line.

Those of us who are constitutional officers, whether in this legislative

branch or at the other end of Pennsylvania Avenue in the executive branch, have first and foremost a duty to the men and women in uniform and the people they protect that we unapologetically pursue our own national interest and that through oversight we allow the sunshine to come in to expose unsavory relationships, to get to the bottom of espionage scandals and to preserve our constitutional republic.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. NAPOLITANO (at the request of Mr. GEPHARDT) for today and May 12, on account of business in the district.

Mr. SCARBOROUGH (at the request of Mr. ARMEY) for today, on account of family medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. STUPAK) to revise and extend their remarks and include extraneous material:)

Mr. LIPINSKI, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. BLUMENHAUER, for 5 minutes, today.

Mr. SMITH of Washington, for 5 minutes, today.

Mr. HOEFFEL, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mrs. JONES of Ohio, for 5 minutes, today.

Mrs. CAPPS, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. KUCINICH, for 5 minutes, today.

Mr. LARSON, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. HOOLEY of Oregon, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

Mr. ROEMER, for 5 minutes, today.

(The following Members (at the request of Mr. SOUDER) to revise and extend their remarks and include extraneous material:)

Mr. SOUDER, for 5 minutes each day, today and on May 12.

Mr. PORTMAN, for 5 minutes, on May 13.

Mr. BURTON of Indiana, for 5 minutes, on May 18.

Mr. DREIER, for 5 minutes, today.

Mr. DIAZ-BALART, for 5 minutes, on May 12.

Mr. DUNCAN, for 5 minutes, today.

Mr. THUNE, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. CAMPBELL, 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. 432. An act to designate the North/South Center as the Dante B. Fascell North-South Center.

ADJOURNMENT

Mr. KINGSTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 05 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 12, 1999, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1981. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Suspension of Collection of Recapture Amount for Borrowers with Certain Shared Appreciation Agreements (RIN: 0560-AF80) received April 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1982. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Beauveria bassiana (ATCC #74040); Exemption from the Requirement of a Tolerance [OPP-300821;FRL-6068-7] (RIN: 2070-AB78) received April 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1983. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Dimethomorph, (E,Z) 4-[3-(4-chlorophenyl) -3-(3,4-dimethoxyphenyl) -1-oxo-2-propenyl]morpholine; Pesticide Tolerances [OPP-300857; FRL-6079-5] (RIN: 2070-AB78) received May 5, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1984. A communication from the President of the United States, transmitting his request for an emergency FY 1999 supplemental appropriation for the Federal Emergency Management Agency to help the people and communities devastated by the terrible tornados that hit Oklahoma, Kansas, Texas, and Tennessee and provide for other disaster relief needs, pursuant to 31 U.S.C. 1107; (H. Doc. No. 106-61); to the Committee on Appropriations and ordered to be printed.

1985. A letter from the Health Affairs, Assistant Secretary of Defense, transmitting a letter to advise that the Department has not yet completed its review and internal coordination for the report required by Section 715 of the FY 1999 National Defense Authorization Act.; to the Committee on Armed Services.

1986. A letter from the Assistant Secretary of Defense, Health Affairs, Department of Defense, transmitting a plan to redesign the military pharmacy system, pursuant to Public Law 105-261; to the Committee on Armed Services.

1987. A letter from the Acquisition and Technology, Under Secretary of Defense,

transmitting a report on the implementation of a pilot program to demonstrate improved cooperative relationships with universities and other private sector entities, for the performance of research and development functions; to the Committee on Armed Services.

1988. A letter from the Secretary, Department of the Treasury, transmitting the annual report on the operations of the Exchange Stabilization Fund for FY 1998, pursuant to 31 U.S.C. 5302(c)(2); to the Committee on Banking and Financial Services.

1989. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Withdrawal of Interim Rule on Builder Warranty for High Ratio FHA-Insured Single Family Mortgages for New Homes [Docket No. FR-4288-N-03] (RIN: 2502-AH08) received April 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

1990. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Public Housing Agency Plans and Section 8 Certificate and Voucher Merger Announcement of Public Forums; Solicitation of Additional Public Comment on Relationship of PHA Plans to Consolidation Plan [Docket No. FR-4420-N-02] (RIN: 2577-AB89) received April 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

1991. A letter from the President and Chairman, Export-Import Bank, transmitting statements with respect to transactions involving U.S. exports to Venezuela; to the Committee on Banking and Financial Services.

1992. A letter from the Managing Director, Federal Housing Finance Board, transmitting the 1999 base salary structures for Executive and Graded employees; to the Committee on Banking and Financial Services.

1993. A letter from the Acting Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the final version of the Department of Energy Accounting Handbook; to the Committee on Commerce.

1994. 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 Tennessee: Approval of Revisions to the Memphis Ozone Maintenance Plan [TN-204-1-9913a; FRL-6326-9] received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1995. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Air Quality Implementation Plans; State of Delaware; Withdrawal of Final Rule for Transportation Conformity [DE036-1018a; FRL-6325-2] received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1996. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants, Maryland; Control of Emissions from Large Municipal Waste Combustors [MD056-3022a; FRL-6330-7] received April 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1997. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and

Promulgation of Implementation Plans Georgia: Approval of Revisions to the Georgia State Implementation Plan [GA-34-1-9805; FRL-6318-3] received April 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1998. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation: Contractor Performance Evaluations [FRL-6319-3] received April 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1999. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting Revised Policy for Amending Form R and Form A Submissions; Toxic Chemical Release Inventory Reporting; Community Right-to-Know [OPPTS-400141; FRL-6075-3]; to the Committee on Commerce.

2000. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval and Promulgation of New Source Review Provisions Implementation Plan for Nevada State Clark County Pollution Control District [NV 030-0015; FRL-6336-6] received May 5, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2001. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the withdrawal of a December 3rd submission "Pesticide Worker Protection Standard; Respirator Designations"; to the Committee on Commerce.

2002. A letter from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting The Commission's final rule—Amendment of Part 87 of the Commission's Rules to Permit Automatic Operation of Aeronautical Advisory Stations (Unicom) [WT Docket No. 96-1 RM-8495] Amendment of Part 87 to Permit the Use of 112-118 MHz for Differential Global Positioning System (GPS) Correction Data and the Use of Hand-held Transmitters on Frequencies in the Aeronautical Enroute Service [WT Docket No. 96-211 RM-8607, 8687] Amendment of Part 17 Concerning Construction, Marking, and Lighting of Antenna Structures—Received April 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2003. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Air Force's Proposed Letter(s) of Offer and Acceptance (LOA) to New Zealand for defense articles and services (Transmittal No. 99-14), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2004. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of the Department's intent to obligate funds for assistance to Eastern Europe and the Baltic States, pursuant to 22 U.S.C. 2394-1(a); to the Committee on International Relations.

2005. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Italy [Transmittal No. DTC 20-99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

2006. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles sold commercially under a contract to Turkey [Transmittal No. DTC 61-99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2007. A letter from the Assistant Secretary for Legislative Affairs, Department of State,

transmitting a copy of Presidential Determination No. 99-10, authorizing the use of up to \$25,000,000 in assistance from the Emergency Refugee and Migration Assistance Fund to meet the urgent and unexpected needs of refugees, displaced persons, conflict victims, and other persons at risk due to the Kosovo crisis, pursuant to 22 U.S.C. 2601(c)(3); to the Committee on International Relations.

2008. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment sold under a contract to Turkey [Transmittal No. DTC 60-99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

2009. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a draft of proposed legislative initiatives to amend or create expanded authorities under the Foreign Assistance Act of 1961, as amended, and the Arms Export Control Act; to the Committee on International Relations.

2010. A letter from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting the annual report on the Host Country Development and U.S. Effects of FY 1998 Projects and the Annual Report on Cooperation with Private Insurers, pursuant to 22 U.S.C. 2200a; to the Committee on International Relations.

2011. A letter from the Chairman, Council of the District of Columbia, transmitting A copy of D. C. Law 5-11 "To adopt the form and content for personal financial disclosure statement for members of the District of Columbia Retirement Board, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

2012. A letter from the Auditor, District of Columbia, transmitting a report entitled "Evaluation of the Department of Public Works' Monitoring and Oversight of the Ticket Processing and Delinquent Ticket Debt Collection Contracts," pursuant to D.C. Code section 47-118(b)(3); to the Committee on Government Reform.

2013. A letter from the Associate Attorney General, Department of Justice, transmitting Activities under the Freedom of Information Act for calendar year 1998, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform.

2014. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1997, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

2015. A letter from the Chairman, Federal Mine Safety and Health Review Commission, transmitting the annual performance plan for fiscal year 2000; to the Committee on Government Reform.

2016. A letter from the Administrator, General Services Administration, transmitting a report of the results of the investigations of the cost of operating privately owned vehicles to Government employees while on official business, pursuant to 5 U.S.C. 5707(b)(1); to the Committee on Government Reform.

2017. A letter from the General Counsel, Office of Management and Budget, transmitting Notification of a vacancy in the Office of Management and Budget Office of Deputy Director of Management; to the Committee on Government Reform.

2018. A letter from the Secretary of Agriculture, transmitting the annual report for the year ending September 30, 1998, pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

2019. A letter from the Assistant Secretary for Legislative Affairs, Department of State,

transmitting certification that a legally binding instrument establishing the International Dolphin Conservation Program has been adopted and is in force; to the Committee on Resources.

2020. A letter from the Director, Office of Protected Resources, National Marine Fisheries Service, transmitting the Service's final rule—Endangered and Threatened Species: Threatened Status for Ozette Lake Sockeye Salmon in Washington [Docket No. 980219043-9068-02; I.D. 011498A] (RIN: 0648-AK52) received April 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2021. A letter from the Director, Office of Protected Resources, National Marine Fisheries Service, transmitting the Service's "Major" final rule—Endangered and Threatened Species: Threatened Status for Two ESUs of Steelhead in Washington and Oregon [Docket No. 980225046-9070-03; I.D. 021098B] (RIN: 0648-AK54) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2022. A letter from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting the Service's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Fishery Cooperatives [I.D. 031599A] received March 23, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2023. A letter from the Director, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's "Major" final rule—Endangered and Threatened Species: Threatened Status for Three Chinook Salmon Evolutionarily Significant Units (ESUs) in Washington and Oregon, and Endangered Status for One Chinook Salmon ESU in Washington [Docket No. 9903303060-9071-02; I.D. 022398C] (RIN: 0648-AM54) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2024. A letter from the Director, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's "Major" final rule—Endangered and Threatened Species: Threatened Status for Two ESUs of Chum Salmon in Washington and Oregon [Docket No. 980219042-9069-02; I.D. 011498B] (RIN: 0648-AK53) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2025. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska, Pacific Cod in the Gulf of Alaska [Docket No. 990304063-9062-01; I.D. 033099B] received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2026. A letter from the President, National Park Foundation, transmitting the Foundation's annual report of activity through June 30, 1998, pursuant to 16 U.S.C. 19n and 19dd(f); to the Committee on Resources.

2027. A letter from the Attorney General, transmitting the 1998 Annual Accountability Report of the Department of Justice; to the Committee on the Judiciary.

2028. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Fair Housing Complaint Processing; Plain Language Revision and Reorganization [Docket No. FR-4433-I-01] (RIN: 2529-AA86) received April 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2029. A letter from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard Headquarters, Department of Transportation, transmitting the Department's

final rule—Anchorage Grounds; Atlantic Ocean off Miami and Miami Beach, Florida [CGD07-99-002] (RIN: 2115-AA98) received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2030. A letter from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard Headquarters, Department of Transportation, transmitting the Department's final rule—Special Local Regulations: Empire State Regatta, Albany, New York [CGD01-98-162] (RIN: 2115-AE46) received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2031. A letter from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard Headquarters, Department of Transportation, transmitting the Department's final rule—Anchorage Grounds; Port Everglades, Florida [CGD07-99-003] (RIN: 2115-AA98) received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2032. A letter from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, transmitting the Administration's final rule—Airworthiness Directives; Bell Helicopter Textron Canada (BHTC) Model 230 Helicopters [Docket No. 98-SW-48-AD; Amendment 39-11137; AD 99-09-05] (RIN: 2120-AA64) received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2033. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, transmitting the Administration's final rule—Airworthiness Directives; British Aerospace Model H.P. 137 Jetstream Mk. 1, Jetstream Series 200, and Jetstream Models 3101 and 3201 Airplanes [Docket No. 98-CE-70-AD; Amendment 39-10825; AD 98-21-16] (RIN: 2120-AA64) received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2034. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, transmitting the Administration's final rule—Airworthiness Directives; Boeing Model 747-100, -200, -300, SP, and SR Series Airplanes [Docket No. 97-NM-272-AD; Amendment 39-10808; AD 98-20-40] (RIN: 2120-AA64) received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2035. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, transmitting the Administration's final rule—Amendment of Restricted Area R-5313C, Long Shoal Point, NC [Airspace Docket No. 98-ASO-13] (RIN: 2120-AA66) received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2036. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, transmitting the Administration's final rule—Revision of Class E Airspace; Lake Charles, LA [Airspace Docket No. 99-ASW-04] received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2037. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, transmitting the Administration's final rule—Revision of Class E Airspace; Port Heiden, AK [Airspace Docket No. 98-AAL-25] received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2038. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, transmitting the Administration's final rule—Revision of Class D Air-

space; Fairbanks, Eielson Air Force Base (AFB), AK; Revision and Establishment of Class E Airspace, Fairbanks, Eielson AFB, AK [Airspace Docket No. 99-AAL-1] received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2039. A letter from the Program Analyst, Office of the General Counsel, Federal Aviation Administration, transmitting the Administration's final rule—Revision of Class E Airspace; Soldotna, AK [Airspace Docket No. 98-AAL-22] received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2040. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, transmitting the Administration's final rule—Revision of Class E Airspace; Gambell, AK [Airspace Docket No. 98-AAL-20] received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2041. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, transmitting the Administration's final rule—Establishment of Class E Airspace; Barter Island, AK [Airspace Docket No. 98-AAL-21] received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2042. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, transmitting the Administration's final rule—Amendment to Class E Airspace; Clarinda, IA [Airspace Docket No. 99-ACE-17] received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2043. A letter from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, transmitting the Administration's final rule—Amendment to Class E Airspace; Macon, MO [Airspace Docket No. 99-ACE-20] received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2044. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's final rule—Service Contracts Subject to the Shipping Act of 1984 [Docket No. 98-30] received May 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2045. A letter from the Secretary of Transportation, transmitting a review of the recommendations of the National Academy of Sciences and other qualified organizations on methods for further increasing the environmental and operational safety of tank vessels; to the Committee on Transportation and Infrastructure.

2046. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Revenue Ruling 99-21] received April 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2047. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Renewable Electricity Production Credit, Publication of Inflation Adjustment Factor and Reference Prices for Calendar Year 1999—received April 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2048. A letter from the Administrator, Environmental Protection Agency, transmitting a report on implementation progress by the State of Louisiana on its federally approved Coastal Wetlands Conservation Plan; jointly to the Committees on Resources and Transportation and Infrastructure.

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. DREIER: Committee on rules. House Resolution 166. Resolution providing for consideration of the bill (H.R. 775) to establish certain procedures for civil actions brought for damages relating to the failure of any device or system to process or otherwise deal with the transition from the year 1999 to the year 2000, and for other purposes (Rept. 106-134). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ANDREWS:

H.R. 1745. A bill to amend the Immigration and Nationality Act to provide for the removal of aliens who associate with known terrorists; to the Committee on the Judiciary.

By Mr. TAUZIN (for himself, Mr. WELLER, Mr. FOSSELLA, Mr. SHIMKUS, Mr. WHITFIELD, Mr. SUNUNU, Mr. GARY MILLER of California, Mr. BOUCHER, Mr. GOSS, Mr. TANCREDO, and Mr. ROGAN):

H.R. 1746. A bill to amend the Communications Act of 1934 to reduce telephone rates, provide advanced telecommunications services to schools, libraries, and certain health care facilities, 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. BURTON of Indiana (for himself, Mr. SHAYS, Mr. MCHUGH, Mr. MICA, Mr. MCINTOSH, Mr. SOUDER, Mr. LATOURETTE, Mr. HUTCHINSON, Mr. TRAFICANT, Mr. HORN, Mr. GILMAN, Mr. BARR of Georgia, and Mr. RYAN of Wisconsin):

H.R. 1747. A bill to amend the Federal Election Campaign Act of 1971 to increase the penalties imposed for making or accepting contributions in the name of another and to prohibit foreign nationals from making any campaign-related disbursements; to the Committee on House Administration.

By Mrs. MINK of Hawaii:

H.R. 1748. A bill to amend title 5, United States Code, to increase the mandatory retirement age for law enforcement officers from 57 to 60 years of age; to the Committee on Government Reform.

By Mr. BALLENGER:

H.R. 1749. A bill to designate Wilson Creek in Avery and Caldwell Counties, North Carolina, as a component of the National Wild and Scenic Rivers System; to the Committee on Resources.

By Mr. TOWNS (for himself, Mr. BORSKI, Mr. GEPHARDT, Mr. DINGELL, Mr. OBERSTAR, Ms. DEGETTE, Mr. REYES, Mr. RANGEL, Mr. LAFALCE, Mr. BROWN of California, Mr. CLYBURN, Ms. ROYBAL-ALLARD, Mr. KLINK, Mr. MENENDEZ, Mr. BROWN of Ohio, Mr. RAHALL, Mr. PALLONE, Mr. BLUMENAUER, Mr. GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STRICKLAND, Ms. MILLENDER-MCDONALD, Ms. ESHOO, Mr. MASCARA, Mr. WAXMAN, Mr. CLEMENT, Mr. MARKEY, Mrs. TAUSCHER, Mr. RUSH, Mr. DEFAZIO, Mr. HALL of Texas, Ms.

BROWN of Florida, Ms. MCCARTHY of Missouri, Mr. LIPINSKI, Mr. GORDON, Mr. PASCRELL, Mr. DEUTSCH, Mr. CUMMINGS, Mr. WYNN, Mr. SHOWS, Mr. ENGEL, Mr. HOLDEN, Mr. BOUCHER, Mr. COSTELLO, Mr. STUPAK, Mr. NADLER, Mr. BARRETT of Wisconsin, Mr. BARCIA, Mr. LUTHER, Mr. FILNER, Mrs. CAPPS, Mr. SANDLIN, Mr. SAWYER, Mr. MCGOVERN, Mr. LAMPSON, Mr. BALDACCI, Mr. BAIRD, Mr. WISE, Ms. NORTON, Mr. CROWLEY, Mr. CLAY, Mr. HINCHEY, Mr. OWENS, Mr. DOYLE, Ms. JACKSON-LEE of Texas, Mr. McDERMOTT, Mr. KILDEE, Ms. RIVERS, Ms. DELAURO, Mr. HILLIARD, Mr. JEFFERSON, Mr. SERRANO, Mr. THOMPSON of Mississippi, Mrs. JONES of Ohio, Ms. KILPATRICK, Mr. OLVER, Mr. KANJORSKI, Ms. CARSON, Mr. ACKERMAN, Mrs. MALONEY of New York, Mr. MEEKS of New York, Mr. COYNE, Mr. FATTAH, Mr. MATSUI, Mr. LEWIS of Georgia, Mrs. MEEK of Florida, Mr. VENTO, Mrs. LOWEY, Mr. ANDREWS, Ms. PELOSI, Mr. CARDIN, Mrs. CHRISTENSEN, Mr. BRADY of Pennsylvania, Mr. HOFFEL, Mr. JACKSON of Illinois, Mr. DAVIS of Illinois, Mr. MARTINEZ, Ms. STABENOW, Mr. MALONEY of Connecticut, Mr. STARK, Mr. GUTIERREZ, Mr. GEORGE MILLER of California, Ms. KAPTUR, Mr. MEEHAN, Ms. VELAZQUEZ, Ms. MCKINNEY, Mr. SISISKY, Mr. KENNEDY of Rhode Island, Ms. LEE, Mr. CAPUANO, Mr. EVANS, Ms. BERKLEY, Mr. LARSON, Ms. SANCHEZ, Mr. GONZALEZ, Mrs. THURMAN, Mr. FROST, Mr. ABERCROMBIE, Mr. ROTHMAN, Mr. UDALL of Colorado, Mr. LEVIN, Ms. DANNER, Mr. PASTOR, Mrs. NAPOLITANO, Mr. ROMERO-BARCELO, Mr. FARR of California, Mr. MORAN of Virginia, Mr. BOSWELL, Mr. ORTIZ, Mr. MOORE, Mr. VISCLOSKEY, Mr. PAYNE, Mr. BECERRA, Mr. FORD, Mr. BERRY, Mr. BONIOR, Mr. BISHOP, Mr. HOLT, Mr. WEYGAND, Mrs. CLAYTON, Mr. HASTINGS of Florida, and Mr. HOYER):

H.R. 1750. A bill to assist local governments in assessing and remediating brownfield sites, to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to encourage State voluntary response programs for remediating such sites, and for other purposes; to the Committee on Commerce, 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 Mrs. CAPPS (for herself, Mr. THOMAS, Mr. DOOLEY of California, Mr. LEWIS of California, Mr. FILNER, Ms. LOFGREN, and Mr. LANTOS):

H.R. 1751. A bill to establish the Carrizo Plain National Conservation Area in the State of California, and for other purposes; to the Committee on Resources.

By Mr. COBLE (for himself and Mr. BERMAN) (both by request):

H.R. 1752. A bill to make improvements in the operation and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. DOYLE (for himself, Mr. CALVERT, and Mr. COSTELLO):

H.R. 1753. A bill to promote the research, identification, assessment, exploration, and development of methane hydrate resources, and for other purposes; to the Committee on Science, 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 with-

in the jurisdiction of the committee concerned.

By Mr. ETHERIDGE:

H.R. 1754. A bill to require the Administrator of the National Aeronautics and Space Administration to develop and provide for the distribution of an educational curriculum in recognition of the 100th anniversary of the first powered flight; to the Committee on Science, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FILNER:

H.R. 1755. A bill to provide for reimbursing the States for the cost incurred by the States in implementing the Border Smog Reduction Act of 1998; to the Committee on Commerce.

By Mr. FRANKS of New Jersey (for himself, Mr. MEEHAN, Mr. HOFFEL, Mr. BROWN of Ohio, Mr. MALONEY of Connecticut, and Mr. CAPUANO):

H.R. 1756. A bill to provide for comprehensive brownfields assessment, cleanup, and redevelopment; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Small Business, 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. GIBBONS (for himself and Mr. YOUNG of Alaska):

H.R. 1757. A bill to provide for the orderly disposal of certain Federal lands in Clark County, Nevada, and to provide for the acquisition by the Secretary of the Interior of environmentally sensitive lands in the State of Nevada; to the Committee on Resources.

By Mr. GUTKNECHT:

H.R. 1758. A bill to amend the Agricultural Market Transition Act to extend the milk price support program through 2002 at an increased price support rate; to the Committee on Agriculture.

By Mr. HASTINGS of Washington (for himself, Mr. NETHERCUTT, and Ms. DUNN):

H.R. 1759. A bill to ensure the long-term protection of the resources of the portion of the Columbia River known as the Hanford Reach; to the Committee on Resources.

By Mrs. JOHNSON of Connecticut:

H.R. 1760. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for the construction, repair, rehabilitation, and renovation of public schools; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGAN (for himself and Mr. COBLE):

H.R. 1761. A bill to amend provisions of title 17, United States Code; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself, Mr. BILIRAKIS, Mr. STEARNS, and Mr. SAXTON):

H.R. 1762. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to expand the scope of the respite care program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. HEFLEY (for himself, Mr. SAXTON, Mr. MCHUGH, Mr. MORAN of Virginia, Mr. HOLDEN, Mr. REYES, Mr. CROWLEY, Mr. SHOWS, Mr. UNDERWOOD, Mr. TANCREDO, Mr. CLEMENT, Mr. SHERMAN, Mr. CRAMER, Mr. LATOURETTE, Mr. METCALF, Mr.

OXLEY, Mr. FROST, Mrs. KELLY, Mr. LUTHER, Mr. ENGLISH, Mrs. THURMAN, Mr. LUCAS of Oklahoma, Mr. BROWN of Ohio, Mr. YOUNG of Florida, Mr. MCNULTY, Mr. NEY, Mr. TAYLOR of Mississippi, Mr. RANGEL, Mr. SCHAFER, Mr. CALVERT, Mr. FOLEY, Mr. GARY MILLER of California, Mr. GIBBONS, Mr. ARCHER, Mr. ETHERIDGE, Mr. EHRLICH, Ms. DEGETTE, Mr. MCINNIS, Mrs. JONES of Ohio, Mr. DEUTSCH, Mr. BALLENGER, Mr. FORBES, Ms. GRANGER, Mr. TIAHRT, Mr. GREEN of Texas, Mr. WALSH, Mr. WELLER, Mr. LAFALCE, Mr. PALLONE, Mr. LAMPSON, Mr. BONIOR, Mr. SABO, Ms. WATERS, Mr. WOLF, Mr. PETERSON of Pennsylvania, Mr. BARRETT of Nebraska, Mr. KENNEDY of Rhode Island, Mr. JENKINS, Mr. WATTS of Oklahoma, Mr. BARR of Georgia, Mr. MCGOVERN, Ms. MCKINNEY, Mr. EDWARDS, Mr. WATT of North Carolina, Mr. DEFAZIO, Ms. SCHAKOWSKY, Ms. LOFGREN, Mr. SUNUNU, Mr. RODRIGUEZ, Mr. RAMSTAD, Mr. PASTOR, Mr. WYNN, Mr. PASCRELL, Ms. JACKSON-LEE of Texas, Mr. ROYCE, Mr. BRADY of Pennsylvania, Mr. MARTINEZ, Mr. CUNNINGHAM, Mrs. LOWEY, Mr. WISE, Mr. GONZALEZ, Mr. TERRY, Mr. WHITFIELD, Mr. RAHALL, Ms. SANCHEZ, Ms. BERKLEY, Mr. SOUDER, Mr. MEEKS of New York, Mr. FRANKS of New Jersey, Mr. SPENCE, Mr. HAYES, Mr. POMBO, Ms. DANNER, Mr. WAXMAN, Mr. HORN, Mr. LAHOOD, Mr. BORSKI, Mr. ROMERO-BARCELO, Mr. WEINER, Mrs. BIGGERT, Mr. MOORE, Mr. INSLEE, Mr. COSTELLO, Mr. SANDLIN, Ms. SLAUGHTER, Mrs. MYRICK, Mr. UDALL of New Mexico, Mr. CAPUANO, Mr. TRAFICANT, Mr. SIMPSON, Mr. RYAN of Wisconsin, Ms. PRYCE of Ohio, Mr. ROHRBACHER, Mr. DELAY, Mr. DIXON, Mr. BASS, Mr. PETERSON of Minnesota, Mr. FARR of California, Mr. ROGAN, Mr. NETHERCUTT, Mr. CARDIN, Mr. STUPAK, Mrs. MINK of Hawaii, Ms. KILPATRICK, Mr. HINCHEY, Mr. MCKEON, Mr. KUCINICH, Ms. NORTON, Mr. HOYER, Mr. GILMAN, and Mr. BERMAN):

H. Res. 165. A resolution acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

62. The SPEAKER presented a memorial of the Senate of the State of Georgia, relative to Senate Resolution 241 encouraging the Congress of the United States to act swiftly to prevent the passage of any such legislation under the "Know Your Customer" designation; to the Committee on Banking and Financial Services.

63. Also, a memorial of the Senate of the Commonwealth of Virginia, relative to Senate Joint Resolution No. 487 memorializing the Congress of the United States to either enact meaningful patient protections at the federal level with respect to employer self-funded plans or, in the absence of such federal action, amend the Employment Retirement Income Security Act (ERISA) of 1974 to grant authority to all individual states to monitor and regulate self-funded, employer-based health plans; to the Committee on Education and the Workforce.

64. Also, a memorial of the Senate of the Commonwealth of Virginia, relative to Sen-

ate Joint Resolution No. 488 memorializing the Congress of the United States to enact laws to provide federal impact aid relief for Virginia public schools and public schools throughout the United States; to the Committee on Education and the Workforce.

65. Also, a memorial of the Senate of the Commonwealth of Virginia, relative to Senate Joint Resolution No. 407 memorializing Congress to enact legislation giving states and localities the power to control waste imports in their jurisdictions; to the Committee on Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 44: Mr. JONES of North Carolina.
 H.R. 65: Mr. HALL of Ohio and Mr. JONES of North Carolina.
 H.R. 73: Mr. HORN, Mr. ROYCE, Mr. GOODE, Mr. DUNCAN, and Mr. NORWOOD.
 H.R. 107: Mr. FOSSELLA and Mrs. EMERSON.
 H.R. 165: Mr. WICKER and Mr. BERMAN.
 H.R. 216: Mr. DAVIS of Illinois.
 H.R. 218: Mr. GOSS, Mr. WELDON of Pennsylvania, and Mr. LAHOOD.
 H.R. 303: Mr. BURTON of Indiana and Mr. JONES of North Carolina.
 H.R. 315: Mr. NEAL of Massachusetts.
 H.R. 323: Mr. CAMP and Mr. FRANK of Massachusetts.
 H.R. 351: Mr. WELLER.
 H.R. 355: Ms. WOOLSEY, Mr. DAVIS of Illinois, and Mr. HOBSON.
 H.R. 357: Mr. PRICE of North Carolina.
 H.R. 360: Mrs. EMERSON.
 H.R. 363: Mr. REYES.
 H.R. 369: Mr. NORWOOD.
 H.R. 371: Mr. HAYWORTH.
 H.R. 372: Mr. KILDEE and Mr. MOORE.
 H.R. 385: Mr. DAVIS of Illinois.
 H.R. 412: Mr. HOFFEL.
 H.R. 443: Mr. DICKS.
 H.R. 486: Mr. MINGE, Mr. MORAN of Kansas, Mr. MASCARA, Mr. LARGENT, and Mr. HOUGHTON.
 H.R. 515: Mrs. MINK of Hawaii, Ms. WATERS, Mr. WEINER, Mr. TOWNS, Ms. LEE, and Mr. MARKEY.
 H.R. 531: Mr. BARTLETT of Maryland, Mr. BERMAN, Mr. SAXTON, and Ms. BERKLEY.
 H.R. 534: Ms. KILPATRICK.
 H.R. 541: Mr. UDALL of New Mexico.
 H.R. 566: Mr. WEYGAND.
 H.R. 568: Mr. RUSH.
 H.R. 583: Mr. BOUCHER.
 H.R. 611: Mr. LATOURETTE.
 H.R. 612: Mrs. JOHNSON of Connecticut, Mr. LOBIONDO, Mr. STENHOLM, Mr. LIPINSKI, Ms. LEE, and Mr. BERMAN.
 H.R. 623: Mr. MANZULLO.
 H.R. 673: Mr. WEXLER.
 H.R. 693: Mr. LEACH.
 H.R. 716: Ms. WOOLSEY.
 H.R. 732: Ms. ROYBAL-ALLARD and Mr. LAMPSON.
 H.R. 750: Mr. PAYNE.
 H.R. 775: Mr. SWEENEY, Mr. PITTS, and Mr. WALDEN of Oregon.
 H.R. 783: Mr. VENTO.
 H.R. 784: Mr. THOMAS and Mr. GOODLATTE.
 H.R. 785: Mr. UPTON.
 H.R. 792: Mr. COBLE, Mr. ARMEY, Mr. JONES of North Carolina, Mr. OSE, Mr. FLETCHER, Mr. SANFORD, Mr. SKEEN, Ms. PRYCE of Ohio, Mr. JENKINS, and Mr. TIAHRT.
 H.R. 804: Mr. MORAN of Kansas.
 H.R. 838: Mr. FROST.
 H.R. 842: Mrs. JOHNSON of Connecticut, Mr. MCCOLLUM, Mr. BROWN of Ohio, and Mrs. JONES of Ohio.
 H.R. 846: Ms. KILPATRICK, Mr. STARK, and Mr. WEINER.

H.R. 847: Ms. KILPATRICK.
 H.R. 850: Mr. FLETCHER.
 H.R. 860: Mr. DICKS.
 H.R. 868: Mr. HALL of Ohio and Mr. DINGELL.
 H.R. 896: Mr. BARR of Georgia and Mr. LUCAS of Kentucky.
 H.R. 899: Mr. BOEHLERT, Mr. SAXTON, Mr. CROWLEY, Mr. FOSSELLA, Mr. FRANKS of New Jersey, and Mr. HOLT.
 H.R. 902: Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. DELAHUNT.
 H.R. 904: Mr. BARCIA, Mr. UDALL of Colorado, and Mr. EHLERS.
 H.R. 942: Mr. RADANOVICH.
 H.R. 953: Mr. LANTOS, Mr. KING, Mr. ROHRABACHER, Mr. CUMMINGS, Mr. CAPUANO, Mr. GILCHREST, Mr. SMITH of New Jersey, Mr. RAHALL, Mr. ANDREWS, Mrs. MEEK of Florida, and Mr. HOLT.
 H.R. 959: Mr. NADLER.
 H.R. 961: Mr. WAXMAN, Mr. LEVIN, Mr. WEINER, Ms. BROWN of Florida, and Mr. HINCHEY.
 H.R. 976: Mr. LATHAM, Mr. WELDON of Florida, and Mr. LAFALCE.
 H.R. 987: Mr. HYDE, Mr. LARGENT, Mr. BLILEY, Mr. PEASE, Mr. CASTLE, Mr. BAKER, Mr. GILLMOR, Mr. COMBEST, Mr. BUYER, Mr. GOSS, Mrs. FOWLER, and Mr. GREENWOOD.
 H.R. 997: Mr. PASTOR, Mr. PRICE of North Carolina, Mrs. BILBRAY, Ms. HOOLEY of Oregon, Mr. DELAHUNT, and Mr. MARTINEZ.
 H.R. 1008: Mr. FOSSELLA.
 H.R. 1032: Mr. BARTLETT of Maryland, Mr. LAHOOD, Mr. RADANOVICH, and Mr. GARY MILLER of California.
 H.R. 1035: Mr. COOK.
 H.R. 1044: Mr. WATKINS, Mr. LEACH, Mr. OSE, Mr. BISHOP, and Mr. MCINTOSH.
 H.R. 1053: Mr. NADLER.
 H.R. 1062: Mr. BORSKI, Mr. WEINER, Mr. CROWLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LIPINSKI, and Mr. MCGOVERN.
 H.R. 1071: Mr. SKELTON, Mr. BERMAN, and Mr. DAVIS of Illinois.
 H.R. 1093: Mr. SHIMKUS.
 H.R. 1095: Ms. WOOLSEY, Mr. CUMMINGS, Mr. OBERSTAR, Mr. GOODLING, and Mrs. MALONEY of New York.
 H.R. 1097: Mr. NADLER.
 H.R. 1107: Mr. SMITH of New Jersey.
 H.R. 1115: Mr. BERRY, Mr. SMITH of Texas, Mr. BONIOR, Mr. PHELPS, Mr. BAIRD, Mr. LUTHER, Mr. SKELTON, Mr. RODRIGUEZ, Mr. MARTINEZ, Mr. SPENCE, Mr. DOYLE, Mr. LUCAS of Kentucky, Ms. BROWN of Florida, and Mr. BERMAN.
 H.R. 1136: Mr. GRAHAM and Mr. WHITFIELD.
 H.R. 1145: Mr. MCCOLLUM.
 H.R. 1152: Mr. KING and Mr. ACKERMAN.
 H.R. 1190: Mr. VENTO, Mr. FRELINGHUYSEN, and Mr. HOBSON.
 H.R. 1193: Mr. PORTER, Mr. PALLONE, Mr. BARRETT of Wisconsin, and Mrs. THURMAN.
 H.R. 1214: Mr. MURTHA.
 H.R. 1218: Mr. LUCAS of Kentucky.
 H.R. 1219: Mr. SHOWS.
 H.R. 1221: Mrs. KELLY and Mr. QUINN.
 H.R. 1228: Mr. MEEHAN, Mr. RAHALL, and Ms. PELOSI.
 H.R. 1238: Mr. FRANK of Massachusetts, Mr. FROST, Mr. STARK, Mrs. CHRISTENSEN, Mr. TALENT, Ms. RIVERS, Mr. UNDERWOOD, Mr. JEFFERSON, Mr. WEINER, Ms. ROYBAL-ALLARD, Mr. SANDERS, and Ms. WOOLSEY.
 H.R. 1248: Mr. DEFAZIO, Ms. MILLENDER-MCDONALD, Mr. RUSH, and Mr. DAVIS of Illinois.
 H.R. 1256: Mr. WALSH, Mr. COOK, and Mr. RYUN of Kansas.
 H.R. 1260: Mr. PICKETT, Mr. NETHERCUTT, and Mr. CUMMINGS.
 H.R. 1275: Mr. BOEHLERT, Mrs. MCCARTHY of New York, Mr. FARR of California, Mr. DICKS, and Mr. BLUMENAUER.
 H.R. 1287: Mr. SHERWOOD.
 H.R. 1291: Ms. PRYCE of Ohio, Mr. CAMPBELL, Mr. HOBSON, and Mr. SMITH of Washington.

H.R. 1330: Mr. GARY MILLER of California.
H.R. 1342: Mr. GEPHARDT and Mr. MORAN of Virginia.

H.R. 1344: Mr. WALDEN of Oregon and Ms. HOOLEY of Oregon.

H.R. 1348: Mrs. CUBIN, Mr. TRAFICANT, Mr. BATEMAN, Mr. BUYER, Mr. NORWOOD, Mr. CUNNINGHAM, Mr. CANADY of Florida, Mr. KLINK, Mr. GREEN of Wisconsin, Mr. TANCREDO, Mr. WELDON of Florida, Mr. BARR of Georgia, Mr. DICKEY, Mr. ADERHOLT, Mr. JONES of North Carolina, Mr. DEMINT, Mr. MCINTOSH, Mr. TERRY, Mr. LARGENT, Mr. GARY MILLER of California, Mr. HAYES, Mr. COBURN, Mr. PAUL, Mr. ABERCROMBIE, Mr. STUMP, Mr. HORN, Mr. GILMAN, Mrs. FOWLER, Mr. HALL of Texas, Mr. GOODE, Mr. SCHAFER, Mr. BURTON of Indiana, Mr. LEWIS of Kentucky, Mr. MCCOLLUM, Mrs. THURMAN, Mr. METCALF, Mr. HYDE, Mr. BLUNT, Mr. ROYCE, Mr. SPENCE, Mr. PETERSON of Pennsylvania, Mrs. CHENOWETH, Mr. PICKERING, Mr. SCARBOROUGH, and Mr. GOODLATTE.

H.R. 1349: Mr. STUMP.

H.R. 1355: Mr. BROWN of Ohio, Ms. MCKINNEY, and Ms. HOOLEY of Oregon.

H.R. 1380: Mr. PAUL.

H.R. 1381: Mr. PAUL.

H.R. 1405: Mr. BONIOR.

H.R. 1413: Mr. JONES of North Carolina.

H.R. 1436: Mr. PAUL.

H.R. 1437: Mr. PAUL.

H.R. 1438: Mr. PAUL.

H.R. 1441: Mr. ARMEY, Mr. BLUNT, Mr. STUMP, Mr. HOBSON, and Mr. HULSHOF.

H.R. 1450: Mr. FROST, Ms. MCKINNEY, Ms. KILPATRICK, and Mr. PETERSON of Minnesota.

H.R. 1456: Mr. KILDEE and Mr. KLINK.

H.R. 1476: Mr. MCGOVERN, Mr. REYES, and Mr. FROST.

H.R. 1484: Mr. PETERSON of Minnesota.

H.R. 1494: Mr. BALLENGER.

H.R. 1495: Ms. BALDWIN.

H.R. 1525: Mr. WYNN, Mr. WAXMAN, and Mr. CARDIN.

H.R. 1592: Mrs. THURMAN, Mr. LUCAS of Oklahoma, Mr. WALSH, Mr. WHITFIELD, Mr. SKEEN, Mr. HALL of Texas, Mr. BARR of Georgia, Mr. CALVERT, Mr. SCARBOROUGH, Mr. GORDON, Mr. MCHUGH, and Mr. SIMPSON.

H.R. 1614: Mr. UDALL of New Mexico and Mr. DAVIS of Illinois.

H.R. 1621: Mr. BARRETT of Wisconsin, Mr. CHAMBLISS, and Mr. ABERCROMBIE.

H.R. 1625: Mr. LAHOOD, Mr. CAPUANO, Mr. DAVIS of Illinois, Mr. STUPAK, Ms. WATERS, Mr. PRICE of North Carolina, Ms. BALDWIN, Mr. VENTO, Ms. WOOLSEY, and Mr. SANDERS.

H.R. 1629: Mrs. CHENOWETH, Ms. KAPTUR, Ms. KILPATRICK, Mr. SHOWS, Mr. GIBBONS, Ms. HOOLEY of Oregon, Ms. JACKSON-LEE of Texas, Ms. LEE, Mrs. MEEK of Florida, and Mr. BOEHLERT.

H.R. 1648: Ms. JACKSON-LEE of Texas, Mr. PHELPS, and Mr. WEYGAND.

H.R. 1650: Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. KELLY, and Mr. DELAHUNT.

H.R. 1671: Mr. FILNER, Mr. ETHERIDGE, Mr. LIPINSKI, Mr. BROWN of Ohio, Mr. ROMERO-BARCELO, Mr. BARRETT of Wisconsin, Ms. WOOLSEY, Mr. GREEN of Texas, Mr. REYES, Mr. BERMAN, and Ms. KILPATRICK.

H.R. 1682: Mr. MINGE.

H.R. 1710: Mr. OSE.

H.J. Res. 7: Mr. SMITH of Michigan.

H.J. Res. 14: Ms. KILPATRICK.

H.J. Res. 22: Mr. UDALL of New Mexico.

H.J. Res. 34: Mr. DICKS and, Mr. SMITH of Washington.

H.J. Res. 47: Mr. QUINN, Mr. PETRI, Mr. LIPINSKI, and Mr. ROEMER.

H. Con. Res. 22: Mr. BILIRAKIS.

H. Con. Res. 23: Ms. MCKINNEY, Mr. SALMON, Mr. KLINK, Mr. CANADY of Florida, Mr. CAPUANO, and Mr. SAWYER.

H. Con. Res. 30: Mr. HOBSON and Mr. SIMPSON.

H. Con. Res. 67: Mr. SMITH of New Jersey, Mr. MCGOVERN, Mr. WAXMAN, Mr. WEXLER,

Mr. GUTIERREZ, Mr. McNULTY, Mr. DEUTSCH, Mr. JEFFERSON, and Mrs.

H. Con. Res. 94: Mr. REYES and Mr. SOUDER.

H. Res. 94: Mr. BILIRAKIS and Mr. SMITH of New Jersey.

H. Res. 134: Mr. MCINNIS.

H. Res. 146: Ms. NORTON and Mr. BROWN of Ohio.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 775

OFFERED BY: MR. DAVIS OF VIRGINIA

AMENDMENT No. 1: Page 4, add the following after line 23 and redesignate succeeding paragraphs accordingly:

(2) DAMAGES.—The term "damages" means punitive, compensatory, and restitutionary relief.

Page 8, line 18, strike "February 22, 1999" and insert "January 1, 1999".

H.R. 775

OFFERED BY: MR. DAVIS OF VIRGINIA

AMENDMENT No. 2: Page 22, line 17, insert "sold by, leased by, rented by, or otherwise" after "was".

H.R. 775

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT No. 3: Page 10, line 10, strike "Except" and insert the following: "The notice under this subsection does not require descriptions of technical specifications or other technical details with respect to the material defect at issue. Except".