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House of Representatives

The House met at 9 a.m.

The Reverend Dr. Richard Camp, Director of Ministry in Public Parks, Boston, MA, and former Chaplain at West Point Military Academy, offered the following prayer:

We stand tall in these moments to applaud You, O God. You are an awesome God, creator and sustainer of the universe. In a world uncertain about many things, we pause in this hushed moment of prayer, sure of Your goodness and mercy, certain that Your truth endures forever.

This morning in the presence of many former Members, we are conscious of echoes from the past that resound through the corridors of time, words of truth and deeds of courage. May the faithfulness of these leaders have a ripple effect, touching not only family and friends and colleagues, but also a ripple that will spill out and make history. May their presence here today serve as a cordon of encouragement to the women and men of this Congress.

And Father, we ask again this morning that You give wisdom and courage to all who serve here, that they might chart a course in accord with Your will.

In Your powerful name we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. PHELPS) come forward and lead the House in the Pledge of Allegiance.

Mr. PHELPS 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.

WELCOME TO REVEREND DR. DICK CAMP

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

Mr. SHIMKUS. Mr. Speaker, I would like to welcome my second Chaplain at West Point, the Reverend Dr. Dick Camp, who served West Point from 1973 to 1996, a total of 23 years.

Dr. Camp is currently the Director of a Christian ministry in the National Parks. Together with my current House Chaplain, Jim Ford, they have served a total of 41 years at West Point in serving the country and the Corps of Cadets.

To those of us who have had the great opportunity for their counsel, advice and prayers and their thoughts of duty, honor and country, I say thank you, God bless you, and beat Navy.

RECESS

The SPEAKER. Pursuant to the order of the House of Thursday, May 6, 1999, the Chair declares the House in recess subject to the call of the Chair to receive the former Members of Congress.

Accordingly (at 9 o'clock and 5 minutes a.m.), the House stood in recess subject to the call of the Chair.

RECEPTION OF FORMER MEMBERS OF CONGRESS

The SPEAKER of the House presided.

The SPEAKER. On behalf of the Chair and this Chamber, I consider it a high honor and certainly a distinct personal privilege to have the opportunity to welcome so many of our former Members and colleagues as may be present here for this occasion. Thank you very much for being here.

I especially want to welcome Matt McHugh, President of the Former Members Association, and John Erlenborn, Vice President and presiding officer, here this morning.

This is my first Former Members Day since becoming Speaker in January, and since that time I have gained an even greater appreciation for the traditions and the rules of the House. I appreciate all the efforts of the members of the association who spend so much time enhancing the reputation of the House of Representatives.

The House is the foremost example of democracy in this world. The debates we have here are important to the future of our Nation. I hope that my tenure as Speaker reflects the best traditions of this House and the best hopes of the American people.

Once again, I want to thank all the former Members for their good work in promoting the history and enhancing the reputation of the United States House of Representatives. Thank you very much for being here today.

The Chair recognizes the distinguished gentleman from Texas (Mr. ARMEY), the majority leader.

Mr. ARMEY. Thank you, Mr. Speaker.

I, too, would like to welcome you all back home.

I see so many good friends here. I see my friend and neighbor, Jim Wright. It was not long after we took the majority and I had the privilege of assuming these duties, Jim Wright called me up and said, ''Dick, how are you getting along? Have you learned anything in your new role?'' I said, ''Yes, I learned I should have had more respect for Jim Wright.''

It was a tough job. We all have undertaken hard work and good work here. We have all made our commitment in this body on behalf of things we believed in, not always in agreement with one another.

☐ 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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I remember my good friend Ron Dellums. At one time I was so exasperated with Ron, I said, ''You know Ron, you are so misguided, you think I am misguided.'' He acknowledged I was probably correct on that. But we did I think for a very good part of the time manage our differences of opinion in a gentlemanly fashion.

I see Billy Broomfield there, my mentor, trying to teach me. Jim, you do not realize how much time Bill Broomfield spent trying to teach me to mind my manners.

But we did that sort of thing for one another, did we not? Encourage, restrain, sometimes advise, sometimes scold, but I think all of us can look back. You have an advantage. You have a way of looking back and saying how proud you were for what you were able to do for the vision you have held.

I think if I can speak for all of us here, I certainly know the Speaker made reference to it, we want to do our job now, and we will do it with rigor, and we will probably do it with excessive vigor, but always we want to do it in such a way that when you turn on your TV sets and you look in, you remember the honor you feel and felt that you see us, and we find that you are not embarrassed by the way we conduct business in your House.

So welcome back, and I hope you have a good day.

The SPEAKER. It is a great pleasure to introduce the gentleman from Michigan (Mr. BONIOR), a good friend of mine, who usually sits on the other side of the aisle, the minority whip of the U.S. House of Representatives.

Mr. BONIOR. Good morning. It is nice to see so many familiar faces.

Mr. Speaker, thank you for giving me the time to express my welcome to so many dear friends who I have not seen in such a long time.

DICK GEPHARDT wanted me to extend to you his very best. He is at a very special occasion today as well. His daughter is graduating from Vanderbilt, the last of his children to graduate from college, so he is down in Tennessee today on that joyous occasion. He wanted me to let you know how much he appreciates your service to this country and how honored he is that you would come back and share in this special day today.

Let me just say something about the Speaker while I am here, because I think it is appropriate. You would not be here if you did not love this institution in a very special way, and all who have served here over the years have a very special feeling for this place.

I am just very honored to serve with Speaker DENNIS HASTERT. He is a person that has brought stability to this institution in the time that he has been serving as Speaker of the House. He is trusted on our side of the aisle. He is respected. He conducts himself in a way that serves this institution proud. You can have a conversation with him, and he levels with you in a way that allows you to continue to do business. That is refreshing, and it is something that those of us on our side of the aisle appreciate.

I just wanted him to know that, and I wanted you to know that, because we have had some rough days around here, as you undoubtedly know, in the last decade. As DICK ARMEY said, we want to get on with the business of the country, and I think he is providing a chance for us to do that. I wanted the Speaker to know that and you to know that we appreciate the fact that he is leading us in a way that shows respect and decorum and respect for the other side's views on issues.

I am reminded of the enormous debt we owe to those with whom we serve and to those who came before us, because it is this continuity that this Congress provides over time that really is the fiber and the strength that endows our democracy with its resilience.

So to all of you, let me say thank you for your sacrifices that you have made, for the energy that you have devoted, for the ideas and the passions that you have brought to this institution.

Let me also at this time also thank my dear friend and my mentor, someone whom I would not be here in the position that I have today if it was not for, Jim Wright.

Mr. Speaker, I have always been inspired by your courage, by your passion, by your commitment, your idealism, your statesmanship, and I just want you to know how much I feel indebted to your service to our Nation, to this institution, and I want you to know how deeply my colleagues feel, particularly those who have served with you.

Your commitment to justice, not only in America but in Central America and other places around the world that we worked on, is something I will always remember and cherish for the rest of my life. So we thank you so much.

Let me just say in conclusion, Mr. Speaker, that we wish you all the best. We look forward to, hopefully, getting to say hello during the day and hope you have a good day with us. Thank you.

The SPEAKER. The Chair now has the great privilege to introduce and recognize the honorable gentleman from Illinois, John Erlenborn, the Vice President of the Association, to take the Chair.

Mr. ERLENBORN (presiding). Thank you, Mr. Speaker.

The Chair directs the Clerk to call the roll of former Members of Congress.

The Clerk called the roll of the former Members of Congress, and the following former Members answered to their names:

ROLLCALL OF FORMER MEMBERS OF CONGRESS ATTENDING 29TH ANNUAL SPRING MEETING, MAY 13, 1999

Bill Alexander of Arkansas;
J. Glenn Beall of Maryland;
Tom Bevill of Alabama;
David R. Bowen of Mississippi;
William Broomfield of Michigan;
Donald G. Brotzman of Colorado;
Jack Buechner of Missouri;
Albert G. Bustamante of Texas;
Elford A. Cederberg of Michigan;
Charles E. Chamberlain of Michigan;
R. Lawrence Coughlin of Pennsylvania;
N. Neiman Craley, Jr. of Pennsylvania;
Robert W. Daniel, Jr. of Virginia;
E. Kika de la Garza of Texas;
Joseph J. Dioguardi of New York;
James Dunn of Michigan;
Mickey Edwards of Oklahoma;
John Erlenborn of Illinois;
Louis Frey, Jr. of Florida;
Robert Giaimo of Connecticut;
Kenneth J. Gray of Illinois;
Gilbert Gude of Maryland;
Orval Hansen of Idaho;
Dennis Hertel of Michigan;
George J. Hochbruechner of New York;
Elizabeth Holtzman of New York;
William J. Hughes of New Jersey;
John W. Jenrette, Jr. of South Carolina;
David S. King of Utah;
Herbert C. Klein of New Jersey;
Ray Kogovsek of Colorado;
Peter N. Kyros of Maine;
Larry LaRocco of Idaho;
Claude ''Buddy'' Leach of Louisiana;
Marilyn Lloyd of Tennessee;
Catherine S. Long of Louisiana;
M. Dawson Mathis of Georgia;
Romano L. Mazzoli of Kentucky;
Matt McHugh of New York;
Robert H. Michel of Illinois;
Abner J. Mikva of Illinois;
Norman Y. Mineta of California;
John S. Monagan of Connecticut;
G.V. ''Sonny'' Montgomery of Mississippi;
Thomas G. Morris of New Mexico;
Frank Moss of Utah;
John M. Murphy of New York;
Dick Nichols of Kansas;
Mary Rose Oakar of Ohio;
Stan Parris of Virginia;
Howard Pollock of Alaska;
Marty Russo of Illinois;
Ronald A. Sarasin of Connecticut;
Bill Sarpalius of Texas;
Dick Schulze of Pennsylvania;
Carlton R. Sickles of Maryland;
Paul Simon of Illinois;
Jim Slattery of Kansas;
Lawrence J. Smith of Florida;
James V. Stanton of Ohio;
James W. Symington of Missouri;
Robin Tallon of South Carolina;
Harold L. Volkmer of Missouri;
Charles W. Whalen, Jr. of Ohio;
Alan Wheat of Missouri;
Jim Wright of Texas;
Joe Wyatt, Jr. of Texas.

The SPEAKER pro tempore. From the calling of the roll, 55 Members of the Association have registered their presence.

The Chair recognizes the gentleman from Florida, the Honorable Matthew McHugh, President of our Association—excuse me, who wrote this script? I know it is New York. The gentleman is recognized for such time as he may

consume and to yield to other Members for appropriate remarks.

Mr. MCHUGH. Thank you very much, Mr. Speaker. You are a very distinguished leader, and I am ready for retirement in Florida, I suppose.

It is a delight for all of us and a real honor to be here to present our 29th annual report to the Congress.

GENERAL LEAVE

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

Mr. ERLENBORN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MCHUGH. Mr. Speaker, we want to especially thank the Speaker for being here to greet us and to thank the Minority Leader and all the Members of Congress in fact for giving us the privilege to be here in this institution that we know and love.

We were pleased also to hear the remarks not only of the Speaker but of the Majority Leader and Minority Whip, Mr. BONIOR, not only because they welcomed us so warmly but because the positive tone of those remarks is encouraging to many of us. I think we have been concerned about the increasing partisanship that has characterized much of the debate in Congress in recent times. Strong arguments on policy differences are healthy, and we expect that, but the negative tone has at times seemed excessive. This, together with some of the negative campaigning, I think has contributed to some of the public displeasure with politics and government.

I say that because, in this context, it was very encouraging to many of us when the Speaker and the Minority Leader opened the Congress. I am sure many of you watched this on TV, or perhaps were here yourselves personally, but they were eloquent really in pledging to work cooperatively to establish a much more positive climate in the Congress. They did not disavow their contrasting views, which was appropriate, but they did commit to restoring a more congenial spirit in which lively debate and legislative action could proceed.

I mention this in part because the Association of Former Members subsequently joined with the Council for Excellence in Government in publicly commending the leaders for getting the new Congress off to such a positive start, and we also offered to work in some constructive way with them to foster this positive climate.

For example, we proposed that we cosponsor with them a joint town meeting, perhaps on a college campus, at which the Speaker and the Minority Leader could appear together and talk about this Congress and the agenda that they will be pursuing. This was just one idea, and it is entirely up to them as to whether they want to take us up on that offer. But I think the point we want to make is that as an Association, on a bipartisan basis, we want to encourage them not to agree on all of the issues they have legitimate disagreements on, but we want to encourage them to promote even further this climate of positive debate in terms of the issues.

We discussed this issue, if you recall, at our last Association annual meeting a year ago, and at that time we talked about ways in which we might come up with some concrete proposals to help the leadership in this respect, and I report to you on this as a follow-up to that discussion.

Our most important activity perhaps is our Congress to Campus Program, which continues to reach out to citizens across the country, particularly to our college students. We believe that this effort conveys important insights about the Congress and promotes a much more positive view on the part of the public of the institution of the Congress.

As you know, what we do is send out bipartisan teams, a Republican and a Democrat who served in the Congress, to make 2½ days of meetings available to not only students on college campuses but to others in the community; and through these formal and informal meetings we share our firsthand experiences of the operations of the Congress and our democratic form of government.

Since this was initiated in 1976, 113 former Members of Congress have reached more than 150,000 students through 259 visits to 177 campuses in 49 States and the District of Columbia.

Beginning with the 96–97 academic year, the Congress to Campus Program has been conducted jointly with the Stennis Center for Public Service in Mississippi. The former Members of Congress donate their time to this program, the Stennis Center pays transportation costs, and the hosting institution provides room and board for the visiting former Members.

This is something which I know some of you have participated in. We certainly encourage others of you to let us know if you would like to do that. Those of us who have done it have enjoyed it very much, and I am sure all of you would as well.

What I would like to do at this point is yield to the gentleman from Missouri, Jack Buechner, and to the gentleman from Idaho, Larry LaRocco, who will discuss briefly their recent visits to college communities under this program. Jack.

Mr. BUECHNER. I thank our current President, Mr. McHugh, for giving you an outline about the program that has been so successful, and it has been successful not just for the students at the various colleges and universities that we have been able to meet with but also I think for us, because it gives us an opportunity to find out what the current pulse is on the campuses of America.

It is kind of funny, I just returned from Macalester College, where I worked with Jerry Patterson from California. While we were there, there was an anti-war demonstration, with American flags upside down and peace signs and body bags painted with red paint. It sort of was ''deja vu all over again,'' as Yogi Berra would say, to think back into the sixties. But it was students expressing their opinions, and they were politically active.

For 2½ days we sat down with various members of the Political Science Department, the Geography Department, the Social Studies Department, student government leaders, leaders of the Young Democrats and the two members of the Young Republicans, and we discussed the various issues that are currently before Congress, before our executive branch, talking about Kosovo, talking about why we choose to intervene in central Europe and not in Africa. But there was a vibrancy and interest in current affairs that I think would belie what a lot of people in America would consider to be a generation more interested in computers, more interested in a lot of different things, perhaps too much metooism and not enough our-ism.

I think that perhaps is just one campus in Minnesota that I can report on, but I found the same thing last year when we went down to Florida International University.

This is such a good program that I would just tell every member of the Association that you should get involved in it. The problem, of course, is that we have got more campuses want to have Members attend than we have Members to attend and finances to cover those.

But it really is a fantastic program. As we stayed up late talking with the students, we found out that there are many questions that are not being answered by our leaders today to the interests that these students have, and they are looking for a forum in which to express it.

One forum they expressed it in was a recent election in Minnesota where we saw the election of the only Reform Party Governor. I was tempted, and I succumbed to it, to buy a bumper strip as I left the airport that said ''Our Governor Can Beat Up Your Governor.''

□ 0930

But these students had basically said that the two political parties, the mainstream parties, had not offered to them either the chance to participate, and I think that was the interesting thing, the chance to be active in the campaign, not just handing out fliers, but truly active and going and getting other people involved, either working on an Internet web site program in answering responses, to going to rallies in a fashion that was more participatory than just observatory.

These students taught me a lot about why Jesse won in Minnesota, and they weren't all Minnesotans, but they were involved in that campaign, and there is a lesson for us to learn there. But we do not learn unless we talk to people

like that, whether they are our children, whether they are our neighbors, whether they are our old constituents, or whether we are visiting a college somewhere else.

With that, I would like to yield to the gentleman from Idaho (Mr. LaRocco). I notice that all of these people in the gallery came here thinking that they were going to see the Indy 500, but they are seeing a used car lot.

But I yield to the gentleman.

Mr. LAROCCO. I thank the gentleman from Missouri for yielding. It is my pleasure and honor today to report to my colleagues on one example of the Association's Congress to Campus Program. The Congress to Campus Program is an innovation of the Association to send bipartisan teams of two former Members of Congress to campuses across the country to meet with students and local residents to speak about the Congress and the rewards of public service.

One such engagement took former Congressman John Erlenborn of Illinois, the gentleman in the chair, and myself to Denison University outside of Columbus, Ohio last October. This was not the first visit of our Members to Denison University, nor will it be the last, I am sure.

The visit to this outstanding institution was arranged in several ways that I would like to explain to the Members. First, many former Members express their interest to the Association in traveling to campuses across the country. They just sort of tell the Association that they are willing to pack their bags and go, and then our Association Executive Director, Linda Reed, matches the dates of the Members' availability with the dates for the visit requested by the host campus, assuring the bipartisan composition of the team.

Second, the logistics in scheduling are coordinated by William ''Brother'' Rogers at the Stennis Center for Public Service at Mississippi State University. He works with the college administrators on campuses such as Denison to ensure that our time is productively used and, indeed, it was on this occasion.

Third, someone such as Professor Emmett Buell, Jr. at Denison University coordinates the on-site visit. Professor Buell is no stranger to our Congress to Campus Program as the founder of the Lugar College Intern Program, and this program is named after Senator LUGAR of Indiana, a Denison graduate.

The Denison University visit is a premier example of what takes place on campus during such a visit. Our stay was by no means a quick one and our schedule looked a lot like schedules that we have all experienced. You get up early in the morning, you have your dates, and we go to classes all day, meeting with large classes and small classes, making arrangements to go out and meet with the residents, having interviews, for example, with the local newspaper and also the campus newspaper.

I think that our visit to Denison University could best be characterized as one where we acted a little bit like our Chaplain mentioned today, Dr. Camp, about the ripple effect, that we have served and been in public service and have been part of our government, and that ripple effect, it is our responsibility to go out and talk about public service, and we did that all day long for a day and a half.

I am reminded of our former Speaker Carl Albert's book, The Little Giant, where he was driven to public service and to serve in Congress because of a visit by a Congressman when he was in grammar school. I think that is the purpose of our visits, to go out to these campuses and make sure that people know that public service is indeed a great calling.

Now, the questions that we got at Denison University ranged all the way from campaign finance reform to, of course, the bipartisanship that is needed in Congress to effectively run the government, and the concerns about some of the lack of civility that they were observing here in the House of Representatives and in the Congress in general. We had challenges to meet those questions, but the two of us, meeting together on a bipartisan basis, I think showed that there was a way that we could come together and work together and explain our government to them.

Our experiences were totally different. John Erlenborn's experience, for example, in going to Congress, where a Democrat had never served in that seat, and my experience in Idaho, being from a marginal district, was totally different. I think the students at Denison University appreciated that, knowing that there are different districts in the United States and people come to Congress with different experiences.

This was my second Congress to Campus Program that I participated in. I have been out to Claremont, McKenna University in earlier years, and I hope to do many more. So I encourage my colleagues to look into this program, to go out and use the ripple effect that we have been admonished and encouraged to do so today by our chaplain, and let us go out and spread the word that public service is indeed a very high calling, that this Congress and this House of Representatives is the best democratic institution in the world, and that we are proud to have served here, as I know we all are.

I yield back to our President, Matt McHugh.

Mr. McHUGH. Thank you very much, Larry and Jack. As most of you know, the Association is not funded by the Congress, and therefore, in order to conduct our educational programs, programs like the Congress to Campus Program and others, we need to initiate fund-raising efforts and raise the money ourselves. As part of that effort, in 1998, we initiated an annual fund-raising dinner and auction which we repeated earlier this year on February 23. Both of these dinners, if my colleagues attended, they know were quite successful, both socially and financially, and we owe much of that success to the chair of those two dinners, the gentleman from Florida, Lou Frey, who is our former President of the Association as well.

So I would like to invite the gentleman from Florida (Mr. Frey) to not only tell us about this year's dinner, but also to alert us to next year's dinner.

I yield to the gentleman from Florida.

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

Mr. FREY. I am delighted you are now a resident of Florida, Matt.

We did have a very successful Second Annual Statesmanship Award Dinner at Union Station. We had about 400 people there, including sitting Members of Congress, and it was a great evening. The auctions are fun, a lot of stuff there that people buy, which always amazes us, but a lot of things we have in our closets are really valuable, and we did something unique for the first time. Cokie Roberts was named the first honorary member of the Association. She has been wonderful working with us. We surprised her. I think it is the first time she did not know a secret up on the Hill, but she was given the award.

Lee Hamilton, who many of us served with over the years, was given the award. Lee made about a 20-minute speech. I think he told more jokes in those 20 minutes than he did in the last 35 years in the House. It was a great speech, and really again, a lot of fun.

The main beneficiary of this dinner is our Congress to Campus Program, and the University of Mississippi helps us and works with us and does some things, but it is really up to us to raise the bulk of the money. We donate our time, because there are expenses and everything involved, so this dinner is crucial to our success. I have the good fortune to tell my colleagues that the next dinner will be on the 22nd of February at the Willard Hotel.

We need your help. We really need your help. We had a great committee last time to work with it. Jack Buechner and Jim Slattery were the chairs of the dinner. Larry LaRocco chaired the auction, helped by Dick Schulze who, by the way, it was Dick's idea to get this thing going. He was the one who came up with it, and we owe a great deal to Dick for doing that.

Matt McHugh and Dennis Hertel worked on the Steering Committee. We also have, by the way, if you ever need somebody, call on Larry or Jimmy Hayes to do your auctions. They are great. They run the live auction. We do not understand what they say, but they really sold a bunch of stuff.

Tom Railsback, for instance, gave us a gavel that was used in the impeachment of Richard Nixon that Peter Rodino had given him, and that was really quite a thing. We had a picture taken at the Bush Library taken of the Presidents and all the First Ladies there, and it was autographed by every one of those people. It took us a year to get it, and that was auctioned off. We had baseballs and footballs by everybody. So look in your attics for me, will you, or your basements and find something, at least just one thing. I do not want coffee cups, I do not want key chains, and I do not want a picture of you alone. As much as I love you, I do not want it of you alone. I want it with somebody, preferably a President, or unless it is you, Sonny, your picture I can put on my wall. Big red machine, right?

It is really important that we do it, and it is important you get some tickets. We have 10 months to do this thing. Bell Atlantic, Tom Tauke of our Members, was a prime sponsor, which was a great thing, but if you would all just sell a couple of tickets it would make our job really a lot easier, and it is really key.

One other thing I would like to mention we have been working on for three years and I will just throw in, maybe some of you know or do not know, some of you have written chapters for it, we have a book we have written which will be published in October, and there are about 20 Members of the Association already who have gotten chapters in. Liz Holtzman just promised me that she would get her chapter in, and that is on the record now, Liz, and we have time if anybody else wants to do it. We have a publisher. This is not something that is not going to happen.

The need for this book came about in some of our Congress to Campus Program visits where we have great books. Jim Wright has written a great book, we have a number of people who have done it, but there is not any book that is a compendium of the Congress looking at it from a personal standpoint. All of the political science professors said hey, we really need something like this. So it is there. You have about 30 to 60 days to get a chapter written. If you want to grab me after this, please do that.

One last thing I would just like to say. I think it is just great that Speaker Wright is here. I really enjoyed the remarks that were made by the Speaker, the majority leader and the minority leader. I think like you, I love this place. It has been a real privilege to serve here, and you know, I am proud of it as you are, and it is just fun to see so many old friends. Thank you very much.

Mr. MCHUGH. Thank you very much, Lou. We hope that all of you will be at the dinner next year, February 22. Lou really has done a magnificent job in heading up that dinner for two years in a row, and it is a fun time.

We have talked about our Congress to Campus Program, which is our most important domestic activity, and we have also engaged in a wide variety of international activities which many of you have participated in and have enjoyed. We facilitate interaction and dialogue between leaders of other nations and the United States. We have arranged more than 380 special events at the Capitol for distinguished international delegations from 85 countries and the European parliaments. We have programmed short-term visits of Members of those parliaments and long-term visits here of parliamentary staff. We have hosted 45 foreign policy seminars in nine countries involving more than 1,000 former and current Members of the U.S. Congress and foreign parliamentarians, and we have conducted 17 study tours abroad for Members of Congress and former Members of Congress.

We also serve, as many of you know, as the secretariat for the Congressional Study Group on Germany, which is the largest and most active exchange program between the United States Congress and the parliament of another country. This was founded in 1987 in the House of Representatives and the following year in the Senate. It involves a bipartisan group of more than 135 Members of the House and Senate. It provides opportunities for Members of Congress to meet with their counterparts in the German Bundestag and to enhance understanding and greater cooperation between the two bodies.

Ongoing study group activities include conducting a distinguished visitors' program at the United States Capitol for guests from Germany; sponsoring annual seminars involving Members of the Congress and the German Bundestag; providing information about participation in the Youth Exchange Program that we cosponsor with the Bundestag and the Congress; and arranging for Members of the Bundestag to visit congressional districts in our own country with Members of the current Congress.

This is a program which is active and growing. The Congressional Study Group on Germany is funded primarily by the German Marshall Fund of the United States, and we have now gotten support, financial support from six corporations that serve as a Business Advisory Committee as well.

I would like to invite now and yield to the gentleman from Kansas (Mr. Slattery) to report on the most recent meeting in Kreuth, Germany, which was held on March 30 to April 2 for the Study Group.

Mr. SLATTERY. Mr. President, thank you very much. Let me just say that our friend from New York and our friend from Florida, Lou Frey, deserve a lot of recognition and appreciation from all of us for the work they have done with the Former Members Organization. Lou Frey, you have been relentless, relentless in this Annual Statesmanship Award Dinner in making that a success, and I think we ought to give him a round of applause, because you all do not know what he does to make that a success. And Matt McHugh, you are doing a super job as President too. We really appreciate that.

It is great to see you all. I am particularly glad to see Bob Michel here, who I think was one of the great Members of Congress in the 12 years that I had an opportunity to serve here. Bob, it is great to see you. You are looking wonderful. Former Speaker Wright I know has had a tough last few weeks with surgery, and Speaker Wright, you are an inspiration to me, you always have been and to many of us here, and I would just associate myself with the remarks of DAVE BONIOR earlier. It is great to see you, and we look forward to your involvement here in a few minutes.

From March 28 to April 2 of this year, the Congressional Study Group on Germany sponsored a delegation of five current and two former Members of Congress to travel to Germany to have meetings with German State and Federal officials and Members of the German Bundestag. The current Members of Congress in the delegation were BILL MCCOLLUM from Florida, who is this year's chairman of the Congressional Study Group on Germany in the House, and OWEN PICKETT of Virginia, who was last year's chairman and the 1998 chairman of the Study Group. GIL GUTKNECHT of Minnesota and CARLOS ROMERO-BARCELÓ of Puerto Rico and LOUISE SLAUGHTER of New York were the current Members participating in this year's event, and Scott Klug, a former Member from Wisconsin and myself represented the former Members.

The first part of the trip took the delegation to Berlin for three days where we had meetings with State and Federal officials, and in addition to that, we had dinner one evening with U.S. Ambassador John Kornblum and the President of the State Parliament of Brandenburg at Cecilienhof Manor, which was the site of the 1945 Potsdam Conference concluding World War II that was attended by Stalin and Truman and Churchill and later Attlee, and it was a very memorable evening, that evening out at the Cecilienhof Manor.

As you may know, the United States is currently involved in a debate with the government of Berlin as to the placement of our new U.S. embassy. The plans are to reconstruct the U.S. embassy on the site of the embassy where it was located prior to World War II on Pariser Platz next to the Brandenburg Gate. Unfortunately, however, because of security concerns now, some of the streets may have to be moved to accommodate the construction of the U.S. embassy, and as you might imagine, this is not something that the government of Berlin enjoys dealing with, the relocation of

streets to accommodate the U.S. embassy. But hopefully, if both sides continue to visit on this, a compromise can be reached.

We also spent some time with the worldwide director of public policy for DaimlerChrysler, and it was particularly interesting to hear from them firsthand the kind of problems they are encountering in trying to merge this huge German corporation with a huge American corporation, and it was even more interesting, the site of this meeting, because we were meeting at the DaimlerChrysler new building in Potsdamer Platz.

As recently as 10 years ago, of course, this area was an area that was divided with the wall and armed guards on both sides, and it was remarkable just to be there and see the kind of construction that is going on in the heart of Berlin. It has got to be one of the greatest, if not the largest construction sites in the world, and there are reportedly some 3,000 cranes at work in downtown Berlin rebuilding the city in preparation for the return of the German government to Berlin this summer.

So it is really a remarkable time in Berlin. If you have the opportunity to travel there on any occasion, I would urge you to do it. It is truly a remarkable city.

Later on in the trip we went down to a small village south of Munich in the foothills of the Alps called Kreuth, and there we spent several days, actually four days with members of the German Bundestag, former members of the German Bundestag, American business leaders, German business leaders and talked about ongoing problems in the European Union, problems with the Euro, problems with the European Union, the role that Europe and Germany in particular will be playing in the world community as we go forward, and at the time we were there the problems in Kosovo were just starting. We had just deployed, or just commenced the bombing activity and our troops had been captured, and it was particularly interesting for me to observe the united front of all of the German political parties in their support of NATO and NATO's actions against Slobodan Milosevic. So that was particularly encouraging to me.

I believe very strongly that this activity with the German Bundestag and this exchange program, the Congressional Study Group, is a very important effort to keep communication alive between the United States, Members of this body, Members of the other body here, and the Members of the German Bundestag through this rather historic time that we are going through. I would encourage other Members, more Members, more current Members to become more actively involved in the German Congressional Study Group.

So Mr. President, I hope that is an adequate report, and again, I appreciate your leadership. Nice to see you all.

Mr. MCHUGH. Thank you very much, Jim. We hope that this is of interest to you because we are involved in a wide variety of these international-related programs and we think that is something that at one time or another you can participate in productively.

We would like to say a few words about a number of these, and I understand that we are flexible in terms of timing. So the most important thing we are doing this morning is honoring Speaker Jim Wright and we want to leave adequate time for that, but we will cover a few of these additional items since we have the time available.

One of the things that we do is act as a secretariat for the Congressional Study Group on Japan, which, similar to the Study Group on Germany, brings together Members of the U.S. Congress and the Japanese Diet and enables former Members of Congress to participate as well in these discussions of common interest. We find that to be very productive and helpful, especially at times when there is a little tension between the two countries on issues like trade.

We are in the process of trying to expand our activities as well by creating exchange programs with China and with Mexico. These are obviously two countries of great interest to the United States and the Congress in particular, and given our experience with the Study Group on Germany and the Study Group on Japan, we think that we are well positioned to serve as a secretariat for these programs as well.

In the aftermath of the political changes in Europe, the Association began a series of programs in 1989 to assist the emerging democracies in Central and Eastern Europe. With funding from the USIA, the Association sent bipartisan teams of former Members, accompanied by either a congressional or a country expert to the Czech Republic, to Slovakia, Hungary and Poland for up to two weeks. They conducted workshops and provided instruction in legislative issues for the new Members of parliament in these emerging democracies. We also worked with their staffs and other people involved in the legislative process. Public appearances were also made by Members of our delegations in these emerging democracies also.

The Association arranged briefings with Members of Congress and their staffs, meetings with other U.S. Government officials, and personnel at the Congressional Support Service organizations. Visits to congressional districts to give them the opportunity to observe the operation of district offices in our home towns.

Also with the funding of USIA the Association sent a technical adviser to the Hungarian Parliament in 1991 to 1993. With financial support from the Pew Charitable Trust in 1994, the Association assigned technical advisors to the Slovak and Ukrainian Parliaments. The initial support was supplemented by grants from the Rule of Law Program, the Mott Foundation, the Eurasia Foundation, the U.S. Agency for International Development, and we had a Congressional Fellow in Slovakia until 1996.

Our program in the Ukraine has been quite successful, and since 1995 we have managed an intern effort there, which has provided assistance to the legislators in the Ukraine Parliament, something which they would not otherwise have had without our support.

I would like to yield briefly to the gentleman from Michigan (Mr. Hertel) to report on the program in Ukraine.

Mr. HERTEL. I thank the gentleman from New York, and I will be brief in the interest of time. I do want to congratulate so many former Members of Congress for staying so very active in public affairs and taking of their time in donating it. It gives me great pleasure to report on the Association's very successful assistance program to the Ukrainian Parliament in the last 5 years. Our commitment to the Ukraine is in full recognition that this country, one of the largest in Europe with 55 million people, plays a critical role in the future stability and growth of democracy in East Europe. The recent NATO summit in Washington underscored the important role the Ukraine can play in the evolving Euro-Atlantic community.

Our program with the Ukrainian Parliament has evolved over time from its initial work as a source of technical advice to the development of a young leaders program. The staff intern program was established in the fall of 1995, following discussions with parliamentary leaders who indicated that increased staff support would be the most valuable assistance that could be provided. The initial group of 35 young Ukrainians who served as staff interns were in the 22 to 36-year age group and were drawn primarily from graduate schools in law, government, and economics. In subsequent years the age range has been slightly younger, from 22 to 28. In 1998 and 1999, with funding from the Eurasia Foundation, our program supported 60 interns. An additional 7 interns have been included in the program as a result of private sector support.

The staff interns have been placed primarily in committees where they serve as permanent staff and engage in mainline staff duties, including drafting legislation, analyzing and researching reports on potential legislation, reporting on committee deliberations, and translating vital Western documents. They also participate in a regular evening educational program.

The intern graduates, who now number approximately 200, represent a new generation of young political leaders. We have helped nurture the creation of an organization knitting together a group as a de facto Association of Young Ukrainian Political Leaders, many of whom have returned to the Parliament as permanent staff. Others are in increasingly responsible positions in the Ukrainian government,

and the emerging private business sector, with nongovernmental organizations, think tanks, and the academic community.

We have now reached the point where we are seeking to increase the degree of Ukrainian management of the program to ensure its long-term viability while maintaining the high standards of the nonpartisan selection process. Recent negotiations in Kiev have resulted in the formulation of a transition plan over the next 18 months to independent Ukrainian supervision by two outstanding organizations, one academic and the other the Association of Ukrainian Deputies. The latter is a counterpart to our Association, was established with our assistance, and includes 320 former deputies of the Ukrainian Parliament. The Association is chaired by the former vice-chair of the Parliament who, in a meeting last year with the chairman of our House Committee on International Relations, BEN GILMAN, said that the intern program ''is now training clerks for future competent politicians.'' He is committed to ensuring that the intern program maintains its high standards and continues to train an emerging new generation of Western-oriented young democratic leaders. I am visiting there during the next two weeks to meet with those interns and leaders of the program and to offer your congratulations for all of the successes that they have had under your leadership. Thank you.

Mr. MCHUGH. Thank you very much, Dennis.

One of the most significant study missions that we have done in recent years has been to Cuba. In December of 1996, the Association sent a delegation of current and former Members of Congress to Cuba on this study mission to assess the situation there and to analyze the effectiveness of U.S. policies toward Cuba. Upon its return, the delegation wrote a report of its findings which was widely disseminated through print and visual media, and was made available to Members of the House and the Senate, as well as to officials in the executive branch. There was also a follow-up to this initial study mission which was conducted in January of this year. Again, the delegation was bipartisan; it made a report upon its return, and that report has gotten widespread dissemination, and hopefully some attention as well. We expect that there will be two additional bipartisan teams of former Members of Congress who will travel to Cuba this fall and will hold workshops in regional centers on topics of particular concern to the leaders in those areas. This program with Cuba is funded by the Ford Foundation.

At this point I would like to yield to the gentleman from Missouri (Mr. Wheat) to report on this year's study mission, and he was a participant in that.

Mr. WHEAT. Thank you, Mr. President.

Recently, as the chairman noted, I had the privilege of participating in our delegation to Cuba, sponsored by the Former Members Association, and the delegation included some very distinguished former Members, Senator DeConcini, Senator Pressler, Senator Kasten, and, of course, we were led by our former chairman, Lou Frey.

During my time in the House, I participated in numerous of these delegations all over the world, led by many capable leaders, including my former Rules Committee chairman, Claude Pepper. Unfortunately, I had to leave Congress to find out a Republican can lead a delegation as well as a Democrat. I am referring to the outstanding chairmanship of Chairman Lou Frey, whose enthusiasm, his intelligence, his insight, his probing commentary, enriched the quality of our delegation's experience and led to some very important rapport with bipartisan conclusions about steps we might take to improve our relationship with the Cuban people.

Like many aspects of our relationship with Cuba, there were difficulties with some of the things we went down to talk about. But, since our trip, some of you may have noticed a small change in our relationship, specifically, a baseball game, or rather games.

The Baltimore Orioles twice played the Cuban National Team, both in Cuba and in Baltimore. The results of these games were, well, not much. The Cubans won one, and we won one.

More importantly, international order was not threatened, and our domestic policy was not derailed. Honestly, not even that many people paid attention. It was not the World Series. Sure, 40,000 people came to the game in Camden Yards, but many of them left after the rain delay in the first inning.

Perhaps future historians will say that this game was of tremendous national importance and improved the relationship between the United States and Cuba, but, for now, it was just a baseball game, and like many other aspects of our relationship with Cuba, the negotiations leading up to it were arduous and fraught with misunderstanding and misperception.

Let me tell you just one quick thing about it. One of our main goals in our trip to Cuba was to examine the misperceptions between the two countries. To do that we met with members of the Cuban government, political dissidents, representatives of the very limited private sector, human rights groups and members of the Catholic Church, and we took a little time out for recreation.

We went to a Cuban baseball game. We found that their love of the game was very similar to ours, but everything else was different. The stadium was old and in disrepair. The 10 or 12 cars in the parking lot were of a vintage that is no longer seen in the United States. They were from the 1950s. The top players make $8 to $10 a month, a change some of us think might be good here, and we paid the admission price of 4 cents to get in the stadium.

You may remember that the negotiations about this game were hung up for a long time on what to do with the proceeds. Now, 40,000 people in Cuba at 4 cents each totals $1,600. Well, in Cuba $1,600 may be a lot of money, but you can understand that the Cuban government officials drew a little concern about whether the United States was making a real offer or commitment or whether this was just a public relations ploy.

If this game did not occur as a result, so what? It was only a baseball game. But suppose similar attitudes affected other areas of our relations with Cuba? Suppose relatives were kept apart because there were no flights between the two countries? Suppose lifesaving medical techniques and medicines were not allowed to be transported to and from Cuba? Suppose the policy of noncooperation kept illegal drugs flowing into the United States?

When our delegation returned from Cuba, we met with officials at the State Department to discuss the mixed signals that we were sending to Cuba. We do not know whether our conversations made a difference or not, but we do know the two games were played.

Let us hope similar results occur for the 12 substantive policy recommendations that we proposed. I will not bore you with them this morning, but let me just sum them up by saying they are designed to encourage greater communication and exchange between the Cuban people and the American people.

If each and every one of our recommendations made on a bipartisan basis were implemented, international order would not be threatened, our domestic policy will not be derailed, the Cubans might win a little, the United States might win a little and, hopefully, future baseball games could occur in the context of a real world series.

Thank you.

Mr. MCHUGH. Thank you very much, Alan.

As I mentioned earlier, one of the things we do is organize study tours to a variety of countries in which Members and their spouses at their own expense participate in educational and cultural experiences. We have had a number of very interesting study tours, including ones to Canada, China, Vietnam, Australia, New Zealand, the former Soviet Union, Western and Eastern Europe, the Middle East and South America.

I want to alert the membership that later this year in the fall we are going to be planning a study tour to Italy. This should be fascinating, not only because of Italy itself, but we have three former Members of Congress who are presently in Rome as ambassadors. Tom Foglietta is our Ambassador to Italy; Lindy Boggs, a former Chair of our Association, is the Ambassador to

the Holy See at the Vatican; and George McGovern is our Ambassador to the Food and Agriculture Association. So we anticipate we will be well treated and that the study tour will be a very interesting one when we go in the fall.

In September of 1998 the Association conducted a study tour of Vietnam, and I would like to invite the gentleman from Virginia, Bob Daniel, to report briefly on that trip.

Mr. DANIEL. Thank you, President McHugh.

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

Mr. DANIEL. This fall, as was mentioned, a delegation of four former Members of Congress visited Vietnam for 6 days. In Hanoi, meetings were held with former Representative, now U.S. Ambassador, Pete Peterson and the embassy staff, representatives of the U.S. Missing in Action Office, members of the Vietnamese Foreign Ministry and Assembly, representatives of the non-governmental organizations and others in leadership positions.

In Ho Chi Minh City, the former Saigon, the delegation met with American and Vietnamese businessmen, bankers and lawyers, the head of the International Relations Department at the Vietnam National University, the publisher of a major newspaper and staff at the U.S. consulate. Time also was provided to visit cultural attractions and observe Vietnamese people and their lifestyle in everyday settings. In addition, trips were taken away from the city to the Mekong River and its Delta and to other rural and industrial areas.

We found Vietnam a difficult country to understand. There is no question that it is a poor third world country with minimal infrastructure and tremendous economic problems.

It is in many ways a land of contrasts. It has a Communist government whose importance seems to diminish the farther one goes into the countryside or the farther one goes away from Hanoi. The average yearly income in the North is $300 a year. In the South, it is $1,000 a year. However, a great many people in Vietnam own expensive motorbikes that cost up to $2,500. Obviously, there must be a large underground economy.

The Vietnamese seem to want foreign investment, especially from the United States, but the many rules, huge bureaucracy and rampant corruption sent out a different message.

There is relatively little investment from the United States and very little U.S. aid of any kind. Vietnam is probably 5 to 10 years away from being attractive to many foreign investors, although the large number of literate workers and the very low pay scale have attracted some companies.

Despite the poverty, most people have the basic essentials such as food, mainly rice, and minimal housing. While there is dissatisfaction, the economic problems appear to be accepted as a normal part of life.

Sixty percent of the population is 26 years of age or under. Eighty percent is under the age of 40. The Vietnamese are working to establish a banking and legal system and are attempting to privatize basic industries. Government representatives are cooperating with the U.S. Embassy and the Missing in Action Office to identify the remains of 1,564 Americans still missing in action.

Vietnam is the fourth largest country in Southeast Asia with a population of 77 million people. It seems to be a low priority in terms of U.S. foreign policy. It appears that a small amount of interest, exchange programs and aid money could go a long way in building relations with a country that, despite the war, does not harbor strong anti-U.S. feelings.

REPORT BY THE DELEGATION OF THE U.S. ASSOCIATION OF FORMER MEMBERS OF CONGRESS: VISIT TO CUBA, JANUARY 10–16, 1999

Members of Delegation: Hon. Louis Frey, Jr., Chairman; Hon. Dennis DeConcini; Hon. Robert W. Kasten, Jr.; Hon. Larry Pressler; Hon. Alan Wheat; Mr. Walter Raymond, Jr.; Mr. Oscar Juarez

SUMMARY

The U.S. Association of Former Members of Congress sent a seven-member, bipartisan delegation to Cuba from 10 to 16 January 1999 to see first hand current political, economic and social conditions in Cuba and to engage in a series of frank discussions concerning U.S.-Cuban relations. The delegation was composed of former Representative Louis Frey, Jr., Chairman; former Senator Dennis DeConcini; former Senator Robert Kasten, Jr.; former Senator Larry Pressler; and former Representative Alan Wheat. They were accompanied by Walter Raymond, Jr., Senior Advisor of the Association and Oscar Juarez. The trip was funded by a grant to the Association from the Ford Foundation.

The delegation pursued its objectives through formal meetings with Ministers, bureaucrats, political dissidents, independent journalists, foreign diplomats, Western businessmen and informal meetings with a cross-section of individual Cubans. Three members of the delegation had participated in a similar fact-finding mission to Cuba in December 1996 and were able to observe changes in conditions in Cuba over the past two years.

The delegation's approach was based on the realities of the current relationship of Cuba to national security objectives as well as the sensitivities of the Cuba issue in political circles in the United States. In addition, the concomitant interests of the Cuban people to meet basic human needs and to work for the development of an open society, as well as their desire to be respected according to their sense of Cuba and their national identity, were taken into consideration by the delegation in making their recommendations.

Policy Background

U.S. policy to Cuba is based on a series of long-standing Congressional and Executive Actions. The essential ingredient is the long-standing embargo, designed to put maximum pressure on Castro. This policy, which began in 1960, was in direct response to the establishment of Communism in Cuba and the development of a close security relationship with the Soviet Union. The Cuban Democracy Act of 1992 and the Cuban Liberty and Democratic Solidarity (Libertad) Act of 1996 sought to further strengthen Cuba's isolation and to take advantage of that to force major political change. These policies over almost 40 years showed to the world the U.S. resolve to protect its borders and the Western Hemisphere as well as opposition to Castro and his communist dictatorship.

Times have changed. The end of the Soviet subsidy in 1992, which totaled between $5 to 8 billion per year, and the collapse of the Soviet Union have changed the strategic equation. Moscow no longer is subsidizing Cuba, the island does not represent a base of military operations against the Untied States and Cuba is not a national security threat to the United States. Increasingly, Cuba is out of step with the entire Western Hemisphere which has been engulfed by a democratic wave. On the international level, Cuba is increasingly irrelevant: the communist revolution has failed and Castro is an anachronism. On the domestic level in the United States, Cuba continues to be an important issue. The only national security threat would be a chaotic transition of power in Cuba that could lead to a mass exodus of Cuban citizens to the United States mainland.

Cuba Today

A review of Cuba begins with the understanding that the Castro regime remains very much a police state and suppresses any independent political expression. The country is controlled by Castro through the military, the Ministry of Interior and the police. There is little regard for human rights, no freedom of the press and few political dissidents because of the pressures applied by Castro. Despite U.S. policies over the past years, pending unforeseen circumstances, Castro will remain in control until his death.

Economic belt-tightening is the order of the day. The delegation was briefed on economic restructuring affecting various state-run industries designed to increase the efficiency of the state economy. At the same time, heavy taxes and other pressures have resulted in a decrease in the number of small self-employed enterprises. The management of a number of state enterprises has been taken over by former military officers. These officers are positioned to be part of a post-Castro elite. The ruling class in Cuba, while not guilty of conspicuous consumption, live comfortably and have benefited within the parameters of the controlled economy. The overall impact of developments in the past two years suggests that prospects for the economy are slightly better—but this is a result of a significant growth of tourism and the close to $1 billion of remittances sent by Cuban-Americans living in the United States to their families and friends in Cuba. Remittances have been the biggest boost to the economy at this time.

The Pope's visit made some impact and appears to have given the Catholic Church more operating space. Although the percentage of Catholics in Cuba is significantly less than Poland, the Pope's visit had an invigorating effect. Church attendance, while still comparatively moderate, has risen and the Church has been able to increase its support activities including the distribution of humanitarian assistance. Castro has been forced *de facto* to accept humanitarian assistance in a manner which reaches the Cuban people. On the basis of informal conversations, it appears that another consequence of the visit is that it has given Cuban citizens more of a sense of connection with the ''outside world'' and a greater willingness to interact. In other words, a potential key impact of the Pope's visit is that it has started a process of opening things up.

The United States is receiving only limited cooperation from its allies, including those in Europe, on key issues such as workers'

rights. Foreign enterprises continue to pay the Cuban government for work performed, and the Cubans in turn pay the workers in pesos at an artificially low exchange rate. The Europeans continue to press for greater respect for human rights to be observed but with little demonstrable success.

The Cuban people retain a great deal of pride in their homeland—even those who are not happy with Castro. There is a concern about the lack of respect for Cuba by the United States which goes back to the 19th Century. The Cubans had been fighting for many years against the Spanish, yet the Americans entered the war later and called it the Spanish-American War. Little acknowledgment was given to the many Cubans who died for their country's freedom.

Much of the U.S. policy toward Cuba recently has been dictated by domestic politics. For instance, compare the difference in the current U.S. approach to three communist countries, China, Vietnam and Cuba. China has been given most favored nation trade status. Vietnam has been recognized officially, trade has been encouraged and a trade agreement is in progress. However, with Cuba there is an embargo that is close to 40 years old and continues despite the changed geopolitical circumstances resulting from the demise of the Soviet Union.

Policy Considerations

In order to understand the delegation's recommendations, it is necessary to start with a clear definition of policy objectives. The first question from the United States' standpoint should be what is in the best national security interests of the United States. Assuming that the assessment is correct that whatever the United States does will not drive Castro from office, the concentration should be on what can be done to help the Cuban people in the short term by meeting certain basic human needs and by helping enfranchise economically an ever larger group of independent Cubans. In the longer term, these steps will contribute to laying a framework for a peaceful transition toward an open society compatible with the emerging democratic world throughout the Western Hemisphere.

The United States can not let Castro dictate its actions on non-actions; U.S. policy must be determined on its own merits. Some actions may be taken unilaterally that could benefit the United States or actions could be designed to benefit the Cuban people without expecting any concessions from the Castro government. However, there may be some proposed actions, such as those set forth in the Helms-Burton Act, which should be taken only if the Castro government acts or reciprocates.

U.S. leaders must endeavor to do away with a schizophrenic approach to Cuba. U.S. policy has been stated expressly as designed to help Cuban political development by supporting the growth of an independent sector and a middle class. The delegation supports this. At the same time, U.S. policies also should strive to meet certain basic needs of the Cuban people. For instance, if it makes sense to send medical supplies or food to Cuba, a maze of rules and regulations should not be attached which often result in supplies not ever reaching Cuba. Castro is given a public relations victory and, more importantly, vital assistance does not reach the Cuban people. The same can be said in many other areas, including travel where the delegation believes U.S.-imposed bureaucratic limitations hamper the maximization of people-to-people contact programs. Some of these specific areas will be discussed in the body of this report. If policy were consistent with the rhetoric and the United States we intended to isolate Castro totally, then all contact should be ended, including the massive number of remittances sent from the Cuban-American community. This does not make sense—and the delegation does not favor such a drastic step—but it does illustrate the strange position that exists.

The common sense rule should be applied regarding the use of rhetoric. For instance what is important to the United States? Is it more important that a certain act be taken to accomplish a specific result, or is it more important that rhetoric be used to talk about the certain act? In some cases both may be done; in other cases it will be counterproductive to conduct foreign policy encased in domestic-focused rhetoric. As an example, political dissidents, independent journalists, representatives of religious organizations and NGOs all express concern about the way in which Washington rhetoric links NGOs and the construction of civil society in Cuba with the removal of Castro, as stated in 1992 and 1996 legislation. The rhetoric lays dissidents and independents open to the charge of being ''tools of subversion against the Castro regime.''

Conclusion

In conclusion, it is time to deal with Cuba as it is today not in terms of the Cold War which dominated post-war politics for 40 years. Does this mean the embargo should be lifted? If the sole purpose of the embargo is to drive Castro out, it has not worked and it is not going to work. And is has not impacted on Castro's leadership elite. If other legitimate ends are being accomplished, then it should be left in place. Should the Helms-Burton Act be changed? While it continues to put pressure on the Cuban Government to resolve issues of the confiscation of property, Titles I and II of the Helms-Burton Act should be liberally interpreted as this provides help directly to the Cuban people. On this point there are differences within the delegation. The delegation does agree that Titles I and II of the Helms-Burton Act should be more liberally interpreted as this provides help directly to the Cuban people. Further consideration should be given to modifications of Title IV if EU nations provide greater recognition to U.S. property claims. Policy modifications are recommended with the full realization that Cuba continues to be a communist dictatorship. Policy adjustments which the delegation are proposing are in the interests of the United States and the Cuban people, not Castro.

The United States should exhibit a greater sense of confidence that increased contacts between the United States and Cuba will work to the advantage of the development of a more open society rather than to help Castro. People-to-people contacts, increased travel, an unlimited supply of food and medicines are not viewed by the Cuban people as an aid to Castro, but rather as support to the Cuban people.

Recommendations

1. *Remaining impediments to exchange programs should be removed. People-to-people contacts should be greatly expanded, including on a two-way basis.* The issuance of general licenses should be expanded to a wide range of fields including educational, cultural, humanitarian, religious and athletic exchange. Cuban-American residents in the United States should be included under a general licensing provision with no limit to the number of visits to Cuba per year. The two-way aspect of this program is important, permitting Cubans (including Cuban officials) to have an increased exposure to the United States so they have a shared educational and cultural experience to help dispel stereotypes. Such exchanges are not a threat to US national security. If the Cuban Government is reluctant to sanction such exchanges to the United States, it could reflect concern over defections resulting from dissatisfaction with conditions in Cuba.

2. *Direct, regularly scheduled flights between the United States and Cuba should be authorized and established.* This is the best way to maximize person-to-person contacts and to facilitate humanitarian assistance. The delegation recognizes that such a move may necessitate a Civil Air agreement. the gains outweigh concerns about enhanced recognition that this may give Castro. An alternative could be the approval of foreign airlines to make stops in the United States enroute to Cuba, a step that could be pursued through IATA.

3. *Pressures should be sustained on Cuba to release political prisoners and to ameliorate prison conditions. The delegation recommends continued contacts with the International Committee of the Red Cross and other Human Rights Groups in Latin America and Europe to press them to seek prison visits and to pressure the Castro regime to recognize basic human rights standards for prisoners of conscience.* There has been no perceptible change in human rights conditions since the Pope's visit, despite an initial release of some prisoners.

4. *All restrictions on the sales and/or free distribution of medicines and medical supplies should be removed.* A general license should be given for donations and sales to non-governmental organizations and humanitarian institutions, such as hospitals. Considerations should be given to identifying a U.S. purchasing agent who could serve as an expediter and independent bridge between the U.S. pharmaceutical firms and Cuban ''customers'' to facilitate sales and to monitor delivery.

5. *Unrestricted sales of food and agricultural inputs should be authorized.* This policy, if unencumbered by regulations that undercut the effectiveness of this initiative, will help the Cuban people. Even operating within the parameters of the Presidential Statement, there are steps that can be taken to increase agricultural production and the capabilities of the farmers. The delegation has commented on this in some detail in the report and believes that creative ways can be found to accomplish the objectives.

6. *Commercial shipping carrier companies (such as DHL, UPS or other shippers) should be authorized regular delivery stops in Cuba.* Accompanying arrangements would need to be made in Cuba for safe delivery to meet carrier standards, including a contractual arrangement with a Havana-based representative organization. *Regular sea transportation also should be authorized.* Expanded air and sea shipping will facilitate the delivery of gifts of food, agricultural supplies, medicines and medical equipment. These new transportation links also would facilitate humanitarian efforts by private Americans to ship larger ''care packages'' directly to Cuban citizens and thus supplement support from remittances.

7. *The delegation supports a policy to expand remittances in amounts allowed and to permit all U.S. residents, not just those with families in Cuba, to send remittances to individual Cuban families.* Greater utilization of the Western Union office in Havana should be considered as a means to expand the number and diversity of remittances.

8. *The delegation believes a regional effort should be studied to reduce the flow of pollutants into the Gulf of Mexico* with its concomitant impact on sea wildlife environmental damage to the shores of various countries affected by raw sewage outflows from Cuba.

9. *An independent group should review Radio Marti broadcasting to insure that the news package is balanced, meets all required professional standards and covers major international*

stories. This is the second Association trip to Cuba in which the delegates found no independent Cuban citizens who had seen TV Marti. It is recommended that funds supporting TV Marti be redirected to an enrichment of Radio Marti or dedicated to an expansion of telecommunications linkages. (See Recommendation 10)

10. *Technical breakthroughs in the telecommunications industry should be explored to increase information links to Cuba.* Internet, e-mail, cell phones and other state-of-the-art communications slowly are bringing information and ideas to the country. *It is recommended that the U.S. Government and Congress consider authorizing U.S. telecommunications companies to explore possibilities for establishing more open and diverse communications between the United States and Cuba.*

11. *Consideration should be given to opening property settlement discussions and establishing a process with a payment schedule, even if actual funding is deferred to a future date.* The Cubans acknowledged that this is an outstanding issue in the bilateral relationship and they claimed that they were prepared to discuss settlement. There may be a role for a third party arbitrator to facilitate this negotiation.

12. *Policy steps which are just pinpricks should be avoided, as they accomplish little and impact negatively on a policy to open Cuba up to change.* As an example, the proposal for a baseball exchange is a positive step, but the U.S. announcement explicitly dictates how proceeds for games in both Baltimore and Havana are to be used. Each country should decide how the proceeds will be spent. The ticket price in Havana is approximately four cents, so the issue is largely irrelevant.

BACKGROUND TO POLICY RECOMMENDATIONS AND OTHER OBSERVATIONS BY THE DELEGATION

Political Conditions

Cuba remains very much a police state under the tight domination of a single ruler. The post-Castro era could involve a conflict between nomenklatura elements (younger, middle-to-senior level officials), who have vested interests in the system and are prepared to consider steps toward economic reform, and a law-and-order wing, largely housed in the military and the Ministry of Interior. Equally possible, however, could be the lack of an effective leadership to fill the space, largely as a result of Castro's failure to allow reasonable political development in the country as a preparatory step for a peaceful and constructive transition. An alternative course, however, might occur if time and circumstances permit the growth of an increasingly independent economic infrastructure in which more citizens become economically enfranchised and a broader segment of society has a vested interest in a stable transition.

The lack of a political opening was palpable. Castro remains opposed to any alternative system or actions independent of the system. Internal crackdowns against crime are designed to improve the command economy, not to change it. In meetings with a number of intellectuals, independent journalists and political activists, several interesting points were raised. However, among these representatives of the political opposition there were some differences of opinion. The political dissidents underscored in very personal terms that there was a continued crackdown. They said the probability was very real that, although they had spend time in jail in the past, this might happen again in the upcoming year. They also described the regime's procedure of arresting people and detaining them for up to 30 days without trial and then releasing them. They added that Cuban authorities are aware that trials may draw major Western press and that they seek to make their message known by selective detention. They acknowledged the lack of coordination among the dissidents. They may represent a moral force but, at this point, they do not occupy significant political space.

The political independents did not see much, if any, improvement in living or working conditions as a result of the Pope's visit, although independent journalists thought there was a bit more flexibility vis-a-vis journalists. All agreed that the economy is in bad shape. The dissidents described the existence of two embargoes—the one imposed by the U.S. Government and the other imposed by the Cuban Government against its own people. They were underwhelmed by support from the EU and noted that some workers had tried unsuccessfully to block Western investments unless the Europeans pressed for adherence to the Arcos principles. At the same time, they said that there were more than 300 foreign businesses in Cuba, that this increases foreign influence and in the long run could be a plus.

The delegation was rebuffed in its efforts to visit four leading dissidents, who were seized without charges in 1997 and still have not been brought to trial. The dissidents in question were Marta Beatrix Roque, Rene Gomez Manzano, Felix Bonne and Vladimiro Roca. The delegation had a particular interest in meeting with them as the earlier Association delegation had met the four dissidents in Havana in 1996. The delegation also pressed the Cuban authorities to allow the International Committee of the Red Cross to make prison visits. Although some other groups have, on occasion visited Cuban prisons, the ICRC has not been allowed into Cuba for ten years. ICRC visits—with their subsequent confidential report to the host government—would be a positive step.

It is hard to evaluate the degree to which the Pope's visit has emboldened the local population to exercise more independence, but the delegation sensed that the post-Pope visit atmosphere was somewhat more positive. There is active interest in more contacts and communications. Some looked to President Clinton's declarations on January 5 as a potentially important step to expand contacts and access. Others thought increased possibilities exist for telecommunications breakthroughs, including internet, which will permit more extensive communications with persons outside of Cuba. Representatives of NGOs also believe that they have developed more operating space, a potentially encouraging sign for the future.

Economics—Cuban Style

The delegation was given a comprehensive review of the Cuban Economy by Economics Minister Jose Rodriguez. Rodriguez came from the academic world and his presentation did not include a self-defeating propagandistic spin. The 1996 Association delegation met with Rodriguez and his earlier analysis has substantively held up quite well. He underscored that growth recorded in 1996 and 1997 had flattened out in 1998 to 1.2 percent. The Government is engaged in a major restructuring of the industrial sector, seeking to increase productivity by cutting subsidies to unprofitable state-owned enterprises. This causes unemployment and other adjustment problems. A number of state-owned companies are being taken over and operated by former military officers.

Rodriguez claimed that 81 percent of the state enterprises now are profitable, as opposed to 20 percent in 1993.

An exception to the pattern has been the critical sugar industry, where production lags because of poor production techniques and devastating weather. A reorganization of the production capacity is underway and some less productive mills will be closed. This will cause labor dislocation and the need for labor retraining to demonstrate how to increase unit yield. This reorganization also includes a shift from a vertical to a horizontal system. Instead of all instructions and all infrastructural support coming from one central point, the reorganization gives self-supporting industrial elements, such as shipping and packing units, greater ability to make decisions.

The Minister indicated that incentives programs were being installed in agriculture and other areas. He suggested there was a role for farmers with an entrepreneurial flair but that such people—the emerging independent cooperative farmers—need to understand about incentives and to be motivated to work for them. He said that by appreciating their role, these independent farmers can strive to earn foreign currency and sales. The farmers need new modern equipment to replace the old, obsolete and often broken Soviet agricultural equipment. The question was raised about the free market. Rodriguez referred to incentives within the socialist system where quotas were provided to the enterprise and the worker and once they achieved that quota, the additional production could be taken to the market for sale. Returns would be shared by the workers and the enterprise which would keep a portion of the funds received to enhance further production rather than turn revenue over to the State. However, Castro tends to undercut some of the potentially positive aspects of this trend by trying to eliminate or minimize the ''middle men'' who help the independent farmers send their product to the markets.

Tourism is the largest income producer for Cuba. Rodriguez said that there were 1.4 million tourists in 1998, a 17 percent growth is expected in 1999 and a total tourist inflow of two million is anticipated in 2000. He said tourism helped compensate for the sharp decline in sugar exports. He made no reference to the decisive impact that accelerated remittances from the United States have had on the Cuban economy. The delegation raised the question of the tourist industry—such as foreign owned or operated hotels—paying the government for the salaries of its employees. He responded that this was the way the socialistic system works. He added, however, that there might be some alterations to the payments system, but the state would continue to monitor and control it. The delegation stated that such procedures were unacceptable to most businessmen and disadvantaged the employee.

Rodriguez maintained that the private sector is growing, but it has to react to stiffer competition. Paladares (private restaurants) continue to be active, although some have closed because of competition. Others have opened. Castro continues to hinder each effort to establish even the rudiments of a private sector. For example, the paladares not only are limited to only 12 customers a night, but they also are not allowed to sell lobster or steak, although some do. The delegation expressed concern that the number of small private enterprises had dropped; Rodriguez said the private sector was growing. Our figures indicated that the number had gone down from approximately 215,000 to about 150,000. He acknowledged small private activities were heavily taxed, noting that private rooms—totaling 8,000 according to Rodriguez—can be rented if the owner receives a license and pays a tax. Cuban officials do not see these as punitive taxes, underscoring that the taxes are essential to provide dollars to the state. They state that clearly the private sector would not continue to rent rooms and open paladares if they did not think it provides economic gain for them.

In a subsequent discussion, a senior official of the Ministry for Foreign Investment emphasized that there is a new Cuban law concerning foreign investment which reportedly will make it easier for foreign investors. He stated that now there are about 360 joint ventures in the country. While the Helms Burton Act has retarded investment, the official believes that foreign investment now is increasing. He cited recent foreign investments in the development of an electric generation plant, financial commitments to joint ventures to establish business centers—principally to be occupied by foreign companies—condominiums, free trade zones and industrial parks.

In addition to the massive infusion of remittance dollars, ordinary Cuban citizens are finding other ways to receive dollars. People appeared to be coping, possibly a bit better than two years ago. Western companies have found ways to supplement the salaries which they pay to workers via the state by a system of hard currency bonuses. Castro's desperate need for dollars means that he is prepared to look the other way and let dollars come from these various sources. However, through severe taxation and the construction of a shopping mall selling Western goods to Cuban citizens, Castro seeks to gain access to some of the dollars flowing into the island.

The construction of a major new modern airport (with Canadian funding) and a large shipping terminal to berth cruise ships are two additional examples of steps that will increase travel to Cuba and contact between the Cuban population and visitors. These facilities also will increase the amount of dollars in circulation, some of which will reach the Cuban citizens. Tourism is the number one income producer for the regime. At the same time, some farms and industries have established a greater profit share with workers receiving dollar bonuses and farmers, many of whom now are defined as ''independent'' farmers, are able to sell on the market an increasing share of their production. It should be noted that everything is relative in Cuba and the standard of living and the infrastructure lag far behind its potential and/or its place in the Caribbean compared to where it was 40 years ago.

In a conversation with the Chairman of the National Assembly's Foreign Relations Committee, the delegation raised the question of the restoration of confiscated properties and asked if there were any movement within the Cuban Government to address this issue. The Chairman said that, under the law nationalizing property, every country has been paid except the United States. He stated that Cuba was prepared to discuss settlement of the property. The problem is the retroactivity of the Helms-Burton Act which gives the right to Cuban citizens, who have been nationalized as Americans, to claim property with the help of the U.S. Government. It would cost the Cuban Government over $6 billion, an amount beyond their capabilities. The delegation asked whether a third party—possibly a Latin American country—might serve as an arbitrator to resolve these claims.

Cuban Comments about the Helms-Burton Act

During discussions in Havana with non-official Cubans, the delegation raised the question of U.S. policy with specific reference to the Helms Burton Act. The delegation said that political realities in the United States suggest that the Helms-Burton Act will remain in place for the foreseeable future and planning should be developed with this reality in mind. It should be recorded, however that most of those queried argued in favor of a basic change in the Helms-Burton Act. For example, the Catholic Church, echoing the Pope, urged that the embargo be terminated. Western businessmen thought that the future was discernible, economic prospects were encouraging and the United States should decide if it were to be a player or not. The U.S. embargo, at this juncture, was a strong moral statement and *de facto* it aided foreign business access. They did not understand why the United States did not want to be a player in Cuba's future which could be better achieved with normal economic and social relations.

Dissident and NGO representatives took particular exception to the way in which the Helms-Burton Act and the recent Presidential announcements have been wrapped in a rhetorical package which has the effect of labeling all efforts to build ''civil society'' as a move to overthrow Castro. As one Western NGO representative said, the NGOs are identified as tools of subversion against Castro and this backfires on the NGOs. The dissidents are, to some degree, divided. The majority believe that the Helms-Burton Act gives Castro an excuse for everything that goes wrong in Cuba and by lifting it, the world (and the Cuban people) could see the bad management, corruption and failure of the Cuban regime. Several said, however, that modification of the embargo would need to be made in a way that does not take the pressure off Castro.

Policy formulations need to reflect sensitivity to the Cuban mind set. Even men-on-the-street Cubans have some support for Cuban nationalism, as distinct from Castro's regime. Dissidents repeated a view heard in several circles that they were concerned about substituting Miami for Havana. They would like to participate in democratic change and welcome close relations with the United States, they do not want foreign dominance which played too large a part in their past.

In sum, the delegation recognizes that Cuba remains a repressive society, but believes that the state system will undergo major changes after Castro dies. The experiences reflected in the many transitions that have taken place in the past ten years in Central and East Europe, as well as the states formerly composing the USSR, indicate that changes can take many different directions ranging from democracy to domestic instability to authoritarianism. It is in both the Cuban and U.S. national interest to encourage peaceful evolution to an open society. The delegation believes steps should be initiated to reduce Cuba's isolation and to communicate with many different elements of Cuban society. Further, pain and suffering on the island should be eased through humanitarian support, particularly in the areas of flood and medicine. The delegation does not believe it either politically possible to challenge the Helms-Burton Act, nor does it believe it is warranted in light of continued political oppression by Castro, but further practical policy and program steps are possible during this interim phase of history.

Food and Agriculture

The delegation favors unrestricted sales of food and agricultural equipment. Food sales and gifts do not strengthen Castro. They may give him a limited propaganda stick, but they give the Cuban people food.

The policy announced by the White House on January 5, 1999 on food sales places a very sharply focused emphasis on the independent agricultural sector in Cuba. The language of the announcement is unnecessarily circumscribed and the potential benefit of this policy initiative will be effected by the manner in which the implementing regulations are drafted. Very restrictive drafting could make this initiative virtually meaningless. The delegation observed food shortages and is aware that supply is very tight in Cuba. It believes that the sales of food and equipment to independent nongovernmental entities is desirable and should be pressed where practicable. It should not be restrictive. The delegation does not favor sales at subsidized concessionary rates—no U.S. Government underwriting should be engaged in these transactions. Even if one works through the state trading system, the food will still reach the Cuban people—and the ultimate purpose is to help the Cuban people—even if some of the cash proceeds end up with the Cuban Government. Realistically speaking that is where most of the remittances sent by Cuban-Americans to their families ultimately end up. The delegation believes that gifts of food to needy persons and groups should be continued through responsible humanitarian channels, such as Caritas. Such gifts do benefit directly the Cuban people.

The delegation used the January 5 policy statement as a starting point for discussions on this subject with Cuban officials and with representatives from the private sector, foreign and domestic. A number of important points emerged in these conversations.

A large number of Cubans are defined as ''independent'' by the Cuban Government and by Western businessmen and NGO representatives. The key is how to define the so-called independent farmers who are in cooperatives where the land is owned by the state but who, after meeting a production quota for the state, have the freedom to sell their own produce. These farmers need enhanced fertilizers, pesticides and equipment, but they have a serious cash shortfall. There is a skepticism in Cuba as to whether these ''private'' farmers will be able to buy many supplies and equipment. For this proposal to have any positive impact, it is essential to have a broad rather than a legalistic interpretation of what is an independent farmer.

The establishment of at least a quasi-independent agricultural sector is key to the success of the policy and it will be necessary to design creative ways to sell agricultural supplies. The implementers of the policy should be flexible and should consider the development of agricultural machinery cooperatives to service many farms and/or independent farmers. Caritas currently is developing an agricultural project in conjunction with the semi-official Association of Small Farmers (ANEP). Under this project, the feed, fertilizer and equipment purchases are made through a state enterprise, but an agreement is made that the farmers, who actually make the purchases, will be able to sell a portion of the produce on the private market. This is a constructive and realistic approach as it does not attempt to circumvent the Cuban Government, which would not work in this situation, but finds a formula that develops a quid pro quo by operating, at least in part, through the Cuban foreign trade system.

Other arrangements paralleling this pilot should be possible and might be of interest to certain U.S. agricultural companies. The feed, fertilizer and equipment purchases by farmers are facilitated by funds provided by Caritas. U.S. agricultural firms, if they become involved, initially would need to play a similar charitable role.

The policy of supporting the gifts of food should continue. Representatives of charitable organizations, such as Caritas maintain that the receipt of food as gifts is easier for them to handle than the purchase of food supplies. They have negotiated arrangements with the Cuban Government to verify the majority of its distributions of humanitarian assistance—food and medicine, but it will not be possible to replicate the same process if these supplies were to be bought by Caritas. Even under current arrangements,

Caritas has to engage in extensive negotiations with the Cuban Government regarding each shipment received.

Medicines and Medical Supplies

U.S. policy should be to eliminate all restrictions on the sale and/or free distribution of medicines and medical supplies.

The current program, supported primarily by Caritas but also by several other international NGOs, has developed an extensive distribution system to over 100 hospitals throughout the country. In consultation with the Cuban Government, a viable system of monitoring the distribution of the medicines and insuring that they are used for the purposes intended has been established. Caritas prefers to receive medicines and medical supplies as gifts. From their operational point of view, purchases would necessitate establishing an artificial and counter productive process. Outside charities, primarily the Catholic Relief Service, would need to supply the funds to make the purchases. Caritas then would need to work through the Cuban foreign trade system to gain access to the goods and to arrange procedures for further sales and/or distribution. Regardless of what happens vis-a-vis sales, medical gifts should continue to be supplied to Cuba via Caritas and other NGOs.

The issue of sales is extremely complicated. Officials in the Castro Government repeatedly stated that they are prepared to buy medicinal drugs but the process is hindered by the regulatory maze imposed upon the Cuban Government and Western pharmaceutical companies. In addition, they allege that the United States does not respond to specific requests. The delegation is aware that U.S. spokesmen, both at the U.S. Interests Section and in the Department of State, believe that the United States has removed all impediments, that the licensing process is straight forward for U.S. pharmaceutical companies and that, in the last analysis, the Cuban Government either does not have the funds to make the purchases or for political reasons does not want to make the purchases. In a personal meeting with National Assembly President Ricardo Alarcon, the delegation requested that the Cubans provide specific examples where the Cubans have sought medicines or medical supplies and the U.S. Government has been an obstacle.

While a protracted argument could take place as to whether there is a bureaucratic problem from the U.S. side, the delegation believes this is not the basic issue. All restrictions should be lifted for the sale of medicines and medical equipment. The delegation does not believe that this will result in any particular economic or political gain for Castro, but it could help the Cuban people. Without being too quick to judge, the delegation believes the threat of medicines and medical supplies being diverted for ''apartheid medical treatment'' has been somewhat overstated. It would appear that at least some of these cases are for specialized treatment and may not be competing for resources that could go to the local population. While the delegation members do not accept at face value the more modest numbers that the Cubans say are treated this way nor the protestation that all such revenues go into the Cuban medical system, they do believe that, in the main, increased medicines and medical supplies will have positive benefits to the Cuban people. This is one of the policy objectives of the delegation.

An alternative would be to simplify the regulatory process from the U.S. side by reworking the key control paper, the ''Guidelines of Sales and Donations for Medicines and Medical Supplies to Cuba.'' In discussions, Paragraph 24 appeared to be a particularly troubling paragraph. This will, inter alia, make it easier for pharmaceutical companies and make the Cuban market somewhat less bureaucratic and potentially more attractive.

Under any circumstance, the delegation believes consideration should be given to establishing a general license for donations and sales of medicines and medical supplies to non-governmental organizations and humanitarian institutions, such as hospitals. The delegation suggests, if the alternative were pursued, that a general license be developed outlining a few basics including: where the medicine is going; types of people for whom intended; certification from the sending/receiving organization of us. Consideration should be given to identifying a U.S. purchasing agent who could serve as an expediter and independent bridge between the U.S. pharmaceutical firms and Cuban ''customers'' to expedite sales and monitor delivery.

The delegation does not accept the statement that the impact of the embargo has severely harmed the Cuban health system, as argued by Castro's spokesmen, but accepts the fact of shortages. Further, it is recognized that U.S. policy does make the purchase of materials for U.S. producers more difficult. The procedure now in place is sufficiently cumbersome and bureaucratic resulting in diminishing interest in the U.S. companies selling to Cuba. A particular problem is the acquisition in the United States of spare parts, a very specialized need that a purchasing agent could help solve. The U.S. Department of Treasury's Office of Foreign Assets Control (OFAC) needs to examine how money transfers of sales can be expedited. The licensing process must be made unambiguous and clear.

Under current circumstances, the bulk of the deliveries of food and medicines are handled today by the Catholic Relief Services. With the new executive actions in Washington, additional suppliers may increase their assistance and/or sales. Means of access to Cuba remain limited. Although the Administration has suggested that licensed goods could be eligible for transit on charter flight, the delegation has recommended steps be taken to permit more direct transportation, including by DHL, UPS or other air shippers and by U.S. ships that could be authorized—without penalty—to make Cuban port calls. The current system that requires Caritas to haul medicines, medical supplies and food from U.S. points of collection—particularly from Florida sources—to Canada for shipment to Havana verge on the absurd.

Remittances

Remittances are an extremely valuable support mechanism for the Cuban people. They should be supported not only for delivery to individual Cubans but also to independent humanitarian organizations. I should be recognized that the ultimate beneficiaries will be both the individual recipients and the Cuban Government. Such funds will be used to meet basic human needs. The purchase of necessary items in Cuba will result in some portion of the cash remittances flowing into state controlled economic outlets. In this sense, Castro does make some gains. Nevertheless, the delegation believes this is a very important step not only to help Cuban citizens but also to start the economic enfranchisement of a larger number of Cubans.

According to information received, remittances sent from Dade County can not go directly to the Western Union office in Havana. If true, this restriction should be lifted, as it would facilitate remittances and be less costly for the sender.

Counter Narcotics Programs

The delegation has not listed this issue as a recommendation because the facts concerning the recent report of Cuban drug running by the Colombian police at the port of Cartagena are not clear. During the visit, the delegation raised the drug question with the Foreign Ministry and it was, in turn, raised with the delegation by the Minister of Justice, who is the Chair of the Cuban National Commission on Drugs. The delegation believes that, at the appropriate moment, a more energetic effort should be made to test Cuban willingness to engage in counter-narcotics programs. U.S. representatives have proposed an experts meeting to discuss specifics as a preface to any formal agreement. The delegation understands the importance of proceeding on a step-by-step basis but believes that the United States should be flexible in its approach to this issue. The recent crackdown against prostitutes, drug pushers and crime in Havana is an indication that Castro recognizes that steps are necessary to stop drugs. The United States should seek the right time to introduce an agenda item that is in the best interests of both countries. The Cubans have indicated interest in a formal agreement and U.S. officials could present this as a bargaining chip. There may be some value in considering Caribbean narcotics flows in a broader multinational context as well.

Environmental Cooperation

A number of environmental issues could be the basis for cooperation. The delegation focused on one specific issue during the January visit: the pollution of the Gulf of Mexico and states such as Florida adjoining the Gulfstream caused by raw sewage pouring into the Gulf from Havana and under north shore sites. A number of scientific studies are being considered and/or are underway examining pollution issues in the Gulf, including near Cuba. The delegation believes this subject requires further study with the purpose of determining whether an action plan can be crafted of mutual interest to the United States and to Cuba.

Radio

The political dissidents as well as several Cubans with whom the delegation had chance encounters in the countryside said Radio Marti was an important medium. An independent journalist said he and his colleagues regularly passed stories to Radio Marti and it was the biggest ''megaphone'' for their articles. Nevertheless, the delegation received considerable criticism about Radio Marti's program content. As one dissident said, ''Radio Marti does not need to belabor the Cuban people with what is wrong in Cuba. We live here. We know that.'' There was also a frustration, by a leading human rights activist, that the ''people who went to Miami do not speak for Cubans and should not dominate the radio.'' Another said the radio was unnecessarily polemical.

There was interest in more balanced news and commentary. Listeners are anxious to have solid comprehensive reporting on world affairs, as well as comment on developments in science, the arts and other things that are of interest but from which they are cut off. They also would favor more cultural and music programs. For the second time (the first being the Association's trip in December 1996), no one in the independent sector was found who had ever seen TV Marti.

Telecommunications

The Cuban phone company ETECSA was formed as a state monopoly in 1994 and is complete controlled by the Cubans, although the Italian company, STET, has a 29 percent interest. STET and ETECSA have a 20-year concession from the Cuban Government and a 12-year exclusive concession. A target is to have the Cuban phone system ''modernized'' by the year 2005. Penetration levels are

about 1 telephone for 27 Cubans; the 2005 target is a 1 to 10 ratio. STET reportedly made an initial investment of $200 million and is scheduled to send an additional $800 million over the course of the contract. The funds are provided from Italy's foreign aid program; STET reportedly receives special tax considerations for this investment.

The Cuban Minister of Communications and the Director of Telecommunications expressed a strong interest in more foreign investments in all areas of telecommunications. They are, however, reluctant to give the citizens complete access to Internet. As an example, while cellular phones are being developed under the rubric CUBACEL with a Mexican partner, security concerns significantly have slowed this effort.

Castro and his Minister of Interior have succeeded in implementing a program of very tight control of Cuba's access to the Internet and are opposed to expanding the telecommunications sector and Internet. The Cubans also completely control the Internet server provider (ISP). The Cubans have an intra-island Internet with which university-approved people and others have access. In addition, there are several Internet sites within Cuban which are available. In terms of international internet, individual Cubans can access only those sites approved for them. For example, a medical university may have access to certain medical sites, but each is encrypted, monitored and recorded.

At the same time, the rapid technical advances in the world telecommunications industry create a serious dilemma for the Cuban regime. They need to have their key people on Internet for scientific and educational reasons, but are hesitant to grant unlimited access. To restrict this, they have worked with a German encryption and monitoring firm to keep track of ''who does what'' on Internet in Cuba. The Castro regime is making a strong effort to record all e-mail and all other computer transmissions. The delegation was advised that while Cubans now eagerly exchange e-mail transmissions—each delegation member received calling cards with e-mail addresses—all e-mail is monitored and recorded through one central server. While Cuban officials would not acknowledge this, the delegation was advised that only about 200 Cubans have complete, unfettered access to the Internet. *The Cuban government has not resolved the basic conflict of how it can aspire to being a modern technological state without allowing more of its people access to the complete international internet* With—technological advances proceeding to mind-numbing speed, it is reasonable to assume that Castro will not be able to deter major information flows arriving in Cuba. It should be U.S. policy to foster this information revolution.

There is, however, an immediate threat to expanding telecommunications links to Cuba stemming from a decision by a U.S. District Court to award $187 million in damages to the families of the aborted 1996 ''Brothers to the rescue'' mission. These funds are frozen Cuban assets in the United States. The Cubans have threatened that if these assets are seized that they would cut direct telephone service between the United States and Cuba. This would clearly set back the many faceted opportunities that are just now emerging in terms of telecommunication links to Cuba and the provision of a rich and diversified body of information to the Cuban people. Such action would neither be in U.S. national interests nor helpful to Cuban citizens.

Vignettes and Personal Experiences

The delegation's strong endorsement for a more simplified system by which Americans can travel to Cuba is founded on personal experience. Armed with all necessary travel documents—from the Department of Treasury (OFAC) and from the Cuban Government (a visa)—the delegation sought the simplest and most direct travel route. All options were explored. Direct Miami charter flights were the first option. Only four flights were scheduled per week—now it is up to 11 and rising—with three leaving Miami at 8:00 in the morning with a requested check in time of 3:00 a.m. Logistics, red-tape and over bookings prompted the concerned travel agency to recommend close attention to the recommended check-in time. At the time of request, flights only went on Monday, Friday and Saturday. Aside from the fact that the delegation was scheduled to fly on a Sunday, no seats were available for Saturday or Monday. The delegation passed up this option, made available by the March 20 Presidential action, and traveled from Miami to Cancun, changed planes and flew onward to Havana. The elapsed time from Washington was nine hours. The return was a similar nine hours. This is not an efficient system and totally unnecessary. Of more importance then the delegation's inconvenience is that this type of an awkward system impacts negatively on expanded travel between the two countries, as called for in the January 5 declaration.

The 50,000 seat baseball stadium is an excellent place to meet Cubans in an informal basis. There is much congeniality and beer drinking in the stands. The four cent seat price makes the fight about the exhibition game revenues for the home game with Baltimore an absurdity. Even if the price is tripled for the game, the gate receipts in Cuba will be minimal.

The delegation visited Pinar del Rio Province, the capital by the same name and the small town of Vinales. The visit was undertaken in an unstructured and unofficial capacity and in a relaxed atmosphere. Although the following comments appear random, they do provide a general commentary concerning conditions, as seen by the delegation.

The delegation learned that bookings for the bus from Vinales to Havana during the time of the Pope's visit were made many days in advance and could not meet the demand. The Government found eight extra buses from somewhere and each was filled for the trip to Havana to see the Pope. The Catholic Church in Vinales has grown some since the Pope's visit, although now only has a congregation of 50 persons. There is a Spanish priest assigned to Vinales. Several delegates walked into the cultural center and were briefed by a bilingual Cuban program director who welcomed the chance to show his center to Americans. Responding to a delegation suggestion, the Cuban program director took three delegation members into a computer center where four computers were being used by ten year olds in an after school program. Such computer training is integrated into school activities. The group also visited a repair center where all sorts of electronic equipment—TV, radio, computers—were being repaired. When spare parts did not exist, they were being created. Several of the young service man in the electronics shop had engineering degrees and one also had a CPA and business degree. Several of the Cuban technicians accepted the delegation's invitation for a further discussion in a local bar where an active exchange occurred. As an example of progress. As one example of progress beer which was largely imported several years ago, now is produced in Cuba and at each restaurant visited, Cuban beer was sold. It is competitive in quality to the various imported beers.

The young technicians described that each had or would have compulsory military service: two years are required if the Cuban has had no college training and one year, if college educated. One of the engineers said That he was living in a house given him by the government that was empty but had been the house of a Cuban now in exile. He did not want to give up his house—the exiles are history, he said.

The young men thought that conditions were better now than in 1991, a theme heard repeated in several other informal conversations. In the country, the people neither look downtrodden or undernourished. Tourism has helped. They all listen to Radio Marti but do not find it interesting; the radio appears to assume the listeners are stupid. They would prefer music and real news. The delegation offered the Cubans an opportunity to ask questions and the young men responded with tough questions about Vietnam, Iraq, Israel and Impeachment. After two hours of open dialogue during which no animosity to Americans was displayed, they expressed their appreciation for the candid talk because they only receive one side of the news and they wanted to hear the American side.

Despite the appearance of more goods in the countryside, an arrival of a shipment of shoes at a local store in the Pinar del Rio capital city resulted in a mad scramble by the local citizens to buy new inexpensive shoes. This suggests a certain lack of everyday clothing in that provincial center. At the same time, the pharmacy was stocked fully with medicines and a hardware store had all the needed paint and building supplies that one would see in an American suburb—the only problem is that only licensed people could buy in this store.

Driving to Pinar del Rio from Havana demonstrated the shortage of transportation. Individuals or groups waited along the road—much of the 80 mile stretch—for a lift. Buses are infrequent and always filled to capacity. Open-back trucks always could be seen hauling between 3 to 20 people. It is the law to stop to collect passengers. Police check points were every 10 to 15 miles. In the Pinar del Rio area and in Vinales, a town eight kilometers away, the principal means of transportation was bicycle, although walking and hitchhiking were very popular ''modes of transportation.'' An occasional car, or an even less frequently old decrepit Soviet tractor would be seen.

An interesting footnote: Che is the national ikon. Handsome dashing portraits, T-shirts and other reproductions of a chic 32 year old revolutionary cult figure abound. No personality cult of Castro is evident.

The delegation was advised by Church figures that the high abortion rates were primarily a result of poverty and used as population control.

A spontaneous stop at a tobacco firm was very revealing. The farm was totally self-sufficient. A family of at least three, possibly four generations, all living under one roof—with no electricity, indoor plumbing or telephone—yet all appeared healthy and happy. The nine children (in all age groups) were well dressed and engaged actively in school. Beginning in fifth grade, many students learn English and they practice their new skills on the Association visitors. They were positive about their education and free medical treatment. A doctor visits to the house whenever needed. The delegation was told that ''Fidel not only helps the Cubans but gives medicines and doctors to the world.'' The farm is a family operation. Pesticides are state supplied and the land is owned by the government. Wood plows are pulled by cattle or oxen. Tobacco production netted the farmer visited about $113 per year, but he and his family accepted their existence. It is easy to overstate need when our finds subsistence farmers who can care for themselves, have the basics and have education

and medicine provided. One would think the young students would receive a broader perspective through their educational experience, but it was not immediately apparent in a short visit.

A Final Note

The delegation believes that the contacts developed, the on-the-ground discussions and general observations have provided each of the members with valuable insights into Cuban realities. The delegation members will seek to contribute their views to the public debate concerning U.S. policy to Cuba. The bipartisan quality of the group, its liberal to conservative construction, and its ability to be one step removed from direct domestic political pressure may permit the group as a whole, and individuals speaking from the basis of their own unique insights, to contribute to a greater national understanding of this critical subject. The time is right for such a discussion.

Representative Louis Frey, Jr., Republican-Florida (1969–1979), Chairman of Delegation; Senator Dennis DeConcini, Democrat-Arizona (1977–1995); Senator Robert Kasten, Republican-Wisconsin, House 1975–1979; Senate 1981–1993; Senator Larry Pressler, Republican-South Dakota (1979–1997); Representative Alan Wheat, Democrat-Missouri (1983–1999); February 22, 1999.

SCHEDULE OF CUBAN PROGRAM ACTIVITY, 10–16 JANUARY 1999

Sunday 10 January

10:15 PM: Arrive Joe Marti International Airport (Havana), via Miami and Cancun. Welcome by Cuban Ministry of Foreign Affairs official Raul Averhoff.

Monday 11 January

10:00 AM: Roundtable with MPs of the National Assembly, chaired by Jorge Lezcano Perez, Chairman of the International Relations Commission. Three other MPs participated including Ramon Pex Ferro, Vice Chair of the International Relations Commission and Jose Luis Toledo Santander who is also the Dean of the Law School at Havana University. The roundtable also included Miguel Alvarez, Advisor to the President of the Parliament and Julio Espinosa, the Coordinator General of the International Relations Commission.

11:30 AM: Meeting with Roland Suarez, Director, Caritas Cubana.

1:00 PM: Visit to Havana City Planning Office with briefing by Director Mario Coyula Cowley.

2:30 PM: Meeting with Vice Minister of Foreign Affairs Carlos Fernandez de Cossio.

4:00 PM: Meeting with Papal Nuncio Benjamino Stella at the Residence of the Apostolic Nuncio.

7:00 PM: Dinner at a Paladares.

Tuesday 12 January

8:15 AM: Breakfast with Western journalists including representatives or stringers representing CNN, ABC, BBC, US News and World Report, Sun Sentinel and Clarin.

9:30 AM: Meeting with Jose L. Rodriguez, Minister of Economy and Planning.

11:00 AM: Visit to the William Soler Children's Hospital. Briefed by Dr. Diana Martinez, Director; Ramond E. Diaz, Deputy Minister of Health and Dr. Paulino Nunez Castanon, cardiovascular surgeon.

12:30 PM: Luncheon with Western businessmen hosted by US Interests Section Principal Officer Mike Kozak, including Konrad Hieber (Mercedes Benz), Ian Weetman (Caribbean Finance Investments, Ltd), Hans Keyser, (Danish Consul) and Jan Willem Bitter (Dutch international lawyer).

4:00 PM: Meeting with Miguel Figueras, Advisor to the Minister, Ministry for Foreign Investment and Economic Cooperation.

5:30 PM: Discussion at US Deputy Chief of Mission John Boardman's residence with diplomatic representatives from Portugal, France, the UK, Italy, Sweden, Spain, Germany and the Netherlands.

8:00 PM: Baseball game at Latinoamericano Stadium.

10:00 PM: Dinner at Hemingway favorite—Bodgueda del Medio.

Wednesday 13 January

9:30 AM: Tour of historical sites of Old Havana, inspected docks and terminals for cruise ships, informal discussions and conversations in old city.

12:30 PM: Luncheon with independent democrats in local restaurant.

2:30 PM: Visit and tour of Carlos J. Finlay Institute (split delegation).

3:00 PM: Tea with independent journalists (split delegation).

5:00 PM: Meeting with Robert Diaz Sotolongo, Minister of Justice.

7:00 PM: Reception at US Interest Section residence in honor of three visiting US groups including students, unviersity officials and cultural groups.

Thursday 14 January

Day trip to Pinar del Rio and Vinales. Series of impromptu meetings with a broad cross range of local citizens, including sugar farmers, church attendants, computer technicians, engineers and store keepers.

Friday 15 January

AM: Free time in Havana. An opportunity to see shops, small craft stores and museums.

12:00 noon: Briefing at US Interests Section by Mike Kozak and a cross-section of mission officers.

3:00 PM: Meeting with Minister of Communications Silvano Colas Sanchez, Vice Minister Oswaldo Mas Pelaez and Director of Telecommunications Hornedo Rodriguez Gonzalez (partial delegation).

5:00 PM: Meeting with Oxfam/Canada representatives.

7:00 PM: Meeting with National Assembly President Ricardo Alarcon and the group of parliamentarians who met the delegation on Monday 11 January.

Saturday 16 January

7:15 AM: Depart Havana by air to Cancun enroute to Miami, Orlando and Washington.

REPORT OF STUDY TOUR TO VIETNAM OCTOBER 8–14, 1998

(By Louis Frey, Jr., Immediate Past President)

INTRODUCTION

A delegation of former Members of Congress, their spouses and guests visited Vietnam from Thursday, October 8 through Wednesday, October 14, 1998. The delegation included: former Representative Robert Daniel and Linda Daniel, former Representative Louis Frey and Marcia Frey, former Senator Chic Hecht, former Representative Shirley Pettis-Roberson and Ben Roberson, and Irene and Teryl Koch (friends of the Robersons). The group was accompanied by Edward Henry of Military Historical Tours, who arranged the visit. The trip focused on Hanoi in the northern part of Vietnam and Ho Chi Minh City in the south. Three days were spent in each area.

In Hanoi, meetings were held with: former Representative now U.S. Ambassador Pete Peterson and staff of the U.S. Embassy; representatives of the U.S. MIA office; members of the Vietnamese Foreign Ministry and Assembly; members of the American-Vietnamese Friendship Society; the Executive Vice President of the Vietnam Chamber of Commerce; local business leaders; and Tom Donohue, President of the American Chamber of Commerce, who was speaking in Hanoi.

In Ho Chi Minh City, the delegation met with: American and Vietnamese business leaders, bankers and lawyers; staff of the U.S. Consulate; members of the American Chamber of Commerce in Vietnam; an American hotel manager; Vice Chairman of the Red Cross in Vietnam; head of the International Relations Department at the Vietnam National University; and the publisher of a major Ho Chi Minh City newspaper. Time also was provided to visit the cultural and war museum and to observe Vietnamese people and their lifestyle in everyday settings. In addition, trips were taken outside the city to the Delta area and the Mekong River, to small villages that produced pottery and to an industrial area that had factories producing, among other items, Nike shoes.

A list of people the delegation met in Vietnam is appended to this report.

OVERALL IMPRESSIONS

Vietnam is a difficult country to understand. There is no question that it is a poor Third World country, with minimal infrastructure and tremendous economic problems. It is, in many ways, a land of contrasts.

It has a Communist government, whose importance seems to diminish the farther one goes into the countryside or the farther one is from Hanoi.

The average yearly income in the North is U.S. $300; in the south it is U.S. $1,000. However, a great many people in Vietnam own motorbikes that cost from U.S. $1,000 to U.S. $2,500. Obviously, there is a large underground economy.

The Vietnamese seem to want foreign investment, especially from the United States, but the many rules, huge bureaucracy and corruption send out a difference message. There is relatively little investment from the United States and very little U.S. aid of any kind. Vietnam probably is five to ten years away from being attractive to many foreign investors, although the large number of literate workers and the very low pay scale have attracted some companies.

Despite the poverty, most people have the basic essentials, such as food (rice) and minimal housing. While there is dissatisfaction, the economic problems appear to be accepted as a normal part of life.

Sixty percent of the population is 26 years of age or under; 80 percent is under the age of 40.

The Vietnamese are working to establish a banking and legal system, and are attempting to privatize basic industries.

Government representatives are cooperating with the U.S. Embassy and the U.S. MIA office to identify the remains of the 1,564 Americans still missing in action.

Vietnam is the fourth largest country in Southeast Asia (77 million people), but seems to be a low priority in terms of U.S. foreign policy. It appears that a small amount of interest, exchange programs and aid money could go a long way in building relations with a country that, despite the war, does not harbor strong anti-U.S. feelings.

U.S. EMBASSY BRIEFING

Ambassador Peterson assembled all the key members of his staff to brief the delegation. The Ambassador indicated at the beginning that one of the primary missions of the Embassy is to find any Vietnam veterans who are alive, or the remains of the MIAs. They have found 50 sets of remains in the last 17 months that have been repatriated to the United States. There are 1,564 Americans missing in Vietnam, 2,081 in Southeast Asia. The U.S. MIA office has concentrated on 196 cases that are called ''last known alive

cases.'' They have reduced these cases to 43, U.S. volunteers go to Vietnam periodically to help excavate crash sites. Young people from Vietnam and the United States do much of the work. Ambassador Peterson said he is proud of the job that is being done. He said the United States also aids Vietnam in identifying their missing. The Vietnamese have over 300,000 MIAs, a fact which the Ambassador believes is not generally recognized. It is important that the veteran groups in the United States understand what is being done. At the present time, it appears there is a split in the veteran groups regarding the effectiveness of this process. There is no question in the Ambassador's mind that this is the number one priority, and that it must be resolved satisfactorily before the United States can move ahead in other areas with Vietnam. As Ambassador Peterson stated, ''Never before in the history of mankind has any nation done what we are doing. The efforts of the Joint Task Force Full Accounting to honor the U.S. commitment to our unaccounted-for-comrades, their families and the nation are unprecedented.''

The Political Counselor has four officers. The main thrust in the political area is on human rights in an attempt to move the Vietnamese in the right direction and encourage them to initiate people-to-people programs. The problems created by Agent Orange still are talked about and must be addressed. Environmental matters also are being discussed with Vietnamese officials. Vietnam does not have a nuclear power plant, although apparently they want such a facility. The Vietnamese want many high-tech items, but do not have training even on the basics.

Embassy officials stated that there basically is no aid program in Vietnam, but suggested that the United States should help economically and work to keep Vietnam healthy. Major responsibilities of the Economic Counselor are to promote U.S. exports to Vietnam and to arrange trade shows and missions. Three economic officers are working on the trade agreement, which is the key to U.S.-Vietnamese economic relations. Limited progress has been made so far. The copyright agreement is completed, and a narcotics agreement is in process.

The Vietnamese are working on economic reforms and are attempting to improve the legal code. They are trying to convert from a government-controlled economy to a market economy and to encourage the private sector and discourage state-owned businesses. However, many of the major industries, such as telephone and electricity, still are state-owned. Vietnam has a graduated income tax system with 10 percent tax on the first U.S. $200, 20 percent on the first U.S. $500 and 25 percent on all income over U.S. $10,000. Because of the underground economy, many people do not pay taxes. There also is a sales tax.

Agriculture is the major industry in Vietnam, with 80 percent of the people involved. They need help with genetics, bulk feed and livestock. Agricultural research can help, especially in the soybean area. Senator Thad Cochran (R–MS) sponsors a program that has brought 32 Vietnamese to the United States to learn more about agriculture. The state of Florida is reviewing the possibility of opening an office in Vietnam and initiating a college extension program. Land has been returned to the farmers, but in typical communist fashion, i.e, they own the land, but they do not. Land can be passed on to family members and apparently be leased for up to 40 years, but the state still owns the land.

The Consular Office handles the normal jobs of overseeing U.S. citizens and helping with passports and visas. This section has 11 full-time U.S. employees and six part-time local employees. They deal with many nonimmigrant visas, mostly for students. They also handle health issues. Medical needs are basic, such as latex gloves, clean sheets and sterile items. The health care system is poor, with little sanitation. If an Embassy staff member has a broken bone or a serious ailment, he or she must leave the country for care.

The Embassy is located in a nine-story building that resembles a mine shaft, it has one elevator that does not always work. The Ambassador would like to have a different or new Embassy.

The Ambassador concluded the briefing by stating that there are few U.S. exchange programs and that the United States could do more in Vietnam. He believes it is in the U.S. interest to keep the population healthy and educated. The bottom line is that Ambassador Peterson thinks progress is being made and that, in ten years, the U.S. relationship with Vietnam should be as strong as it presently is with South Korea.

VIETNAM GOVERNMENT MEETINGS

The Vietnam Assembly, which has 450 Members, began in 1956 with a single house. Assembly Members meet twice per year for one month. There is a standing committee that conducts business when the Assembly is out of session. There are 120 female Members (26.7 percent), which they claim is one of the six best percentages of female representation in the world. There are 54 ethnic groups represented in the Assembly. Vietnam has 61 provinces, each of which is represented by five Members. In addition, there are Members who are former South Vietnamese military officers. Assembly Members stated that there is a great deal of discussion and dissension within the Assembly, and that it is not a rubber stamp for the government. Recommendations by the government have been defeated. Assembly Members are nominated by the national party, but the commune villages or trade unions can reject them. It is interesting that, even in Vietnam, all politics truly are local.

The Vice President of Vietnam is a woman. Fifty-four percent of the population is female. Women head 16 percent of the 40,000 businesses in Vietnam. This particularly is interesting because Confucianism does not accept women as equal. However, Vietnam was influenced by Ho Chi Minh, who declared equality between the sexes and had that fact written into the 1945 Constitution.

Education is important in Vietnam. Vietnamese government officials stated that there is a literacy rate of 90 percent, with 87 percent of the female population being literate.

The head of the Vietnam-U.S. Friendship Society (Viet My Society) is a woman who is a seasoned political veteran. She personally feels friendship with the United States even though her son was born in a shelter during the U.S. bombing raids in 1972. She believes that most people in the United States do not understand Vietnam. They have a wartime vision of Vietnam that has long since changed. In the delegation's opinion, this is an accurate observation. She believes that the U.S. veteran groups visiting Vietnam are helpful, as they personally have the opportunity to see a different and new Vietnam. It is interesting to note that many of her complaints are the same as those of politicians and voters in the United States, e.g., that there is not enough money in the budget for education—only 15 percent, that environmental problems are great and that the situation is one of the industrialist versus the environmentalist.

Vietnamese government officials stated that the population growth rate is 2.1 percent. However, it does not appear that there is any population control. In the villages, everyone wants a male child, so many families have three, four or five children until they have a son. Confucianism teaches that the job of the man is to take care of the woman. For instance, the father takes care of a daughter until she is married. Then the husband takes care of his wife until the husband dies. Then it is the job of the son to take care of his mother. As one Vietnamese said regarding birth control, one of the problems is that in rural areas there is no television or radio. People go to bed early and do not have much else to do.

There is a tremendous problem with unemployment in Vietnam, especially as the young population ages. The government states that the unemployment rate is 6.7 percent and that the underemployment rate is 36 percent. Inflation several years ago in Vietnam was 775 percent, but was down to 3.6 percent in 1997. The Vietnamese government has issued 4,200 licenses for foreign investment. Officials stated that domestic saving has increased to 20 percent of the GDP. The GDP had a growth rate of seven to nine percent between 1991 and 1997. The problems in Asia have slowed this growth rate down to a reported 6.4 percent during the first half of 1998. Observing what is happening in Vietnam, one questions these figures. The officials were honest when they said that economic reform and political reform are necessary. They indicated that it is essential to establish a rule of law and to streamline the government apparatus. They also demonstrated how a poor infrastructure and inadequate competition between their industries have stifled growth. They have the same concern that exists in many parts of the world with the tremendous gap between the few rich and the many poor. Their goal is to privatize over 1,503 presently state owned enterprises by 2002. The economic slowdown has caused them to suspend some major projects, such as highways that require a great deal of capital.

There is a drug problem in Vietnam, mainly heroin and cocaine. The government believes that the answer is education, and they rely on families to solve the problem. Of course, they claim that drugs are not much of a problem, but admit usage is growing.

In Vietnam, a welfare system basically is nonexistent. The government will give money to help, i.e., to buy a pig to start a farm or buy some tools to help start a trade, but there is no welfare payment for food or housing. Officials' main complaint is that there is not much U.S. investment—only $1 billion—which ranks it eighth in the world in terms of foreign investment in Vietnam. A minor irritation is that Vietnamese business representatives are having problems receiving visas from the U.S. Embassy.

The Vietnamese are proud of their policy of independence. They stated that they want to have peaceful cooperation with every region of the world. They presently have friendly relations with 167 countries and diplomatic relations with 120 countries, including Russia, the United States, China and Japan. The Vietnamese are making serious efforts to promote friendship and cooperation in Asia and will host the Sixth Asian Summit in 1999 in Hanoi. Vietnam also will be a full member of APEC in 1999. There are historical problems with China, including land-related problems which they indicated should be solved by the year 2000. In addition, there are disputes over islands in the South China Sea. These problems extend beyond China to Malaysia and other Southeast Asian countries. Vietnam has agreed to settle these problems peacefully, without the use of force.

Their trade with China of $1 billion is about equivalent to their trade with the

United States. They hope to improve their relations with the major powers in the world and want to become a member of the World Trade Organization. The Vietnamese have established a consulate in San Francisco and are hoping that the current modest trade with the United States will increase. They also hope that direct U.S. investment will grow from the 70 projects that presently are underway. Specifically, they desire U.S. investment in oil exploration, computers and food processing. Their focus is on improving internal economics and normalizing trade with the United States, putting the war in the past. All Vietnamese officials concur that they need a trade agreement with the United States, as the 40 percent tariff imposed by the United States hurts Vietnam-U.S. trade.

Vietnamese officials claim that military spending, which is a government secret, is reasonable. The delegation attempted to discover what ''reasonable'' meant, and the best conclusion was that it was somewhere between 30 and 40 percent of the budget.

U.S MIA OFFICE BUILDING

One of the most important parts of the trip was the visit to the U.S. MIA office in Hanoi, called the ''Ranch.'' The mission of the office was defined by President Ronald Reagan when he said, ''I renew my pledge to the families of those listed as missing in action that this nation will work unceasingly until a full accounting is made. It is our sacred duty. We will never forget that.'' The MIA office coordinates and executes all U.S. DOD efforts in Vietnam to achieve the fullest possible accounting for Americans still missing as a result of the conflict in Southeast Asia. There are two ways of accomplishing this goal. The first is to return living Americans; the second is to return identifiable remains. The total number of Americans unaccounted for in Vietnam is 1,564. Of the 1,564, it has been determined that no further action will be taken in 565 cases, including many where pilots went down at sea.

The MIA office began its work at Barbers Point, Hawaii in January 1973. The MIA office in Hanoi was opened in July 1991. The Joint Task Force Full Accounting started in January 1992, There are four detachments: one located in Thailand, one in Laos, one in Cambodia and one in Hanoi headquarters, only four full-time active duty military personnel are allowed, with the commanding officer being a Lieutenant Colonel in the Army. Lt. Colonel Charles Martin, the current commander of the office, indicated that there still are 954 active cases, which would keep the office busy until 2004. (He compared this number to the 8,100 Americans lost in Korea.)

The Recovery Elements conduct jointly filed activities approximately five times per year. During a joint field activity conducted between June 23 and July 25, 1998, 50 cases were investigated in seven provinces, the research team investigated seven cases in ten provinces and there were six recovery elements where eight cases were excavated in six provinces. Another recovery activity was conducted during September 1998. From January 23, 1992 to the time of the delegation's visit, there have been 281 remains repatriated, and identifications have been completed on 104 of the 281. The Pentagon has not announced the results of a number of cases that have been sent back to Washington when identification is possible. Since January 23, 1992, there have been 97 live sighting investigations; however, the number of reports is diminishing. As the Colonel said, ''Not one investigation had led to any credible evidence of a live American from the conflict in Southeast Asia being held against his will.'' The MIA office is now down to the priority cases of the last known alive. They repeated what the Ambassador told the delegation that there initially were 196 individuals on this list but only 43 remain.

It is important to know that Vietnam has cooperated with the U.S. search for MIAs. The MIA office has reviewed over 28,000 documents and artifacts and has conducted 200 oral history interviews, including one with Ambassador Peterson.

HO CHI MINH AREA

Ho Chin Minh City and the south have much more energy and action than the Hanoi area. Ho Chin Minh City has seven million people, five million bicycles and three million motorcycles. Negotiating busy intersections is an incredible experience, as there are very few traffic lights. Cars are in the minority and are extremely expensive: a 1997 American car costs U.S. $120,000. Most motocycles are Hondas from Japan. They cost U.S. $2,000 to $3,000 new and U.S. $300 to $1,000 used. The average annual income in the south is approximately U.S. $1,000, compared to U.S. $300 in the north. Signs of the underground economy are everywhere, with street barbers, shops, markets and even row upon row of ''Dog'' restaurants.

The Chinese are predominant in the Choulan section of Ho Chin Minh City. In 1978, the Chinese population was one million. However, many Chinese were forced to leave because of the problems between Vietnam and China so that now there are approximately 500,000 Chinese in Choulan. Before 1975, the Chinese controlled the economy in the south. They still are important, especially in areas of finance and currency.

Economic problems do exist in the south. For instance, the delegation stayed in a five-star hotel, which has 21 floors but only 47 guests! A former employee of a Sheraton Hotel said that it took two years to build the hotel and everyone had been hired. Yet, the day before the opening, Sheraton decided it did not make economic sense, closed the hotel and fired all the people.

Religion is divided in the south, the same as it is in the north, with the majority being Buddhist, four to ten percent being Catholic and the remainder with no religious preference. Many believe in reincarnation. In a number of cases, a body is buried for three years in one place and then is exhumed and buried elsewhere, as they believe that the soul finally has left the body.

As explained to the delegation, there is a difference philosophically between the people in the north and the south. The people in the north live for the future. If they acquire some money, they save it or invest in land or a business. The people in the south live for today. They acquire money, spend it and do not worry about tomorrow.

Schools are terribly crowded because of the youthful population. There are three sessions of school per day. Education is free for the frist six years. Then all students take an exam: if they pass, their education continues to be free; if they fail and wish to remain in school, their family must pay. In the rural areas, most students only attend school for the first six years. Since 1990, English has been the major foreign language taught. Prior to that, it was Russian. The Vietnamese believe English is easy, especially the written part. When students have completed high school, they must take an exam to continue on to university. Again, depending on how they do, university is free or they must pay.

The Vietnamese love to gamble. As you walk along the street, you seek workers sitting and playing cards. There is a daily lottery. They believe that nine is a lucky number for women and seven for men.

As mentioned previously, agriculture is the primary industry in Vietnam, with 80 percent of the population involved. In the south, they harvest three rice crops per year, in the north, two crops per year. Much of the land is fertile, as in the Mekong Delta, which has a population of 25 million in six provinces. The Mekong River is extremely long, starting in China and going 4,200 kilometers through Vietnam with nine branches flowing into the sea. The delegation visited the town of My Tho on the river, which was founded in 1618 by the Chinese and taken over by the French in late 1800s. It has a population of 150,000 with its commerce centered around the river. Further up the river, which was brown with silt, is Unicorn Island, which served as headquarters for the Vietcong during the war. The inhabitants of the island live on and by the river. They are fishermen and farmers, with three or four children to a family. This area receives 90 inches of rainfall per year. One opinion all of the delegation members had after seeing this area was how tragic it was to have put young Americans in such miserable conditions during the war.

It was interesting to see the importance of tourism. Even in the Mekong Delta, the tourist business is thriving. After a walk through the jungle, you find restaurants where you can sit and eat a decent meal. Tourism has slowed down considerably because of the Asian financial problems, but it still is important to the economy.

At a dinner in Ho Chi Minh City, the delegation had the opportunity to talk with some U.S nationals. One of the individuals said that the Vietnamese desperately want and need U.S technology. For instance, a Vietnamese oil well pumps 400 barrels of oil per day. Nearby, there is an oil well owned and operated by another country that pumps 4,000 barrels of oil per day. The contract the Americans have with the Vietnamese government is to pump 1,000 barrels of oil per day, which they say is easy to fulfill. All oil drilling is offshore. These Americans confirmed the statements heard before by the delegation that Vietnam is five to ten years away from much investment potential and that it is a poor, developing Third World country with a long way to go.

The Vietnamese seem to have put the war behind them. For instance, five years ago, the only job former members of the South Vietnamese army would be hired for was peddling a moped. Most of the army officers were required to go through re-education camps—the higher the rank, the longer they remained. Now, most jobs are open to everyone and there are three former South Vietnamese army officers in the Vietnam Assembly. Although this number is not large, the symbolism is important. Also, the extremely young age of the population means that many Vietnamese were not involved in nor even born during the war. The main evidence of the war is the mines and unexploded ordnance that kill at least 700 persons per year, usually farmers.

The American expatriates in Vietnam are typical, happy to be ''a big fish in a small pond.'' Some have strong negative feelings about the war and the U.S. participation in it. One of the expatriates involved in the oil business said Vietnam does not need an oil refinery because they cannot produce enough oil for it to make economic sense, i.e., their oil reserves are relatively small when compared to other sources. He said the only reason the Vietnamese want an oil refinery is the prestige that would result internationally.

There are textile mills, cement and steel factories, with 70 percent of the invested money coming from Asia. During a visit to a Nike facility, which is a joint venture with

Korea and which employs 8,000 people, the manager said the Koreans are in Vietnam because of the low wages, which are set by the Vietnamese government. The delegation was told that the government had a problem with the Koreans four years ago and sued the management of the Nike plant over abusing workers. Korean supervisors allegedly were beating women workers, and the defense was that this was the way operations were conducted in Korea. The delegation was not allowed to enter the plant, even after repeated requests.

There are miles and miles of industrial parks in the area called Dong Nai. They look similar to U.S. industrial parks, but many of the buildings were vacant. There also is an industrial park just south of Ho Chi Minh City, which is called Saigon South and which they like to compare to Reston, Virginia, However, after two or three years, they are just beginning to entice businesses to locate in the park.

Similarly, a shopping mall (Cora) recently opened south of Ho Chi Minh City, but there were many vacant shops and few customers. Supermarkets are beginning to install electronic scanners. People must shop every day because they do not have refrigerators.

The roads, except those built by the United States, are terrible. There is road construction everywhere. The road the delegation took to the Delta was built on dikes and was very narrow, but incredibly had two-way traffic. It took close to three hours to travel 40 kilometers. There is a railroad that connects Hanoi and Ho Chi Minh City. The train takes about 39 hours to complete the trip. There are three classes of service on the railroad, including luxury cars. The cost is fairly inexpensive. with a one-way fare costing U.S. $62. Additional railroad lines running east and west are being built by the government. Internal air travel is subsidized by tourists. For instance, it cost U.S. $120 to fly between Hanoi and Ho Chi Minh City for a tourist, but only U.S. $30 or $40 for a Vietnamese citizen. There is not sufficient money in the budget to improve the infrastructure on a short-term basis.

The greatest asset of Vietnam is its intelligent workers who are paid extremely low wages. At an evening meeting with representatives of the U.S. business community, the delegation heard repeatedly that Vietnam has a long way to go. A banker said the only way his bank ever would loan any money in Vietnam is if the parent organization outside Vietnam guaranteed the loan. A developer who plans to construct some beachfront condominiums in Vietnam claimed that instead of the normal 70 percent foreign/30 percent Vietnamese split, he had negotiated 100 percent foreign ownership. The project was priced at $276.3 million, with $67.5 million needed to start. However, he has been unable to obtain any investors.

The Vice Chairman of the Red Cross in Vietnam with whom the delegation met made an impassioned plea for help from the United States in treating dengue fever. This disease is dramatically on the rise in Vietnam and Southeast Asia.

A Vietnamese newspaper editor the delegation met at a dinner claimed that there was a free press, although television and radio are state-owned. Interestingly enough, the next day an article appeared in a non-Vietnamese newspaper that stated the press in Vietnam is controlled totally by the government. The same problem exists in Vietnam as it did in Eastern Europe, i.e., the outside world and its economic success and political freedom cannot be hidden forever. Some Vietnamese have computers with access to the Internet and there also are televisions with satellite hookups that include programs from the United States.

An observation made by the delegation is that the Vietnamese have a great deal of ingenuity. Several stories illustrate this point.

Several years ago, there was a rat epidemic in Vietnam. The government agreed to give a cash bounty for each rat tail brought to a government office. The gestation period for rats is 30 days. Rather than killing the rats, the Vietnamese began breeding them all across the country so that instead of having fewer rats, there were more. It was a good cash crop!

There also is a scheme involving antiques. It is forbidden to take antiques out of the country. However, in some stores they say it is all right and give documentation that they state is correct. The dealer then tells a friend in customs about the antique purchased so that it is confiscated and returned to the store to be sold once again!

The underground economy of Vietnam provides a second and third income for families. The delegation met one family where the breadwinner is an accountant with a government agency. He is supporting 29 other family members who have no official jobs. Apparently, this is not unusual.

CONCLUSION

The United States should pay more attention to Vietnam. It has the fourth largest population in Southeast Asia and is growing rapidly. Older members of the government are retiring and being replaced with a younger generation who want to change the system. Even though there is only one political party, there is some dissension and discussion among the various factions of the Assembly.

The United States should enter into exchange programs, assist with health problems and eventually bring Vietnam into a trade status equal to that of most other countries in the world. This appears to be a country where a minimum amount of extra effort and money on the part of the United States could pay large dividends in the future. It may take from five to ten years to bring the political and economic machinery in Vietnam to a point where private investments from the United States increase dramatically, yet much can be done in that period of time.

Ambassador Peterson is well respected throughout the country. He has a good team, which the delegation believes is realistic in its appraisal of the tough job they face.

The Vietnamese truly are assisting with U.S. MIA cases. It appears that there is not the ill will one would expect after a long war. A major reason for this is that the population is so young. Furthermore, Vietnam's history shows that it has fought foreigners for the last thousand years. The United States is just one in a series of invaders. The Vietnamese are attracted by the Yankee dollar and know-how. One Member of the Vietnam Assembly summed it up when he said, ''What is past is past. We need to look forward and build a better future for both countries.''

PERSONS MET BY THE U.S. ASSOCIATION OF FORMER MEMBERS OF CONGRESS DELEGATION STUDY TOUR TO VIETNAM OCTOBER 8–14, 1998

Hanoi

Tom Donohue, Head of the American Chamber of Commerce.

Ambassador and Mrs. Pete Peterson (Vi Le), U.S. Embassy—Hanoi, No. 7 Lang Ha, Hanoi, Vietnam.

Nguyen Van Hieu, Member of the National Assembly, 35 Ngo Quyen Street, Hanoi, Vietnam.

Vu Viet Dzung, Chief Officer of the Americas Desk, Ministry of Foreign Affairs, 1 Ton That Dam Street, Hanoi, Vietnam.

Tran Quoc Tuan, Vice Chairman, Office of the National Assembly, Van Phong Quoc Hoi, 35 Ngo Quyen Street, Hanoi, Vietnam.

Vu Mao, Chairman, National Assembly Office, Member of the National Assembly, Van Phong Quoc Hoi, 35 Ngo Quyen Street, Hanoi, Vietnam.

Ms. Pham Chi Lan, Executive Vice President, Vietnam Chamber of Commerce, 33 Ba Trieu Street, Hanoi, Vietnam.

Hoang Cong Thuy, Deputy Secretary General, *Viet-My Society* (Vietnam-USA Association), 105/A Quan Thanh Street, Hanoi, Vietnam.

Ho Chi Minh City

Truong Quang Giao, Vietnam News Agency, Manager, Quoc Te International Hotel, 19 Vo Van Tan Street, District 3, Ho Chi Minh City, Vietnam.

Dr. Huynh Tan-Mam, Vice Director of the Red Cross, Vietnam Red Cross—Ho Chi Minh City Chapter, 201 Nguyen Thi Minh Khai Street, District 1, Ho Chi Minh City, Vietnam.

Dr. Thai Duy Bao, Department Head, International Relations, Vietnam National University, 10–12 Dinh Tien Hoang Street, District 1, Ho Chi Minh City, Vietnam.

Adrian Love, Independent Financial Advisor, 261–263 Le Thanh Ton Street, Ho Chi Minh City, Vietnam.

Pham Tan Nghia, Director, Vietnam-USA Society, 160 Dien Bien Phu Street, District 3, Ho Chi Minh City, Vietnam.

Ronald Kiel, Managing Director, 3M Representative Office, 55 Cao Thang Street, District 3, Ho Chi Minh City, Vietnam.

Nguyen Ba Hung, Baker & McKensie International Lawyers, 10 Harcourt Road, Hong Kong.

Chuyen D. Uong, Branch Manager, Citibank, N.A., 115 Nguyen Hue Blvd., 15–F, Ho Chi Minh City, Vietnam.

William Yarmey, Senior Marketing Officer, U.S. and Foreign Commercial Service, U.S. Department of Commerce, 65 Le Loi Blvd., Ho Chi Minh City, Vietnam.

Mr. MCHUGH. Thank you very much, Bob.

Mr. Speaker, as you can see, the Association conducts a wide variety of programs, some of which we have touched on this morning and which we hope to expand. This would not be possible without the support and active work of a number of people, and I would like to acknowledge the support we have had from our Board of Directors and our Counselors.

In particular, I would like to thank the officers of the Association, John Erlenborn, who is chairing this session today and is our Vice President; Larry LaRocco, who is our Treasurer; and Jack Buechner, who is our Secretary. They have done a fantastic job. As others have said, Lou Frey, as our former Chair, also serves on our Executive Board.

We also want to thank the Auxiliary, whose members have been instrumental, among other things, in making our Life After Congress seminars successful, in helping Members make the transition from the Congress to life after Congress.

We would not be able to do anything if we did not have a very capable staff, and many of you are familiar with our staff and I know are grateful for their work. I would like to acknowledge their support: Linda Reed, our Executive Director; Peter Weichlein, our Program Officer, with special responsibility for the Study Group on Germany; Victor Kytasty, who is our Congressional Fellow in Ukraine; and Walt

Raymond, who many of you know is our Senior Advisor for International Programs and works to put together many of these international efforts.

We also maintain relations as an Association with the Association of Former Parliamentarians in other countries, and we are very pleased at lunch today we are going to have Barry Turner once again representing the former parliamentarians in Canada. We will hear a few words from Barry, for those of you who will join us for lunch.

Now, Mr. Speaker, it is my sad duty to inform the House of those persons who have served in Congress and have passed away since our report last year. The deceased Members of Congress are the following:

Watkins Abbitt of Virginia;
Thomas Abernethy of Mississippi;
E.Y. Berry of South Dakota;
Gary Brown of Michigan;
Lawton Chiles of Florida;
James McClure Clarke of North Carolina;
Jeffrey Cohelan of California;
George Danielson of California;
David W. Dennis of Indiana;
Charles Diggs, Jr., of Michigan;
Carl Elliott of Alabama;
Dante B. Fascell of Florida;
Barry Goldwater, Sr., of Arizona;
Albert Gore, Sr., of Tennessee;
Robert A. Grant of Indiana;
Floyd K. Haskell of Colorado;
Roman L. Hruska of Nebraska;
Muriel Humphrey of Minnesota;
Albert W. Johnson of Pennsylvania;
Joe M. Kilgore of Texas;
Walter Moeller of Ohio;
Wilmer D. Mizell of North Carolina;
Abraham Ribicoff of Connecticut;
Will Rogers, Jr., of California;
D.F. Slaughter of Virginia;
Gene Taylor of Missouri;
Morris K. Udall of Arizona;
Prentiss Walker of Mississippi;
Compton L. White of Idaho;
Chalmers Wylie of Ohio; and
Sam Yorty of California.

I would respectfully ask all of you to rise for just a moment of silence in the memory of our deceased Members.

Thank you very much.

Mr. Speaker, we have now reached the highlight of our presentation this morning. As you know, the Association presents a Distinguished Service Award to an outstanding public servant each year. The award rotates between the parties, as do the officers in our Association.

Last year, the award was presented jointly to two exceptional former Republican Senators, Nancy Kassebaum Baker and Howard Baker. This year, as you know, we are pleased to be honoring the former House Speaker, Jim Wright.

Jim Wright was born in Fort Worth, Texas, a city he represented in Congress from 1955 through 1989. He completed public school in 10 years and was on his way to finishing college in 3 years when Pearl Harbor was attacked. Following enlistment in the Army Air Corps, Jim received his flyer's wings and a commission at 19. He flew combat missions in the South Pacific and was awarded the Distinguished Flying Cross and Legion of Merit.

After the war, Jim was elected to the Texas legislature at age 23. At age 26 he became the youngest mayor in Texas when voters chose him to head their city government in Weatherford, his boyhood home.

Elected to Congress at the age of 31, Jim served 18 consecutive terms and authored major legislation in the fields of foreign affairs, economic development, water conservation, education, energy and many others.

Speaker Wright received worldwide recognition for his efforts to bring peace to Central America. He served 10 years as majority leader before being sworn in as Speaker on January 6, 1987. He was reelected as Speaker in January of 1989. A member of Congress for 34 years, Jim served with eight U.S. presidents and has met and come to know many foreign heads of state and current leaders of nations. A prolific writer, he has authored numerous books.

He currently serves as a Senior Political Consultant to American Income Life Insurance Company and Arch Petroleum. He writes a frequent newspaper column, which I hope many of you have had the chance to read. I have. They are very insightful. And he occasionally appears on network television news programs. In addition, he is a visiting professor at Texas Christian University where he teaches a course entitled ''Congress and the Presidents.''

This is a particularly difficult time for Jim. Among other things, he is moving his residence now, and that is why Betty, his wife, could not be with us. But we are really delighted that his daughter Ginger has come with him from Texas to be with us for this occasion.

Jim, if you would come up, I have two presentations to make. The first is a plaque. I am sure Jim has no plaques at home any more. I am going to read the inscription on this plaque, Jim; and I am going to read it from the paper since my eyes cannot read the inscription on the plaque. But I hope you can.

It says: ''Presented by the U.S. Association of Former Members of Congress to the Honorable Jim Wright for his exemplary service to the State of Texas and the Nation as a combat pilot in World War II and recipient of the Distinguished Flying Cross, as a mayor and State legislator, and as a Member of the United States Congress for 34 years, including his distinguished leadership as Majority Leader and Speaker of the House of Representatives. Washington, D.C., May 13, 1999.''

On a more personal note, I am presenting Jim on behalf of all of us a scrapbook, which includes personal letters from many of us here and others who feel so strongly that Jim has contributed to the Congress and the country in ways which cannot be fully expressed but for which we are all deeply grateful.

So, Jim, these are some of the letters, and I am sure there will be others coming in the mail. We would invite you, Jim, to say whatever you would like. We are delighted you are here, and we are very proud of your service.

Mr. WRIGHT. Thank you so very much, Matt, and thanks to each of you, my former colleagues. I shall treasure and cherish these mementoes for as long as I live.

I guess I am lucky to be here in a way today. Two months ago yesterday I was fortunate to have some rather complicated surgery. Good surgeons removed this jaw, and it was cancerous, and then they reached down to my lower left leg, for the fibula bone, from which they carved a new jawbone, and this is it, and it works.

They also removed about one-fourth to one-fifth of my tongue, and that frightened my wife and others when they heard of it. I did not know about it at the time.

But in addition to that bit of modern alchemy, they took a piece of skin from the upper part of my left leg and attached it, grafted it, to the tongue, and I hope you can understand me.

All of this occasioned a comment from my long-time friend and former administrative assistant, Marshall Lynam, who said, ''You know, Mr. Speaker, we spent 40 years trying to keep your foot out of your mouth, and now it seems you got your whole leg in it.''

Words would fail me were I to try to express adequately how much I appreciate this, particularly coming from those of you, almost all of you I served with, and whom I knew and became so attached to during all of those years.

Like most of you, I guess, I had a lot more financial success before and after I served in Congress, but this experience of serving in this body will forever be professionally for me the outstanding achievement in my life. I enjoyed it thoroughly—most of the time. I think that would be true of all of us, truth to tell.

I do want to encourage our Association and encourage individuals among us to participate in these splendid activities by which we spread knowledge and understanding of this peculiar institution, so peculiarly human, maybe the most human institution on earth.

You know, the House and Congress can rise to heights of sparkling statesmanship and we can sink to levels of mediocrity, because we are human, prone to human error. But the more people are able to understand it, people abroad with whom our Nation must deal and youngsters on the college campuses, the stronger and firmer will be our hold upon the future.

Since I left Congress in 1989, almost 10 years ago, I have been on between 45 and 50 different college campuses throughout the country, and that is the most fun I have, aside from being with my grandchildren. I guess it is

second, because they are so vibrant, they are so alive, they are so quizzical, they are so questioning, all over the country. I have had the privilege of being at the University of Maine and the University of San Diego State. I have had the opportunity to visit Gonzaga University and the University of Miami. So it is spread across the country, and all of them, all of them, are interesting. They are all worth spending some time with. I would encourage that.

I would hope that we, wherever we go and whatever we say and do, will have the grace to glorify this institution, so human, so imperfect, and yet so fraught with great opportunities, to uphold its standards and defend its honor, so often attacked, so frequently misunderstood, to the end that there might be a better and firmer appreciation of this hallowed form of government that was endowed by those who wrote our Constitution. Because I am convinced that, with all of its faults and flaws and human imperfections, it still is, just as it was in Abraham Lincoln's time, and may it forever remain, the last, best hope of earth.

Thank you for this great honor.

Mr. MCHUGH. It is very clear that Jim Wright is as eloquent with his second jaw as he was with his first.

Jim, we are truly proud of you and take joy in your being with us today and giving us the opportunity to honor you for your many years of service.

I would like at this point sort of extra-record to invite our former distinguished minority leader and friend, Bob Michel, to say a word.

Mr. MICHEL. Mr. Speaker and my colleagues, thank you so much for the opportunity to say just a few things, particularly prompted by our Association's giving the award this year to our former Speaker, Jim Wright. When I got the notice of it, I thought there could be no better choice and am so appreciative he has been so well received and under the conditions.

I tell you, I have been privy to several of the columns that Jim has written, very descriptive, and they move you just about to emotional tears with his eloquence.

I hope those of you who have not yet maybe had the opportunity to express your feelings in the letters that we find in the book that we have given Jim that you will do that. You can always add letters to that. It is a nice package of mementoes to keep.

You know with what sincerity Jim appeared here today with his very nice remarks, and I just want to join in congratulating him and the Association, particularly, for their choice in selecting our former Speaker to receive this honor today.

Thank you again. Jim, all the best to you.

Mr. MCHUGH. Thank you very much, Bob. Thanks to all of you for being with us today and participating, especially since it was a special opportunity to honor Jim Wright.

We have a program for the rest of the day. We hope that many of you will be able to participate in it. Of course, tonight we have our dinner.

So, again, thank you for being with us. This does conclude the 29th Annual Report of the U.S. Association of Former Members of Congress. Thank you.

Mr. ERLENBORN (presiding). The Chair again wishes to thank the members of the United States Association of Former Members of Congress for their presence here today.

Before terminating these proceedings, the Chair would like to invite any former Members who did not respond when the role was called to give their names to the reading clerks for inclusion on the role. Good luck to you all.

The Chair announces that the House will reconvene at 10:45 a.m.

Accordingly (at 10 o'clock and 28 minutes a.m.), the House continued in recess.

□ 1047

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ROGERS) at 10 o'clock and 47 minutes a.m.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 669. An act to amend the Peace Corps Act to authorize appropriations for fiscal years 2000 through 2003 to carry out that Act, and for other purposes.

The message also announced that pursuant to Public Law 101–509, the Chair, on behalf of the Secretary of the Senate, announces the appointment of James B. Lloyd, of Tennessee, to the Advisory Committee on the Records of Congress.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the CONGRESSIONAL RECORD and that all Members and former Members who spoke during the recess have the privilege of revising and extending their remarks.

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

There was no objection.

SUPPORT TAKE-HOME PAY INCREASE FOR AMERICANS

(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, this year Federal taxes will consume almost 22 percent of the Gross Domestic Product, which means the Federal tax burden is at an all-time high.

With the economy strong and the Federal Government running a surplus, there is no excuse for taxing the American people at a higher rate than was needed to win World War II.

On the opening day of the 106th Congress, I introduced a bill to cut taxes across the board by 10 percent. The plan is the fairest and the simplest way to cut taxes because it benefits everybody who pays Federal income taxes.

An across-the-board tax cut would save the average American family some $1,000 a year, money they can use for anything, for a down payment on a home, or to put aside for retirement. Either way, I know it would be better spent and better used by the family who earned it than by the Washington bureaucrat who yearns for it.

I urge my colleagues to support this common sense plan and increase the take-home pay of all Americans.

TRIBUTE TO NATION'S POLICE OFFICERS

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

Ms. SANCHEZ. Mr. Speaker, I rise today to salute the police officers of this Nation, especially those of the 46th Congressional District of California, Orange County police officers.

Seven hundred thousand police officers serve the United States each day. Most Americans probably do not know that our Nation loses on an average one officer every other day. That does not include the ones that are assaulted and injured each year.

More than 14,000 officers have been killed in the line of duty. The sacrifice for California officers is the greatest: 1,205.

The calling to serve in law enforcement comes with bravery and sacrifice. The thin blue line protecting our homes, our businesses, our families, our communities pay a price. So do the loved ones that they leave behind when the tragedy strikes.

We cannot replace the officers we lose. We cannot bring them back to their families or departments. All we can do is grieve their loss.

Today we fulfill the most solemn part of our obligation to America's police officers. We promise that, when they do make the sacrifice, that he or she earns a place of the highest national distinction and respect from the United States Government.

TRIBUTE TO DUANE MASENGILL, FAVORITE TEACHER

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

Mr. ARMEY. Mr. Speaker, last week was Teacher Appreciation Week, and I missed my opportunity to pay my respect to a favorite teacher we have in my district in Coppell, Texas. Duane Masengill teaches world geography and current events.

Duane drives 25 miles to work every day. While that puts an extra burden on his family, his wife Jennifer says she does not mind because he is so happy doing what he does.

I have had the opportunity to visit Duane and his students. I have seen the rapport he has with his students.

Duane, while you still need a haircut, and I think the youngsters will agree with me, you are in fact a devoted teacher.

I always believe that we can tell a great deal about the quality of the effort, the quality of the commitment made by a teacher when we see the quality of morale and preparation when we stand before a classroom. Duane's students are always bright, energetic, enthusiastic, and able. They quiz us hard.

So, Duane, let me just say congratulations. Some people spend a lifetime building a career. You are spending a career building lifetimes.

BRING GOD BACK TO OUR SCHOOLS AND OUR NATION

(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, a Federal court ruled in Texas that a school program that allowed clergy that counsel troubled students was unconstitutional. Another Federal court ruled that a Florida policy of allowing prayer at graduation ceremonies was unconstitutional. Unbelievable.

These book-smart, street-stupid judges better look in the mirror of a troubled America, because it is clear, students can be counseled by convicts in our schools, not clergy. Students can read about devil worship, not God. Students can burn a flag at a school, but cannot say a prayer. Beam me up.

It is time to amend the Constitution of this country and not only bring God back into the schools, but bring God back into our Nation.

MARRIAGE IS A GOOD THING; ABOLISH MARRIAGE TAX PENALTY

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

Mr. SCHAFFER. Mr. Speaker, marriage is a good thing. This Congress has an historic opportunity to do something it should have done long ago, abolish the marriage tax penalty.

Many young couples are surprised to learn the government actually penalizes people for getting married an average of $1,400 per year for middle income families.

The people have long known the government does a lot of foolish things. Even liberals have to admit the government has thousands of stupid taxes and regulations, programs that actually make things worse instead of better, and inefficiencies that seem to be immune to reform.

The marriage tax penalty is just so wrong that it stands among the ugliest symbols of everything wrong about a government that is too big, too arrogant, and too oblivious to the concerns of the average people who struggle every day to get ahead, make ends meet, and raise their children in peace.

Why does the government make it so much harder for people who want to get married? I urge Members on both sides of the aisle to right this terrible wrong. It is high time we abolish the tax on marriage.

IN HONOR OF CZECH REPUBLIC AND POLAND FOR CONDEMNING HUMAN RIGHTS VIOLATIONS IN CUBA

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

Ms. ROS-LEHTINEN. Mr. Speaker, tonight the Cuban American community honors the Czech Republic and Poland for their recent successful efforts to condemn the ongoing human rights violations in Cuba before the United Nations Commission on Human Rights.

The Czech President said recently that both the Czechs and the Cubans encountered similar political fates, suffering the multiple adverse effects of the same ideology still advanced by the government of Cuba.

The Center for a Free Cuba event tonight will also serve to commemorate Cuban independence, which will be celebrated during the month of May, and the role of women in the struggle for freedom in Cuba.

Because of that, Elena Diaz Verson Amos will be honored for her commitment to the cause of freedom and democracy and human rights.

I urge my colleagues to join us tonight at 6 p.m. in room 106 of the Dirksen building for the Center for Free Cuba reception.

NATIONAL MISSILE DEFENSE

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

Mr. WICKER. Mr. Speaker, as Members of Congress, we have an obligation to report that the United States is vulnerable to a missile attack. That is right. Some of the world's most dangerous and unstable dictatorships are developing weapons which could reach the United States mainland.

The bipartisan Rumsfeld Commission has said we could soon face a missile strike with little or no warning. Yet, our President is still reluctant to act on this important issue.

The North Korean missile tests last summer forced administration officials to admit grudgingly that this threat is real. But the President's response has been weak. It includes support for only a limited ground-based system with questionable value. The administration also worries that a defense shield might violate the ABM Treaty, the same pact the Soviets violated for years.

Mr. Speaker, each day we delay, the threat of a missile attack increases. Congress is taking action to deploy an effective missile defense system. I urge the President to join us in addressing this critical matter of national security.

NATIONAL POLICE OFFICERS WEEK

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

Mr. FOSSELLA. Mr. Speaker, this is National Police Officers Week. I rise today to pay tribute and offer my thanks to the law enforcement officers throughout our Nation who stand at the front line protecting the American people.

These brave men and women risk their lives every day so that our community may be safe, that our children, parents, and grandparents need not live in fear of criminals.

All too often, we see the tragic consequences that come with such awesome responsibility. Hundreds of times each year, America is forced to confront the horror that one of our finest has lost his or her life.

We mourned as a Nation last year when two officers who worked right here, Officers Gibson and Chestnut, were killed trying to protect innocent tourists when a madman entered the United States Capitol with his guns blazing.

Where I live, on Staten Island, we experienced loss twice last year, and our community still grieves for Police Officer Sal Mosomillio and Officer Gerald Carter, both of whom made the ultimate sacrifice.

I can use words like hero, courage and bravery to describe these two men, but the truth is that no words can truly do them justice. In fact, I think both officers would be embarrassed by such descriptions because, in their minds, they were only doing their job.

The same could be said of Police Officer Matthew Dziergowski, a dedicated official who was killed earlier this year and has left one son and his wife who was pregnant at the time he lost his life.

Mr. Speaker, the New York City Police Department right now and the men and women who serve our city every day are under constant attack. The morale is at an all-time low. But let them know and let them stand assured that there are a lot of people out there who appreciate the job they do, the

fact that they are willing to risk their life every day to protect us.

PROVIDING FOR CONSIDERATION OF H.R. 1555, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2000

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 167 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 167

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1555) to authorize appropriations for fiscal year 2000 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill. The committee amendment in the nature of a substitute shall be considered by title rather than by section. Each title shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI are waived. No amendment to the committee in the nature of a substitute shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendments the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1100

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

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

Mr. Speaker, House Resolution 167 is a modified open rule providing for the consideration of H.R. 1555, the Intelligence Authorization Act for fiscal year 2000. What makes the rule modified is the requirement that Members wishing to offer amendments were asked to have them preprinted in the CONGRESSIONAL RECORD prior to the consideration of this bill by the House. Notice of this restriction was given to Members last week prior to the filing of the report on this bill, and at the time of the filing, when we asked for the UC, we also reminded Members of the requirement.

This requirement makes good sense, given the unique nature of the matters covered by the bill. In the past, we have found it works well to allow the Permanent Select Committee on Intelligence the opportunity to review potential amendments ahead of time in order to work with Members to ensure that no classified information is inadvertently disclosed during our floor debate. This is not about shutting out any debate on the bill but, rather, about an extra degree of caution and making sure sensitive material is properly protected.

As is customary, the rule provides 1 hour of general debate divided equally between the chairman and the ranking member, the gentleman from California (Mr. DIXON), of the Permanent Select Committee on Intelligence. The rule makes in order the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence as an original bill for the purpose of amendment. The amendment in the nature of a substitute shall be considered by title, and each title shall be considered as read.

The rule further waives points of order against the amendment in the nature of a substitute for failure to comply with clause 7 of Rule XVI, which prohibits nongermane amendments. This is necessary because, again, the introduced bill was more narrow in scope, as it usually is, than the product reported out by the committee.

Specifically, this provision in the rule pertains to title V of the reported bill regarding the Freedom of Information Act exemption for the National Imagery and Mapping Agency, NIMA, which is, I believe, a noncontroversial provision which makes a technical correction.

As I mentioned earlier, the rule makes in order only those amendments that have been preprinted in the CONGRESSIONAL RECORD and provides that each amendment that has been so printed may be offered only by the Member who caused it to be printed or his designee. Each amendment shall be considered as read.

The rule allows the Chair of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to 5 minutes on a postponed questioned, if a vote follows a 15-minute vote. Nothing new there.

Finally, the rule provides the traditional motion to recommit with or without instructions. Again, a guarantee for the minority.

Mr. Speaker, this is certainly a fair rule and one without any controversy that I am aware of, but I am aware that the ranking member, the gentleman from California (Mr. DIXON), my colleague, friend and close working partner on the Permanent Select Committee on Intelligence, had hoped that we could delay consideration of this bill until next week, to give Members even more time to familiarize themselves with the provisions of this bill, especially its classified components. I know that every effort was made to be sensitive to his request. I agreed with it. But given forces beyond any one Member's control, particularly relating to other legislation that is still under discussion, we in fact were asked to be on the floor with this bill today.

That said, I encourage Members to vote for this fair rule and to support the underlying legislation, which I think is well prepared.

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

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

Mr. Speaker, I rise in support of the rule providing for the consideration of H.R. 1555, the Intelligence Authorization for fiscal year 2000. I would, however, like to make the House aware of the concerns raised by the ranking member of the Permanent Select Committee on Intelligence with respect to the timing of the consideration of this bill and the preprinting requirement for amendments.

The gentleman from California (Mr. DIXON) does not oppose the preprinting of amendments for this bill. And, in fact, Mr. Speaker, the gentleman is generally supportive of such a requirement because of the sensitive nature of much of the bill and the need to protect its classified contents. And, in fact, Mr. Speaker, the House has considered intelligence authorizations under this kind of rule for the past 6 years. What concerns the gentleman from California, as well as the Democrats on the Committee on Rules, is the timing of the consideration of this important legislation.

Since the House conducted no business on Monday, few Members were here to read the classified portions of the bill in order that they might determine if any amendments might be appropriate. Mr. Speaker, we do not object to this rule, only to the timing of the consideration of the bill and would, as has the gentleman from California, ask that the leadership consider giving

Members ample time in the future to examine this legislation prior to its consideration on the floor.

Mr. Speaker, the bill itself is not controversial and was, in fact, reported by a unanimous vote. The funding levels in the bill are approximately 1 percent above the administration request for the activities of the intelligence community, but the committee bill focuses on the future needs of our intelligence capabilities and the priorities associated with those needs in a rapidly changing but increasingly dangerous world.

Mr. Speaker, I commend my colleague from Florida (Mr. GOSS) for his work on this important matter.

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

Mr. TRAFICANT. Mr. Speaker, I have one concern with the bill. However, I will support the bill and I want to commend the efforts of the authors of the bill.

I have been concerned about a massive trade deficit in America, and I am concerned about espionage as far as it relates to our patents, our technology, our industry, and our trade secrets. And with that, I would like to see that we can buoy up this bill in that particular regard.

I would like the Members of Congress to realize that there is a projected $250 billion trade deficit this year. Japan and China are taking $5 billion apiece, $10 billion a month out of our economy, or a quarter of a trillion dollars a year.

I am pleased that the committee will work with me on this issue, and I want to thank our distinguished leader from Texas for yielding me this time.

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

Mr. GOSS. Mr. Speaker, I urge favorable consideration of this resolution to support this fair bill.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MAKING IN ORDER TRAFICANT AMENDMENT TO H.R. 1555, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2000

Mr. TRAFICANT. Mr. Speaker, I ask unanimous consent that the Traficant amendment to H.R. 1555 at the desk be made in order to the bill.

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

There was no objection.

The text of the amendment is as follows:

At the end of title III (page 10, after line 2), insert the following new section:

SEC. 304. REPORT ON EFFECTS OF FOREIGN ESPIONAGE ON UNITED STATES TRADE SECRETS.

By not later than 270 days after the date of the enactment of this Act, the Director of Central Intelligence shall submit to Congress a report describing the effects of espionage against the United States, conducted by or on behalf of other nations, on United States trade secrets, patents, and technology development. The study shall include an analysis of the effects of such espionage on the trade deficit of the United States and on the employment rate in the United States.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2000

The SPEAKER pro tempore (Mrs. WILSON). Pursuant to House Resolution 167 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1555.

The Chair designates the gentleman from Ohio (Mr. LATOURETTE) as Chairman of the Committee of the Whole, and requests the gentleman from Kentucky (Mr. ROGERS) to assume the chair temporarily.

□ 1110

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1555) to authorize appropriations for fiscal year 2000 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Mr. ROGERS, Chairman pro tempore, in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Florida (Mr. GOSS) and the gentleman from California (Mr. DIXON) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. GOSS).

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

Mr. Chairman, I am very pleased to bring to the attention of the House H.R. 1555, the Intelligence Authorization Act for fiscal year 2000, backed by the unanimous bipartisan recommendation of the Permanent Select Committee on Intelligence.

I would say that our committee worked diligently to conduct rigorous oversight of the programs and the activities that fall within our jurisdiction and, indeed, they are extensive responsibilities. We held numerous full committee hearings and briefings, backed up by literally hundreds of staff briefings about specific programs and items in this budget.

As Members know, we are required by law to provide an annual authorization for any intelligence or intelligence-related activity. That is because of the seriousness with which we take our oversight responsibility, making sure we understand what is going on in the intelligence community.

Because of the sensitivity of the material we deal with within this bill, and its direct implications for our national security, many of the specifics of our work and the recommendations we have made must remain secret. However, as I announced upon the filing of this bill, the entirety of our work is available to any Member wishing to review it in the committee's secure facility upstairs. Because of this arrangement and the reality of Members' schedules, all of us on the committee recognize the special responsibility that we have assumed and the trust our colleagues place in us.

I am pleased to report that we have had Members upstairs pursuing the opportunity to understand all the details, sensitive as they are, in this bill.

We know that we have the added burden of assuring our colleagues and the public that the programs and projects in this bill are worthwhile, legitimate, well-designed, properly managed, and critical to our national security. Our colleagues and our constituents trust us to conduct our oversight carefully, thoroughly and with a critical eye. I believe we have done our job, and I hope we have done it well.

Mr. Chairman, this is a solid bill. It recommends funding for the Nation's intelligence community at a rate slightly less than 1 percent higher than what the President requested. This is a very modest increase and is, frankly, the bare minimum needed to continue our effort of rebuilding our capabilities started in the 105th, and ensuring that we are best positioned to meet the diverse challenges that the century holds for American interests, as varied as they are.

We have, for the last few years, been on a course toward that goal and we are making progress, but we have had to reverse a very serious inherited trend of decline and atrophy in the core programs of some of our intelligence capabilities; of signals intelligence, of human intelligence, of imagery intelligence, of analysis and covert action.

□ 1115

These are areas where we need help. These are disciplines that require long-term investment and consistent commitment. We cannot simply turn them on and off like a light switch. We have for too long taken shortcuts and underfunded and undervalued our intelligence capabilities, and our entire defense posture, as a matter of fact.

We see this in stark terms in the world today, currently in Kosovo, but also in Iraq, North Korea, Iran, China, India, Pakistan, perhaps a number of places in the African continent, just to mention a string of other hot spots that have not yet flared up but could at any moment. I know Members can fill in their own blanks.

I know that some believe and state that we have no more use for intelligence, that investment in eyes, ears and brains has become unnecessary because the world is at peace. I adamantly reject that point of view. Intelligence is arguably the best investment

we have to protect ourselves. Because good information, timely and on point, is a force multiplier and a force protector that can help us avoid crises altogether.

Recently Americans have heard about so-called intelligence failures. Specifically, just last weekend, we saw what happens when information is wrong, when a missile is directed at the wrong target. Rather than simply blaming our intelligence entities for a bad call, we on the committee have to look further and ask, how did this actually happen?

In part, this is unfortunately a predictable outcome of stretching our finite resources too thin. We have had to juggle and divert our limited assets to address the multitude of far-flung foreign policy initiatives and transnational threats that are the reality of the world today. And as a result, we have asked our intelligence community to do with less in more places, for more time, and under more complicated circumstances.

It is a formula for mistake. And this is a formula that we have been trying to rewrite these past 3 years and again in this bill today, and that is why it is so important that we have Members' support.

Mr. Chairman, we have emphasized several important themes this year. In general terms, they include recapitalizing signals intelligence. And no one should be in any way surprised by this need to spend money given the rapid advance of technology, correcting the imbalance between collection on the one hand and processing the information on the other. This has been a serious problem which we have reversed, but we have a long way to go to get more analysis involved; innovating paradigms for imagery, to include commercial resources, a great opportunity for the intelligence communities; and building a stronger and more extensive clandestine human intelligence capability worldwide and putting new tools into our covert action toolbox so that the choices our President has range more robustly and are not limited to doing nothing or bombing.

Although it is true that we may be at less risk in today's world of a direct all-out nuclear confrontation, we nevertheless face enormously complex challenges from rogue interests who continue to seek nuclear capabilities, not to mention the very real threat of chemical or biological agents that are continuing to proliferate around the world, the ''cheap nukes'' as they are called.

We also are increasingly threatened by terrorists, who do not play by the same ''Marquess of Queensbury'' rules that Americans are used to and by a whole new generation of narcotraffickers, whose deadly wares threaten the health and safety of our kids. And, tragically, that is a war that we are not doing well enough on.

The only certainty in this uncertain world, as far as I am concerned, is that the threats are out there and they are getting more dangerous and more widespread, and that is why most agree that we need to rebuild our intelligence capability.

I do not want to think of intelligence as the 9–1–1 of our defenses. To me we should strive to prevent bad things from happening in the first place so we do not have to call 9–1–1 at all. That is what good intelligence should be about. And we have had some successes stopping bad things from happening to good people. Regrettably, those are the ones we do not read about in the paper.

Finally, Mr. Chairman, the headlines these past weeks have been replete with stories about an issue of grave concern and one that we have addressed in our bill. I am speaking about our counterintelligence capabilities, our defense, as it were, of our Nation's secrets, specifically with respect to aggressive efforts by the Chinese and others to target our crown jewels, the secrets of our nuclear program housed in our national labs.

We have addressed that in this bill. We authorized the significant funding increase to enhance DOE's counterintelligence, CI programs those would be, specifically cyber security, and to enhance the Department of Energy's ability to conduct comprehensive intelligence analysis of foreign nuclear weapons programs and proliferation, which need to be done.

We have taken strong steps to better challenge our analysts and to improve the counterintelligence abilities at FBI, DOD, Department of Defense so we can better meet the threat of nations like China who, not surprisingly, seek to steal our secrets.

In sum, Mr. Chairman, I urge my colleagues to support this bill; and I thank all members of our committee, especially my ranking member, the gentleman from California (Mr. DIXON) for their diligent, applied work, unquestioned commitment, and great wisdom to help us in our quest to improve our national security.

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

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

Mr. Chairman, I want to begin by commending the gentleman from Florida (Mr. GOSS) on the efforts he has made to ensure that the Permanent Select Committee on Intelligence operates in a bipartisan manner. While the unanimous vote reporting this legislation is an indication of the success of his efforts, those of us who serve on the committee know that on a daily basis, on matters large and small, the gentleman from Florida (Mr. GOSS) ensures that the views of the Democrats are solicited and considered.

The bill as reported, in the aggregate, is less than one percent more than requested by the administration. Although the committee recommends slightly more for certain programs, like those managed by the National Security Agency, and slightly less for others, like those managed by the National Reconnaissance Office, the fact remains that the total authorized for intelligence in this bill is not significantly different than that sought by the President.

This result reflects budgetary realities, but it also reflects a judgment about what the intelligence agencies can effectively and efficiently spend next year. Investments in the kind of intelligent capabilities the Nation will need in the years to come requires a steady commitment over time of resources. This legislation, as has been the case in the past, should be seen as an installment in that effort, not as its end.

H.R. 1555 provides a substantial amount of money for intelligence and intelligence-related activities. How much, even in the aggregate, is classified. I believe that no harm to the national security would be caused by making the aggregate budget request, the aggregate authorization, or the aggregate appropriations public.

The arguments for retaining the classification of these amounts, which focus on the utility of the aggregate information to the average American are irrelevant to security considerations, and the arguments which deal with the utility of the information to foreign governments are, in my judgment, not persuasive. I have in the past supported amendments to make certain budget information public, and I will do so again when presented with an opportunity.

I believe the Director of Central Intelligence was right in October of 1997 and March of 1998 when he disclosed the appropriated amounts for intelligence. I hope he will reconsider his current position with respect to additional annual disclosures.

Regrettably, publicity about intelligence activities normally centers on problems rather than successes. Problems, however, need to be acknowledged and corrected.

I want to mention my concerns in two areas, although these concerns do not affect my support for this bill. Both concerns involve the People's Republic of China. The counterintelligence shortcomings at the Department of Energy's national laboratories have over the past 20 years or so provided valuable information to the PRC and may, more recently, have allowed the PRC access to extremely sensitive information about our nuclear weapons.

The bill contains significant increases in funding for counterintelligence activities at the Department of Energy requested by the President, including additional amounts sought by the President for computer security. The bill also contains additional, more modest amounts for analytic activities related to the PRC. There may be more that needs to be done to make sure that the national labs are secure, either initiatives recommended by the Cox Committee or other proposals.

I believe that we have ample time before we go to conference on this bill to consider these matters in a deliberative way and endorse those which make sense and which will not produce unintended consequences of greater harm than the problems they seek to correct. I do not believe we know enough today about what more should be done beyond those steps already taken or proposed by the President and Secretary Richardson.

The accidental bombing of the PRC embassy in Belgrade at this point defies understanding. To be of use to policymakers and military commanders intelligence needs to be reliable. The intelligence which confused a military target with the embassy most certainly failed to meet that essential standard. Explanations which, in some cases, seem more like excuses have been offered, but it is clear that a serious mistake was made. We need to be sure we know why and take corrective action expeditiously.

The responsibility for congressional oversight of intelligence extends beyond the drafting of the authorization bill. It must vigorously review the manner in which the activities authorized each year are managed. We need to be able to assure the public that a degree of care commensurate with the importance of, and risks associated with, these activities is constantly present. Determining the cause of problems once they are identified is essential to the provision of that type of assurance. I look forward to working with our chairman, as I have in the past, to provide this kind of oversight.

In closing, I want to mention a matter concerning the committee's access to information. I am disturbed by the fact that the intelligence agencies that are funded by the national foreign intelligence program budget pursue a large number of programs and activities requiring special access which are not systematically reported to the Select Committee on Intelligence or the Committee on Appropriations. I do not mean to suggest that the intelligence community refuses to brief the committee on individual programs or activities. Rather, I mean that there appear to be many special access programs, and the executive branch does not rigorously ensure that each of them is routinely reported to Congress.

The Committee on Armed Services faced a similar situation in the Defense Department's handling of special access programs, and years ago required in law that the Department provide Congress with a written report on every program that the Secretary of Defense decided was important and sensitive enough to warrant special handling.

My impression is that this reporting system works very well and that we may need similar legislation for the intelligence community. I intend to examine this matter in more detail in the coming months and may even decide to pursue it further in the conference committee.

Mr. Chairman, H.R. 1555 will, in my judgment, enhance the ability of the intelligence community to respond to the national security challenges we face now and which we will face in the future. I urge its adoption by the House.

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

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

Mr. Chairman, I thank the ranking member for his fine statement and particularly my full support and agreement on the last point he made with the special access programs.

Mr. Chairman, let me note that there is a mistake in the printed committee report concerning the CBO estimate. That is not an intelligence failure. This is a printing mistake.

The CBO letter provided to the Select Committee on Intelligence states that the unclassified portion of the bill ''would not affect direct spending or receipts, thus pay-as-you-go procedures would not apply.'' In the process of printing the committee report, the GPO omitted the final ''not,'' making it appear as if pay-as-you-go procedures would apply.

I would like the RECORD to reflect accurately the CBO estimate and, therefore, will submit at the appropriate time the CBO letter for inclusion in the RECORD.

Likewise, Mr. Chairman, in our review of the materials in preparation for floor action today, we also noted the inadvertent inclusion of language in the committee report that does not accurately reflect the committee's position in one instance. The offending language is found at page 15 of the published committee report and concerns the Joint Airborne's SIGINT program.

This language also indicates a cut to the program office of $1.6 million. This, too, is not an accurate accounting of the committee's intent on this program.

Mr. Chairman, I yield to my distinguished ranking member for any comment he may wish to make on this point.

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

As the gentleman from Texas (Mr. FROST) noted in the adoption of the rule, I felt that we should have had more time before we got to the floor, and the gentleman from Florida (Mr. GOSS) worked hard to at least allow us a few more days. Regardless of that, the errors that the gentleman from Florida (Mr. GOSS) talked about did occur, and it is appropriate to correct them. Specifically, with respect to the Joint Airborne SIGINT Program, the committee's intention is not accurately reflected in page 15 of the report as printed.

Mr. Chairman, I insert the following correspondence for the RECORD:

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, May 4, 1999.

Mr. DAN L. CRIPPEN
Director, Congressional Budget Officer, Washington, DC

DEAR MR. CRIPPEN: In compliance with the Rules of the House of Representatives, I am writing to request a cost estimate of H.R. 1555, the ''Intelligence Authorization Act for Fiscal Year 2000,'' pursuant to sections 308 and 403 of the Congressional Budget Act of 1974. I have attached a copy of the bill as approved by the House Permanent Select Committee on Intelligence on April 28, 1999.

As I hope to bring this legislation to the House floor in the very near term, I would very much appreciate an expedited response to this request by the CBO's staff. Should you have any questions related to this request, please contact Patrick B. Murray, the Committee's Chief Counsel, at 225–4121. Thank you in advance for your assistance with this request.

Sincerely,

PORTER J. GOSS,
Chairman.

Attachment.

CONGRESSIONAL BUDGET OFFICE, U.S. CONGRESS,
Washington, DC, May 5, 1999.

Hon. PORTER J. GOSS,
Chairman, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1555, the Intelligence Authorization Act for Fiscal Year 2000.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Dawn Sauter, who can be reached at 226–2840.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 1555—Intelligence Authorization Act for Fiscal Year 2000

Summary: H.R. 1555 would authorize appropriations for fiscal year 2000 for intelligence activities of the United States government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System (CLARDS). The bill would also authorize such sums as may be necessary to fund an emergency supplemental appropriation for fiscal year 1999.

This estimate addresses only the unclassified portion of the bill. On that limited basis, CBO estimates that enacting H.R. 1555 would result in additional spending of $194 million over the 2000–2004 period, assuming appropriation of the authorized amounts. CBO has no basis for determining the cost of an emergency supplemental appropriation for fiscal year 1999. The unclassified portion of the bill would not affect direct spending or receipts; thus, pay-as-you-go procedures would not apply.

The Unfunded Mandates Reform Act (UMRA) excludes from application of that act legislative provisions that are necessary for the national security. CBO has determined that the unclassified provisions of this bill either fit within that exclusion or do not contain intergovernmental or private-sector mandates as defined by UMRA.

Estimated cost to the Federal Government: The estimated budgetary impact of the unclassified portions of H.R. 1555 is shown in the following table. CBO cannot obtain the necessary information to estimate the costs for the entire bill because parts are

classified at a level above clearances held by CBO employees. For purposes of this estimate, CBO assumes that H.R. 1555 will be enacted by October 1, 1999, and that the authorized amounts will be appropriated for fiscal year 2000.

[By fiscal year, in millions of dollars]

	1999	2000	2001	2002	2003	2004
Spending subject to appropriation						
Spending Under Current Law for Intelligence Community Management						
Budget Authority[1]	102	0	0	0	0	0
Estimated Outlays	104	39	9	2	0	0
Proposed Changes						
Authorization level	0	194	0	0	0	0
Estimated Outlays	0	120	58	12	4	0
Spending Under H.R. 1555 for Intelligence Community Management						
Authorization level	102	194	0	0	0	0
Estimated Outlays	104	159	67	14	4	0

[1] The 1999 level is the account appropriated for that year.

Outlays are estimated according to historical spending patterns. The costs of this legislation fall within budget function 050 (national defense).

The bill would authorize appropriations of $194 million for the Intelligence Community Management Account, which funds the coordination of programs, budget oversight, and management of the intelligence agencies. In addition, the bill would authorize $209 million for CIARDS to cover retirement costs attributable to military service and various unfunded liabilities. The payment to CIARDS is considered mandatory, and the authorization under this bill would be the same as assumed in the CBO baseline.

Section 501 of the bill would allow the Director of the National Imagery and Mapping Agency (NIMA), in coordination with the Director of the Central Intelligence Agency (CIA), to exempt certain documents from provisions of the Freedom of Information Act (FOIA). The bill would allow exemptions for files concerning the activities of NIMA that, prior to its creation in 1996, were performed by the National Photographic Interpretation Center (NPIC) within the CIA and that document the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems. H.R. 1555 would also require a decennial review under rules and procedures similar to those governing operational files of the CIA.

CBO believes this section could result in discretionary savings from reduced administrative and legal costs the NIMA might otherwise incur to respond to FOIA requests. These potential savings could be partially offset by any future legal costs arising from the limited judicial review that H.R. 1555 would permit. (Judicial review would allow legal challenges of NIMA's decisions to exempt certain files.) H.R. 1555 would also require NIMA to review the exempt status of operational files every 10 years, but CBO believes that the resulting cost would be small, considering the classification reviews that occur under current law. CBO cannot estimate the budgetary impact of section 501 because we have no information about the number of files that this section would affect or the unit cost for NIMA to review them.

Pay-as-you-go considerations: None.

Intergovernmental and private-sector impact: The Unfunded Mandates Reform Act (UMRA) excludes from application of the act legislative provisions that are necessary for the national security. CBO has determined that the unclassified provisions of this bill either fit within that exclusion or do not contain intergovernmental or private-sector mandates as defined by UMRA.

Estimate prepared by: Federal Costs: Dawn Sauter. Impact on State, Local, and Tribal Governments: Teri Gullo. Impact on the Private Sector: Eric Labs.

Estimate approved by: Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

Mr. GOSS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. BOEHLERT) a valued member of the committee.

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

Mr. BOEHLERT. Mr. Chairman, I rise in strong support of H.R. 1555, the Intelligence Authorization Act for Fiscal Year 2000.

Mr. Chairman, the chairman, the gentleman from Florida (Mr. GOSS), and the ranking minority member, the gentleman from California (Mr. DIXON), are to be commended for the outstanding work that they have done to lead our committee to make the appropriate investments in the intelligence community in these difficult and demanding times.

□ 1130

I am now serving in the second term of my service on the Permanent Select Committee on Intelligence. Let me clear up a mystery that many might point to as we deliberate. I have never seen a committee act in a more responsible manner without regard to partisanship, and I am proud to serve under the gentleman from Florida (Mr. GOSS) and the gentleman from California (Mr. DIXON). They have the best interest of our Nation at heart. We work in a truly bipartisan fashion. That does us all proud.

Let me focus in particular on one portion of our bill which will fund a substantial increase in the language training that our intelligence community will need as it rebuilds its presence around the world and rebuilds the analytic capability to cover more than just the hot spots of the day.

The need for more language skill within the intelligence community, as my colleagues on the committee are aware, is a subject of special concern to me. It is critically important that we have our people, our best talent, our most dedicated officers scattered around the world working on our behalf. It is also important that they be fluent in the language in the country in which they find themselves. I think that there is room for improvement in that area.

But we have made a step this year. I intend to help ensure that it is one of a number of steps along the path to the fluency our intelligence assets need to operate as we approach the next century and as we find ourselves with a desperate need for a presence all over the globe.

As a member of the Permanent Select Committee on Intelligence, I have closely followed the issues that have made unusual demands upon the intelligence community and the problems that have produced headlines that we sometimes would rather not see. Much has been said about these problems. That is to be expected, and I think it certainly is in order. But let me add a thought.

Central to every intelligence operation is a balance between risk and benefit. Within the committee, we are aware of the often unbelievable benefit our government derives from the operations of our clandestine service. We are aware as well of risk and, on occasion, the damage that comes from some of our operations. Given the full picture of the benefits and of the risks, we come to understand that we will inevitably hear a news report and see in the headlines the acronym CIA and sort of wince at what we read or the report on the radio. We will also appreciate as we hear this news sometimes on occasion, not news we want to hear, that intelligence officers are overseas scattered around the world putting oftentimes their very lives at risk to get the President and our policymakers the intelligence they must have to make responsible public policy.

I encourage Members to put the unfortunate headline about the bombing—and, boy, it was unfortunate—of the Chinese embassy in Belgrade in that context. I know as well as my colleagues that a mistake was made that was avoidable. I also know and encourage my colleagues to consider that hundreds of intelligence officers are overseas hard at work as we discuss that. We will never read about them, we will never know much about them, but they are doing something critically important for all of us each and every day. We should recognize that.

This bill is an attempt to give them the resources they need as this dedicated talent is scattered around the world working around the clock often under very adverse conditions to assure a safe and secure America.

Mr. DIXON. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, the Washington Times headline said,

Greenspan's Warning Sends Stocks Reeling. Chairman Greenspan said that our economic expansion could end badly because of a ballooning trade deficit. He further said, somewhere in the future, unless reversed, our growing international imbalances are apt to create significant problems for America.

Now, I know that the trade matter is under the jurisdiction of another committee. But we all realize that there have been nations buying and spying their way into our trade secrets, our patents, our technology with a powerful impact and influence on our productivity and competitiveness. I want to thank the committee for allowing an amendment to be made in order by me that would require a report describing the effects of espionage against America conducted by other nations relative to our trade secrets, our patents, our technology development and basic competitiveness. It shall also include an analysis of the effects of such espionage on our trade deficit and on the employment rate in the United States.

This bill handles the intelligence community's needs quite well, but I think that we take a passive role when we do not look at spying and buying into our economic viability. It is not just the military aspects that produce a great national security threat. I believe a great national security threat is also present through our economic activity.

With that, I want to thank them for allowing the amendment to be made in order.

Mr. GOSS. Mr. Chairman, I am happy to yield 4 minutes to the distinguished gentleman from Florida (Mr. MCCOLLUM), a more than highly valued member of the committee, chairman of one of our subcommittees, a member who has led the task force on drug efforts that have been ongoing these years, a man whose contributions through the Committee on the Judiciary and his value from that position on the committee is extraordinary.

Mr. MCCOLLUM. Mr. Chairman, I rise in support of the Intelligence Authorization Act for Fiscal Year 2000. As chairman of the Subcommittee on Human Intelligence, Analysis and Counterintelligence, I am very pleased to report that this bill continues four key investments we must make in order for our government to be more effective against narcotics traffickers, terrorists, proliferators and rogue states.

The first investment we must make is in human intelligence. Mr. Chairman, the unintentional bombing of the Chinese embassy in Belgrade underscores what our combat pilots and our diplomats have been telling us all along. On-the-ground, human intelligence is as essential to the targeting of our bombs as it is to the drafting of our demarches. To wage an effective war or to maintain an effective peace, we must deploy intelligence officers overseas to penetrate the war rooms and the boardrooms of our adversaries.

This bill, Mr. Chairman, helps us get there. It will indeed help put more eyes and ears out into the problem areas of the world to get us the intelligence that we need to win wars, to keep the peace and to protect our national interests.

The second investment we must make is in the all-source analyst. Intelligence is the enabler of policy. The all-source analyst must provide our policymakers and our military with finished intelligence and assessments on matters from Kosovo to the Congo, from Pyongyang to Papua New Guinea.

In that light, Mr. Chairman, I am particularly pleased to report that the authorization bill continues the rebuilding of our analyst cadre. In the bill we provide for better training of our analysts, for more competitive analysis and for broader and longer term assessments than are done at present. Finally, as in past years, we provide more support for the efforts of our analysts to integrate overt with covert information and to determine what information must, in fact, be collected clandestinely.

The third investment is in counterintelligence. This bill provides more funding for the counter-intelligence programs of the FBI and the Department of Defense.

We are all aware of the serious espionage case involving the Department of Energy. For some time the committee has urged the Department of Energy to improve its counterintelligence program. In this bill we provide for better monitoring of foreign visitors to the labs, for better support of FBI investigative activities, for better cyber security and personnel security, and for better analysis of foreign intelligence threats. Those threats are real, they are growing, and they will be present with us for a long time to come. We really need to improve counter- intelligence with whatever support resources we can.

This bill takes steps in that direction. We will need to take more in future years.

Finally, Mr. Chairman, this bill invests in a major way in a matter of deep and long-standing personal interest to me, the war on international crime and on narcotics trafficking. In drafting this bill, we have worked closely with the House Committee on Armed Services in order to rebuild our intelligence community's capabilities against the world's most dangerous criminal organizations, from the United Wa State Army in Burma to the Colombia drug cartels to the Tijuana cartel in Mexico.

It strikes me that if we are going to make the efforts we did in legislation the President signed into law last year in the Western Hemisphere Drug Elimination Act come to life and be real, we need to properly support that legislation in our budget and in our funding programs both in intelligence and in terms of programs for Customs, for DEA and for the Coast Guard. We need more planes to survey the region. We need the kind of radar we do not have now. We need to have chase planes. We need to have more vessels and ships. We need to have alternative crop programs. We need to interdict drugs as well as, of course, get at the education side of this.

Intelligence is a very important part of that. If we do not have the right intelligence apparatus in place in Central and Latin America in particular, we will never be able to do what the bill calls for and that is to reduce the flow of drugs into this country by 80 percent over a 3-year period of time. I believe that can be done, I believe the intelligence component of that is in this bill, and it is very important.

In sum, this bill supports our eyes and ears overseas, assists our analysts back home and revitalizes our counterintelligence and counter-narcotics efforts throughout the intelligence community. The bill is one part of a coordinated effort against the evils of international crime.

I thank the gentleman for yielding me this time and congratulate him on a bill well done.

Mr. DIXON. Mr. Chairman, I yield 5 minutes to the distinguished gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank our ranking member for yielding me this time and commend both the gentleman from California (Mr. DIXON) and the gentleman from Florida (Mr. GOSS) for their leadership on our committee and in conducting the proceedings, in the gentleman from Florida's case as our chairman, in a very fair and nonpartisan way.

I as one from the left of the spectrum came to the committee to subject the budget to the very harshest scrutiny, to declassify as many documents as was possible in our national interest, and also to hopefully see more diversity among the people who work in the community. I think that is important because we should have the community tap the talents of all the people in our society. I think it will lead to better intelligence because we will have resources far beyond those that we have now.

Today, I wanted to address a couple of issues which are current in my remarks about the bill, and because we may be called into the appropriations supplemental conference at any moment, I am going to talk about some of the amendments in my remarks here today. But on two issues, Chinese espionage and the mistaken bombing of the Chinese embassy in Belgrade, I wanted to make a couple of observations.

In terms of the alleged espionage at our labs, I think this is a very, very serious problem. I believe it is unfortunate that the safeguards were not in place to protect our critical advantage, our competitive advantage in terms of national security and the weapons that are at our disposal. I think that what is happening in Kosovo is a demonstration that war should be obsolete as an

option. But that not being the case, we have to protect the investment we are making in our national defense and we have to, as our chairman has said, have a force multiplier in the intelligence that we have to prevent conflict and to equip our President with the best possible information.

But in dealing with the espionage issue, I hope that we will be careful not to impugn the good reputations of the many Asian Americans who are so excellent in the field of mathematics and science and who have provided great service to our country, our Asian American community. We must be very, very careful about how we deal with that issue in those terms.

We must also not impede the free flow of scientific information. I am not talking about our secrets. I am talking about that kind of information that should flow freely among scientists and it should flow internationally. I think every person and every country in the world benefits from that.

We also must not demoralize all of the scientists at the labs. We must recognize the service they have all provided to our country and not investigate any one of them because of their national origin, that we must have real cause, and it be directed toward programs that they are working on rather than, as I say, national origin.

In terms of the air strike, there are accidents that happen in war. This was not an accident. This was a stupid mistake. I think that the Chinese government—and I have never been one to pull a punch in my criticism of the Chinese government as everyone here knows—deserves the apology which it has received from the President of the United States. I think the Chinese government deserves an inquiry into how this happened to allay any suspicions that they may have that it was anything but a mistake or an accident.

I also think that our country should make reparations to the families of those who died and those who were injured in that tragedy.

□ 1145

I do not think that we should, as some in China and the China Business News have suggested, hatch some economic favors for the Chinese to make up for the bombing of the embassy, and I do think that the Chinese, in respect for all the catering to the Chinese that President Clinton has done, owed him the courtesy and the respect of showing his apology to the Chinese people far earlier so as not to inflame the sentiments of the Chinese people against the United States.

It is interesting to me to see these young people driven up in buses, corralled by the Chinese military to the front of our embassy where they threw pieces of sidewalk over a number of days at our embassy with our ambassador inside. I did not see anybody being taken away by the police except to be escorted to safety where young people 10 years ago, almost to the day, when they demonstrated peacefully in Tiananmen Square were rolled over by tanks.

So I would hope that in addition to our apology, our reparations and our inquiry that the Chinese would also look into the perpetrators of that demonstration, that violent demonstration, against the American embassy in China.

Since I do not have very much time, I am going to go on to the amendments since I might have to go to committee and I will not be here to speak on them. I think that most of the amendments offered by our colleagues should be accepted by the committee, specifically that of the gentleman from Georgia (Mr. BARR), and the gentleman from New York (Mr. ENGEL) relating to the Kosovo Liberation Army. I hope the committee will be able to accept the amendment of the gentleman from New York (Mr. HINCHEY), which I think is very well founded, about the investigation of the assassination of President Allende. I understand the gentleman from Kansas (Mr. RYUN) may or may not offer his, but I hope we can work out the amendment of the gentleman from Vermont (Mr. SANDERS), the gentleman from California (Mr. STARK) and the gentleman from Oregon (Mr. DEFAZIO), which I think is a valuable addition to the bill. I hope that the committee will accept the recommendation of the gentleman from New York (Mr. SWEENEY), and I certainly support the recommendation of the gentlewoman from California (Ms. WATERS), and I hope that that will be worked out.

With that I again commend the gentleman from Florida (Mr. GOSS) for the way he conducts our meetings and the proud leadership of our ranking member, the gentleman from California (Mr. DIXON).

Mr. GOSS. Mr. Chairman, I yield 2 minutes to the gentlewoman from New Mexico (Mrs. WILSON), a new member of our committee, who has already established her credentials in helping us with the matters in Los Alamos, which happens to be in her district.

Mrs. WILSON. Mr. Chairman, I want to thank the chairman of the Permanent Select Committee on Intelligence, and the ranking member and the staff for their hard work on this authorization bill. I would like to take a few moments to talk about Chinese espionage directed at the Department of Energy and at our national laboratories, including Los Alamos and Sandia, which are in my home State of New Mexico.

Since the gentleman from California (Mr. COX) and the gentleman from Washington (Mr. DICKS) completed their extensive review of this issue last fall, we have been reviewing the evidence, and listening to experts and thinking about what we should do. Some facts are clear.

First, the Chinese have obtained classified information on our nuclear weapons program that has endangered American national security.

Second, while public attention has focused on a few individuals and principally Los Alamos National Lab, this was not a single instance of a lucky break by the Chinese. It is just one piece in a mosaic of Chinese espionage activity.

Likewise, the failure to protect these secrets was not just a failure of an individual, but of institutions, lousy communication between agencies, lost files, weak procedures, inadequate resources and just plain poor judgment show up again and again in the history of this incident.

Now it is up to Congress to begin to correct these failures, and let us be clear from the beginning. There are not going to be any simple solutions.

There are several elements of this authorization bill that begin to address these deficiencies.

The bill includes additional funds to subject the China-Taiwan Issues Group at the CIA to rigorous external competitive analysis, to challenge thinking more aggressively, and to report to the Congress biannually on this effort.

Second, the committee is recommending a substantial funding increase to the Department of Energy for analysis of foreign nuclear weapons programs. Special emphasis will be on the Chinese and Russian programs as well as proliferation.

The bill authorizes substantial increase in funding for the DOE Office of Counterintelligence, including new counterintelligence computer information security programs, and we increase funding for the FBI for counterintelligence and investigative training.

Finally, the committee has added substantial funding for language training to correct a serious shortage of linguists in the intelligence community.

These efforts are only the beginning of what must be done to improve our national counterintelligence activity. I believe that we need further comprehensive legislation to remedy this problem and have been working in a bipartisan way with my colleagues to begin the drafting of that legislation. There are at least a dozen recommendations that we have developed thus far, and I will include those recommendations at the appropriate point for the RECORD.

Mr. Chairman, we will be dealing with the consequences of this situation for a long time. The bill before us is the beginning of that process. I look forward to working with my colleagues to that end.

1. We must create a special set of security requirements for DOE and DOE contractor employees who have access to nuclear information. Those who have physical access to sensitive area must all be investigated, cleared and readily identifiable. As difficult as it is to believe, there are people with rather superficial background checks that have physical access to sensitive facilities who are not allowed to have access to the information in them.

2. The FBI, no contractors, should handle all Q clearances background checks.

3. Sensitive employees, as a condition of clearance must agree to take polygraphs, which would then trigger further investigation if the polygraph indicates deception.

4. The government must be allowed to monitor e-mail and telephone traffic into and out of the national laboratories an nuclear weapons plants.

5. The FBI must be allowed to search ad monitor computers and telephones within national laboratories, something we don't allow now, as incredible as that sounds.

6. Compel the FBI to inform the DOE office of counter-intelligence and the Assistant Secretary for Defense Programs within fifteen days of the initiation of an espionage investigation of any DOE or DOE contractor employee. In one of the Los Alamos cases, no notification was made for four years.

7. Require the DOE official responsible for Q clearances to be informed of all issues that might impact the issuance of a clearance, even when such issues fail to rise to the level of an indictment.

8. Improve timely communication of all such matters to the leadership of Congress and the appropriated committees of jurisdiction.

9. Set clear conditions and procedures for unclassified and classified visits to our national laboratories by foreign visitors from sensitive countries.

10. Require that DOE develop and maintain a comprehensive counterintelligence plan which must be reviewed and certified as adequate annually by the FBI to the President and the relevant committees of the Congress.

11. Establish vulnerability assessment group with responsibility or assessing and evaluating the vulnerability of DOE and the labs to espionage, including conducting classified operational tests of lab security. The group will report annually to the relevant Congressional Committees.

12. Establish in law a special assistant for counter intelligence reporting to the Secretary of Energy with responsibility for management and oversight of the DOE counter-intelligence program. This individual must have professional experience in intelligence and counter-intelligence matters. The bill that is before us today is the beginning of that process.

Mr. Chairman, we will be dealing with the consequences of this situation for some time. It is my hope that we can develop a bi-partisan consensus bill in the House that will provide real protection of America's secrets.

We have a serious problem and we need to address it. But, at the same time, we must be careful. The national laboratories are tremendous national assets which employ some of the most brilliant scientific talent in America. In our eagerness to solve a problem, we must make sure that we do not damage that which we are trying to protect.

I look forward to working with my colleagues to that end.

Mr. DIXON. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. ROEMER), a very valuable member of our committee.

Mr. ROEMER. Mr. Chairman, I want to, first of all, thank my good friend, the ranking member, the gentleman from California (Mr. DIXON) and applaud him forever his hard work on the committee and also our chairman, the gentleman from Florida (Mr. GOSS) for the way that the majority and the minority parties work together.

With that preface, Mr. Chairman, I voted for this bill, to send it to the floor, but I do have a host of hesitations, caveats, concerns and reservations. I will vote for this bill today, but I hope these reservations and hesitations and caveats are addressed between now and the conference report. I will also vote for this bill because I think it is important for our intelligence community and our intelligence assets to cooperate with our military at a time that we find ourselves at war not only in Kosovo but at war in Iraq, and that cooperation is vital.

But my concerns are fivefold, Mr. Chairman:

One, the Chinese embassy bombing. I disagree strongly with Senator SHELBY, who has stated that this is a funding priority concern and we are not spending enough money. This is an individual mistake, this is a system mistake, this is a CIA mistake, and not updating the maps I think is a failure of the CIA to provide some basic information in this instance, and I am hopeful that the gentleman from Florida (Mr. GOSS) as our chairman will have not only a hearing on this but an open hearing followed by possibly a closed hearing.

Secondly, I am concerned about the string of failures in our missile launches and our access to space. The gentleman from Delaware (Mr. CASTLE) and the gentleman from Georgia (Mr. BISHOP) have shown their concern on this issue, and that is something that we are following up on.

Thirdly, I am concerned about the security of the national laboratories, and I hope that this is not a partisan political and wedge issue that the parties will get into. This again, Mr. Chairman, is a failure of institutions, it is a failure of administrations, and it is a failure of systems.

Fourthly, Mr. Chairman, I am concerned about something that the chairman is very, very concerned about and trying to address, and that is the ongoing need for hiring more linguists and analysts, and it is something he is very devoted to and something we need to continue to work on.

And lastly, and our ranking member said this better than I did or I could, we have concerns about the SAPs, or the special access programs, are not being systematically reported to the Permanent Select Committee on Intelligence. We do need to address this between now and the conference, and this is something that I think is important to a host of different members on the committee on both sides. We need more oversight of the SAPs, we need more reporting of the SAPs, we may even need a person in charge of this process.

So those are the five concerns I have, Mr. Chairman, and I hope that we will address those in the ensuing months with the Senate Intelligence Committee in conference and again applaud the chairman and the ranking member for their working relationship.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would remind all Members to avoid personal references to Members of the United States Senate.

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

Let me assure the gentleman from Indiana (Mr. ROEMER) that all five of the points he made are very much on my schedule.

Mr. Chairman, I yield 4½ minutes to the gentleman from Delaware (Mr. CASTLE), another subcommittee chairman of our subcommittee system on the Permanent Select Committee on Intelligence who has served us very well and recently addressed one of the points about missiles which we may hear more about.

Mr. CASTLE. Mr. Chairman, I thank the gentleman from Florida for yielding this time to me, and, Mr. Chairman, I do rise in very strong support for this bill, and I really do commend the gentleman from Florida (Mr. GOSS), our chairman of the committee, and the gentleman from California (Mr. DIXON), our ranking member, for their efforts and the other members of this committee. They are a pleasure to work with as well as the staff which works so well together in a truly bipartisan sense, and I think that today together we have brought to the floor a good bipartisan bill that continues to work toward rebuilding our intelligence capabilities, and, Mr. Chairman, these capabilities have been seriously and dangerously hollowed out. We have been saying this for 4 years now, and unfortunately there are now stark reminders of the risks we have taken.

Mr. Chairman, our chairman has discussed the intelligence issues that contributed to the errors that related to the bombing of the Chinese embassy in Belgrade. Therefore I do not want to dwell on this except to say that I also view this issue as a result of past policies and emphasize collection at the expense of processing and analysis and emphasize tactical intelligence at the expense of strategic intelligence, and I emphasize at the expense because there is an issue of imbalance here. We cannot do one and not the other. If we collect data but do not have the wherewithal to analyze it expertly, the value of the collection is diminished regardless of how much users say it is needed.

Tactical intelligence gives a pilot the information that tells him or her when life-threatening missiles may be in the area of operations, but strategic intelligence gives us the data to know the types of missiles in the area in the first place and gives the data that distinguishes an embassy from a storage facility.

Put simply, we cannot do one without the other and be successful in protecting our security and reducing the chance of mistakes.

But there are other issues that are just as important in this debate that point to the fragility of our intelligence community.

As the chairman of the Subcommittee on Technical and Tactical Intelligence, I face some of the most perplexing and costly problems in front of the committee. I would like to mention two such problems. First is the issue that I mentioned briefly before relating to that imbalance between collection on the one side and processing and analysis on the other. This is an area of great concern to the committee and one that we specifically highlight in this bill.

Put simply: We have new imagery collection systems coming down the pike, and the administration has done virtually nothing by way of preparing for the processing and analysis of the images taken. There is supposedly a plan that is under development, but there is no budget for it. Yet experts have privately indicated that the cost over the next 5 or so years could be in the billions.

Without this investment in processing and analysis the collected imagery will be almost useless. Without this investment mistakes will continue to be made. There will be more misidentified buildings, especially as we learn from one foreign policy crisis to the next around the globe. In this bill we have not only sent a warning shot to the administration but have also begun an investment, although modest, to try and fix this imbalance between collection and analysis.

A second area of concern is the recapitalization of our signals intelligence capabilities. Again put simply, I am afraid that we run the risk of going deaf to the worldwide explosion of communications technologies. Obviously, Mr. Chairman, I cannot go into the details in this area, but suffice it to say that there is a very serious issue here, and again we address that issue in this bill.

One last area of concern to me is our ability to launch satellites into space. The gentleman from Indiana (Mr. ROEMER) mentioned this moments ago. As many of as my colleagues know from reading recent press reports, we are having a crisis of confidence in our launch systems based on a series of failures within the past year. This is an issue that we are looking into now, and we have had a series of discussions with various experts on this particular subject already that will probably go to the hearing stage next.

□ 1200

This is an issue that we must continue to look into, but it points to the fact that intelligence resources cannot be taken for granted. Without the proper care and investment in the infrastructure, we place our resources at risk.

Mr. Chairman, the concerns that I have addressed are not the only ones we need to address. There are many more, some large, some small. It is clear, however, that a long-term commitment to investment in intelligence is needed. The administration is not doing it, so we have to.

The adds proposed in this bill are fairly modest, especially compared to the need, but it is a start. It invests in the recapitalization of our signals intelligence capabilities, it begins the process of investment for processing and analysis, and it provides the guidance and support that the Director of Central Intelligence needs but seems only to be getting from Congress.

The bill addresses the most urgent needs that get us going in the process of rebuilding our capabilities. It is a good bill. It works to both balance and invest in our national security future. It is a must, and I ask the Members of the House to give it our full support.

Mr. DIXON. Mr. Chairman, I yield 30 seconds to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank our distinguished ranking member, the gentleman from California (Mr. DIXON), for affording me a little bit of time to clarify my position on the Sweeney amendment, which I said earlier that I had hoped the committee could accommodate.

It was more in the spirit of what the amendment says about the willful identification of U.S. intelligence agents also including such protections to cover former agents. I think there should be a stern penalty for those who would be involved in the willful identification. I do not think that, as the Sweeney amendment says, there should be minimum mandatory penalties but that should be left up to the judges.

These people put themselves in harm's way. They deserve our protection, but the minimum mandatory sentence is not what it should be.

Mr. DIXON. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia (Mr. BISHOP), the ranking member of the Subcommittee on Technical and Tactical Intelligence of the Permanent Select Committee on Intelligence.

Mr. BISHOP. Mr. Chairman, I thank the gentleman from California (Mr. DIXON) for yielding me this time.

Mr. Chairman, I rise in strong support of H.R. 1555, the Intelligence Authorization Act for Fiscal Year 2000.

I would note, first of all, that this legislation was approved unanimously in the committee, a reflection of the efforts of the gentleman from Florida (Mr. GOSS), the chairman, and ranking Democrat member, the gentleman from California (Mr. DIXON), to produce a bipartisan bill.

This year I became the ranking member of the Subcommittee on Technical and Tactical Intelligence, and in plain language this subcommittee is responsible for oversight of the ways in which intelligence is collected using machines like satellites and airplanes, rather than human beings.

The subcommittee is also responsible for intelligence systems and activities that support our military forces tactically. These systems are critically important for virtually all of the intelligence community's missions, from combatting terrorism and narcotics trafficking to supporting our troops in combat in the Balkans and the Persian Gulf.

This bill is very consistent with the request submitted by the President. In several areas, the committee recommends modest increases in the amount requested by the President.

In general, I am very supportive of these decisions. For example, this bill adds funds to help the National Security Agency reshape itself to keep pace with the incredible growth in the size and complexity of the global telecommunications network.

The committee is concerned that NSA needs some organizational and management reforms as well as some engineering expertise from industry to sustain its remarkable record in defense of the Nation.

The committee also recommends additional funding in selected areas of the National Imagery and Mapping Agency, or NIMA. NIMA faces a very large shortfall in its capacity to exploit the volume of imagery that we will be able to collect in the near future for intelligence needs and for mapmaking. The committee has recommended increased funds for NIMA to begin this expansion and to increase its productivity.

The committee has also recommended funds for additional procurement of pictures and products from the commercial sector.

On the debit side, the committee recommends a relatively modest reduction in the budget for the National Reconnaissance Office, or NRO, which builds, launches and operates the Nation's intelligence satellites. Included in the committee's recommended actions is a proposal to defer a decision until conference with the Senate on whether to continue production of an NRO satellite or to initiate a new design.

I believe that this proposal was a reasonable compromise, and I appreciate the chairman's willingness to accommodate the concerns of Democrats on it.

The committee bill also contains recommendations for increases in several important tactical intelligence missions and systems, including the RC–135 signals intelligence aircraft, the Predator and Global Hawk unmanned aerial vehicles, and tactical antisubmarine warfare programs.

Since the committee marked up this bill, there have been three successive satellite launch failures to go along with another three suffered just since last August. The Subcommittee on Technical and Tactical Intelligence held its first briefing yesterday on this very disturbing string of failures, and the gentleman from Delaware (Mr. CASTLE), the chairman of the subcommittee, along with the gentleman from Indiana (Mr. ROEMER) have pledged to continue the subcommittee's examination of this potentially serious problem over the coming months.

Mr. Chairman, this bill would provide the funds that are needed to sustain our efforts to combat terrorism, narcotics trafficking and weapons proliferation and to support our military forces. It is a responsible and prudent measure, and I am pleased to support this bill, and I urge my colleagues across the aisle, on both sides of the aisle, to support it as well.

Mr. UNDERWOOD. Mr. Chairman, there has a flurry of news articles, exposés and anti-China speeches in recent weeks over the Los Alamos Labs Espionage Case. But it didn't start with that. For months politicans have been making fantastic accusations of Chinese smuggling AK–47s into the port of Los Angeles, PLA owned businesses acquiring warehouses in Long Beach, California, Chinese bases at either entrance of the Panama Canal, Chinese campaign donations to the Democratic party and Chinese theft of dual-use technologies. These are only some of the more outrageous of stories.

This takes us to our current crisis, recently stoked by the accidental and unfortunate bombing of the Chinese embassy in Belgrade by NATO forces. No doubt the collective sum of our concerns with Chinese, both true and imagined, have led to the souring of U.S.-China relations. The Chinese, in all likelihood do indeed spy against the United States. Just, as I would suspect, many other nations both friendly and adversarial. We should not be so alarmed, so offended. This is the reality that nation-states must accept and must employ for their own security. Accusations of Chinese espionage notwithstanding, security weaknesses in our weapons labs are a serious concern. However, these problems can and will be corrected. And they must be corrected responsibly. Legislation aimed at destroying the free exchange of scientific knowledge through our foreign visitors program would do more harm to our national security than good. We can stem the illegal flow of classified information in other, non-draconian ways. Indeed we are capable of such feats.

For the past couple of months now, committees and subcommittees have held hearings on the Los Alamos case and the allegations of Chinese espionage. As we discuss today's Intelligence Reauthorization legislation, we have to ensure that the current rash of stories and the current state of our relationship with China has no impact upon the lives and the employment or economic 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, these matters of our relationship with China or any Asian or Pacific country in clearly separate from any reflection upon the ethnic communities in our country. As we deal with the Cox Report, as we deal with the Department of Energy revelations, let us remember that there is a very deal danger of stereotyping and stigmatizing all members of our Asian American communities.

Let us also remember the contributions Asian Pacific Americans have made to our nation. May is Asian Pacific American Heritage Month, and I encourage my colleagues to participate in the month-long activities held in honor of the Asian Pacific Americans in our districts and in our nation. Especially at this time when allegations of espionage and relations with countries like China are scrutinized and questioned, as Members of Congress, we must take measures and assure our Asian Pacific American communities that their professional advancement and employment in federal agencies will not be impeded and obstructed, that their diligence and dedication will not be erased and forgotten in the face of mere speculation.

Mr. BEREUTER. Mr. Chairman, this Member rises in support of the rule for H.R. 1555, the Intelligence Authorization Act for Fiscal Year 2000. The distinguished gentleman from Florida [Mr. GOSS] Chairman and the distinguished gentleman from California [Mr. DIXON] Ranking member of the House Intelligence Committee are to be commended for their leadership and fine work on this bill.

Intelligence, Mr. Chairman, is an enabler of policy. On occasion, where its sources and methods take us where diplomacy cannot go, intelligence is the sole enabler of policy.

Let me give you an example. Some time ago, in what used to be called the Third World, a large rebel force invaded and occupied almost a third of a country with whom we enjoyed good relations. From way back here, in Washington, it looked as if a rogue state had precipitated that invasion. Some back here, in fact, were so convinced that the invasion was the doing of that rogue state that they decried the lack of proof as an ''intelligence failure'' on the part of CIA. Only later, after looking at the Agency's reporting, did Washington realize that the facts in the field did not fit the preconception here at home: The invasion was fundamentally indigenous in cause and in makeup. This affected our actions against the rogue state and shaped our policy toward the friendly nation.

The better the intelligence, the better the policy. Our ambassadors around the world, especially those in unstable or underdeveloped countries, understand that and urge our help in obtaining or retaining an intelligence presence in their countries. In those countries, particularly, intelligence can reach beyond the bounds of diplomacy and provide the ambassador and the Department of State with the understanding they must have to make sound policy. Secretary Albright recently visited the CIA at the Bush Center for Intelligence to give the rank-and-file there this same message.

As an alumnus of the Intelligence Committee and the Vice Chairman and subcommittee chairman in the International Relations Committee, this Member well knows how important intelligence can be to the formation of policy. H.R. 1555 will help put more intelligence officers out in the field to collect the intelligence that policymakers must have. The bill will help hone the skills of the analysts who interpret and asses that intelligence for our policymakers. In short, H.R. 1555 will continue the process of rebuilding the capability of our intelligence community to support the policymaking process. This bill, and the hours of care and guidance from the Chairman and Ranking Member that produced it in its present form, deserve your support.

Finally, after hearing much in recent days about what went wrong over Belgrade last week, this Member would like to end his remarks with a recent quote from President Bush during the dedication of the Bush Center for Intelligence at Langley:

''Some people think, 'what do we need intelligence for?' My answer to that is we have plenty of enemies. Plenty of enemies abound. Unpredictable leaders willing to export instability or to commit crimes against humanity. Proliferation of weapons of mass destruction, terrorism, narco-trafficking, people killing each other, fundamentalists killing each other in the name of God. These and more. Many more. As your analysts know, as our collectors know—these are our enemies. To combat them, we need more intelligence, not less.

* * * * *

''And when it comes to the mission of CIA and the Intelligence Community, Director George Tenet has it exactly right. Give the President and the policymakers the best possible intelligence product and stay out of the policymaking or policy implementation except as specifically decreed in the law.''

President Bush then closed with this:

''It has been said that 'patriotism is not a frenzied burst of emotion, but rather the quiet and steady dedication of a lifetime.' To me, this sums up CIA—Duty, Honor, Country. This timeless creative service motivates those who serve at Langley and in intelligence across the world.

''It is an honor to stand here and be counted among you.''

Mr. Chairman, this Member agrees with those words and urges support for the rule for H.R. 1555.

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

Mr. GOSS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule by title, and each title shall be considered read.

No amendment to the committee amendment is in order unless printed in the CONGRESSIONAL RECORD and pro forma amendments for the purpose of debate.

The chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment and may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device in the first in any series of questions shall not be less than 15 minutes.

The Clerk will designate section 1.

The text of section 1 is as follows:

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 2000''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.

Sec. 102. Classified schedule of authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Community Management Account.
Sec. 105. Authorization of emergency supplemental appropriations for fiscal year 1999.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Sense of Congress on intelligence community contracting.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

Sec. 401. Two-year extension of CIA central services program.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

Sec. 501. Protection of operational files of the National Imagery and Mapping Agency.

The CHAIRMAN. Are there any amendments to section 1?

If not, the Clerk will designate title I.

The text of title I is as follows:

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2000 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Central Intelligence Agency.
(2) The Department of Defense.
(3) The Defense Intelligence Agency.
(4) The National Security Agency.
(5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(6) The Department of State.
(7) The Department of the Treasury.
(8) The Department of Energy.
(9) The Federal Bureau of Investigation.
(10) The National Reconnaissance Office.
(11) The National Imagery and Mapping Agency.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 2000, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 1555 of the One Hundred Sixth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the Executive Branch.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of Central Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 2000 under section 102 when the Director of Central Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed two percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of Central Intelligence shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever he exercises the authority granted by this section.

SEC. 104. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of Central Intelligence for fiscal year 2000 the sum of $193,572,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for the Advanced Research and Development Committee shall remain available until September 30, 2001.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Community Management Account of the Director of Central Intelligence are authorized 348 full-time personnel as of September 30, 2000. Personnel serving in such elements may be permanent employees of the Community Management Staff or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Community Management Account by subsection (a), there are also authorized to be appropriated for the Community Management Account for fiscal year 2000 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts shall remain available until September 30, 2001.

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Community Management Account as of September 30, 2000, there are hereby authorized such additional personnel for such elements as of that date as are specified in the classified Schedule of Authorizations.

(d) REIMBURSEMENT.—Except as provided in section 113 of the National Security Act of 1947 (50 U.S.C. 404h), during fiscal year 2000, any officer or employee of the United States or a member of the Armed Forces who is detailed to the staff of the Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

(e) NATIONAL DRUG INTELLIGENCE CENTER.—

(1) IN GENERAL.—Of the amount appropriated pursuant to the authorization in subsection (a), the amount of $27,000,000 shall be available for the National Drug Intelligence Center. Within such amount, funds provided for research, development, test, and evaluation purposes shall remain available until September 30, 2001, and funds provided for procurement purposes shall remain available until September 30, 2002.

(2) TRANSFER OF FUNDS.—The Director of Central Intelligence shall transfer to the Attorney General of the United States funds available for the National Drug Intelligence Center under paragraph (1). The Attorney General shall utilize funds so transferred for the activities of the National Drug Intelligence Center.

(3) LIMITATION.—Amounts available for the National Drug Intelligence Center may not be used in contravention of the provisions of section 103(d)(1) of the National Security Act of 1947 (50 U.S.C. 403–3(d)(1)).

(4) AUTHORITY.—Notwithstanding any other provision of law, the Attorney General shall retain full authority over the operations of the National Drug Intelligence Center.

SEC. 105. AUTHORIZATION OF EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 1999.

(a) AUTHORIZATION.—Amounts authorized to be appropriated for fiscal year 1999 under section 101 of the Intelligence Authorization Act for Fiscal Year 1999 (Public Law 105–272) for the conduct of the intelligence activities of elements of the United States Government listed in such section are hereby increased, with respect to any such authorized amount, by the amount by which appropriations pursuant to such authorization were increased by an emergency supplemental appropriation in a supplemental appropriations Act for fiscal year 1999 that is enacted after May 1, 1999, for such amounts as are designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

(b) RATIFICATION.—For purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414), any obligation or expenditure of those amounts deemed to have been specifically authorized by Congress in the Act referred to in subsection (a) is hereby ratified and confirmed.

The CHAIRMAN. Are there any amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2000 the sum of $209,100,000.

The CHAIRMAN. Are there any amendments to title II?

If not, the Clerk will designate title III.

The text of title III is as follows:

TITLE III—GENERAL PROVISIONS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. SENSE OF CONGRESS ON INTELLIGENCE COMMUNITY CONTRACTING.

It is the sense of Congress that the Director of Central Intelligence should continue to direct that elements of the intelligence community, whenever compatible with the national security interests of the United States and consistent with operational and security concerns related to the conduct of intelligence activities, and where fiscally sound, should competitively award contracts in a manner that maximizes the procurement of products properly designated as having been made in the United States.

The CHAIRMAN. Are there amendments to title III?

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

At the end of title III (page 10, after line 2), insert the following new section:

SEC. 304. REPORT ON EFFECTS OF FOREIGN ESPIONAGE ON UNITED STATES TRADE SECRETS.

By not later than 270 days after the date of the enactment of this Act, the Director of Central Intelligence shall submit to Congress a report describing the effects of espionage against the United States, conducted by or on behalf of other nations, on United States trade secrets, patents, and technology development. The study shall include an analysis of the effects of such espionage on the trade deficit of the United States and on the employment rate in the United States.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, our intelligence community, even though they have made mistakes, is basically not patted on the back and rewarded for thousands of good things they accomplish; and I want to commend the chairman, who is a former intelligence agent and has done a great job educating many of us who have our concerns about the intelligence community, and the gentleman from California (Mr. DIXON) on the bill.

While I feel we do a great job looking at the national security aspects through military activities, we can buoy up and should buoy up our efforts to look at buying and spying of foreign interests into our competitive industrial trade scenario. With that, the Traficant amendment calls for a report from the CIA to describe the effects to Congress of buying and spying against the United States by other nations relative to our trade secrets, our patents, our technology development and our industrial competitiveness.

It also states that the study shall include an analysis of the effects of such buying and spying on our trade deficit, which is approaching one quarter trillion dollars this next year, $250 billion, with China and Japan now taking $5 billion a month each out of our economy. Unbelievable. I want to know how much of it is buying and spying.

With that, the report shall also give us an analysis of not only the negative balance of payments in the trade deficit but on the impact on employment and competitiveness of our Nation.

With that, I would hope that I would have the support of the committee. If I do not, I ask that the chairman overrule them on my behalf.

In all seriousness, I believe it is necessary. It buoys up a part of this bill that makes us look at the domestic industrial side, and I would seek and ask for the support of our chairman and ranking member.

Mr. GOSS. Mr. Chairman, I rise in support of the amendment.

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

Mr. GOSS. I yield to the gentleman from California.

Mr. DIXON. Mr. Chairman, I thank the gentleman from Florida (Mr. GOSS) for yielding me this time.

Mr. Chairman, on this side, we will accept the amendment. I think it is a good amendment.

I want to just point out one mistake that the gentleman from Ohio (Mr. TRAFICANT) made, that inadvertently he made, in that there is a lot of confusion in the terminology as it relates to the intelligence community. He used the term ''agent.'' I understand the gentleman from Florida (Mr. GOSS) was an employee of the CIA, and his title was a ''case officer.''

There is confusion about ''agent,'' ''asset,'' and ''case officers.'' In the future, this reference may be made, and I know the gentleman from Ohio (Mr. TRAFICANT) did not understand that. It just goes to show how easily, even those of us who are involved in Congress, can make a mistake.

Mr. GOSS. Mr. Chairman, I thank the gentleman from California (Mr. DIXON), the distinguished ranking member, for making that point. It actually is a very important one. It may be subtle to some, but it is extremely important, and I appreciate it.

Mr. Chairman, I am very much prepared to accept the amendment of the distinguished gentleman from Ohio (Mr. TRAFICANT). I think it is a good amendment. I think it adds substance to an area that we have already signalled an interest in, and it gets specific in some areas that, in fact, we have had some select committees working on as representative of this institution.

So I think the gentleman is on target. I am very much supportive of the amendment and happy to accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title III?

AMENDMENT NO. 10 OFFERED BY MR. SWEENEY

Mr. SWEENEY. Mr. Chairman, I offer amendment number 10, which is printed in the RECORD.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. Sweeney:

At the end of title III (page 10, after line 2), insert the following new section:

SEC. 304. PROTECTION OF IDENTITY OF RETIRED COVERT AGENTS.

(a) IN GENERAL.—Section 606(4)(A) of the National Security Act of 1947 (50 U.S.C. 426(4)(A)) is amended—

(1) by striking ''an officer or employee'' and inserting ''a present or retired officer or employee''; and

(2) by striking ''a member'' and inserting ''a present or retired member''.

(b) IMPOSITION OF MINIMUM PRISON SENTENCES FOR VIOLATIONS.—Section 601 of the National Security Act of 1947 (50 U.S.C. 421) is amended—

(1) in subsection (a), by inserting ''not less than five and'' after ''or imprisoned'';

(2) in subsection (b), by inserting ''not less than 30 months and'' after ''or imprisoned''; and

(3) in subsection (c), by inserting ''not less than 18 months and'' after ''or imprisoned''.

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

Mr. SWEENEY. Mr. Chairman, before addressing my amendment, allow me to first express my strong support for the intelligence authorization bill and commend the gentleman from Florida (Mr. GOSS) and the gentleman from California (Mr. DIXON), the ranking member, for their great work on this important bill.

Mr. Chairman, our intelligence community is truly our first line of defense; and we must do everything in our power to ensure that our counterintelligence operations are as strong as our potential enemies. The amendment I am offering today is intended to complement this fine bill on an important national security issue, the protection of our intelligence agents.

Mr. Chairman, my amendment simply increases the criminal penalty for individuals who expose covert agents and expands the Intelligence Identities Protection Act to protect the identities of former agents as well.

First and foremost, my amendment establishes a minimum mandatory penalty for the willful identification of a United States intelligence agent. The existing criminal penalties against such an offense are woefully inadequate. While several lesser criminal offenses require mandatory minimums, few are as consequential to the interests of our national security as the protection of those who serve our country in this capacity.

Secondly, the amendment extends the scope of these protections to former covert agents as only current agents are now covered by the law. By increasing the criminal penalties for disclosing identities for existing agents and by including former agents, my amendment accomplishes several important national security objectives and appropriately emphasizes the high priority with which we make national security. It protects agents and former agents from possible harm as a result of the disclosure of their true identities and past locations and activities. It also protects the entire intelligence network that often remains in place after an individual agent leaves his or her assignment.

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By protecting retired agents, the amendment protects those active operatives who may have assumed the former agents' positions.

Through the Freedom of Information Act people obtain information relevant to U.S. intelligence operations. Currently no statutory protection exists to prohibit identification of retired intelligence agents. This initiative strengthens the penalties against disclosing the information that identifies covert agents. Penalties in my amendment are proportional, yet tougher to those which exist under current law.

The majority of our current and former intelligence agents serve or

have served the United States at considerable risk, Mr. Chairman, and there is absolutely no justification for exposing them to danger.

Identifying current or former agents warrants serious criminal liability, and my amendment does just that. Ensure the safety of our intelligence community and provide adequate penalties to those who jeopardize America's national security by voting yes on the Sweeney amendment to H.R. 1555.

AMENDMENT OFFERED BY MR. GOSS TO AMENDMENT NO. 10 OFFERED BY MR. SWEENEY

Mr. GOSS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. GOSS to amendment No. 10 offered by Mr. SWEENEY:

Strike subsection (b) of section 304, as proposed to be added by the amendment and insert the following:

(b) IMPOSITION OF MINIMUM PRISON SENTENCES FOR VIOLATIONS.—Section 601 of the National Security Act of 1947 (50 U.S.C. 421) is amended—

(1) in subsection (a), by striking ''shall be fined not more than $50,000 or imprisoned not more than ten years, or both.'' and inserting ''shall be imprisoned not less than five years and not more than ten years and fined not more than $50,000.''.

(2) in subsection (b), by striking ''shall be fined not more than $25,000 or imprisoned not more than five years, or both.'' and inserting ''shall be imprisoned not less than 30 months and not more than five years and fined not more than $25,000.''.

(3) in subsection (c), by striking ''shall be fined not more than $15,000 or imprisoned not more than three years, or both.'' and inserting ''shall be imprisoned not less than 18 months and not more than three years and fined not more than $15,000.''.

Mr. GOSS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment to the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GOSS. Mr. Chairman, the perfecting amendment to the Sweeney amendment that I have offered I am told makes a technical correction. The amendment filed contained a drafting error, and as a result, would not impose a true mandatory minimum sentencing requirement, which was the intent. Whether we agree or not, the intent was to make it mandatory.

The amendment clarifies the intent of the amendment to toughen the sentencing standards and impose mandatory minimums. I understand, in plain English, it is both a penalty and mandatory time.

I would ask the gentleman from New York, is my understanding correct?

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

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

Mr. SWEENEY. That is correct, Mr. Chairman, that was my intent.

Mr. GOSS. Reclaiming my time, then, Mr. Chairman, and going to what that would leave us with on the Sweeney amendment if the secondary amendment is considered and approved is that we would have an amendment which would in fact deal with the Agent Identities Protection Act and put some more teeth into it.

I would point out that Mr. Solomon, our colleague from New York, former chairman of the Committee on Rules, offered a similar amendment in 1981 which I am told passed the House by some 300 votes and then disappeared in conference, as sometimes happens.

As Members will recall, the Intelligence Identities Protection Act penalizes the unauthorized disclosure of identities of covert employees and assets of the United States. This is willful disclosure, we are talking about here. We are not talking about an accident or a slip of the tongue or leaving a document someplace by a mistake. Those are bad things. We are talking about setting out to deliberately expose classified information that can result in harm to an individual, serious harm.

Mr. Chairman, I understand originally that the act was offered in 1979 by Chairman Boland in response to the disclosure of identities of CIA officers and assets by Philip Agee, Louis Wolf, and others. The Act is sharply focused upon present and former cleared employees and upon those who publish deliberate and repeated disclosures of the type found in the Covert Action Information Bulletin.

The Act has been an useful tool for prosecutors and the intelligence community, although it has not been applied aggressively, as some prefer, including me. The U.S. government has charged some current and former employees, and as an apparent consequence of that, the disclosures have been abated. But it has been a pretty weak tool. It has not been able to be used as it was originally intended.

I honestly believe that the amendment of the gentleman from New York (Mr. SWEENEY) does add extra strength, and does it in a reasonable way. We are not throwing out all the rules of judicial protection or anything like that. What we are basically doing is putting people on notice that for willful disclosure of agent identities, there is a penalty. It is a serious penalty, because it is a serious crime.

Having said that, I will urge acceptance of the Sweeney amendment, as perfected by our secondary amendment.

Mr. DIXON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to congratulate the gentleman from New York (Mr. SWEENEY) on his amendment. I will not object to it, but I do have some concerns with it.

As I understand the amendment and the perfecting amendment, basically it does two things. It covers retired agents, but the concern I have is the decision to make penalties, whether they be incarceration or money fines, mandatory without hearings. Generally speaking, I am opposed to mandatory sentences. I have great faith in the Federal judiciary.

I do not think that we should move this fast without some hearings on this to find out if this type of activity should be in the class of mandatory sentences. I would tell the gentleman from New York, I will not object to it, but I would like to reserve to discuss this further at the conference.

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

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

Mr. SWEENEY. Mr. Chairman, I appreciate the gentleman's remarks. The gentleman is correct in saying that what the bill essentially does is extend the protection to retired agents.

Also, in establishing mandatory minimums, my intent was to raise the level of Section 601 to the highest levels and the highest priorities, which I believe our national security interests dictate.

I will point out that what the mandatory minimum sentences that I have prescribed in my amendment do is cut in half the mandatory maximums, so I think proportionately, it is very reasonable.

Let me also just say that in relationship to Federal mandatory minimums, there are hundreds, literally hundreds, as I am sure the gentleman knows, of Federal crimes, including food stamp fraud, including bribery of meat inspectors, that have mandatory minimum sentences.

I think in order for this Congress to send a very strong message about the protection of agents and former agents, the inclusion of the mandatory minimum is an essential part.

Mr. DIXON. Reclaiming my time, Mr. Chairman, I may ultimately agree with the gentleman from New York. I just think it is worth more than 5 minutes of time on the floor, and I will reserve to address this issue in conference.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. GOSS) to the amendment offered by the gentleman from New York (Mr. SWEENEY.)

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. SWEENEY), as amended.

The amendment, as amended, was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. HINCHEY

Mr. HINCHEY. Mr. Chairman, I offer amendment No. 4.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. HINCHEY:

SEC. 304. REPORT ON ACTIVITIES OF THE CENTRAL INTELLIGENCE AGENCY IN CHILE.

(a) IN GENERAL.—By not later than 120 days after the date of the enactment of this Act, the Director of Central Intelligence shall

submit to the appropriate congressional committees a report describing all activities of officers, covert agents, and employees of all elements in the intelligence community with respect to the following events in the Republic of Chile:

(1) The assassination of President Salvador Allende in September 1973.

(2) The accession of General Augusto Pinochet to the Presidency of the Republic of Chile.

(3) Violations of human rights committed by officers or agents of former President Pinochet.

(b) DOCUMENTATION.—(1) The report submitted under subsection (a) shall include copies of unedited documents in the possession of any such element of the intelligence community with respect to such events.

(2) Any provision of law prohibiting the dissemination of classified information shall not apply to documents referred to in paragraph (1).

(c) DEFINITION.—In this section, the term ''appropriate congressional committees'' means the Permanent Select Committee on Intelligence and the Committee on Appropriations of the House of Representatives, and the Select Committee on Intelligence and the Committee on Appropriations of the Senate.

Mr. HINCHEY. Mr. Chairman, because of recent activities by a certain member of the Spanish judiciary, the attention of the world has once again been directed at the events which took place in Chile beginning in September of 1973 with the assassination of the duly-elected president of that country, Salvador Allende, and the subsequent ascension to power of General Augusto Pinochet to become the President of the Republic of Chile.

In the course of those events, it has been alleged in responsible venues over and over again in the intervening now more than 25 years that very inappropriate actions were taken by members of the Chilean military, assisted by others, including members of the military of the United States.

I have an amendment which requires that no later than 120 days after the date of the enactment of this act, the director of the Central Intelligence Agency shall submit to the appropriate congressional committees which are mentioned in the amendment a report describing all activities of officers, covert agents, and employees of all elements of the intelligence community with respect to the following events in the Republic of Chile:

One, the assassinations of President Salvador Allende in September of 1973;

Two, the ascension of General Augusto Pinochet to the presidency of the Republic of Chile; and

Three, the violations of human rights committed by officers or agents of former President Pinochet.

The report submitted under this subsection shall include copies of unedited documents in the possession of any such element of the intelligence community with respect to such events.

Mr. Chairman, I think that after the passage of all of this time, it is appropriate that the United States Congress and the people of the United States and the people of the world understand with much greater clarity than they have been able to up to this moment the specific events which took place in Chile which led to the assassination of the duly-elected president and the ascension of power by a military junta.

It is important for us to understand these events because it is important for us to take action to ensure that these kinds of illegal activities do not occur in the future.

So therefore, I offer this amendment with all respect in the hopes that the Members of the House and the chairman particularly, the chairman of the Permanent Select Committee on Intelligence, will see fit to look upon it favorably.

Mr. GOSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I appreciate the intent of the amendment very much, but I must say, I have some misgivings about the effect and the cost, and I want to take a minute to explain that.

First, with regard to the purpose, let me say that our committee is trying, I think through its mark on the budget and through its oversight, to help our intelligence community focus on the challenges we have got today and coming in the next century. They are incredible challenges of a sort that we are really not organized to deal with, as we are seeing, unfortunately.

We are in the process of getting that done, but we understand the Warsaw Pact is gone, and in its place we have the Osama Bin Ladens, the Milosevics, the Tijuana cartels, that type of problem.

This amendment would, I think, have us take a break from the reality we are faced with today and go back and start sifting through some history of things that happened at a different time, really under a different agency that was operating under different rules and certainly under different oversight.

That can be beneficial if it is going to yield us some lessons, but I think we ought to understand that if we are going to do this, it is going to take energy, effort, and dollars, and we want to make sure where we are prioritizing those relative to the lessons from history and whatever else we might glean from this effort.

I am a little confused with regard to the extensive ongoing effort by the administration to respond to a request by the Spanish government under its mutual legal assistance treaty with the U.S. for documents, roughly in this same period. I presume these searches are related, but I do not know whether there is any formal coordination and how this amendment would fit into it.

Going to the cost factor, legislation directing special searches, as I have said, is disruptive to the normal course of business, and the normal course of business in the intelligence communities these days, it is exceptionally challenging.

I would also point out that when we have these special searches, that they sometimes delay requests of our own constituents under the Freedom of Information Act. I do not say that to say that we should not have special requests. I think we only need to point out that that sometimes happens.

We have had considerable conversation with the head of the community, the intelligence community, about how we go about dealing with the classification and declassification process. That is ongoing. There is very definite bona fide concern about how much dollars and time and personnel we direct to that effort relative to other things that the intelligence community is being asked to provide for today's decision-makers, to get us through the day. Of course, we have to figure out, where does the money come from.

These are not new thoughts. I am only putting these on the record and getting them out of there because I do not want the gentleman to think that we are just knee-jerk reacting negatively. There are negative consequences to this amendment, in part.

□ 1230

The amendment would provide no new information to the public as far as I know, the people who are interested in the abuses of the Pinochet years. I think instead we are going to get lots of boxes going into a closed committee review, and I am not sure where that is going to lead us.

So I am concerned about, if the purpose is to get at the truth and the history and where we are doing it, I would like to do that in a reasonable way. I share the desire of the gentleman from New York (Mr. HINCHEY) to do that.

If the way we can do it passes muster with the community, and the costs are reasonable, and the expectations are reasonable given the personnel that we have, then I would possibly be in a position to accept this amendment with those understandings.

So I ask to the gentleman from New York (Mr. HINCHEY) to accept a second-degree amendment which would strike paragraph (2) of the section 304(b) in its entirety. If so, and the House agrees to the amendment amending the gentleman's amendment in that way, I would accept his amendment.

The reason I say that is the amendment I would propose would cure the constitutional problem that I see in the provision which would have overridden all the laws authorizing the DCI and the President to protect sources of national security information from disclosure and compromise. We just accepted an amendment from the gentleman from New York (Mr. SWEENEY) to strengthen that. So I do not want to now turn right around and undercut it.

So with the offending provision omitted, any threat of the veto would be removed, we would be consistent, and I think I could see my way to supporting what the gentleman is trying to get done.

Mr. Chairman, I yield to the gentleman from New York (Mr. HINCHEY) for response on my proposal amendment.

Mr. HINCHEY. Mr. Chairman, I thank the gentleman for yielding to me. As I understand it, the gentleman is offering an amendment to my amendment which would strike paragraph (2) of section 304(b) as proposed to be added by the amendment; is that correct?

The CHAIRMAN. The time of the gentleman from Florida (Mr. GOSS) has expired.

(By unanimous consent, Mr. GOSS was allowed to proceed for 1 additional minute.)

Mr. GOSS. Mr. Chairman, the gentleman from New York (Mr. HINCHEY) is correct.

Mr. HINCHEY. Mr. Chairman, I thank the gentleman from Florida (Mr. GOSS), the chairman of the Permanent Select Committee on Intelligence, and I am happy to accept his amendment to my amendment.

AMENDMENT OFFERED BY MR. GOSS TO AMENDMENT NO. 4 OFFERED BY MR. HINCHEY

Mr. GOSS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. GOSS to amendment No. 4 offered by Mr. HINCHEY:

Strike paragraph (2) of section 304(b), as proposed to be added by the amendment.

Mr. GOSS. Mr. Chairman, that is the amendment we have had the discussion on. I have nothing further.

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Hinchey amendment and commend the distinguished gentleman from Florida (Mr. GOSS), the chairman of our committee, for his accommodation of the Hinchey amendment.

But I want this amendment to survive the conference because I think the gentleman from New York (Mr. HINCHEY) has provided some great leadership to us today in presenting this amendment. That is why I am very grateful to the gentleman from Florida (Chairman GOSS) for his amendment to accommodate the gentleman from New York (Mr. HINCHEY).

Our distinguished chairman laid out some important considerations in his observation of this amendment, and they are important. There are other equities to be balanced, and I am glad that my colleagues have come to an agreement on the amendment. But, again, I want it to survive the conference. I want to commend the gentleman from New York (Mr. HINCHEY).

Our President was in Guatemala a few months ago, or was it weeks? So much happens so fast around here. I was very proud of the statement that he made. Latin America had been in turmoil for a couple of generations, as we all know, some of it, sad to say, and in Guatemala in particular, with the involvement of the Central Intelligence Agency and other American entities there.

The President, I think very courageously, recognized what happened there and, in doing so, I think began to open the door to a better future for the intelligence community.

In Central America and in Latin America the expression ''nunca mas'' is so famous, because in Argentina, in Chile, and Central America, people are revisiting their sad recent past. An important bridge to the future has been truth commissions which have identified, not to find revenge, but to seek some level of justice and some level of openness and admission about what happened to clear a way for the future.

If we, the United States and specifically the Central Intelligence Agency, had a role in the death of President Allende, just as if any Chilean had a role in it, putting it behind us requires facing the truth about it.

So I think that, as far as Chile is concerned, this is a very important amendment, but I think it also will build credibility for us if we are not in a state of denial about the CIA's involvement but of acceptance of what the reality was. We will find out what that is as a result of the amendment of the gentleman from New York (Mr. HINCHEY).

I also, though, want to say that, unless we are forthcoming on our role, it is very hard to see why Latin Americans will be forthcoming about what their role is. I think that we can lead by example in this way.

I also would like to take the occasion to thank the gentleman from California (Mr. GEORGE MILLER) for his leadership and activity in trying to persuade our government in making the documents available for the Pinochet case to the Spanish government. I hope that this will be a message to repressive dictators everywhere that a day of reckoning comes, and that they just cannot commit these atrocities and then say, well, let us put it all behind us.

As I say again, this is not about revenge, it is about truth. It is about justice. It is about opening the way for a better future and building credibility for what we do.

I agree with the gentleman from Florida (Chairman GOSS). We should not jeopardize the safety of our sources and methods. I think that his amendment is a constructive one. These people risk their lives just the way our young people do in the military. We are proud of the military. We are proud of the people who put themselves in harm's way to gather intelligence for us.

So while we are not condoning any activities that were not legal, we cannot proceed with reasonable intelligence gathering if those who are called upon to do so are in jeopardy because of unintentional identification.

This is especially true at a time when we want more women, we want more minorities, we want more diversity, we want more language skills, we want more cultural understanding into the Central Intelligence Agency. We want them to have the same level of protection that others have had in the past.

Building that diversity with an openness and an admission of what our past has been I think will build more support for what we need to have, which is the best possible intelligence to avoid conflict and to supply whoever the President of the United States is with the information he needs to lead.

With that, again I commend the gentleman from New York (Mr. HINCHEY) and the gentleman from Florida (Mr. GOSS), our chairman, and the gentleman from California (Mr. DIXON), our ranking member, for their leadership on this issue.

Mr. DIXON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think the gentleman from New York (Mr. HINCHEY) is absolutely correct. The minority has no problem with this amendment.

Mr. SANDERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to applaud the gentleman from New York (Mr. HINCHEY) on his amendment. It is no great secret that over the years, there have been many aspects of American foreign policy which have been wrong. It is no secret that the United States over the years has been involved in the overthrow of a number of democratic governments.

In the case of Chile in 1973, there was a democratic government elected by the people. The President of that government was Salvador Allende. His policies antagonized corporate interests in the United States. A great deal of pressure was brought to bear in seeing him overthrown.

I think it is a very positive step as we develop ideas for the future, as we try to develop a democratic foreign policy that we in fact know what we did in the past.

So I think the amendment of the gentleman from New York (Mr. HINCHEY) is a very important one. I think we should let the truth come out, and I strongly support his efforts.

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in strong support of Mr. HINCHEY's amendment to require a report to Congress on information held by the United States pertaining to human rights violations in Chile carried out by Gen. Augusto Pinochet and his forces.

The 1973 military coup in Chile was a tragic interruption of Chile's proud democratic history. Thousands of innocent people were killed. Many more were tortured and imprisoned. American citizens are among the dead.

The military coup in Chile also represents a tragic chapter in American history.

It is now widely understood that the United States supported the violent overthrow of a democratically elected government. But the full details of U.S. support for the coup are still not known.

We need to know the full details.

In addition, the full details of U.S. information concerning the actions of the coup's leader, Gen. Augusto Pinochet, are not fully known.

It is widely understood that Gen. Pinochet directed the coup and the mass killings and torture that occurred during his nearly two decade long reign. But the American people

deserve to know and would be better off knowing the full details of Gen. Pinochet's actions.

Only the United States at this point has the ability to fully inform its citizens of this ruthless dictator's actions.

Along with my colleagues, I have been demanding that the United States supply information about Gen. Pinochet's murderous actions to a court in Spain that has brought charges against Gen. Pinochet for violations of international law, including torture, murder and kidnapping.

The United States is believed to house records that would corroborate the charges against Gen. Pinochet.

Those records should be reviewed, declassified and turned over to the court in Spain. Some information has been turned over and after much delay the United States has established a task force to oversee this request. It is a slow process and many believe that some in the Administration would prefer that the information never see the light of day.

Without objection, I would like to submit into the RECORD a series of letters between myself, my colleague, JOHN CONYERS, and other members, including Mr. HINCHEY, and the Administration.

These letters explain the nature of the information we seek and the importance of providing the information to the Spanish court.

The actions in the 1970s of the U.S. intelligence community and the then Secretary of State, Henry Kissinger, toward Chile and other dictators in the southern cone are a disgrace that should never be forgotten by American citizens who wish to think honorably about their country and their government.

A journalist, Lucy Kosimar, recently uncovered a memo that describes how Secretary of State Kissinger coddled Pinochet after the coup.

In a recent article, Kosimar wrote:

> The memo describes how Secretary of State Kissinger stroked and bolstered Pinochet, how—with hundreds of political prisoners still being jailed and tortured—Kissinger told Pinochet that the Ford Administration would not hold those human rights violations against him. At a time when Pinochet was the target of international censure for state-sponsored torture, disappearances, and murders, Kissinger assured him that he was a victim of communist propaganda and urged him not to pay too much attention to American critics.

This is what Kissinger reportedly told Pinochet in a private meeting in 1976, according to Lucy Kosimar:

> In the United States, as you know,'' Kissinger told Pinochet, ''we are sympathetic with what you are trying to do here. I think that the previous government was headed toward communism. We wish your government well.
>
> A little while later, Kissinger added: ''My evaluation is that you are a victim of all left wing groups around the world, and that your greatest sin was that you overthrew a government which was going Communist.

Kissinger decided that the international fight against communism justified the rape and torture of Chilean women, justified their mutilation. Justified their execution.

More than 20 years later new information about the U.S. role in the coup and U.S. knowledge about human rights violations by Pinochet are still coming to light. Clearly there is more information that is housed in the intelligence communities' warehouses and that information should be made public.

In 1976, an American citizen, Ronnie Moffitt, was blown up on the streets of Washington with her Chilean colleague, Orlando Letelier. Pinochet is widely suspected of having personally ordered their deaths.

This act of terrorism should never be forgotten, in the hopes that it will never be repeated. Pinochet is living in London right now, awaiting the fate of an extradition hearing for trial in Spain.

Whatever information the United States can provide on the deaths of Ronnie Moffitt and Orlando Letelier in Washington should be made available so the truth can be known once and for all and justice can be rendered in this ugly, ugly chapter of American and Chilean history.

CONGRESSIONAL LETTERS TO THE CLINTON ADMINISTRATION ON THE CASE AGAINST GEN. AUGUSTO PINOCHET

(1) November 23, 1998 Letter from Rep. George Miller to Attorney General Janet Reno.

(2) October 21, 1998 Letter from 36 Members of Congress to President Clinton.

(3) March 17, 1998 Letter from Reps. George Miller and John Conyers to President Clinton, and the President's June 3 response.

(4) April 15, 1997 Letter from Reps. Miller and Conyers to Attorney General Reno and Mr. John Shattuck, Department of State, and the Justice Department's May 23, 1997 response.

NOVEMBER 23, 1998.

Hon. JANET RENO,
U.S. Attorney General,
Department of Justice, Washington, DC.

DEAR ATTORNEY GENERAL: I am writing to follow up on our telephone conversation on the afternoon of Friday, November 13 concerning the United States response to the arrest of Gen. Augusto Pinochet. I sincerely appreciate your taking the time to speak with me about this issue.

As you may recall, I raised three issues with you during our conversation. First, I expressed my belief that the United States still has not turned over to the judges in Spain all materials in its possession that are relevant to the cast against Gen. Pinochet. Second, I expressed my belief that the United States should make available to Spain Michael Townley for questioning, but that it had not yet done so. And finally, I asked if you would grant a request for a meeting that I understood was made by the widow and widower of the Letelier-Moffitt assassinations, and their attorney.

With regard to the meeting request for Isabel Letelier, Michael Moffitt and their attorney, Sam Buffone, you informed me that you were seriously considering such a meeting. I sincerely appreciate your efforts in that regard.

With regard to Michael Townley, you told me that you were looking into the status of the request to make him available. I wish to again urge that he be made available to the Spanish judges for the purposes of questioning him about Gen. Pinochet's association to criminal and terrorist activities. As you probably know, Michael Townley was formerly in the Witness Protection Program and his whereabouts are known to the F.B.I. I would also urge you to make available Fernandez Larios, a known terrorist who plead guilty to criminal charges in the United States and can provide important information about Gen. Pinochet. I would hope that the F.B.I. and the Department of Justice have kept track of Mr. Larios at least to the extent that he can be located for purposes of serving a subpoena. It is my understanding that Judge Garzon is prepared to come to the United States at any reasonable time upon notice that Mr. Larios and/or Mr. Townley are available.

And finally, with regard to the materials requested by Spain, you asked me to provide you with information about any materials that may not yet already have been provided to the judges. I am providing to you in this letter details of materials that I believe are of interest to Spain and relevant to their investigation of Gen. Pinochet but that have not yet been made available.

As you know, and as we discussed on the phone, the Spanish judges conducting the Pinochet investigation have made requests of the United States Government, through the Spanish Ministry of Justice, for the production of testimony and documents pursuant to the Mutual Legal Assistance in Criminal Matters Treaty between the Spanish and U.S. Governments. It is my understanding that a new request has just been made.

While you and your staff are already familiar with the treaty, I thought it would be important to raise a number of points here to help clarify the responsibilities of the United States in this area. There are several important provisions in the MLAT that bear on the Spanish request for cooperation. First, under Article I, Section 3, assistance is to be provided without regard to whether the act giving rise to the request for assistance is a crime in the requested country. Accordingly, so long as the Spanish court has confirmed its jurisdiction to investigate the claims against Pinochet, it is irrelevant whether or not they would be valid claims under U.S. law. The only requirement under the MLAT for dual criminality is in cases of claims for forfeiture or restitution. Under Article IV, a request for documents requires only a generalized description of what is sought for production. Under Section 3 of Article IV, additional specificity should be provided to the extent necessary and where possible. These provisions require specificity regarding individuals to be questioned, but do not contain any additional requirement of specification as to the description of evidence or documents. Article V, Section 6, requires that the requested country respond to reasonable inquiries concerning the progress towards full compliance with the request.

Confidentiality is governed in part by Article VII which would permit the U.S. to require that any information or evidence furnished under the Treaty be kept confidential or used only under specific terms and conditions by the Spanish court. Classification is further covered by Article IX which provides for the production of records of government agencies. Under Subsection 1, all publicly available documents must be provided. Subsection 2 permits the requested state to provide copies of any documents in its possession which are not publicly available to the same extent and under the same condition as copies would be made available in Spain to judicial authorities or in the United States ''to its own law enforcement and judicial authorities.'' The requested state is, however, permitted to deny a request pursuant to these provisions entirely or in part. Accordingly, while the Treaty does not deal directly with classified information, the U.S. is granted broad discretion to produce or withhold classification and should do so to the same extent that it would provide such information to domestic law enforcement or judicial authorities. Article XII requires that the U.S. use its best efforts to ascertain the location or identity of persons or items specified in a request.

As I said on the phone, there are serious questions raised as to whether the U.S. has complied with both the spirit and letter of the Mutual Legal Assistance Treaty. Despite

the long pendency of several letters of request, it is my understanding that the U.S. has not discharged its obligations under Article XII to use its best efforts to ascertain the location of either persons or documents. The U.S. has failed to produce key individuals for testimony and has not conducted a complete search of documents in the possession of government agencies, including the Central Intelligence Agency, Department of Defense, and the FBI. Further, it is my understanding the U.S. has refused to produce classified documents when the letter and spirit of Article IX should permit, if not require, production to the same extent that documents were provided to the U.S. Attorneys Office during the initial Letelier-Moffitt investigation.

The Justice Department, as the convening authority, should also reassess the extent and vigor of its effort to locate and produce documents. There are certain classes of identifiable records that should be searched for and if available, immediately produced:

1. *Defense Intelligence Agency Reports,* such as ''Directorate of National Intelligence (DINA) Expands Operations and Facilities,'' April 15, 1975 along with referenced ''IRs'' and all other cables and reports from the U.S. Defense Attache's office in Santiago during the mid-1970's that relate to the Chilean Secret police, the chain of command, human rights abuses, and international terrorism.

2. *Defense Intelligence Agency Biographic Data,* the yearly commentary and career summaries on military commanders done by the DIA—in this case on General Pinochet and Col. Gen. Manual Contreras between 1974–78.

3. *State and NSC Documents* identified in ''Disarray in Chile Policy,'' July 1, 1975. This document states that ''a number of officers in the Embassy at Santiago have written a dissent'' cable arguing that all U.S. assistance to Chile be cut off ''until the human rights situation improved.'' This cable was discussed at a ''pre-IG (Interagency Group) meeting—presumably in June 1975. It was supported by the Policy Planning Office of the Bureau of Inter-American Affairs.

A specific paper trail can be ascertained, including but not limited to:

a. the ''Dissent'' cable from the U.S. Embassy officers;

b. minutes/notes/briefing papers for/of the ''pre-IG meeting;''

c. all position papers relating to this discussion prepared by the Policy Planning Office at the Bureau of Inter-American Affairs.

4. *Bureau of Intelligence and Research,* Department of State, reports, summaries, and briefing papers on the Chilean military, DINA, and human rights violations, 1973–80.

5. *The Chile Files of the Office of the Assistant Secretary of State for Human Rights,* Patricia Derian, 1977–80. These files, kept by Ms. Derian's Deputy Marc Schneider, likely contain a wealth of information on Chile's human rights atrocities, and also on the Letelier case and the issue of U.S. extradition of Chilean officials, and sanctions against Pinochet's government for lack of cooperation in the case.

In addition to the above records and document groups identified by the Spanish court, U.S. cooperation under MLAT should include reviews of other relevant files. These include:

1. A critical document on General Pinochet's role in the Letelier bombing, read by Justice Department prosecutor Eugene Propper during the federal investigation into the crime.

2. CIA Reports between 1973 and 1979 by the Agency's Office of African and Latin American Affairs (A/LA) on Chile's military, chain of command, DINA, Operation Condor, General Pinochet and human rights violations, assassination of General Carlos Prats in September 1975, and Orlando Letelier in September 1976.

3. CIA Directorate of Operations cables and reports on Operation Condor—including Chile's attempt to establish an Operation Condor office in Miami in 1974; the assassination of Carlos Prats, and Orlando Letelier, and other human rights abuses.

4. A review by the Gerald Ford Presidential Library staff (Karen Holzhausen) of the still classified Kissinger-Scowcroft files relating to Chile, terrorism and human rights violations.

5. A review by the Jimmy Carter Presidential Library staff for the still classified Bzrezinski files on Chile, human rights violations, and sanctions against Chile for the Letelier assassination; and the files of National Security Council advisor on Latin America, Robert Pastor, for similar documentation.

6. A search by the CIA–FBI Center for Counter terrorism for files, including those of the predecessor to that agency, on Chilean involvement in international terrorism.

7. A re-review of heavily censored NSC and State Department documents released during legal discovery in the Letelier-Moffitt civil suit.

A thorough review and collection of relevant U.S. documents is critical to the Spanish judges' investigation. But I hope you would agree that it is also critical for the United States to gather this material to help our own government decide whether it too should take legal action against Gen. Pincochet.

As I expressed to you on the phone, I have a long history of involvement with Chile, beginning with my participation in a congressional investigation in Chile in 1976, prior to the assassination of Orlando Letelier and Ronnie Moffitt. In fact, Mr. Letelier had helped to facilitate the congressional trip to Chile. Chile has a long and proud history of democracy. Gen. Pinochet's military coup was an aberration in Chile's history. His rule was marked by extreme violence, total disregard for human and civil rights, and by international act of terrorism, including the assassination on U.S. soil of an American citizen and a Chilean exile.

Given this Administration's stated commitment to promoting human rights and democracy and to curbing global terrorism, I consider the legal fate of Gen. Pincochet to be a matter of utmost concern for the United States Government.

Again, I sincerely appreciate your time and attention to this matter and I will appreciate being appraised of the status of these requests.

Sincerely,

GEORGE MILLER, M.C.

OCTOBER 21, 1998.

Hon. WILLIAM JEFFERSON CLINTON,
President,
The White House, Washington, DC.

DEAR MR. PRESIDENT: The October 17 arrest of General Augusto Pinochet in London is a good example of how the goals you outlined in your anti-terrorism speech at the United Nations can be put into practice. Indeed, when the rule of law is applied to combat international lawlessness, humanity's agenda gains.

We are writing to urge you to reinforce your eloquent words at the recent United Nations General Assembly session by joining with the British government in fully cooperating with the precedent-setting case against Chilean General Augusto Pinochet in Spain. Specifically, we call upon you to ensure that the U.S. government provides Spanish Judge Baltasar Garzon material related to Pinochet's role in international terrorism—material and testimony that the U.S. government has thus far withheld.

You will recall that on June 3, in response to a congressional request, you wrote to assure us that the United States would ''continue to respond as fully as we can to the request for assistance from the Government of Spain'' for information on the case against General Pinochet and other Chilean military officials accused of international terrorism and crimes against humanity.

It is our understanding that the United States has materials and other critical information that will help link Pinochet directly to acts of international terrorism. These materials and information were obtained during the U.S. investigation of the assassination of Orlando Letelier, a Chilean exile, and Ronni Karpen Moffitt, his American colleague. They were brutally murdered in Washington, D.C., in 1976 when a bomb exploded under their car while driving around Sheridan Circle on their way to work. The assassination was determined to be the work of the Chilean secret police. It was also alleged, but unproven at the time, that Pinochet was directly involved in the killings.

Unfortunately, we have been informed that the U.S. Justice Department has given only public documents to the Spanish judge, and has not ordered any classified material to be delivered. In addition, the Assistant United States Attorney assigned to obtain testimony from key witnesses in the case against Pinochet and other former military leaders has not elicited key testimony from people convicted in the Letelier-Moffitt killings.

We have also learned that the Spanish judge is planning to submit an expanded Rogatory Commission requesting in detail the documents and witness testimony the U.S. government should provide.

We urge you to direct the Justice Department and other relevant agencies to act with haste in delivering the appropriate solicited material. Your involvement now will send a clear signal that you plan to take all steps necessary to stop international terrorism and bring to justice those responsible for heinous crimes against humanity, including the killing of an American citizen on American soil.

We note that the Spanish judge's petitions are based on the European Convention on Terrorism that requires signatories to cooperate with each other's judicial processes in cases of terrorism. Certainly, the United States has a stake in becoming part of this process. In addition, the Justice Department previously determined that Spain properly requested documents from the United States based on the Mutual Legal Assistance Treaty, signed by Spain and the United States.

We appreciate your commitment to stop international terrorism. We strongly believe, however, that without concrete actions to back up your commitment, international terrorism will continue unabated. The case against Pinochet and his allies presents a significant opportunity to work with the world community to punish those responsible for international crimes in Chile, the United States, and elsewhere. We strongly urge you to support Britain and Spain by releasing critical information to the Spanish judge as quickly as possible. We understand that some of the materials in question are of a classified nature. We believe steps can be taken to comply with Spain's request without compromising U.S. security interests and that these steps must be taken immediately. The world is watching closely as you consider this request. Absent our firm response, terrorists will continue to believe they can act with impunity.

Sincerely,

George Miller; John Conyers; Nancy Pelosi; John Olver; Maurice D. Hinchey; Alcee L. Hastings; Cynthia A.

McKinney; Howard L. Berman; Bob Filner; Anna G. Eshoo; Henry A. Waxman; Jim McDermott; George E. Brown, Jr.; Neil Abercrombie; Barbara Lee; Sam Gejdenson; Bernard Sanders; Lane Evans; John F. Tierney; Martin Olav Sabo; Rosa L. DeLauro; Lynn C. Woolsey; Carolyn B. Maloney; Barney Frank; Lloyd Doggett; Frank Pallone; Charles B. Rangel; David E. Bonior; Nita M. Lowey; Danny K. Davis; James P. McGovern; Pete Stark; Jesse L. Jackson, Jr.; Lucille Roybal-Allard; Marcy Kaptur; Elijah E. Cummings.

MARCH 17, 1998, (REVISED MARCH 19, 1998).

Hon. WILLIAM JEFFERSON, CLINTON,
President of the United States,
Washington, DC.

DEAR MR. PRESIDENT, Late last year, Justice Department officials assured us that they would cooperate with a Spanish judge investigating charges against General Augusto Pinochet, former President and Commander in Chief of Chile, for terrorism, genocide and crimes against humanity. Despite the assurances of cooperation under the MLTA, it is our understanding that the Justice Department effectively stonewalled the judge when he visited the United States in January, seeking to interview witnesses and retrieve documents pursuant to his investigation.

Instead of producing the witnesses and documents, as called for under the MLTA, and despite the desire of the former prosecutors (Eugene Propper and Larry Barcella) to communicate substantive information which they had but which was still classified, we have been informed that the *Administration prevented Propper and Barcella from reviewing their notes and file material before testifying,* did not try to make confessed murders Michael Townley and Fernando Larios available, and handed over virtually no documents. Their reasoning, according to people who had talked to officials at the State Department and National Security Council, was that they were processing materials which were difficult to find and were not likely to lead to useable evidence. They would formally comply but only when the component agencies processed the materials. In private, we are told, they note that by not turning over the documents promptly and ultimately by not offering much that is useful ''the U.S. had nothing to lose.''

They assess the possible damage to your impending visit to Chile next month from not cooperating to be very low. Apparently, U.S. Embassy sources believes that the anti-Pinochet opposition does not have enough strength to mount effective demonstrations to interfere with your visit. They also assume that the Chilean press will not ask you tough questions about the U.S. refusal to hand over documents and produce witnesses. Apparently at the Justice Department and the State Department, the belief is that the United States can ''get away with'' not cooperating and receive minimum public relations damage.

The motives for not cooperating with the Spanish judge included fears that an indictment of Pinochet could put the Chilean government in a precarious position on—and we find this particularly difficult to believe at this time—that the Chilean military might initiate a military coup.

We also find incomprehensible U.S. non-cooperation in a case that involves international terrorism, specifically the most horrendous act of extraterritorial violence Washington, D.C. has witnessed in the last fifty years—the car-bombing of Orlando Letelier and Ronni Karpen Moffitt on September 21, 1976. As you know, the U.S. government indicted the head of Chile's Intelligence and Secret Police agency, who recently asserted in Chile what U.S. officials always believed: Pinochet gave the order to kill Letelier in Washington.

It seems to us that the Administration will force Members of Congress to consider changing the terms of the NAFTA debate. The assumption for admitting Chile to NAFTA membership is that she is a functioning democracy. By allowing the Chileans to put Pinochet beyond the reach of any investigation, even U.S. compliance with a Spanish request, the Administration is jeopardizing the integrity of other treaty obligations under the anti-terrorism treaties. The Administration and Congress should be alarmed at the willingness of the Chilean government to ignore the growing evidence about Pinochet's involvement in the Letelier assassination.

We will propose to our colleagues that before we debate the merits of the new NAFTA and fast track agreements vis a vis Chile, we should air the U.S. government's passivity when it comes to investigating terrorism on our own soil and crimes against humanity elsewhere.

The U.S. should either work actively to deliver the most complete set of declassified documents and witnesses to Spanish judge Garcia Castellon, or face a more profound debate on NAFTA, one that goes to the democratic nature of our partners and the critical responsibilities that must accompany any trade agreement.

We respectfully request that you look seriously and expeditiously into this troubling matter.

Sincerely,

GEORGE MILLER, M.C.
JOHN CONYERS, M.C.

THE WHITE HOUSE,
Washington, DC, June 3, 1998.

DEAR GEORGE: Thank you for your letter regarding our cooperation with a Spanish judge investigating allegations that General Augusto Pinochet and other former Chilean officials are responsible for human rights abuses against Spanish citizens as well as others.

As you know, the Spanish judge's request was made under a mutual legal assistance treaty (MLAT) we have with Spain. The Department of Justice coordinates the execution of such requests with the appropriate U.S. Government agencies. Contrary to the information you may have received, the Spanish authorities have indicated to the Justice Department that they are very pleased with the extent of our cooperation in responding to their request. The Department has facilitated for Spanish authorities the depositions of several individuals in the United States and has itself deposed several other witnesses in whom the Spanish indicated interest. While certain limits were placed on the testimony that could be offered by two of these witnesses, this was due to the fact that some of the information known by these witnesses remains classified.

In addition, the Justice Department has requested that the relevant agencies conduct a search for documents responding to the Spanish court's request. It has already transmitted four boxes of materials relating to the prosecutions of those responsible for the bombing of Orlando Letelier and Ronni Moffitt as well as numerous additional documents from the Department of State. Other agencies are continuing to conduct their searches for relevant documents and will respond in the near future.

Our cooperation on this case is consistent with the extensive efforts the United States Government has undertaken to bring to justice those responsible for the Letelier-Moffitt murders. As you know, the United States Government has successfully prosecuted several individuals responsible for these killings and indicted several others. Two of these individuals are now serving time in a Chilean prison for this crime. I believe that the efforts the United States Government has taken on this case show our resolve to deal quickly and decisively with acts of terrorism on our soil.

Finally, I want to assure you that we will continue to respond as fully as we can to the request for assistance from the Government of Spain.

Thank you again for writing to me about this important matter.

Sincerely,

BILL CLINTON.

Mr. CONYERS. Mr. Chairman, I rise in support of the Hinchey amendment.

General Augusto Pinochet rose to power in a bloody coup d'etat in 1973 that overthrew the democratically elected government of Salvador Allende. This ushered in seventeen years of military dictatorship accompanied by the death of thousands of activists, journalists and ordinary citizens.

According to the Church Committee Report of December 1975, ''The CIA attempted, directly, to foment a military coup in Chile.'' Before Allende was inaugurated, it passed weapons to coup plotters. When that failed, it undertook a massive effort to undermine the government. Senator Church found that ''Eight million dollars was spent in the three years between the 1970 election and the military coup in 1973. Money was furnished to media organizations, to opposition political parties and, in limited amounts, to private sector organizations.''

Much of this is history in the sense that the repression in Chile has stopped, and that country has made a remarkable transition to democracy over the last decade. However, many are still forced to live with the pain of General Pinochet's legacy and there is still far too much information still being withheld from the public record about the American role in Chile during those dark years.

The arrest of Pinochet in England last year was a tremendous step forward for international law, reconciliation and human rights. Much of the power to keep justice moving forward lies in the hands of the CIA, the Department of Justice and other agencies of the U.S. government who have been asked by the Spanish Judge prosecuting Pinochet, Garcia Castellon, to provide information about Pinochet's reign of terror.

Even before the arrest of Pinochet, the Department of Justice assured Congressman GEORGE MILLER and I that they were cooperating fully with Judge Castellon's inquiry. I am inserting into the RECORD an article from the New York Times of June 27, 1997 which makes this point clear.

I am neither satisfied with the Department of Justice's response thus far nor with the CIA's outright refusal to cooperate with the inquiry. This is simply inconsistent with the American commitment to the promotion of human rights.

This is especially remarkable since along with the Chileans and Europeans who were murdered by Pinochet's hand were several Americans. Ronni Moffit, a fellow at the Institute for Policy Studies, and the former Chilean ambassador, Orlando Letelier were killed in one of the worst domestic terrorism incidents ever in Washington, DC. The attack was carried out by DINA, the Chilean intelligence agency whose director has stated that

Pinochet personally ordered the bombing. Even Elliot Abrams, Ronald Reagan's Assistant Secretary of State for Latin American Affairs, has suggested in the conservative journal Commentary that if Pinochet is responsible for the Letelier-Moffit bombing he should be extradited to the United States for trial. Section 304, Paragraph (a)(3) of the Hinchey Amendment and will help shed much needed light on who is responsible for this and other brutal murders.

The American people will never know the truth unless their government expresses greater enthusiasm for prosecuting the Pinochet case both in London and in Washington. The Hinchey Amendment is a critical step in that direction and I urge my colleagues to support it.

[From the New York Times, June 27, 1999]

U.S. WILL GIVE SPANISH JUDGE DOCUMENTS FOR PINOCHET INQUIRY

MADRID, June 26.—The United States has agreed to provide Government documents to a Spanish judge investigating terrorism and human-rights violations in Chile during the right-wing dictatorship of Gen. Augusto Pinochet from 1973 to 1990.

It is the first investigation of crimes against humanity in the death or disappearance of people during the Pinochet era. The judge, who functions as a prosecutor under Spanish law, is seeking evidence of genocide against Spanish citizens and descendants of Spaniards.

But the case is even broader, and could delve into abuses against at least 3,000 people of various nationalities, including Charles Horman, an American whose disappearance in Chile was depicted in the film ''Missing,'' said Juan E. Garces, a Madrid lawyer representing relatives of the victims.

The Madrid judge, Manuel Garcia Castellon, began the criminal investigation last year, and in February requested all pertinent documents from United States Government agencies. Washington will cooperate ''to the extent permitted by law,'' said a letter signed by Assistant Attorney General Andrew Fois on May 23.

The letter, addressed to Representative John Conyers, Democrat of Michigan, was also sent to the national security adviser, Sandy Berger, the State Department and ranking members of the House International Relations Committee.

Spain stands a good chance of getting useful American documents about General Pinochet's Government because the request came under a 1990 legal assistance treaty that allows a wider sweep in searching for information, said Richard J. Wilson, a law professor at American University in Washington.

The Judge has not yet charged anyone, but might seek the extradition to Spain of General Pinochet, who is still commander of the Chilean Army, Mr. Garces said.

Mr. Garces was an assistant to President Salvador Allende Gossens of Chile, a Socialist, who died in September 1973 when General Pinochet led a coup that overthrew the elected Marxist Government.

In a separate action, another Madrid judge is investigating human rights abuses against 320 Spaniards under military rule in Argentina from 1976 to 1983. The judge, Baltasar Garzon, has also requested United States Government documents for his inquiry.

The Chilean Government last month termed Spain's investigation a ''political trial'' of Chile's transition to democracy that began with elections in 1990. On Wednesday, it said the American cooperation with the Spanish judge was ''positive'' but ''would not lead anywhere.''

The Madrid court and the American Embassy said today that they had not received official confirmation of Washington's agreement to provide documents.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. GOSS) to the amendment offered by the gentleman from New York (Mr. HINCHEY).

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. HINCHEY), as amended.

The amendment, as amended, was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. BARR OF GEORGIA

Mr. BARR of Georgia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. BARR of Georgia:

At the end of title III (page 10, after line 2), insert the following new section:

SEC. 304. REPORT ON LEGAL STANDARDS APPLIED FOR ELECTRONIC SURVEILLANCE.

(a) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of Central Intelligence, the Director of the National Security Agency, and the Attorney General shall jointly prepare, and the Director of the National Security Agency shall submit to the appropriate congressional committees a report in classified and unclassified form describing the legal standards employed by elements of the intelligence community in conducting signals intelligence activities, including electronic surveillance.

(b) MATTERS SPECIFICALLY ADDRESSED.—The report shall specifically include a statement of each of the following legal standards:

(1) The legal standards for interception of communications when such interception may result in the acquisition of information from a communication to or from United States persons.

(2) The legal standards for intentional targeting of the communications to or from United States persons.

(3) The legal standards for receipt from non-United States sources of information pertaining to communications to or from United States persons.

(4) The legal standards for dissemination of information acquired through the interception of the communications to or from United States persons.

(c) INCLUSION OF LEGAL MEMORANDA AND OPINIONS.—The report under subsection (a) shall include a copy of all legal memoranda, opinions, and other related documents in unclassified, and if necessary, classified form with respect to the conduct of signals intelligence activities, including electronic surveillance by elements of the intelligence community, utilized by the Office of the General Counsel of the National Security Agency, by the Office of General Counsel of the Central Intelligence Agency, or by the Office of Intelligence Policy Review of the Department of Justice, in preparation of the report.

(d) DEFINITION.—As used in this section:

(1) The term ''intelligence community'' has the meaning given that term under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

(2) The term ''United States persons'' has the meaning given such term under section 101(i) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801(i)).

(3) The term ''appropriate congressional committees'' means the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives, and the Select Committee on Intelligence and the Committee on the Judiciary of the Senate.

Mr. BARR of Georgia. Mr. Chairman, I had the honor of serving this great land back in the 1970s, including those years in which the government of our country, in an effort to institutionalize proper oversight of our intelligence agencies, enacted public laws that established the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence.

In the intervening generation, these committees, including under the current leadership of the gentleman from Florida (Chairman GOSS), have provided very, very essential oversight of the intelligence activities of our government.

Hopefully in so doing, we have avoided any excesses that have given rise to some of the incidents in the past that have troubled our intelligence gathering capabilities and hurt the credibility of these great institutions such as the CIA.

However, Mr. Chairman, the oversight with which the gentleman from Florida (Mr. GOSS) and many others have worked so diligently to both implement and then preserve over the last 24 years is under attack right now, and the survivability of that oversight mechanism is threatened.

I speak particularly, Mr. Chairman, of efforts by the intelligence community to deny proper information for the House Permanent Select Committee on Intelligence to conduct oversight, meaningful oversight responsibilities.

For example, in recent communications between the chairman and the NSA, the general counsel of the NSA interposed what, by any stretch of the imagination, is a bogus claim of attorney/client privilege in an effort to deny the chairman and the committee members proper information with which to carry out their oversight responsibilities.

In particular, the gentleman from Florida (Chairman GOSS) was seeking very important information that goes to the standards whereby the intelligence community and the agencies comprising the intelligence community gather intelligence and gather information on American citizens.

One such project in particular that has recently come to light, Mr. Chairman, is a project known as Project Echelon, which has been in place for several years and which, by accounts that we have recently seen in the media, engages in the intercession of literally millions of communications involving United States citizens over satellite transmissions, involving e-mail transmissions, Internet access, as

well as mobile phone communications and telephone communications.

This information apparently is shared, at least in part, and coordinated, at least in part, with intelligence agencies of four other countries: the UK, Canada, New Zealand, and Australia.

As part of our effort here in the Congress, both on the Select Committee on Intelligence, which the gentleman from Florida (Mr. GOSS) chairs, as well as others of us, while not serving on that committee, are concerned about the privacy rights for American citizens and whether or not there are constitutional safeguards being circumvented by the manner in which the intelligence agencies are intercepting and/or receiving international communications back from foreign nations that would otherwise be prohibited by the prohibitions and the limitations on the collection of domestic intelligence.

We have been trying to get information with regard to Project Echelon and others. The amendment that I propose today simply would require the intelligence community, and that is specifically the Department of Justice, the National Security Agency, and the CIA to provide to the Congress within 60 days of the enactment this Intelligence Authorization Act a report setting forth the legal basis and procedures whereby the intelligence community and the agencies comprising intelligence community gather intelligence.

This will enable the intelligence community and the Committee on the Judiciary of both Houses to properly evaluate whether or not these procedures are being implemented properly according to proper legal and constitutional standards.

It would be very interesting to see, Mr. Chairman, if the administration or the Senate opposes this very straightforward amendment, which simply requires a report on the legal basis for such interceptions to be furnished within 60 days to the Select Committee on Intelligence of both Houses and to the Committee on the Judiciary of both Houses.

I ask Members on both sides of the aisle to support this very straightforward amendment, which not only will help guarantee the privacy rights for American citizens, but will protect the oversight responsibilities of the Congress which are now under assault by these bogus claims that the intelligence communities are making. I ask for the adoption of the amendment.

Mr. GOSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to say I very much appreciate the remarks of the distinguished gentleman from Georgia (Mr. BARR). He has characterized an ongoing vigilance of oversight matters that we carry on every day. I am certainly prepared to accept his amendment. I think it is useful and indeed helpful to some problems we are having directly now.

□ 1245

I also think that it is helpful in the area of the very delicate balancing act that we have to do on HPSCI, and I hope we do it well. I think we do it well.

It is, on the one hand, absolutely accepting no compromise on the rights of American citizens and, on the other hand, not tying the hands of our law enforcement people who are trying to catch people who are trying to work mischief against the United States of America. And it is not always as clear as it might be which it is at the beginning of a process involving individuals.

So this is a very difficult judgment area for us. Nobody would want us, particularly in light of the news coming out of the weapons labs today, to release or relax our efforts to catch people who are trying to steal our secrets or penetrate our appropriately applied security arrangements. On the other hand, it is intolerable to think of the United States Government, of big brother, or anybody else invading the privacy of an American citizen without cause.

I believe that the amendment offered by the gentleman from Georgia (Mr. BARR) will help in that debate, and I am prepared to accept it. I know that it is offered in that spirit, and I know that it will also be helpful to me in my current problems, making sure the intelligence community understands that penetrating oversight is here to stay. I think most of them are getting the message.

Mr. DIXON. Mr. Chairman, I move to strike the last word.

The minority will accept this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. BARR).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title III?

If not, the Clerk will designate title IV.

The text of title IV is as follows:

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. TWO-YEAR EXTENSION OF CIA CENTRAL SERVICES PROGRAM.

Section 21(h)(1) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403u(h)(1)) is amended by striking out ''March 31, 2000.'' and inserting ''March 31, 2002.''.

The CHAIRMAN. Are there amendments to title IV?

If not, the Clerk will designate title V.

The text of title V is as follows:

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. PROTECTION OF OPERATIONAL FILES OF THE NATIONAL IMAGERY AND MAPPING AGENCY.

(a) IN GENERAL.—Subchapter I of chapter 22 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 446. Protection of operational files

''(a) EXEMPTION OF CERTAIN OPERATIONAL FILES FROM SEARCH, REVIEW, PUBLICATION, OR DISCLOSURE.—(1) The Director of the National Imagery and Mapping Agency, with the coordination of the Director of Central Intelligence, may exempt operational files of the National Imagery and Mapping Agency from the provisions of section 552 of title 5 (Freedom of Information Act), which require publication, disclosure, search, or review in connection therewith.

''(2)(A) Subject to subparagraph (B), for the purposes of this section, the term 'operational files' means files of the National Imagery and Mapping Agency (hereinafter in this section referred to as 'NIMA') concerning the activities of NIMA that before the establishment of NIMA were performed by the National Photographic Interpretation Center of the Central Intelligence Agency (NPIC), that document the means by which foreign intelligence or counterintelligence is collected through scientific and technical systems.

''(B) Files which are the sole repository of disseminated intelligence are not operational files.

''(3) Notwithstanding paragraph (1), exempted operational files shall continue to be subject to search and review for information concerning—

''(A) United States citizens or aliens lawfully admitted for permanent residence who have requested information on themselves pursuant to the provisions of section 552 of title 5, or section 552a of title 5 (Privacy Act of 1974);

''(B) any special activity the existence of which is not exempt from disclosure under the provisions of section 552 of title 5; or

''(C) the specific subject matter of an investigation by any of the following for any impropriety, or violation of law, Executive order, or Presidential directive, in the conduct of an intelligence activity:

''(i) The Permanent Select Committee on Intelligence of the House of Representatives.

''(ii) The Select Committee on Intelligence of the Senate.

''(iii) The Intelligence Oversight Board.

''(iv) The Department of Justice.

''(v) The Office of General Counsel of NIMA.

''(vi) The Office of the Director of NIMA.

''(4)(A) Files that are not exempted under paragraph (1) which contain information derived or disseminated from exempted operational files shall be subject to search and review.

''(B) The inclusion of information from exempted operational files in files that are not exempted under paragraph (1) shall not affect the exemption under paragraph (1) of the originating operational files from search, review publication, or disclosure.

''(C) Records from exempted operational files which have been disseminated to and referenced in files that are not exempted under paragraph (1) and which have been returned to exempted operational files for sole retention shall be subject to search and review.

''(5) The provisions of paragraph (1) may not be superseded except by a provision of law which is enacted after the date of enactment of this section, and which specifically cites and repeals or modifies its provisions.

''(6)(A) Except as provided in subparagraph (B), whenever any person who has requested agency records under section 552 of title 5, alleges that NIMA has withheld records improperly because of failure to comply with any provision of this section, judicial review shall be available under the terms set forth in section 552(a)(4)(B) of title 5.

''(B) Judicial review shall not be available in the manner provided for under subparagraph (A) as follows:

''(i) In any case in which information specifically authorized under criteria established by an Executive Order to be kept secret in the interests of national defense or foreign relations is filed with, or produced for, the court by NIMA, such information shall be examined ex parte, in camera by the court.

''(ii) The court shall, to the fullest extent practicable, determine the issues of fact based on sworn written submissions of the parties.

''(iii) When a complainant alleges that requested records are improperly withheld because

of improper placement solely in exempted operational files, the complainant shall support such allegation with a sworn written submission based upon personal knowledge or otherwise admissible evidence.

''(iv)(I) When a complainant alleges that requested records were improperly withheld because of improper exemption of operational files, NIMA shall meet its burden under section 552(a)(4)(B) of title 5, by demonstrating to the court by sworn written submission that exempted operational files likely to contain responsible records currently perform the functions set forth in paragraph (2).

''(II) The court may not order NIMA to review the content of any exempted operational file or files in order to make the demonstration required under subclause (1), unless the complainant disputes NIMA's showing with a sworn written submission based on personal knowledge or otherwise admissible evidence.

''(v) In proceedings under clauses (iii) and (iv), the parties may not obtain discovery pursuant to rules 26 through 36 of the Federal Rules of Civil Procedure, except that requests for admissions may be made pursuant to rules 26 and 36.

''(vi) If the court finds under this paragraph that NIMA has improperly withheld requested records because of failure to comply with any provision of this subsection, the court shall order NIMA to search and review the appropriate exempted operational file or files for the requested records and make such records, or portions thereof, available in accordance with the provisions of section 552 of title 5, and such order shall be the exclusive remedy for failure to comply with this subsection.

''(vii) If at any time following the filing of a complaint pursuant to this paragraph NIMA agrees to search the appropriate exempted operational file or files for the requested records, the court shall dismiss the claim based upon such complaint.

''(viii) Any information filed with, or produced for the court pursuant to clauses (i) and (iv) shall be coordinated with the Director of Central Intelligence prior to submission to the court.

''(b) DECENNIAL REVIEW OF EXEMPTED OPERATIONAL FILES.—(1) Not less than once every ten years, the Director of the National Imagery and Mapping Agency and the Director of Central Intelligence shall review the exemptions in force under subsection (a)(1) to determine whether such exemptions may be removed from the category of exempted files or any portion thereof. The Director of Central Intelligence must approve any determination to remove such exemptions.

''(2) The review required by paragraph (1) shall include consideration of the historical value or other public interest in the subject matter of the particular category of files or portions thereof and the potential for declassifying a significant part of the information contained therein.

''(3) A complainant that alleges that NIMA has improperly withheld records because of failure to comply with this subsection may seek judicial review in the district court of the United States of the district in which any of the parties reside, or in the District of Columbia. In such a proceeding, the court's review shall be limited to determining the following:

''(A) Whether NIMA has conducted the review required by paragraph (1) before the expiration of the ten-year period beginning on the date of the enactment of this section or before the expiration of the ten-year period beginning on the date of the most recent review.

''(B) Whether NIMA, in fact, considered the criteria set forth in paragraph (2) in conducting the required review.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 22 of title 10, United States Code, is amended by adding at the end the following new item:

''446. Protection of operational files.''.

The CHAIRMAN. Are there amendments to title V?

Are there additional amendments to the bill?

AMENDMENT NO. 8 OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer amendment No. 8 printed in the May 12, 1999, CONGRESSIONAL RECORD.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. SANDERS: At the bill, add the following new title:

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 601. LIMITATION ON AMOUNTS AUTHORIZED TO BE APPROPRIATED.

(a) LIMITATION.—Except as provided in subsection (b), notwithstanding the total amount of the individual authorizations of appropriations contained in this Act, including the amounts specified in the classified Schedule of Authorizations referred to in section 102, there is authorized to be appropriated for fiscal year 2000 to carry out this Act not more than the total amount authorized to be appropriated by the Intelligence Authorization Act for Fiscal Year 1999.

(b) EXCEPTION.—Subsection (a) does not apply to amounts authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund by Section 201.

SEC. 602. REPORT ON EFFICACY OF THE CENTRAL INTELLIGENCE AGENCY.

(a) REPORT.—Not later than one year after the date of the enactment of this Act, the Director of Central Intelligence shall submit to Congress a detailed, comprehensive report in unclassified form on the matters described in subsection (b).

(b) MATTERS STUDIED.—Matters studied for the report under subsection (a) shall include the following:

(1) The bombing in March 1991 by the Armed Forces of the United States during the Persian Gulf War of a weapons and nerve gas storage bunker in Khamisiyah, Iraq, and errors committed by the Central Intelligence Agency with respect to the location and contents of such bunker and the failure to disclose the proper location and contents to the Secretary of Defense.

(2) Errors with respect to maps of the Aviano, Italy, area prepared by the Central Intelligence Agency and used by aviators in the Armed Forces of the United States which may have resulted on February 3, 1996, in the accidental severing of a cable car device by a United States military aircraft on a training mission, which resulted in the deaths of twenty civilians.

(3) Errors with respect to maps prepared by the Central Intelligence Agency of the Belgrade, Yugoslavia, area which resulted on May 7, 1999, in the accidental bombing of the Embassy of the People's Republic of China by forces under the command of North Atlantic Treaty Organization and the deaths of three civilians.

(c) RECOMMENDATIONS.—The report under subsection (a) shall contain recommendations for such legislation and administrative actions as the Director determines appropriate to avoid similar errors by the Central Intelligence Agency.

Mr. SANDERS. Mr. Chairman, this amendment is basically about two issues. Number one, the issue is about priorities in how we spend our national wealth; and, secondly, the issue is about accountability and what we do when an agency is not performing up to the level that we want it to perform.

Mr. Chairman, it is no secret that in our great country we are spending large sums of money where we should not be spending it and we are not spending money where we should be spending it.

Today, in the United States, 43 million Americans have no health insurance, but we do not have the money to help those people. Today, in the United States, millions of senior citizens cannot afford their prescription drugs and they suffer and they die because the United States Government does not do what other countries around the world do and help seniors with their prescription drugs. Today, in the United States, at VA hospitals all over this country, veterans who have put their lives on the line defending this country are not getting the quality of care they need because the United States Congress is not adequately funding the Veterans Administration.

I believe that within that context and the fact that we are underfunding many other important social needs we should not be increasing funding for the intelligence agencies. And what this to the amendment basically says is that we should level fund the intelligence agencies. That is the first reason.

The second part of this to the amendment is equally important, and here we are talking about accountability and responsibility on the part of our intelligence agencies. I know, and my colleagues know, that almost by definition much of what the intelligence agencies do is quiet. I expect they do a lot of good work which we do not hear about, and I applaud them for what they do which is positive.

But it is no secret that in area after area there have been major deficiencies and very, very poorly performed operations, and it is important that we talk about that and that we demand accountability.

Let me just give my colleagues a few of the examples that I think need to be talked about and that we need from the Director of the CIA an understanding of how these things occurred and an understanding that they will never occur again.

Everybody in the Congress and everybody in the United States was shocked when we heard recently about the bombing of the Chinese embassy in Belgrade. And many of us at first thought, well, it was a mistake; the pilot aimed for another building, and he hit the Chinese embassy, and those things happen. It is terrible, but it was a mistake.

But then we learned that the pilot hit what he was supposed to hit, and that was altogether shocking.

We found that the information, which was available virtually on the worldwide web, which was probably available in the Yugoslavian telephone directory, that the Chinese embassy was located at that location was apparently not available to the CIA, and

their action has caused a major international crisis. We want to know how that mistake could have taken place.

Furthermore, as someone who is involved with the issue of the Gulf War illness, I, and I know all of our Members, are concerned about the explosion that took place in Kamisiyah, which is where the United States blew up an Iraqi arms depot which contained chemical weapons.

Let me quote from the April 12, 1997, New York Times. ''The report issued this week by the CIA shows that the agency actually had detailed information, including geographical coordinates, during the war to suggest that chemical weapons are at Kamisiyah, information that was not passed on to the soldiers who later blew up the depot and may have been exposed to nerve gas.''

In other words, our soldiers were exposed to nerve gas because the CIA did not communicate the information that it had.

Thirdly, we are all familiar with the terrible accident that took place in Italy regarding an American plane that went into lines that keep the gondolas moving in a ski area. I will quote from News Day. This is February 1, 1999. ''Although the gondola had been traversing the ski area for 30 years, there was no hint of it on the Prowler's crew map. While the horizontal hazard to aviation was clearly marked on Italian Air Force charts, the Pentagon agency somehow missed it.''

So our intelligence agencies were not providing our pilots with an up-to-date map, and so they had a terrible accident which could have been avoided.

Mr. Chairman, these are just three examples. The fact of the matter is, there are many more.

The CHAIRMAN. The time of the gentleman from Vermont (Mr. SANDERS) has expired.

(By unanimous consent, Mr. SANDERS was allowed to proceed for 1 additional minute.)

Mr. SANDERS. Mr. Chairman, it seems to me that in light of these instances, and many more which I have not gone into, there is no reason why this body should not pass this conservative, simple amendment.

We are calling for, as part of this to the amendment, a study of these three specific events; and we are also requesting recommendations from the intelligence community as to how these catastrophes could be avoided in the future.

So that is what this to the amendment does. It says level fund; and, second of all, we want some accountability on the part of the intelligence agency.

AMENDMENT OFFERED BY MR. DIXON TO AMENDMENT NO. 8 OFFERED BY MR. SANDERS

Mr. DIXON. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. DIXON to amendment No. 8 offered by Mr. SANDERS:

On page 1, line 13 of the amendment, delete ''1999'' and insert in lieu thereof ''1998''.

Mr. DIXON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment to the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DIXON. Mr. Chairman, first of all, I want to make clear what the situation is here. I admire what the gentleman from Vermont (Mr. SANDERS) is trying to do as it relates to the reports. I have no problems with that. In fact, many of us have talked today about the mistake that has been made with the bombing of the embassy. There is no apparent legitimate excuse for that. The committee is going to get to the bottom of it.

As it relates to the other two instances, I think that he is right, that we should find out exactly what happened.

However, through an inadvertent, and I stress inadvertent, error, the amendment before us, as introduced, says that the authorization will be frozen at the 1999 level. In an effort to have a full debate on this, I am offering an amendment that substitutes 1998, with the consent of the author. That is because the 1999 figure is not the appropriate figure. It would be the 1998 figure, because the 2000 authorization that we are now talking about is, in fact, lower than the 1999.

So in an effort to accommodate this debate on these issues that are very important, I am offering this perfecting amendment, but I want to make it very clear that I am opposed to the authorization reduction part of the Sanders amendment.

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

Mr. DIXON. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I want to thank my good friend, and I am happy to accept his amendment for the reasons that he gave, but I think the situation here tells us about another problem, and that is year after year the Members of the Congress are forced to debate the intelligence appropriation without having that concrete information out on the table.

I know that year after year Members come up and say, gee, The New York Times has the information, the Congressional Quarterly has the information, but the American people do not have it from the Congress.

So I thank the gentleman for his amendment to my amendment, and I am prepared to accept it, but I do raise that question again, that the day should come when we are public and open about how much money there is in the intelligence budget.

Mr. DIXON. Reclaiming my time just for a minute, Mr. Chairman, in my opening statement I indicated that I disagreed with the Director of Central Intelligence in his reversal of a public position he took two years ago, and that is to make the aggregate number of the appropriations public. I have indicated that I support that idea, that it should be public, and hope that he would reconsider.

Mr. GOSS. Mr. Chairman, I move to strike the last word.

With regard to the situation we have on the floor, I am very happy to accommodate the ranking member on his secondary to the amendment. I think that is the right way to perfect the intent of what the gentleman from Vermont is trying to get done. We wish to cooperate in that because we think it is an important issue; and I think this is the right way, in a parliamentary way, to go about it.

The concern I have about some of the points that the gentleman has raised, in defense of his amendment, is one of puzzlement, a little bit. We have invited Members to come upstairs and take a look, and it is there. The numbers are there, and the staff is there, and the staff will assist Members.

I wish to assure the gentleman that the staff will assist him, in whatever his effort is. The staff will assist Members. They may or may not agree with a Member; it does not matter. If a Member has a legitimate thing they wish to accomplish as a Member of Congress to bring to the other Members, that is why our staff is there. We offer that invitation, and I want to again extend that invitation to the gentleman for next year.

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

Mr. GOSS. I yield to the gentleman from Vermont.

Mr. SANDERS. First of all, Mr. Chairman, I want to thank the gentleman very much for accepting the amendment of the gentleman from California (Mr. DIXON) to my amendment. I appreciate that.

The reason that I personally, and I think a number of other Members, do not walk into that room, frankly, is that we do not want to be encumbered upon if we make a statement and somebody says, ''My goodness, you are revealing a national secret.'' I do know the room is there, and I am sure that the gentleman's staff will be very helpful. I have not gone in there for precisely that reason, so that nobody can say that I am revealing something which, in fact, I have never seen.

Mr. GOSS. Reclaiming my time, Mr. Chairman, I understand. We do not want anybody to be intimidated, and we can generally make pretty clear what is classified and what is not. But, in any event, we can certainly help Members craft an amendment.

With regard to the three areas the gentleman mentioned, obviously, I think if the gentleman read the newspapers yesterday, he saw that I spoke on behalf of the committee in saying that we intend to pursue further the events of the unpleasant matter of the Chinese embassy.

I can tell the gentleman that there have been reports, I think they have now been made fully public, I think staff tells me on Kamisiyah and certainly on Aviano. And I would point out that that is not necessarily a CIA problem, although it is an intelligence community problem. Actually, I believe the maps were produced by NIMA, as was the case in Belgrade.

Now, that is a distinction that does not matter. It is the intelligence community. But, again, in an abundance of trying to be helpful with the vernacular and the terminology of the intelligence community, every time somebody says CIA, it does not necessarily mean CIA. It is just sort of a handy way to say something we do not know about and, apparently, it has to do with intelligence.

□ 1300

The intelligence community is very varied. It has many different functions. It has a lot of accountability and a lot of responsibility. And I will tell my colleagues that the reason that I will oppose the amendment, the underlying amendment for the cut, I believe to just take an across-the-board cut, which is I believe what the intention of the gentleman is and what has now been made in order once the perfecting amendment of the gentleman from California (Mr. DIXON) is in place, really undoes all the work that the committee does to go through the many agency budgets and go line by line, which we have to do, because we are probably the only committee that operates on the basis of having to go forward to the floor and our colleagues and say, look, we have looked at this stuff, we know we cannot talk about it publicly, we have looked at it and we think we have got it at about the right level and we are prepared to defend what is in there.

If we take an across-the-board cut, it seriously disrupts that process and it hurts things that will have consequences that go well beyond a small proportionate cut. It is very hard to explain if we have an across-the-board cut like this, whatever the level is, what the consequences will be.

I would prefer to let the committee work its will and try very hard to let every member of the committee identify what they think is unnecessary and debate it upstairs. That is the process we go through. We have many briefings, many hearings, much testimony. And then when we are all through and we unanimously, in a bipartisan way, pass this out, we have the material upstairs, and anybody who wants to come upstairs and second guess us is welcome. That is always the way we have done it.

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

Mr. GOSS. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I am not arguing with the proposition that my colleague has just put forward. But what he is not dealing with is the issue of priorities of a Nation as a whole.

What I am raising the question is whether we need more money for the intelligence agencies or more money for prescription drugs for our senior citizens or college education for our middle-class families.

The CHAIRMAN. The time of the gentleman from Florida (Mr. GOSS) has expired.

(By unanimous consent, Mr. GOSS was allowed to proceed for 1 additional minute.)

Mr. GOSS. Mr. Chairman, to answer the gentleman, we are within our budget allocation, within our caps. We are playing by the rules. We are doing this the way we should be doing it.

There has been a great debate about reinvesting to rebuild our intelligence capability in the country. I do not think it has been just fired by some of the headline events we have seen. I would say that those are tragedies. Things have happened that we do not want to happen, bad surprises where people have been killed, embassies blowing up, nuclear testing in India, which we did not catch. It turns out probably we could not have done anything about it. Nevertheless, we should have been on top of it, the things we have been reading about lately, the penetration of the laboratories.

It seems to me that the way to deal with that is to look at it forthrightly and say, there are problems here and we need to fix them. Now, we do not fix all problems by throwing money at them. But we do need to have some resources. We need to go out and get the personnel. We need to spot, identify, train, build, education, get the right languages.

We are expected in the intelligence community to be the eyes and the ears around the world for anything we can read about anytime, anywhere. That is, basically, what the intelligence community does this day and that is a huge order. And doing that, we are not going to get there by cutting money. We have to do a reasonable amount of investing.

Mr. Chairman, I insert the following for printing in the RECORD:

DECLARATION OF GEORGE J. TENET

INTRODUCTION

I, George J. Tenet, hereby declare:

1. I am the Director of Central Intelligence (DCI). I was appointed DCI on 11 July 1997. As DCI, I serve as head of the United States intelligence community, act as the principal adviser to the President for intelligence matters related to the national security, and serve as head of the Central Intelligence Agency (CIA).

2. Through the exercise of my official duties, I am generally familiar with plaintiff's civil action. I make the following statements based upon my personal knowledge upon information made available to me in my official capacity, and upon the advice and counsel of the CIA's Office of General Counsel.

3. I understand that plaintiff has submitted Freedom of Information Act (FOIA) requests for ''a copy of documents that indicate the amount of the total budget request for intelligence and intelligence-related activities for fiscal year 1999'' and ''a copy of documents that indicate the total budget appropriation for intelligence and intelligence-related activities for fiscal year 1999, updated to reflect the recent additional appropriation of 'emergency supplemental' funding for intelligence.'' I also understand that plaintiff alleges that the CIA has improperly withheld such documents. I shall refer to the requested information as the ''budget request'' and ''the total appropriation,'' respectively.

4. As head of the intelligence community, my responsibilities include developing and presenting to the President an annual budget request for the National Foreign Intelligence Program (NFIP), and participating in the development by the Secretary of Defense of the annual budget requests for the Joint Military Intelligence Program (JMIP) and Tactical Intelligence and Related Activities (TIARA). The budgets for the NFIP, JMIP, and TIARA jointly comprise the budget of the United States for intelligence and intelligence-related activities.

5. The CIA has withheld the budget request and the total appropriation on the basis of FOIA Exemption (b)(1) because they are currently and properly classified under Executive Order 12958, and on the basis of FOIA Exemption (b)(3) because they are exempted from disclosure by the National Security Act of 1947 and the Central Intelligence Agency Act of 1949. The purpose of this declaration, and the accompanying classified declaration, is to describe my bases for determining that disclosure of the budget request or the total appropriation reasonably could be expected to cause damage to the national security and would tend to reveal intelligence methods.

6. I previously executed declarations in this case that were filed with the CIA's motion for summary judgment on 11 December 1998. Those two declarations described my bases for withholding the budget request only. Since the CIA filed its motion for summary judgment, plaintiff has filed an amended complaint seeking release of the total appropriation also. For the Court's convenience, the justifications contained in my earlier declarations are repeated and supplemented in this declaration and the accompanying classified declaration and describe my bases for withholding both the budget request and the total appropriation for fiscal year 1999.

PRIOR RELEASES

7. In October 1997, I publicly disclosed that the aggregate amount appropriated for intelligence and intelligence-related activities for fiscal year 1997 was $26.6 billion. At the time of this disclosure, I issued a public statement that included the following two points:

''First, disclosure of future aggregate figures will be considered only after determining whether such disclosure could cause harm to the national security by showing trends over time.

''Second, we will continue to protect from disclosure any and all subsidiary information concerning the intelligence budget: whether the information concerns particular intelligence agencies or particular intelligence programs. In other words, the Administration intends to draw the line at the top-line, aggregate figure. Beyond this figure, there will be not other disclosures of currently classified budget information because such disclosures could harm national security.''

8. In March 1998, I publicly disclosed that the aggregate amount appropriated for intelligence and intelligence-related activities for fiscal year 1998 was $26.7 billion. I did so only after evaluating whether the 1998 appropriation, when compared with the 1997 appropriation, could cause damage to the national security by showing trends over time, or otherwise tend to reveal intelligence methods. Because the 1998 appropriation represented approximately a $0.1 billion increase—or less

than a 0.4 percent change—over the 1997 appropriation, and because published reports did not contain information that, if coupled with the appropriation, would be likely to allow the correlation of specific spending figures with particular intelligence programs, I concluded that release of the 1998 appropriation could not reasonably be expected to cause damage to the national security, and so I released the 1998 appropriation.

9. Since the enactment of the intelligence appropriation for fiscal year 1998, the budget process has produced: (1) the fiscal year 1998 supplemental appropriation; (2) the Administration's budget request for fiscal year 1999 (a subject of this litigation); (3) the fiscal year 1999 regular appropriation (a subject of this litigation); and (4) the fiscal year 1999 emergency supplemental appropriation (a subject of this litigation). Information about each of these figures—some of it accurate, some not—has been reported in the media. In evaluating whether to release the Administration's budget request or total appropriation for fiscal year 1999, I cannot review these possible releases in isolation. Instead, I have to consider whether release of the requested information could add to the mosaic of other public and clandestine information acquired by our adversaries about the intelligence budget in a way that could reasonably be expected to damage the national security. If release of the requested information adds a piece to the intelligence jigsaw puzzle—even if it does not complete the picture—such that the picture is more identifiable, then damage to the national security could reasonably be expected. After conducting such a review, I have determined that release of the Administration's intelligence budget request or total appropriation for fiscal year 1999 reasonably could be expected to cause damage to the national security, or otherwise tend to reveal intelligence methods. In the paragraphs that follow, I will provide a description of some of the information that I reviewed and how I reached this conclusion. I am unable to describe all of the information I reviewed without disclosing classified information. Additional information in support of my determination is included in my classified declaration.

10. At the creation of the modern national security establishment in 1947, national policymakers had to address a paradox of intelligence appropriations: the more they publicly disclosed about the amount of appropriations, the less they could publicly debate about the object of such appropriations without causing damage to the national security. They struck the balance in favor of withholding the amount of appropriations. For over fifty years, the Congress has acted in executive session when approving intelligence appropriations to prevent the identification of trends in intelligence spending and any correlation between specific spending figures with particular intelligence programs. Now is an especially critical and turbulent period for the intelligence budget, and the continued secrecy of the fiscal year 1999 budget request and total appropriation is necessary for the protection of vulnerable intelligence capabilities.

CLASSIFIED INFORMATION

FOIA exemption (b)(1)

11. The authority to classify information is derived from a succession of Executive orders, the most recent of which is Executive Order 12958, ''Classified National Security Information.'' Section 1.1(c) of the Order defines ''classified information'' as ''information that has been determined pursuant to this order or any predecessor order to require protection against unauthorized disclosure.'' The CIA has withheld the budget request and the total appropriation as classified information under the criteria established in Executive Order 12958.

Classification authority

12. Information may be originally classified under the Order only if it: (1) is owned by, produced by or for, or is under the control of the United States Government; (2) falls within one or more of the categories of information set forth in section 1.5 of the Order; and (3) is classified by an original classification authority who determines that its unauthorized disclosure reasonably could be expected to result in damage to the national security that the original classification authority can identify or describe.[1] The classification of the budget request and the total appropriation meet these requirements.

13. The Administration's budget request and the total appropriation are information clearly owned, produced by and under the control of the United States Government. Additionally, the budget request and the total appropriation fall within the category of information listed at section 1.5(c) of the Order: ''intelligence activities (including special activities), intelligence sources or methods, or cryptology.''

14. Finally, I have made the determination required under the Order to classify the budget request and the total appropriation. By Presidential Order of 13 October 1995, ''National Security Information'', 3 C.F.R. 513 (1996), reprinted in 50 U.S.C. §435 note (Supp. I 1995), and pursuant to section 1.4(a)(2) of Executive Order 12958, the President designated me as an official authorized to exercise original Top Secret classification authority. I have determined that the unauthorized disclosure of the budget request or the total appropriation reasonably could be expected to cause damage to the national security. Consequently, I have classified the budget request and the total appropriation at the Confidential level. In the paragraphs below, I will identify and describe the foreseeable damage to national security that reasonably could be expected to result from disclosure of the budget request or the total appropriation.

Damage to national security

15. Disclosure of the budget request or the total appropriation reasonably could be expected to cause damage to the national security in several ways. First, disclosure of the budget request reasonably could be expected to provide foreign governments with the United States' own assessment of its intelligence capabilities and weaknesses. The difference between the appropriation for one year and the Administration's budget request for the next provides a measure of the Administration's unique, critical assessment of its own intelligence programs. A requested budget decrease reflects a decision that existing intelligence programs are more than adequate to meet the national security needs of the United States. A requested budget increase reflects a decision that existing intelligence programs are insufficient to meet our national security needs. A budget request with no change in spending reflects a decision that existing programs are just adequate to meet our needs.

16. Similar insights can be gained by analyzing the difference between the total appropriation by Congress for one year and the total appropriation for the next year. The difference between the appropriation for one year and the appropriation for the next year provides a measure of the Congress' assessment of the nation's intelligence programs. Not only does an increased, decreased, or unchanged appropriation reflects a congressional determination that existing intelligence programs are less than adequate, more than adequate, or just adequate, respectively, to meet the national security needs of the United States, but an actual figure indicates the degree of change.

17. Disclosure of the budget request or the total appropriation would provide foreign governments with the United States' own overall assessment of its intelligence weaknesses and priorities and assist them in redirecting their own resources to frustrate the United States' intelligence collection efforts, with the resulting damage to our national security. Because I have determined it to be in our national security interest to deny foreign governments information that would assist them in assessing the strength of United States intelligence capabilities, I have determined that disclosure of the budget request or the total appropriation reasonably could be expected to cause damage to the national security. I am unable to elaborate further on the bases for my determination without disclosing classified information. Additional information in support of my determination is included in my classified declaration.

18. Second, disclosure of the budget request or the total appropriation reasonably could be expected to assist foreign governments in correlating specific spending figures with particular intelligence programs. Foreign governments are keenly interested in the United States' intelligence collection priorities. Nowhere are those priorities better reflected than in the level of spending on particular intelligence activities. That is why foreign intelligence services, to varying degrees, devote resources to learning the amount and objects of intelligence spending by other foreign governments. The CIA's own intelligence analysts conduct just such analyses of intelligence spending by foreign governments.

19. However, no intelligence service, U.S. or foreign, ever has complete information. They are always revising their intelligence estimates based on new information. Moreover, the United States does not have complete information about how much foreign intelligence services know about U.S. intelligence programs and funding. Foreign governments collect information about U.S. intelligence activities from their human intelligence sources; that is, ''spies.'' While the United States will never know exactly how much our adversaries know about U.S. intelligence activities, we do know that all foreign intelligence services know at least as much about U.S. intelligence programs and funding as has been disclosed by the Congress or reported by the media. Therefore, congressional statements and media reporting of the fiscal year 1999 budget cycle provide the minimum knowledge that can be attributed to all foreign governments, and serve as a baseline for predictive judgments of the possible damage to national security that could reasonably be expected to result from release of the budget request or the total appropriation.

20. Budget figures provide useful benchmarks that, when combined with other public and clandestinely-acquired information, assist experienced intelligence analysts in reaching accurate estimates of the nature and extent of all sorts of foreign intelligence activities, including covert operations, scientific and technical research and development, and analytic capabilities. I expect foreign intelligence services to do no less if

[1] The severity of the damage to the national security affects the level of classification assigned to the information: information reasonably expected to cause exceptionally grave damage is classified TOP SECRET; information reasonably expected to cause serious damage is classified SECRET; and information reasonably expected to cause damage is classified CONFIDENTIAL.

armed with the same information. While other sources may publish information about the amounts and objects of intelligence spending that damages the national security, I cannot add to that damage by officially releasing information, such as the budget request or the total appropriation, that would tend to confirm or deny these public accounts. Such intelligence would permit foreign governments to learn about United States' intelligence collection priorities and redirect their own resources to frustrate the United States' intelligence collection efforts, with the resulting damage to our national security. Therefore, I have determined that disclosure of the budget request or the total appropriation reasonably could be expected to cause damage to the national security. I am unable to elaborate further on the bases for my determination without disclosing classified information. Additional information in support of my determination is included in my classified declaration.

21. In addition, release of both the budget request and the total appropriation would permit one to calculate the exact difference between the Administration's request and Congress' appropriation. It is during the congressional debate over the Administration's budget request that many disclosures of specific intelligence programs are reported in the media. Release of the budget request and total appropriation together would assist our adversaries in correlating the added or subtracted intelligence programs with the exact amount of spending devoted to them.

22. And third, disclosure of the budget request or the total appropriation reasonably could be expected to free foreign governments' limited collection and analysis resources for other efforts targeted against the United States. No government has unlimited intelligence resources. Resources devoted to targeting the nature and extent of the United States' intelligence spending are resources that cannot be devoted to other efforts targeted against the United States. Disclosure of the budget request or the total appropriation would free those foreign resources for other intelligence collection activities directed against the United States, with the resulting damage to our national security. Therefore, I have determined that disclosure of the budget request or the total appropriation reasonably could be expected to cause damage to the national security.

23. In summary, I have determined that disclosure of the budget request or the total appropriations reasonably could be expected to provide foreign intelligence services with a valuable benchmark for identifying and frustrating United States' intelligence programs. For all of the above reasons, singularly and collectively, I have determined that disclosure of the budget request or the total appropriation for fiscal year 1999 reasonably could be expected to cause damage to the national security. Therefore, I have determined that the budget request and the total appropriation are currently and properly classified Confidential.

INTELLIGENCE METHODS

FOIA exemption (b)(3)

24. Section 103(c)(6) of the National Security Act of 1947, as amended, provides that the DCI, as head of the intelligence community, ''shall protect intelligence sources and methods from unauthorized disclosure.'' Disclosure of the budget request or the total appropriation would jeopardize intelligence methods because disclosure would tend to reveal how and for what purposes intelligence appropriations are secretly transferred to and expended by intelligence agencies.

25. There is no single, separate appropriation for the CIA. The appropriations for the CIA and other agencies in the intelligence community are hidden in the various annual appropriations acts. The specific locations of the intelligence appropriations in those acts are not publicly identified, both to protect the classified nature of the intelligence programs themselves and to protect the classified intelligence methods used to transfer funds to and between intelligence agencies.

26. Because there are a finite number of places where intelligence funds may be hidden in the federal budget, a skilled budget analyst could construct a hypothetical intelligence budget by aggregating suspected intelligence line items from the publicly-disclosed appropriations. Release of the budget request or the total appropriation would provide a benchmark to test and refine such a hypothesis. Repeated disclosures of either the budget request or total appropriation could provide more data with which to test and refine the hypothesis. Exhibit 1 is an example of such a hypothesis. Confirmation of the hypothetical budget could disclose the actual locations in the appropriations acts where the intelligence funds are hidden, which is the intelligence method used to transfer funds to and between intelligence agencies.

27. Sections 5(a) and 8(b) of the CIA Act of 1949 constitute the legal authorization for the secret transfer and spending of intelligence funds. Together, these two sections implement Congress' intent that intelligence appropriations and expenditures, respectively, be shielded from public view. Simply stated, the means of providing money to the CIA is itself an intelligence method. Disclosure of the budget request or the total appropriation could assist in finding the locations of secret intelligence appropriations, and thus defeat these congressionally-approved secret funding mechanisms. Therefore I have determined that disclosure of the budget request or the total appropriation would tend to reveal intelligence methods that are protected from disclosure. I am unable to elaborate further on the bases for my determination without disclosing classified information. Additional information in support of my determination is included in my classified declaration.

CONCLUSION

28. In fulfillment of my statutory responsibility as head of the United States intelligence community, as the principal adviser to the President for intelligence matters related to the national security, and as head of the CIA, to protect classified information and intelligence methods from unauthorized disclosure, I have determined for the reasons set forth above and in my classified declaration that the Administration's intelligence budget request an the total appropriation for fiscal year 1999 must be withheld because their disclosure reasonably could be expected to cause damage to the national security and would tend to reveal intelligence methods.

I hereby certify under penalty of perjury that the foregoing is true and correct.

Executed this 6th day of April, 1999.

GEORGE J. TENET,
Director of Central Intelligence.

Mr. OWENS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. OWENS. Mr. Chairman, I rise in support of the Sanders amendment.

Mr. Chairman, I think the last speaker was correct when he said we need to revamp the CIA. I think what the Sanders amendment says is that revamping should not involve additional money.

The CIA budget is estimated to be somewhere around $30 billion. We are only spending about $23 billion on elementary and secondary education. It is important that it be revamped. And I am not sure that the intelligence community that exists now is capable of revamping it. We need an independent commission of some kind to revamp the CIA. It needs to be improved. It needs to have accountability. The long history of blunders in the last 10 years are such that it is obviously a defunct, incompetent, decaying agency. Something needs to happen.

I am not sure the President is in charge, either. The President's first choice for CIA Director was not accepted by the intelligence community. The intelligence community protects this incompetence.

Our history with respect to Haiti was that the CIA was determined to get the duly-elected President of Haiti, Jean Bertrand-Aristide. They did everything they could to smear him. All kinds of false things were generated out of the CIA. When they were later proven to be untrue, nobody later apologized, nobody was held accountable.

In one of the major diplomatic moves made by the envoy to Haiti, where we had a delegation going in with Canadian police and a number of other things to start a process of peace in Haiti, there was a big demonstration on the docks in Haiti which turned all that around and threatened the U.S. Embassy personnel with gunshots; and it turned out that that demonstration was financed by the CIA. Emmanuel Constanz, the head of the organization that staged the violent demonstration was on the payroll of the CIA.

We cannot fully get the story of all the things Emmanuel Constanz had going with the CIA because they refuse to give us the records. They will not let the nation of Haiti try Emmanuel Constanz for the crimes that he has committed.

Then there is the Aldrich Ames affair, where the man in charge of the Russian spy operation managing our assets was on the payroll of the Soviet Union. He was on the payroll of the Soviet Union, and he exposed those assets. At least 10 of the people who were working for this nation were executed as a result of Aldrich Ames, the guy who was in charge at the CIA, having sold them out for quite a number of millions of dollars.

And now we have the blunder at the Chinese Embassy in Yugoslavia. It is not funny at all. It is not humorous at all to me. I heard some Members in the elevator say, ''Do you want to establish a special map fund for the CIA?'' I do not think this is funny at all. These people have life-and-death power over large numbers of people, and to talk about a mapping error which could have been corrected by a tourist map, a mapping area that was reinforced by somebody on the ground. They said they had assets on the ground. Was the asset on the ground drunk? What kind of operation is this?

And when are we, as American people first of all, going to get to see what the budget is? But more important than that, an independent commission to revamp it? And before that happens, there should not be a single additional penny spent. Throwing money at the CIA is certainly not going to solve the problem. And money is not the problem. They have far more than they need right now.

My colleagues will recall several years ago that the CIA accountants lost $4 billion in their budget. They could not find out where $4 billion had gone. They just could not. We know it was not spent. They lost it and kept applying for, of course, new funds every year. And we never got a full explanation as to what happened to lose $4 billion in the budget of the CIA.

So we very much need to have a better accounting of this life-and-death powerful agency. The incompetence is deadly. The incompetence of the CIA is deadly. The incompetence of the CIA is such that it destroys the foreign policies of the United States.

My constituents were all in favor of supporting the President on the actions taken against Slobodan Milosevic. But now, the war has been conducted in such a sloppy manner. And with the Chinese Embassy bombing, there seems to be a turnaround in public opinion in my area because they do not want to be a part of anything that is as sloppy as this, a life-and-death operation, that tells us that they bombed an embassy that has been existing for several years because the maps were not correct.

The CIA should be revamped, and we should start with all new people in the intelligence community. If intelligence community means members of the committee, then maybe members of the committee ought to take a hard look at themselves and say, we need some fresher voices. If the committees in the House and the Senate are going to be advocates for the CIA, we need an objective committee that will be an oversight committee to really look at the CIA and revamp the CIA. But, certainly, do not spend an additional dime on the CIA until that happens.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, not only the United States, but I truly believe this is a very, very dangerous world. I believe, from my experience, that it is even more so than during the Cold War.

Sandy Berger, with the CIA, told me that their assets around the world are spread very, very thin. I think one of our biggest threats is terrorist threats, not only in the United States but abroad. And he said their assets are not adequate to do that. Whether it is gaining information to protect our embassies, whether it is terrorist movements, whether it is just gathering intelligence on China or Russia, or whatever, those assets are spread very thin.

Sandy Berger also told us that, with Kosovo, with those assets so thin, that they are having to draw those intelligence assets to Kosovo, which leaves us very, very vulnerable. And, in his words he said, an attack from Osama bin Laden was imminent. To me, that means fairly quick.

It grieves me that we are in the situation that we are in right now in Kosovo. But the last thing we need to do is cut our intelligence. It means life and death, not only for the people here in the United States.

Let me give my colleagues a good example. In Vietnam, we had intelligence in a place just south of Hanoi that said there were no surface-to-air missiles there. We lost four airplanes because of faulty intelligence.

And when my colleague talked about the maps, I agree with him. But I went and looked at the map that they are using. Do my colleagues know what is in the map where the Chinese Embassy was? A vacant lot. And we cannot lie to the American people. We cannot spin things to make ourselves look good, either. That is wrong.

I would ask my colleagues to go over and look at the maps that they were using where the Chinese Embassy was. It was a vacant lot. So this is the kind of information we need, not to destroy. We have a military force and we have a foreign policy and we have the protection of the United States, the national security of this country. They are all tied together.

The intelligence we get enables us to direct our foreign policy, our foreign policy, using the vehicle of the military and enables us to stay safe and it enables our military to stay safe. And I feel from the bottom of my heart, with my experience, that to cut the intelligence budget is cutting the lifeline of the American people in our military. That is why I would oppose the amendment of the gentleman.

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

Mr. CUNNINGHAM. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I thank my colleague for yielding.

Let me ask my colleague a question: Does he believe that it is a question of funding that our intelligence people did not know where the Chinese Embassy was? Is this a question of putting billions of dollars more into the CIA? Or is this gross mismanagement of the process?

Mr. CUNNINGHAM. Mr. Chairman, reclaiming my time, I think probably both.

I would say to the gentleman from Vermont, when we have people that are spread so thin, it is like many of us in our offices where they give us more to do and we cannot keep up with all that we have got to do, there are things that slip through the crack. When we have limited assets and we are trying to do things in an ad hoc way which, in my opinion, and I agree with the gentleman, it has not been planned well, and when we are doing these ad hoc and we are making these decisions and we have got people picking these targets to do that and the oversight was disastrous.

So, yes, it is because of a lack of personnel, which was also caused by a lack of budget to hire people. That would be my answer to the gentleman. And I feel strongly. I am not being partisan with this. I believe it with all my heart.

And please, look at what our military is going through right now, I mean we are running them into the ground, and the assets of the intelligence agency, both the service intelligence, the CIA, and the FBI. Although, I believe that in many cases it is defunct in certain areas. But please do not cut those assets, because it is a lifeline for us here in the United States and our military, as well.

Mr. DEFAZIO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is what the public knows about the total aggregate budget of our intelligence agencies. We are told somehow this figure needs to be kept secret.

What solace would U.S. enemies or potential enemies abroad take from knowing that we lavish more money on our intelligence agencies than the entire gross national product of their countries and many of our other enemies combined around the world? None. They would probably be scared to death to think of the amount of money we are spending. It is kept secret for a reason. It is kept secret because of the extraordinary waste and incompetence.

We had some discussion just now about the lack of human intelligence. They are right. They are lavishing so many billions on geegaws and satellites and things that bring down so much data that is never, ever to be analyzed because there are not humans there to analyze it. They do not have people. They do not have agents.

They are wasting tens of millions, hundreds of millions, billions of dollars annually on these things instead of investing in agents and intelligence.

□ 1315

A much smaller, more effective post-cold war, post-gadgetry type intelligence service could serve our Nation well.

The failings have been well documented, but I want to go into this most extraordinary recent failing for a moment. These are maps which I obtained through the Congressional Research Service, whose budget for an annual basis is equivalent to about one day's spending of our intelligence services. They were able to provide the maps. They provided two maps, in fact, where the Chinese embassy used to be and where the Chinese embassy is now. It is about four miles apart.

The gentleman before me really puzzled me because he said we targeted an empty lot. We have already admitted we targeted a building and blew it up. We did not target an empty lot. And it

just happened to be the Chinese embassy. Maybe they did not have access to the same database as CRS even though CRS has a budget a tiny fraction of theirs, but they certainly did have a map.

They could have accessed the Yugoslav web site. Maybe they thought it was disinformation, but they have a web site for tourists, and on the web site they have the new address of the Chinese embassy which my staff pulled down from the World Wide Web. Certainly, they have 486 computers and modems at these intelligence agencies. Or maybe we do not allow them to have those because we have wasted so much money on these extraordinary spy systems flying around up there in space that provide very little benefit to us.

The funny thing to me is, my colleagues on the other side of the aisle, as soon as we have an extraordinary failing of our intelligence agencies, say this proves the case for more money. Many of the same people stand up in the floor of this House and say the education system of the United States is failing our children. Do they say that needs more money? I think it needs more money for smaller class size. No, they say it needs to be reformed, dismantled, reorganized, vouchered, everything but more money for education. But when it comes to the failings of our intelligence services, the only answer, the answer every time is more money, more money, more money, more billions.

Why? Why not apply that same critical viewpoint, that same scrutiny to these agencies? Why not reveal the budget to the light of day? There is nothing in the Constitution that provides for hiding this budget. It is not a national security issue. It is a national waste and incompetence issue that is being kept from the American people. It is being kept from Members of Congress.

Yes, I could go upstairs and read all that stuff. That is great. But the minute I came to the floor of the House I could not talk about it. I would be crippled to talk about the waste. If I actually had facts about the waste, I could not use them. If I had the actual aggregate number, I could not use it.

So we have to come here and have this absurd debate every year because we are covering up an incompetent number of bureaucracies and disasters, and we have a bunch of people who are on a little committee who go into a room and exert some light degree of scrutiny and are even stonewalled at times by the agencies.

It is time for a major overhaul of these intelligence services because of the major failings, from the most recent failings here at the Chinese embassy back to being unable to predict the collapse of the Soviet Union, the invasion of Kuwait, the explosion of nuclear weapons by India, failing after failing after failing. There is no other part of the government where Congress would take it, lay down and say, ''Here is more money. Waste it.''

Mr. STARK. Mr. Chairman, I rise in support of the Sanders-Stark-DeFazio amendment to freeze the Intelligence Budget at the 1998 level of spending.

Without openness regarding the level of intelligence spending, there is no accountability.

Without full accountability, I am not prepared to increase funds for intelligence.

On Saturday, May 8, the U.S. bombed the Beijing embassy in Belgrade. The blame is being placed on the Central Intelligence Agency (CIA) for using an outdated map. Now, China is breaking off diplomatic ties with the U.S. on human rights and arms control.

Many of my colleagues will attribute this fatal error—killing three Chinese journalists and wounding twenty other people—to shortfalls in intelligence spending on maps. However, in truth, this mistake was made by human error and the bombing should not be used as an excuse to spend more.

There is no reason for the Intelligence Budget to be classified information. How can we justify a multi-billion blank check every year without disclosure of that amount to the American taxpayer?

If this Congress is serious about saving Social Security and Medicare, we should not throw money into an unaccountable hole. Since almost all of the intelligence spending is hidden within the defense budget, we are misled about the real amount of intelligence spending through false line items in the defense budget. We must have budget integrity.

The media, without compromising national security, routinely estimates the intelligence budget. When the government keeps this open secret clandestinely hidden, the American public grows increasingly cynical about their government.

The Cold War is over. The specter of Communism no longer lurks on the horizon. While we face new challenges in this new age, the Intelligence community must share in the burden of fiscal accountability and discipline. I support the Sanders-Stark-DeFazio Amendment to freeze the Intelligence Authorization spending at the Fiscal Year 1998 level.

Reports show that the U.S. spends more than twice the combined Intelligence budgets of our supposed hostile nations—North Korea, Iraq, Iran, Syria, Libya and Cuba. It is also more than the Intelligence budgets of the United Kingdom, Australia, Germany and Canada combined.

Where has all of this secrecy gotten us?

We bombed a Chinese Embassy in Belgrade, killing three and wounding others.

We flew into a gondola in Italy, killing 20 unsuspecting civilians.

And we destroyed a weapons and nerve facility in Iraq causing Gulf War illness in our military personnel serving in the Persian Gulf.

The American taxpayer deserves to know what mistakes the CIA made and how they will be corrected. The Sanders-Stark-DeFazio Amendment calls for a CIA report on the accidents that have occurred over the past decade.

I cannot, in good conscience, allow any type of spending increase when mistakes in U.S. Intelligence occur far too often and endanger innocent lives.

For these tragedies, I urge my colleagues to support the Sanders-Stark-DeFazio amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DIXON) to the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is the amendment offered by the gentleman from Vermont (Mr. SANDERS), as amended.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SANDERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 167, further proceedings on the amendment offered by the gentleman from Vermont (Mr. SANDERS), as amended, will be postponed.

Are there further amendments to the bill?

AMENDMENT NO. 13 OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Ms. WATERS: At the end, add the following new title:

TITLE VI—PROHIBITION ON DRUG TRAFFICKING BY EMPLOYEES OF THE INTELLIGENCE COMMUNITY

SEC. 601. PROHIBITION ON DRUG TRAFFICKING BY EMPLOYEES OF THE INTELLIGENCE COMMUNITY.

(a) PURPOSES.—It is the purpose of this section—

(1) to prohibit the Central Intelligence Agency and other intelligence agencies and their employees and agents from participating in drug trafficking activities, including the manufacture, purchase, sale, transport, or distribution of illegal drugs; conspiracy to traffic in illegal drugs; and arrangements to transport illegal drugs; and

(2) to require the employees and agents of the Central Intelligence Agency and other intelligence agencies to report known or suspected drug trafficking activities to the appropriate authorities.

(b) PROHIBITION ON DRUG TRAFFICKING.—No element of the intelligence community, or any employee of such an element, may knowingly encourage or participate in drug trafficking activities.

(c) MANDATE TO REPORT.—Any employee of an element of the intelligence community having knowledge of facts or circumstances that reasonably indicate that any employee of such element is involved with any drug trafficking activities, or other violations of United States drug laws, shall report such knowledge or facts to the appropriate official.

(d) DEFINITIONS.—As used in this section:

(1) DRUG TRAFFICKING ACTIVITIES.—

(A) IN GENERAL.—The term ''drug trafficking activities'' means the possession, distribution, manufacture, cultivation, sale, transfer, or the attempt or conspiracy to possess, distribute, manufacture, cultivate, sell or transfer illegal drugs (as those terms are applied under section 404(c) of the Controlled Substances Act (21 U.S.C. 844(c)).

(B) INCLUSIONS.—Such term includes arrangements to allow the use of federally owned or leased vehicles, or other means of transportation, for the transport of illegal drugs.

(2) ILLEGAL DRUGS.—The term ''illegal drugs'' means controlled substances (as that term is defined section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)) included in schedule I or II under part B of title II of such Act.

(3) EMPLOYEE.—The term ''employee'' means an individual employed by an element of the intelligence community, and includes the following individuals:

(A) Employees under a contract with such an element.

(B) Covert agents, as that term is defined in paragraph (4) of section 606 of the National Security Act of 1947 (50 U.S.C. 426).

(C) An individual acting on behalf, or with the approval, of an element of the intelligence community.

(4) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given that term under paragraph (4) of section 3 of the National Security Act of 1947 (50 U.S.C. 401a).

(5) APPROPRIATE OFFICIAL.—The term ''appropriate official'' means the Attorney General, the Inspector General of the element of the intelligence community (if any), or the head of such element.

Ms. WATERS. Mr. Chairman, I rise in favor of my amendment to H.R. 1555, the Intelligence Authorization Bill for Fiscal Year 2000.

My amendment prohibits the employees of the Central Intelligence Agency, the CIA, and other intelligence agencies, from participating in drug trafficking activities. My amendment clearly defines drug trafficking activities to include the manufacture, the purchase, the sale, the transport or distribution of illegal drugs and conspiracy to traffic in illegal drugs. My amendment also requires CIA employees and covert agents to report known or suspected drug trafficking activities to the appropriate authorities.

Most Americans would assume that the CIA would never traffic in illegal drugs and would take all necessary actions to prosecute known drug traffickers. History, however, has proven that this is not the case. For 13 years, the CIA and the Department of Justice followed a memorandum of understanding that explicitly exempted the CIA from requirements to report drug trafficking by CIA assets, agents and contractors to Federal law enforcement agencies. This allowed some of the biggest drug lords in the world to operate without fear that their activities would be reported to the Drug Enforcement Agency or other law enforcement authorities. This remarkable and secret agreement was in force from February of 1982 until August of 1995.

I have been investigating the allegations of drug trafficking by the Nicaraguan Contras during the 1980s. My investigation has led me to the conclusion that the United States intelligence agencies knew full well about drug trafficking by the Contras in south central Los Angeles and throughout the United States and chose to continue to support the Contras without taking any action to stop the drug trafficking.

Last year, the CIA Inspector General released a report of investigation on drug trafficking by the Contras which confirms allegations of CIA knowledge of and support for drug trafficking in the United States by the Contras. The report provides extensive details of the evidence available to the CIA regarding drug trafficking by Contra rebels and their supporters.

Even more remarkable is the fact that there is evidence that the CIA was actually participating in drug trafficking activities. In the late 1980s, the CIA began to develop intelligence on Colombian drug cartels. To infiltrate the cartels, the CIA arranged an undercover drug smuggling operation with the Venezuelan National Guard. More than 1.5 tons of cocaine were smuggled from Colombia to Venezuela and then stored in a CIA-financed Counter-narcotics Intelligence Center in Venezuela. The Center's commander and the CIA's agent in Venezuela was General Ramon Guillen, who was also the head of the anti-drug unit of the Venezuelan National Guard.

Now we know that, in certain circumstances, the Drug Enforcement Agency arranges controlled shipments of illegal drugs in which the drugs are allowed to enter the United States, then tracked to their destination and seized. However, the CIA was more interested in keeping the drug lords happy than confiscating the drugs and prosecuting the traffickers.

The CIA asked the DEA for permission to let the dope walk, that is, allow the drugs to be sold on our Nation's streets. The DEA refused them, turned them down flat. But the CIA ushered this shipment of drugs into the United States, and it got lost on the streets of New York and south central Los Angeles and in our neighborhoods and our communities. The CIA let the drugs walk into our communities.

On November 19, 1990, part of that shipment, 800 pounds of cocaine, was seized by the U.S. Customs Service at the Miami International Airport. Customs traced the cocaine right back to the Venezuelan National Guard and General Guillen and the CIA. General Guillen's top civilian aide, Adolfo Romero Gomez, was convicted of conspiracy to possess and distribute cocaine in September of 1997.

The CHAIRMAN. The time of the gentlewoman from California (Ms. WATERS) has expired.

(By unanimous consent, Ms. WATERS was allowed to proceed for 1 additional minute.)

Ms. WATERS. Mr. Chairman, on December 10, 1997, he was sentenced to almost 20 years in prison. Federal prosecutors have also charged General Guillen with a broad conspiracy to smuggle up to 22 tons of cocaine through Venezuela to the United States and Europe while he was head of the anti-drug unit of the Venezuelan National Guard between 1988 and 1992. Since Venezuela does not extradite its citizens, General Guillen is still at large.

We may never know precisely how much cocaine entered the United States through the CIA's pipeline or how much eventually reached our Nation's streets. No one at the CIA was ever charged.

The CIA should not be allowed to bring cocaine or other illegal drugs into our country. Intelligence agencies should be working to stop the harmful trafficking in illegal drugs that is destroying our communities. They should not be assisting the drug traffickers.

I urge my colleagues to support this very reasonable amendment to stop the drugs that are used in covert operations from seeing their way into our cities and our towns. I ask for an ''aye'' vote on my amendment.

Mr. GOSS. Mr. Chairman, I move to strike the last word.

As I understand the gentlewoman's amendment, it would prohibit the engagement in any illegal drug activity by employees, agents or other sources of the CIA. Is that essentially correct?

Ms. WATERS. Mr. Chairman, will the gentleman yield?

Mr. GOSS. I yield to the gentlewoman from California.

Ms. WATERS. That is correct, Mr. Chairman.

Mr. GOSS. Mr. Chairman, I obviously support wholeheartedly the spirit of that. I think that, in fact, it is already a fact, that it is against the law for employees, agents or sources of the CIA to break the law, as it should be.

The only problem I have with the gentlewoman's amendment is one I think we can resolve very easily, and that is the definition of what an employee is, whether or not it perhaps is so broad that in some unanticipated or unintended way it actually could limit the intelligence community's efforts to wage war on those involved in illegal narcotic trafficking and illegal drug activity. I know that the gentlewoman would not want that.

With that one simple reservation, I would be simply in a position to accept the amendment, certainly in the spirit it is offered, and join the gentlewoman in saying very obviously we would not tolerate in any way any incidents, and we will seek out, as the gentlewoman has suggested, any reports we have about wrongdoing in the areas of illegal drug activity by not just the CIA but anybody in the intelligence community over which we have oversight authority.

Having said that, I would also point out that actually some progress has been made by the committee since last year we had this conversation, and we do have some reporting, and we will soon have some more on some of these matters of interest to the gentlewoman.

I will accept the amendment subject to those remarks.

Mr. DIXON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment and in particular section 2 which says it requires the employees and agents of the Central Intelligence Agency and other intelligence agencies to report known or suspected drug traffickers' activities to the appropriate authorities. Clearly, in the past and based on the CIA Inspector General's public report on this matter there has been a mixed record as it relates to the reporting of suspected drug

activities. I think that this amendment perhaps would go a long way toward clearing up that ambiguity, although the CIA has taken effective steps to correct past problems in this area.

I agree with the chairman of the committee as it relates to the definition of ''employees,'' and we accept the amendment on the minority side.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT NO. 3 OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Is the gentleman referring to amendment No. 3?

Mr. ENGEL. Yes.

The CHAIRMAN. Title III was closed. The gentleman will need to proceed with unanimous consent to designate the amendment.

Mr. ENGEL. Mr. Chairman, I ask unanimous consent that we proceed with the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. GOSS. Mr. Chairman, reserving the right to object, and I will not object, I wish to explain why I will not object.

I respect the gentleman from New York. He has worked hard and means well to bring forward a meaningful amendment. It is an amendment in fact which I think I am prepared to accept if I understand it properly.

□ 1330

Mr. Chairman, given the technicalities of this particular rule for this particular subject for this particular permanent select committee, I think that there is a little extra work involved for our members, and we try and bend over backwards to accommodate our members, and it is in that spirit that I am not going to object.

Equally, I am very mindful that this year the gentleman from California (Mr. DIXON) specifically asked if we could have as much time as possible so every member would be able to be fully lined up, and as a courtesy to my ranking member, I am prepared not to object.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from New York (Mr. ENGEL) may offer amendment No. 3.

Mr. ENGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. ENGEL:

At the end of title III (page 10, after line 2), insert the following new section:

SEC. 304. REPORT ON KOSOVO LIBERATION ARMY.

(a) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Director of Central Intelligence shall submit to the appropriate congressional committees a report (in both classified and unclassified form) on the organized resistance in Kosovo known as Kosovo Liberation Army. The report shall include the following:

(1) A summary of the history of the Kosovo Liberation Army.

(2) As of the date of the enactment of this Act—

(A) the number of individuals currently participating in or supporting combat operations of the Kosovo Liberation Army (fielded forces), and the number of individuals in training for such service (recruits);

(B) the types, and quantity of each type, of weapon employed by the Kosovo Liberation Army, the training afforded to such fielded forces in the use of such weapons, and the sufficiency of such training to conduct effective military operations; and

(C) minimum additional weaponry and training required to improve substantially the efficacy of such military operations.

(3) An estimate of the percentage of funding (if any) of the Kosovo Liberation Army that is attributable to profits from the sale of illicit narcotics.

(4) a description of the involvement (if any) of the Kosovo Liberation Army in terrorist activities.

(5) A description of the number of killings of noncombatant civilians (if any) carried out by the Kosovo Liberation Army since its formation.

(6) A description of the leadership of the Kosovo Liberation Army, including an analysis of—

(A) the political philosophy and program of the leadership; and

(B) the sentiment of the leadership toward the United States.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—As used in this section, the term ''appropriate congressional committees'' means the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives, and the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

Mr. ENGEL. Mr. Chairman, first of all I want to thank the chairman of the committee, my classmate, the gentleman from Florida (Mr. GOSS); we came to Congress the same year together; and the ranking member, the gentleman from California (Mr. DIXON) for their kindness, and I rise to offer this amendment which is very, very simple.

I was at a speech that the President gave this morning on the current hostilities in Yugoslavia, and the President said that he feels very strongly that we must stay the course and must put an end to the ethnic cleansing and the atrocities being committed. I concur wholeheartedly. I think it is very important that we do that.

Mr. Chairman, I have a bill which I am sponsoring along with my colleague, the gentleman from South Carolina (Mr. SANFORD) which provides money to arm and train the KLA, the Kosovo Liberation Army. It is identical to the McConnell-Lieberman bill which is in the Senate, and I believe very strongly about it because I think that in order for the bombing to be successful we need to have a counterbalance on the ground, and the Kosovo Liberation Army is right now the only counterbalance to the Serb atrocities on the ground, and I think that in Bosnia, when we had the bombing, we had the Croatian Army on the ground to help, and I think it would be helpful for us to arm and trade and aid the Kosovo Liberation Army.

There have been a series of reports in papers talking about the Kosovo Liberation Army, and they have unidentified sources, I think, of dubious veracity saying all kinds of negative things about the Kosovo Liberation Army. In my discussions with people, with the intelligence community and others, there seems to be no substantiation whatsoever about negatives being put forward trying to, I believe, smear the Kosovo Liberation Army.

So I think it would be very helpful, and what my amendment does is it says that not later than 30 days after the date of the enactment of this act the director of the CIA shall submit to Congress, to the appropriate congressional committees, both in classified and unclassified form, everything it knows on the organized resistance in Kosovo known as the Kosovo Liberation Army. The report shall include a summary of the history of the KLA, the number of individuals currently participating in or supporting combat operations of the KLA, the types and quantity of each type of weapons that they have, minimum additional weaponry and training required to improve substantially the efficacy of such military operations.

Talking about the smears, and I believe they are smears and there is no substantiation to them, but I want to know that somehow or other there are members participating in terrorist activities or illicit narcotics. Again, there seems to be no scintilla of evidence, but I think it is important that we know a description of their leadership, their political philosophy, and the sentiment of their leadership towards the United States and other things that are relative. I think that that would go a long way in helping this Congress to understand what the KLA is, and who they are and whether or not it will help us to decide whether or not to help them.

Again, Mr. Chairman, I think that they are a force on the ground in opposition to the Serb atrocities of ethnic cleansing, and I believe we should aid them, and that is simply what my amendment does.

Mr. GOSS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to commend the gentleman from New York (Mr. ENGEL) for his efforts in this area. Obviously this is a pathway the oversight committee has already started down, and I believe the amendment is supportive to interests that we all have. The purpose of the intelligence community is to provide the best possible factual information we can get on

a timely basis for our decision makers. We have to make some very tough decisions involving this part of the world these days, and I cannot see anything but good coming out of having the right information at the right time.

Mr. Chairman, I believe this amendment takes us that way, and I wish I knew more about all of the things that the gentleman is speaking about, I think we all wish that, but I think that trying to get that information is exactly the right thing for us to be doing.

Mr. Chairman, I will be supporting the gentleman's amendment.

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

Mr. GOSS. I yield to the gentleman from California.

Mr. DIXON. Mr. Chairman, we have no problem with the amendment on the minority side. Be glad to accept it also.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT NO. 8 OFFERED BY MR. SANDERS, AS AMENDED

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. SANDERS), as amended, on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 68, noes 343, not voting 22, as follows:

[Roll No. 129]

AYES—68

Abercrombie
Allen
Baldacci
Baldwin
Blumenauer
Bonior
Brown (OH)
Capuano
Chenoweth
Clay
Conyers
Cummings
Danner
Davis (IL)
DeFazio
Delahunt
DeLauro
Duncan
Evans
Farr
Filner
Frank (MA)
Gejdenson
Hilliard
Holt
Hooley
Jackson (IL)
Jackson-Lee (TX)
Jones (OH)
Kanjorski
Kucinich
Lee
Luther
Markey
McCarthy (MO)
McCarthy (NY)
McGovern
McKinney
Meehan
Meeks (NY)
Minge
Mink
Nadler
Oberstar
Olver
Owens
Pastor
Paul
Payne
Peterson (MN)
Ramstad
Rivers
Rohrabacher
Sanders
Schakowsky
Serrano
Stabenow
Stark
Stearns
Stupak
Tierney
Towns
Udall (NM)
Velazquez
Vento
Waters
Woolsey
Wu

NOES—343

Ackerman
Aderholt
Andrews
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crowley
Cubin
Cunningham
Davis (FL)
Davis (VA)
Deal
DeGette
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Everett
Ewing
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Moakley
Mollohan
Moore
Moran (KS)
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Ose
Oxley
Packard
Pallone
Pascrell
Pease
Pelosi
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Turner
Udall (CO)
Upton
Visclosky
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—22

Becerra
Brown (CA)
Cardin
Coyne
Doggett
Gephardt
Greenwood
Jefferson
Kleczka
Levin
Lewis (GA)
Matsui
McDermott
Miller, George
Moran (VA)
Morella
Neal
Rahall
Rangel
Slaughter
Tanner
Thurman

□ 1357

Messrs. GANSKE, BAIRD and WATT of North Carolina, Ms. PRYCE of Ohio, Mrs. KELLY, and Mrs. MEEK of Florida changed their vote from ''aye'' to ''no.''

Mr. ROHRABACHER and Ms. STABENOW changed their vote from ''no'' to ''aye.''

So the amendment, as amended, was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. CARDIN. Mr. Speaker, I was unavoidably detained and could not be here to vote on the amendment offered by the gentleman from Vermont (Mr. SANDERS) to the Intelligence Authorization Appropriation. If I had been present, I would have voted no.

Mr. McDERMOTT. Mr. Chairman, I missed the vote today (rollcall No. 129) on the Sanders amendment to freeze all Intelligence spending at the FY 1999 level because I was in a meeting with the President. If I had been here, I would have voted against it.

The CHAIRMAN. Are there other amendments to the bill?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

□ 1400

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CAMP) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1555) to authorize appropriations for fiscal year 2000 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, pursuant to House Resolution 167, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1555, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2000

Mr. GOSS. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1555, just passed, that the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House.

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

There was no objection.

GENERAL LEAVE

Mr. GOSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1555, the bill just considered and passed.

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

There was no objection.

MOTION TO INSTRUCT CONFEREES ON H.R. 1141, 1999 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

Mr. UPTON. Mr. Speaker, under section 7(c), rule XXII, I offer a motion to instruct conferees on the bill (H.R. 1141) making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes.

The SPEAKER pro tempore. The Clerk will report the motion.

The CLERK read as follows:

Mr. UPTON moves that the managers on the part of the House at the conference on the disagreeing votes of the 2 Houses on the Senate amendment to the bill H.R. 1141 be instructed to insist that no provision—

(1) not in H.R. 1141, when passed by the House,

(2) not in H.R. 1664 when passed by the House or directly related to H.R. 1664,

(3) not in the Senate amendment to H.R. 1141, as passed by the Senate,

be agreed to by the managers on the part of the House.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. UPTON) and the gentleman from Florida (Mr. DEUTSCH) each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. UPTON).

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

Over the last couple of weeks this House has passed two supplemental appropriations bills. I voted for each of the two bills. I thought that they were very important and truly emergency spending resolutions that we needed to agree on and pass.

Mr. Speaker, we passed both these resolutions here in the House, and clearly they were urgent, and clearly they were necessary. Many of us in the last week or two, when we supported particularly the second resolution, helping our readiness, helping our troops all over the world, decided that that was the wisest course to take. When we passed those two bills, we did not include the traditional pork barrel projects that are sometimes, more often than not, added onto these bills.

But sadly, the other body took a different course. Yesterday when I introduced this resolution, we indicated that we should not exceed the scope of the bills passed in the House and Senate. This is a step in the right direction.

Frankly, I would like to do a lot more. I would like to get all of the pork, all of these pork barrel projects that are not emergency, out of the bill. But lo and behold when I get home at night, as I did last night, and I turn on C-Span, it is really a big bazaar. It is Members of Congress in the House or the Senate, it does not matter which party, trading projects back and forth, back and forth.

Mr. Speaker, I can remember the staffer in the Reagan administration looking at some of these appropriation conference bills. The House would pass a bill at this level, the Senate would be a little higher, and we would end up with a bill that was higher than both of them. The same thing is happening again.

This has got to stop. This is taking money away from social security. This clearly has an impact on the surplus or the deficit, the long-term debt. It is wrong.

This is an emergency. We need only to deal with the emergency items, whether they be the tornado, the awful tornado that struck in Oklahoma, whether they be Hurricane Mitch, whether it be our readiness. All of those things I can understand, and I think the taxpayers across the country can understand.

But when they start seeing a bridge here, an armory here, some special environmental rider here or there, lots of things added to this bill, none of which were ever intended, particularly by the leaders of this House when we passed those bills, both in March and April, we have to draw the line.

What this resolution does, Mr. Speaker, is say, they have got to go. This is our instructions to our conferees that have now been working for some 3 weeks, that it is time to put their feet to the fire and say no to these special interests, no to these special projects, bring a bill back for the House and Senate to agree to that does not include all of these pork barrel items.

Mr. Speaker, we have a number of speakers that want to speak on this issue this afternoon, so I reserve the balance of my time.

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

Mr. Speaker, I appreciate the effort of the gentleman from Michigan (Mr. UPTON) in this area. This House is the people's House, and we are here to do the people's business. For any of the people of America who were watching C-Span last night and watching the conference report, I do not think they were watching the people's business. I think it was an unfortunate public example of what we know goes on privately many, many times.

There is a statute which talks about emergencies. We are literally dealing with the most serious things this Congress can talk about and deal with, literally, a military operation going on in Kosovo, American men and women whose lives are in harm's way today, and then by I guess it is just the arrogance of power, just absolute arrogance is the only way I can describe some of my colleagues, particularly in the Senate, in the other body, that want to put in just absolutely awful, obscure, terrible, self-centered special interest riders onto legislation dealing with a true crisis.

Think about how outrageous what is going on in this building today is. In the 7 years that I have been here, this is the worst example. We have seen special interests, we have seen pork barrel stuff, but what hypocrisy, what tragic, absolutely beyond-the-pale arrogance, when men and women of our armed forces are in harm's way, to play these games.

This is not a game. There are some of my colleagues who might believe that it is a game, but it is not a game. Yet, that is exactly what is going on. Shame on those Members, and hopefully more people are watching on C-Span and more people are seeing what they are going to do, and guarantee that those people who are involved in this shameful activity never return to this Congress or to the United States Senate.

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

Mr. UPTON. Mr. Speaker, I yield 3 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, let me first associate myself with the comments of the gentleman from Michigan when he opened this legislation, and with the gentleman from Florida. I am as concerned as they are, and perhaps even more so. I think the process that we have adopted with respect to these so-called emergency spending bills is itself a disaster. Frankly, I think we need to do something about it in a hurry.

First of all, we do not, in the Congress of the United States, unlike virtually every State in the country now, have any kind of an emergency spending process by which we set aside

money in case there are emergencies. It is ad hoc. You come in here, you declare something to be an emergency, if you can get a majority of your brethren to agree with you, then you can get a vote on it.

The problem is, it goes through the Senate and then it goes into conference. What we have seen in recent days in the conference, with behavior from both sides of the aisle, particularly in the Senate, is to try to put everything in it you possibly can. It happens on every single emergency spending bill that goes through here. They become Christmas trees automatically. Everyone tries to put their own particular ornament on that Christmas tree. That process simply must stop.

This is a wonderful idea that the gentleman from Michigan (Mr. UPTON) has put forward. That is that we will take what passed in the House, we will take what passed in the Senate, and we will cut off everything else. We will just say no more, no mas, that is it, we are not going to do it. I think we should pass it as soon as we possibly can.

Just remember, every time we add another dollar here, we are taking a dollar away from helping with the social security problem, because now we cannot retire the debt of the social security with those dollars that we are putting into some of these projects which come along.

Mr. Speaker, I personally believe that the caps are a problem. I personally believe there is some spending we need to do in the area of education, particularly defense, and some things that are not being addressed, and we should not try to do it in emergency legislation.

These are very good causes, but they should not be part of an emergency spending package, as we have seen here in the House so far. To add these things on is a terrible tragedy.

□ 1415

Some of the riders that are being considered are parochial by nature. They are not of an emergency nature. They do not benefit the country generally. There is just absolutely no excuse to include them in legislation such as this other than one is dealing usually with a powerful Senator who one needs in order to get it through. That is a terrible way to do business.

So we should change the process. We should certainly pass these instructions that the gentleman from Michigan (Mr. UPTON) has put forward. We should stand united that we are going to make absolutely sure that we are putting an end to this, to go about doing what we have the money to do now, balancing our budget, taking care of the problems of Social Security and Medicare, and perhaps even providing for a tax cut, and making sure that our soldiers and sailors and Air Force and all our other military people are provided for, as they should be.

It can be done if we sit down and do it together. But do not do it through this emergency bill. Follow these motions to instruct.

Mr. DEUTSCH. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Speaker, I want to rise very quickly in support of the Upton motion to instruct. Regardless of whether we are fighting for deficit reduction or to reduce the debt or to save Social Security or just trying to save dollars for other worthy purposes, this motion makes a lot of sense.

We should not stack nonemergency items onto an emergency bill and try to boggard them through the process without giving them all of the consideration that the committee process requires. I want to congratulate the gentleman from Michigan (Mr. UPTON) on his motion. I strongly urge my colleagues to support the motion.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. BOEHLERT) to engage in a colloquy.

Mr. BOEHLERT. Mr. Speaker, I want to congratulate the gentleman from Michigan (Mr. UPTON) for offering this motion which would strengthen the House position in conference. The House leadership and the House Committee on Appropriations I think have done an excellent job on holding the line on extraneous matters, and this motion should help. So the gentleman's motion will be helpful.

I note, however, that, for drafting reasons, the gentleman's motion deals only with one set of problems we are facing in conference; namely, the addition of items that were never passed by either body.

But we also face another set of problems in conference because the Senate-passed version of the supplemental also contains numerous extraneous detrimental riders, many of them dealing with sensitive environmental matters.

I ask the gentleman from Michigan (Mr. UPTON) what does he believe our posture should be toward those items?

Mr. Speaker, I yield to the gentleman from Michigan (Mr. UPTON) for a response.

Mr. UPTON. Mr. Speaker, I thank the gentleman from New York for his comments, and I believe that the House in the conference must oppose all detrimental riders, including those that were passed by the other body.

I would just like to add as well that we were really under the gun when we introduced this motion yesterday. Under the House Rules, it has to be introduced when we are in session. Because the legislative activity yesterday went a little bit faster than usual, and we were in fear that the conference would be finished even last night or today, we had to be very quick in drafting this.

I view this as a first step. I think we ought to go a lot further and take a lot of the junk out that the Senate put in. I would completely agree with the gentleman from New York with regard to the environmental riders and would hope that they would be stripped out. I know for me, as a Member, if they are not, I will be voting ''no'' when this bill comes back.

Mr. BOEHLERT. Mr. Speaker, reclaiming my time, I thank the gentleman from Michigan for clarifying this point, the supplemental which deals mainly with legitimate emergencies and gives an appropriate response. But I think that is going to be in jeopardy if it is used as a way to pass major policy decisions which normally would be subjected to greater scrutiny and fuller debate here this the people's House.

I know that our leadership is well aware of that and has been working hard to keep the supplemental clean. They must succeed. I urge the support of the motion.

Mr. DEUTSCH. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman from Florida yielding me this time.

One of the low points for me in my tenure in Congress is what we have visited as the Congress adjourned last fall. We dealt with an omnibus spending bill. I think people on both sides of the aisle, people of all different philosophical orientations were frustrated that we were doing the people's business in this fashion with billions of dollars, nobody really knowing what was in it; and it was something that none of us would be proud of back home in the smallest city or county.

I personally feel that we need to take each opportunity to recommit ours to a thoughtful, reasonable, effective bipartisan approach to dealing with the people's money. I strongly support the motion to instruct by the gentleman from Michigan. I am pleased to hear that he does not think it goes quite far enough. I appreciated the colloquy clarifying the intent on some of these very destructive environmental riders.

My sincere hope is that this will be the beginning in this Congress of our having a bipartisan approach to make sure that we do handle the budget in a more thoughtful fashion.

I commend the gentleman from Michigan (Mr. UPTON) for his efforts. I like the spirit of bipartisanship that has been advanced. I hope that we can take every opportunity in the days ahead to follow up on this, because I think we can do a better job of discharging our responsibilities, getting more out of the tax dollar, and making people feel better about this institution.

I think this is a very important part in this effort, and I look forward to it leading to new steps for our being able to work together to put more integrity in the budgetary process.

Mr. UPTON. Mr. Speaker, I appreciate the statement of the gentleman from Oregon (Mr. BLUMENAUER).

Mr. Speaker, I yield 2 minutes to the gentleman from New Hampshire (Mr. BASS).

Mr. BASS. Mr. Speaker, I congratulate the gentleman from Michigan (Mr. UPTON) for this very timely motion. I see this as a motion to support our conferees, to give them the kind of support that they need dealing with what is, in effect, a pork fest going on over in the Senate.

It is a question of priorities. Are we for saving Social Security? Are we for tax relief for working Americans or eliminating the marriage tax penalty? Are we for tax dividend, or all the other issues that we have been dealing with? Are we for special education funding, these types of priorities? Or are we for a system that sets caps that are possibly unreasonably low, and then have individual Senators come in with their own pet projects in the name of an emergency in order to boost the budget? Is that the way we are going to set priorities in 1999? Shame on the process for doing that.

I would suggest to the Congress that if we cannot move forward on this emergency supplemental as it has been sent to the Senate, that we throw it out and we start all over again because there is no way that we are going to accede to an emergency supplemental that contains 99 and counting pieces of special legislation for Senators.

If this is the charade that we have to play in the name of looking like budget hawks, I do not want to have any part of it.

So I commend the gentleman from Michigan (Mr. UPTON) for his courage in bringing this motion to our attention. I hope it receives a unanimous vote.

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

Mr. Speaker, I am going to try to maybe point out specific things. I actually wonder about commercial fishing in Glacier Bay, if that really fits the criteria of emergency criteria under the statute that we have. To hold off funding our troops in Kosovo, bringing that as an issue, I do not know, I just find it shocking. I mean, that is the only words that I can think of. I use Yiddish on the floor, chutzpah. I mean it really is chutzpah.

Everybody in America knows what chutzpah is. One does not have to speak Yiddish to understand. It is amazing that they would have that.

Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

I congratulate the gentleman from Michigan (Mr. UPTON) on this motion to instruct. It is a good start to begin to strip out some of the extraordinary special interest riders that have been piggybacked on an ostensible emergency spending bill.

Now I have got to depart from the majority of my colleagues here in that I voted against the entire package. The money for the military should come out of the Pentagon. The money for other purposes should come out of the appropriate budgets. We should not be spending the Social Security Trust Fund, which is what we are dipping into here, which both the Republican leaders and the President promised to safeguard for these purposes.

But absent that, even worse than the fact that we went from $7 billion to $11 billion, and all these other things were larded into the bill, even worse, we have an attack on the environment in this legislation. The 1872 mining law is not enough of a giveaway?

Multinational mining companies acquire land in the western United States worth billions of dollars for $2.50 an acre with not a penny in royalties to the Federal taxpayers. That is running government like a business? But that is not bad enough. We cannot reform that law here. We know that. There is a majority that supports the continued giveaways.

But this bill goes even further. It waives provisions that have ridiculous, inadequate, antiquated law so that an open pit mine, heap leach mining, can go forward in Washington State. Cut off the top of a mountain and for every 16,000 tons of ore, one dumps cyanide on it, which it tends to get into the water table, and one gets an ounce of gold. This is prospecting, modern times.

But that requires a waiver, and the waiver is in this bill. What does that have to do with emergencies? What does is it have to do with Kosovo? Nothing. It has to do with the fact that Senators can do whatever they want behind closed doors and try and muscle the House and intimidate the President into signing the bill.

I certainly know that President Clinton will stand strong against these environmental riders as he has stood so steadfast in the past against similar riders. I urge him to veto this bill if we are not successful in our efforts today.

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

Mr. CUNNINGHAM. Mr. Speaker, I like the analogy of the gentleman from Florida (Mr. DEUTSCH). It does take chutzpah to have something that is truly an emergency and to pile riders and special interest just so that we have to vote for it to get it through is absolutely wrong. I support and I thank the gentleman.

None of us mind paying our tax dollars when we have farmers in trouble, we have an earthquake, we have floods. We support that. But this is wrong. I think most of us that watched television last night were appalled. It made the term ''good government'' an oxymoron. It is bad government when this comes to pass.

But what we are trying to do is fund our men and women and the needs. When the White House does have our people go into war, then we need to provide the equipment, the training, so that they can not only do their job, but win and come back safely. That is what the initial bill was for, not to pile on this stuff.

But I would also like to say, why are we paying so high? General Clark told me we are fighting 86 percent of all the missions. Ninety percent of the ordnance dropped is from the United States at a million and 2 million and half a million apiece.

There are 18 other Nations. Our supplemental should be a check from NATO to have them pay their fair share in the first place, not our taxpayers, and not cut money out of Social Security. The President, when he gets us into this thing, every penny of this comes out of the supplemental.

Both sides said for different reasons that they want to support Social Security and Medicare and education. I want to double medical research, and I want a tax relief for working families.

But by having us in Kosovo and extended, we paid $16 billion in Bosnia. We are still spending $25 million a year in Haiti building roads and schools. Enough is enough.

I support the gentleman's motion, and I will vote against the bill if it ends up with this pork, and I am one of the biggest supporters of the military.

Mr. DEUTSCH. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, I rise in vigorous support for this motion. Perhaps I will give my colleagues a new Member's perspective. I have only been here for about 3 months now, and I have learned that, in all human perceptions and endeavors, sometimes one can get worn down. One can get worn down by some of the worst habits in American democracy.

But I want to tell my colleagues I am not worn down. As a new Member, I stand here freshly outraged at the most grievous abuse of the democratic process I have seen since I got here 3 months ago.

For the other Chamber, noble as it is, to try to land a sucker punch on the environment in the middle of the night, to hold hostage our fighting men and women, is an outrage. All of us ought to come forward, whether we have been here 3 months or 30 years and say that.

It is an outrage because the American people have got to know, and they have heard about this bill. This bill is starting to have a certain odoriferous character about it, because the American people have learned that it has been larded up with various pork projects.

□ 1430

I want the American people to know it is not just lard, it is going backwards on the environment. Not just in one little district here or there, where a particular Senator had an interest. On the mining law, under the cover of darkness, under the cover of this war, folks who want to besmirch the environment have tried to rewrite the entire 1872 Mining Act, not to go forward in time but back to the previous millennium in time and have more giveaways to the mining industry. This is broad based.

I want to say one more thing. I am happy we are standing here on a bipartisan basis. Because I think no matter what we think of issues like the environment or the war or whatever, as House Members we have something at stake here, and that is our ability to stand up and be counted, which is going to be stripped away from us by the other Chamber if we yield on this.

Congratulations to the makers of this amendment. Let us pass it.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Speaker, I thank the gentleman from Michigan for yielding me this time.

I rise in strong support of the motion to instruct conferees by the gentleman from Michigan.

The idea behind this motion is simple, and it deserves our support. When a conference committee is meeting they should not insert provisions into the bill before them that were not in either the House or the Senate bills. We are a deliberative body that demands debate. To subvert this process by inserting provisions into a conference agreement not properly considered for the House or Senate is clearly wrong.

These emergency supplementals are important and have my full support. We cannot allow disaster relief and the support for our troops in the Balkans to be delayed in any way. But if riders are going to be inserted into these emergency bills that were not considered by either side of Congress we are doing a great disservice to the American people.

The big oink the American public hears is not coming from the House or Senate vote. I ask my colleagues on both sides of the aisle to join me in support of this stand we are taking to ensure that the legislative process is not subverted.

Mr. DEUTSCH. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank the gentleman from Florida for yielding me this time and for his leadership on this issue.

I also rise in support of this resolution and commend my friend, the gentleman from Michigan (Mr. UPTON) for bringing this at a very timely moment.

I would have phrased the resolution a little bit differently however. I understand why my friend from Michigan had to file the resolution and the phraseology in the resolution the way he did. I would have phrased it a little bit differently and would have gone a little farther. I would have indicated that no issues unrelated to our troops' mission in Kosovo, the disaster relief for the victims of Hurricane Mitch or the disaster that is happening throughout rural America on our farms would be appropriate or made in order or accepted in this emergency supplemental bill.

Those are the three areas that we should be dealing with and those are the three areas we should keep our eye on, rather than loading it up with extraneous, nonemergency, unrelated matters, as is happening right now in conference and jeopardizing its chances to pass.

I am still relatively new in this place, just in my second term. I have experienced just a couple of emergency spending bills before. What I have seen, quite frankly, has been a joke. It is an ugly process. It is one that does not make any sense, and it is something that repeats itself time and time again.

One would think that this institution, in matters of war and peace, life and death, dealing with natural disasters, we could play it straight, we could get it right and get it done efficiently, in a bipartisan fashion, with very little controversy and in an expeditious manner. One would think that that is the least that we can do for the American people, those who we are here to represent.

But time and time again we fail that call, we fail that obligation, especially in emergency situations, and that is unfortunate.

I will not be here if the supplemental happens to come up later tonight or sometime tomorrow. I have to go back home to western Wisconsin to help bury Chief Warrant Officer Kevin Reichert who, along with Officer David Gibbs, lost their lives during their training mission with an Apache helicopter last week in Albania. It is the hardest thing that I have had to do thus far in Congress.

If this place wants to truly honor those officers who gave their lives in the call of duty, performing their mission under dangerous circumstances, then we should get this emergency supplemental right. We should be able to do this in a noncontroversial fashion by keeping our eye on the ball and by getting whatever supplies and resources that our troops need to carry out this mission in Kosovo as soon as possible. That is what we can do in honor of those two officers, in honor of their families and, perhaps most importantly, to do right by those troops who are in harm's way right now in Kosovo and their families, so they can carry out their mission effectively and as safely as possible.

We are still trying to determine the cause of the Apache crash last week. There is some indication that it might have been mechanical failure. I do not know if I could or if my colleagues could live with ourselves if, because of a dispute in an emergency spending bill, that we are not able to get the supplies or the needed parts or the maintenance that is required to prevent future accidents like the one last week. That would be uncalled for. And shame on all of us if that, in fact, were to be the case.

I beseech my colleagues: We still have time to do this right, to pare down the supplemental bill. Let us focus on the real issue here, and that is the troops in Kosovo, the disaster relief that is needed for both Hurricane Mitch and on the farms, and let us try to get this straight. Let us try to play it straight for the sake of war and peace, for the sake of life and death, and for the sake of Officer Reichert and Officer Gibbs, who answered their call to duty and paid the supreme sacrifice for their country.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BILBRAY), and I want to say that we all appreciate the statement of the gentleman from Wisconsin.

Mr. BILBRAY. Mr. Speaker, I rise in support of the Upton motion to instruct the conferees.

The instruction is very, very moderate in this motion. In fact, it does not go as far as most of us would like to go.

I think all of us agree that the other House has taken an emergency funding bill and added on so many items to it that it looks more like a Christmas tree than an emergency funding source.

Mr. Speaker, I stand here asking us both on the Democratic side and the Republican side to use this resolution in an effort to send a clear message from the House of Representatives not just to the Senate but also to the entire United States that this body will no longer stand by and allow anybody to be able to take an emergency funding bill and use it for special interest legislation.

Our chance here is now to have a bipartisan message, very clear to the conferees, both House and Senate, that we are no longer going to tolerate utilizing emergency spending bills as a trough in which to pour pork into.

I ask us all to look at this resolution and say it may not be all we want, but it is our one chance to send a clear message to those conferees that if they bring back a bill to this floor that is loaded with pork, it will be dead on arrival.

Mr. DEUTSCH. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Speaker, I, too, want to extend my thanks to my colleague, the gentleman from Michigan (Mr. UPTON), and thank the gentleman from Florida (Mr. DEUTSCH) for yielding me time to speak on the emergency supplemental.

The gentleman from California (Mr. BILBRAY) misspoke briefly and mentioned referees rather than conferees, and I thought at the time maybe we need more referees over there than conferees to get us back on track.

The conferees have been working to combine two emergency supplemental appropriations bills, one to fund our ongoing military activities in the Balkans and another that will provide humanitarian relief to the victims of Hurricane Mitch as well as vital assistance to hard-pressed farmers here at home. These are important purposes. But, once again, there has been an attempt to take them hostage by some who want to load up the bill with unrelated riders that would not pass alone.

The list is long, but I wanted to mention a couple of these riders, just two examples of egregious things that should not be in the bill and should not be approved.

One rider would overturn a court decision reducing by millions of dollars the refunds that natural gas companies now owe to consumers in 23 States, including Colorado. Another would reverse a Department of the Interior decision that says the mining law of 1872 should limit the amount of materials that a mine can dump on adjacent public lands.

In other words, both of these provisions would legislatively override current law to benefit certain well-connected parties at the expense of the public, the public that we represent here; and in the case of the mining law rider, apparently at the expense of the environment as well.

To add a note of irony, in this case we would be overriding part of the 1872 mining law that is backed by some of the people who have repeatedly opposed attempts to reform that statute, which is antique at best.

Mr. Speaker, we do not yet know just what the conference report will include, but this we do know: Humanitarian assistance is one thing, sweetheart deals are another. Holding aid money hostage in order to deliver this kind of deal is bad policy, and we should reject it.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I thank the gentleman from Michigan for yielding me this time.

Mr. Speaker, at this point the American people are asking: ''Is it business as usual in Congress?''

I am proud of serving this institution. I am proud of doing what is right for the country, what is right for my State, and what is right for my district. I am not necessarily proud of the American public viewing this process and saying it is business as usual, where political influence and seniority still supersedes rigorous mental effort and accountability.

The American people want a thinking Congress, not a self-serving Congress. We are looked upon in Congress, in general, as the lower House. Well, on this particular issue, Mr. Speaker, we are really on the high side.

The democratic process, which I explain to my constituents every time I go home, is an exchange of information, with a sense of tolerance for somebody else's opinion, and then we vote. Well, on this particular motion the House of Representatives, I urge, will send a strong, clear, unanimous vote to the conferees that this emergency supplemental is for military emergencies, people suffering from hurricane devastation, and the hard-pressed American farmers that have experienced a very, very difficult year.

I urge my colleagues to vote for this motion, and I am proud of the gentleman from Michigan for bringing this to our attention.

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

Mr. Speaker, one of my colleagues on the other side of the aisle, I think the gentleman from California (Mr. BILBRAY), used the expression of a Christmas tree. I think what we have here is not just a Christmas tree but a Christmas tree forest. This is beyond the Christmas tree.

Again, I appreciate the gentleman from Michigan (Mr. UPTON) bringing this as a motion to instruct, because I think what is going on in the conference at this point does not really withstand the light of day. And the more the light of day that we in this Chamber put on this, the less chance this will occur.

This morning's New York Times editorial read, ''Trifling With Humanitarian Aid.'' I think that really is a headline of a story which we need to think about, ''Trifling With Humanitarian Aid.''

We have had some, I think, very thoughtful and very emotional statements by some of my colleagues. I cannot think of anything more powerful than the statement by my colleague and my good friend, the gentleman from Wisconsin (Mr. KIND). This is serious business. This is not a joke.

Are we going to be able to get our friend, our campaign supporter, a little more money by changing the mining laws or by giving them some additional fishing rights in Glacier Bay or by doing some kickback in terms of loan guarantees for certain mining interests? Literally, I think we should all think about what is going on here. It is absurd.

I wish there was someone here against the bill, to try to defend this in a public setting really. Because what we are talking about are the types of things that cannot be defended in a public setting. They cannot be defended in a public setting.

And let no one forget or misinterpret what is going on here. This is a gamesmanship thing. People understand that we need to support the operation in Kosovo in terms of our men and women who are in harm's way; and, in fact, two of whom have literally lost their lives in this operation already to this date; and we have been blessed that we have not lost more in terms of the operations that have been going on.

□ 1445

So there is this incredible understanding that we need to do something, that the way in passing the supplemental not just on Kosovo but the three issues which truly are emergencies, now I think there is a clear consensus that fit the criteria of emergency. One this House passed literally over a month ago, the October Hurricane Mitch that devastated Central America that we have talked about, that we understand that if we do not deal with that emergency the repercussions are severe not just for the people that live in Central America but for ourselves in terms of our borders, in terms of what will happen, in terms of what has happened, the positive things in Central America, and the farmers who are also dealing with the crisis across this country.

These other issues are not emergencies. And to use the leverage, because that is what it is, to use the leverage of a power position in the dark of night to put them into a bill and then come to the floor, because we can write the script today, we know what the script is, the script is that it is going to come to the floor with some of these, hopefully none of them, but the script that is being written by the conferees is that it is going to come to the floor with some of these items. And although none of us are going to say we like these items and in a sense we do not know where they came from, they came by magic, by thin air, or by individual Senators who have a specific interest that in their State it is okay. But from a national perspective, it is totally inappropriate, that now we have a choice, we are going to be faced with a choice. We can accept this pork, that trifling with humanitarian aid, or we can reject it and reject the operation and the need to deal with that.

And I would tell my colleagues, I say to them that we need to tell them, and the President needs to be clear on this, that we cannot let our process of this Government be used as a game, that the President has the ability to draw the line right now and say he will not accept that, that in 1 hour, if he vetoes this, we will sustain that veto, we can come back in 1 hour and take the junk out and pass a clean bill that deals with true emergencies that the American people want to see happen.

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

Mr. UPTON. Mr. Speaker, I yield 2 minutes to my friend from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding me the time, and I also thank him for offering this motion. I also thank my colleague on the other side of the aisle, the gentleman from Florida (Mr. DEUTSCH) for his support of this motion.

It is unusual but extraordinarily satisfying to be part of a bipartisan House effort that involves not just Democrats and Republicans, but liberal, moderate, and conservative Members, who I am glad to say are repulsed by what they are seeing take place in a conference that is spending money that we have not in any way authorized in either bill that has passed in the House or the Senate.

This is a bipartisan resolution that should be a matter of law and House rules: that no authorization or appropriation can become part of a conference report that is not part of either the House or Senate bill that caused the conference report.

It boggles my mind that we are inventing things that neither passed the

House nor the Senate and tying them into two bills that are absolutely essential, the Hurricane Mitch supplemental and the Kosovo supplemental.

So, again, I thank my colleagues on both sides of the aisle. I thank particularly the gentleman from Michigan (Mr. UPTON) for coming forward with this resolution. And I hope that it not only passes unanimously, but that if we are sent a conference report that does not abide by what we are saying here, that we vote against it and defeat it.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I thank the gentleman from Michigan for yielding me the time.

Mr. Speaker, we sent a clear bill through this chamber. Through this House, we sent to the other body a clean bill that was focused on making certain that our troops had the munitions that they would need in the field. We were told that our troops were short on issues like cruise missiles, that our fighter pilots needed precision bombs. We were told there are plenty of dumb bombs, there are plenty of cluster bombs in the arsenal but to give them the weapons that will cause least collateral damage in these operations, to give them the weapons that are safest for them to use, that we needed to pass out a supplemental bill, an emergency bill, which we did in this House, a clean bill to make certain that our troops had every piece of weaponry and every bit of training they needed for this operation.

And now, after sending that message that our troops were our first priority, we find that the other body and in conference included provisions in this bill having nothing to do with true emergencies, having nothing to do with support of our troops in the field, that they had added pork in this bill.

Well, I rise today to support the motion of the gentleman from Michigan. I rise to support the motion which instructs the conferees not to accept any provisions not already in the House or Senate passed supplemental bills and to put this House on record against any new projects or other type of non-emergency spending.

I urge all my colleagues in this Chamber to support this motion today.

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

As we are debating this at this moment, conferees are still meeting and maybe brainstorming more things that they can put into this bill before it finally gets to the floor. It is not the way things should be, and it is not the way they have to be, and we have the power to stop them. And on occasion, as a Chamber, we have stopped it. We have rejected these types of things before. And if it comes to us, as has been said by several of my colleagues, we ought to reject it today.

I am just going to read through some things that, again through press accounts or other accounts, are still being talked about or being discussed.

Extending a freeze on the pending regulation on environmental and reclamation standards at mines on Federal land. I would challenge any of my colleagues in this Chamber to come to this floor to defend that as an issue related to emergency spending. I would challenge anyone in a public setting to even attempt to say that that belongs on this bill. And it very well might be on this bill.

A delay in the Clinton administration's plan to reclaim the value of royalties paid on oil and gas production on Federal lands. Again, on the Kosovo funding bill, on the emergency funding bill, allowing States to keep all of the $246 billion promised by tobacco companies in settlements of lawsuits. The transfer of a $100 million from Forest Service wildfire management operations to an Agriculture Department fund for restoration of national forestlands.

I am sure someone wants that. I am sure they can articulate a policy reason for it. But does it really belong on this piece of legislation and is it really the right policy?

I guess maybe because it is simple to understand and apparently, according to press accounts, it is actually in the bill, is the Glacier Bay commercial fishing issue. That one, I mean, it is simple. Maybe sometimes when we stop talking about billions of dollars or tens of billions of dollars or trillions of dollars we can understand this process maybe a little bit more.

My understanding is that the conferees have actually agreed to restrict commercial or actually to allow commercial fishing in Glacier Bay, which had been stopped by previous negotiations and rulings by the Forest Service and they have actually provided $26 million, again small by our standard in a bill of $13 billion or $14 billion, but $26 million literally that was not in either bill that just came in to provide, to buy up some of the people that might not be making as much money as they could have been because of the policy ruling regarding Glacier Bay. And men and women are in harm's way in Kosovo.

As again at this point, my understanding is the conferees have agreed to accept Senator BYRD's amendment regarding steel subsidies in the hundreds of millions. So now we are not talking about 26 million anymore, we are talking about hundreds of millions of dollars.

My understanding also is there is an issue, which I still do not understand, about livestock reindeer that is either in the bill or about to be put in the bill or it is being discussed as an additional rider to provide funding issues for livestock reindeer.

And what also has been reported as part of the supplemental issue is the so-called general's aircrafts.

I urge my colleagues to support the Upton amendment. But I think more than just supporting the Upton amendment, I think that all of us need to not just be on record as a vote today but as a message to our conferees and to the Senate conferees that there are many of us, and I would hope a majority of us, on this floor who will reject a bill, who will not allow this thing to be gamed, who will say that the issues that we are dealing with are significant enough. And I really urge the President, because he holds many of the cards in this whole thing and he has the ability to take the high road and he has the ability to say and to stare down those people and those individual Senators who are trying to do this outrageous activity and say to them they cannot and he will not let them.

And I guarantee to the President that, on both sides of the aisle, and this is I think one of the really good days in the Congress in a sense, that this is totally a bipartisan issue, that I think a clear majority from both sides of the aisle do not want to see this legislation happen in this way.

I will tell the President, I will tell him again directly, that that will not occur, that we will be able to sustain a veto like that.

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

Mr. UPTON. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, first of all, I want to commend my friend, the gentleman from Florida (Mr. DEUTSCH) and all the speakers who have spoken this afternoon on both sides of the aisle. We know what the right vote is. That is a ''yes'' vote on this resolution. We have had enough.

Frankly, the appropriators I think all of us wish had depleted their work a long time ago. The emergencies are well-known. Many of these pork barrel projects should have been stripped from the very beginning. And I would hope that today's vote not only will pass but will send a very strong signal to those conferees that enough is enough, no more of this pork ought to be added to bills that really must pass.

My friend, the gentleman from Wisconsin (Mr. KIND) talked about going to the funeral this weekend or maybe perhaps tonight or tomorrow with regard to the brave helicopter pilot who died from Wisconsin. As I think about his message, I think about my weekend this weekend when I am going to go visit some almost 200 reservists who are leaving from Kalamazoo Battle Creek and will be leaving this weekend, Air Force reservists, to go to the Balkans.

And as I talk to other military folks from around the world, the Air Force colonel who just came back from a tour in Hungary 6 months, living in a tent that was so old that the fire retardant was not good anymore and they were wondering how it was going to last another winter with the heater that they might have in it.

The mother that I talked to this last weekend in Michigan, whose son is a

Trident submarine trainee who does not have the books or can pay literally for the uniform they need to wear. I think about the woman that I talked to from Oklahoma City the other day who, after surviving the tornado, talked to me a little bit about her experience there and how it came so close to Tinker Air Force Base. And my comment was, boy, they must have looked like Chicago O'Hare with all those planes taking off so that we did not end up with a complete disaster there. And her response was, ''No, they do not have enough crews to fly those planes out. It could have been another Pearl Harbor, even worse than the situation there.''

□ 1500

We need to help our troops as they prepare for whatever lies ahead of them, that their life is as good as we can make it with housing and everything else. For this bill to come back cluttered from the Senate, filled with these items, whether they be environmental or other junk, is not right. It would be a travesty for us to recede to the Senate in a number of these issues. I would hope we could pass this resolution to send it back to both chambers clean, and that the emergency measures in both bills that all of us agree to here, Republicans and Democrats, would come back unfettered, that we would be proud to vote for this thing.

I think the signal that we are sending to our leadership and really to the rest of the country is if it does come back with a lot of these projects, then in fact the vote that I cast a couple of weeks ago, a ''yes'' vote for this, will in fact be reversed and I will vote ''no.''

Mr. Speaker, I ask my colleagues to vote for this motion.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). The Chair reminds all Members that it is not in order to cast personal aspersions on the Senate or its Members, individually or collectively, and that they must address the Chair and not the President.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Michigan (Mr. UPTON).

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 381, nays 46, answered ''present'' 1, not voting 5, as follows:

[Roll No. 130]

YEAS—381

Abercrombie
Ackerman
Allen
Andrews
Archer
Armey
Bachus
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Moore
Morella
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Ose
Owens
Oxley
Pallone
Pascrell
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn

NAYS—46

Aderholt
Baker
Berman
Boyd
Callahan
Chenoweth
Clyburn
Cramer
Dicks
Everett
Farr
Gallegly
Hastings (WA)
Hilliard
Hoyer
Jones (OH)
Kilpatrick
Kucinich
Lewis (CA)
Lewis (KY)
McCrery
Meek (FL)
Mollohan
Moran (KS)
Moran (VA)
Murtha
Oberstar
Obey
Packard
Pastor
Payne
Pelosi
Pombo
Rahall
Riley
Ryun (KS)
Sabo
Serrano
Stupak
Tiahrt
Traficant
Vento
Visclosky
Waters
Wise
Young (AK)

ANSWERED ''PRESENT''—1

Young (FL)

NOT VOTING—5

Boucher
Brown (CA)
Gephardt
Quinn
Ros-Lehtinen

□ 1525

Ms. KILPATRICK, Mrs. JONES of Ohio and Messrs. PAYNE, RYUN of Kansas and EVERETT changed their vote from ''yea'' to ''nay.''

Messrs. GEJDENSON, GREENWOOD and PICKETT changed their vote from ''nay'' to ''yea.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. ROS-LEHTINEN. Mr. Speaker, I was unavoidably detained and wish to be recorded as a ''yes'' vote on the motion to instruct conferees on the Emergency Supplemental Appropriations for FY 1999 H.R. 1141, rollcall 130.

LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, I ask for this 1 minute to inquire of the distinguished majority leader the schedule for today and the remainder of the week.

Mr. Speaker, I yield to the gentleman from Texas (Mr. ARMEY).

Mr. ARMEY. I thank the gentleman from Michigan for yielding, and I appreciate the opportunity to advise the Members.

As my colleagues know, of course this week was scheduled to proceed through tonight and through tomorrow. It is true that we have had our last vote of the day for today, and we will probably go into either special orders or recess as we continue to work with the conference committee on the supplemental. Members of both bodies are working together and working, I think, quite diligently. It is still our expectation that sometime this evening they will complete their work, we will be able to file that bill, process the rule in order to begin consideration early tomorrow morning and move on with the completion of the work by the originally scheduled departure time for a Friday departure.

Mr. BONIOR. Mr. Speaker, I thank my colleague, and I would just add to his comments that because of the necessity to deal with this bill, the tornado relief, the hurricane relief for those who have been waiting for 6 months as a result of Mitch as we have just heard in the last debate, our troops in the field, and, of course, the agricultural crisis that we have in the country, I hope that we can have this bill before the body and that it will be there without extraneous riders, particularly environmental riders and other riders that have been added in both bodies, and we can get this work done, and I hope we can do this expeditiously.

Mr. Speaker, I yield to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I would simply observe that the last vote that we just had was to instruct the conferees to reject any items that were not in either the House or the Senate bill. I find that interesting, but the fact is that the hang up in the conference is over items that were in the Senate bill or in the House bill, and I know of no progress that has been made through the remainder of this day so far on this bill. We are presently marking up appropriations for the coming fiscal year right now.

□ 1530

We are supposed to be, as soon as we finish the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, we are supposed to be going into a Treasury Post Office markup, but I do not know of any progress that has been made in resolving the outstanding issues before us.

I guess, I think, there is at least a 50/50 chance Members will be kept here tomorrow only to discover that there will be nothing to vote on. So I guess what I would ask the gentleman from Texas (Mr. ARMEY), the distinguished majority leader, is if we are going to be held around here, why do we not simply bring a clean bill to the floor that takes the items that we know are agreed upon by everybody and pass legislation which is a truly clean bill, rather than waiting around here for a miracle to happen on a bill that has so many barnacles that it is not likely to sail any time soon?

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

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Michigan (Mr. BONIOR) for yielding.

Mr. Speaker, let me thank the gentleman from Wisconsin (Mr. OBEY) for his remarks. I must say I thought the gentleman from Michigan (Mr. BONIOR) made the point so clearly well that, one, this is a very, very important piece of legislation on such a wide range of fronts. The Members of Congress have worked hard on it and have a lot of commitment to this proposition.

Obviously, it is no inconvenience for any of us to stay within the bounds of the regularly-scheduled work week, as we are, in fact, today, to complete our work. So as we continue this week through our normal time for closing the week, I am sure all the Members are very pleased to be able to look forward to completing this work.

The gentleman from Wisconsin (Mr. OBEY) reminds me of the gratitude that all of the Members of this body might have for the workmanship of the House appropriators, as they did, indeed, provide through this body a clean supplemental bill, showing the kind of commitment to the express purposes of the bill and discipline in fulfilling that commitment that we are so proud of in the House. And, yes, indeed, even while this conference committee is doing its hard work, dealing in conference between the two bodies, the continued excellent, committed, disciplined work of our House appropriators goes on even as they mark up some of the first of the 13 appropriations bills.

So if the gentleman from Wisconsin (Mr. OBEY) would allow me, I think the body might take a moment to give a round of applause and appreciation to our appropriators for their hard work and their commitment.

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

Mr. BONIOR. I yield to the gentleman from Florida, one of those appropriators who is doing this magnificent job that the majority leader referred to.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman from Michigan (Mr. BONIOR) for yielding.

Mr. Speaker, I have not had a chance to talk with the gentleman from Wisconsin (Mr. OBEY) about this so this will be new, but we are going to reconvene the conference in about 15 minutes. We believe that we have worked out a resolution to settle the differences. We expect to have the paperwork done later this evening, early enough to file tonight, and possibly have the Committee on Rules meet tonight, which would possibly give us the opportunity to have a vote on the floor tomorrow.

We have broken through some of the obstacles that were there, so we will reconvene in about 15 minutes; and, hopefully, we can get this good bill to the President.

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

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

Mr. OBEY. Mr. Speaker, let me simply ask the gentleman from Florida (Mr. YOUNG) two questions.

First of all, would he be kind enough to tell us, if that is the case, what is the fate of the two markups now going on? We are both supposed to be attending both of those.

Mr. YOUNG of Florida. Mr. Speaker, yes, we are.

I would respond that we completed the legislative markup several days ago. We are almost through with the agriculture markup. We would go back to the ag markup probably at about 4:30 or 5:00 at the latest and complete that. We will postpone the markup of the Treasury Postal until the Chair calls for a new markup schedule because of the lateness of the ag bill now, because we do not want to mark up both of them at the same time.

Mr. OBEY. Mr. Speaker, could I simply ask the gentleman, if there is a breakthrough which would enable the bill to pass, God help us given some of the provisions that are now in it, but if it does nonetheless pass, so be it, but could I also ask the gentleman to entertain the possibility of also, as a backup, preparing a stripped-down bill so that if this does not go anywhere that we, in fact, have something for Members to vote on tomorrow if they are going to be here, something which will not get jammed up in a filibuster in the Senate?

Mr. YOUNG of Florida. Mr. Speaker, I would simply say that if we do not have something to vote on tomorrow early enough tonight to get a rule, the leadership would be advised of that and advise the Members about tomorrow. That would be a leadership decision.

AMENDING THE RULES OF THE HOUSE, 106TH CONGRESS

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the Committee on Rules be discharged from further consideration of the resolution (H. Res. 170) amending House Resolution 5, One Hundred Sixth Congress, as amended, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 170

Resolved,

SECTION 1. AMENDMENT OF HOUSE RESOLUTION 5.

Section 2(f)(1) of House Resolution 5, One Hundred Sixth Congress, agreed to January 6, 1999, as amended, is amended by striking ''May 14, 1999'' and inserting ''May 31, 1999''.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT REGARDING AMENDMENT PROCESS ON H.R. 883, AMERICAN LAND SOVEREIGNTY PROTECTION ACT

Mr. DREIER. Mr. Speaker, the Committee on Rules is planning to meet the week of May 17 to grant a rule which may limit the amendment process on H.R. 883, the American Land Sovereignty Protection Act.

The rule may, at the request of the Committee on Resources, include a provision requiring amendments to be preprinted in the amendment section of the CONGRESSIONAL RECORD. Amendments to be preprinted should be signed by the Member and submitted to the Speaker's table. Amendments should be drafted in the text of the bill as reported by the Committee on Resources. Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to make sure their amendments comply with the rules of the House.

ANNOUNCEMENT OF INTENTION TO OFFER ON TOMORROW MOTION TO INSTRUCT CONFEREES 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 1999 Emergency Supplemental Appropriations Act.

The form of the motion is as follows:

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 Senate amendment to the bill H.R. 1141 be instructed to disagree to any provision not contained in, or directly related to, the following: (1) H.R. 1141, as passed by the House; (2) H.R. 1664, as passed by the House.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1342

Mrs. MCCARTHY of New York. Mr. Speaker, I ask unanimous consent to remove the name of the gentleman from Kansas (Mr. RYUN) as a cosponsor of H.R. 1342.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

TRIBUTE TO JADONAL FORD

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. Mr. Speaker, a few days ago the gentlewoman from Ohio (Mrs. JONES) and I participated in a discussion relative to fraternity and sorority hazing and their overall value to society, especially in the African community. I think we both agreed that physical violence, mental abuse and degradation have no place in a civilized world and certainly should not be used as part of an intake process for new members of any organization or group.

However, in my estimate, fraternities and sororities continue to play valuable roles and have contributed greatly to improving the quality of life for African Americans in particular and for society as a whole.

In my own fraternity, Alpha Phi Alpha, I think of the contributions of individuals like Dr. W.E.B. Dubois, Dr. John Hope Franklin, Dr. Carter G. Woodson, Dr. Charles Wesley, Dr. Martin Luther King, Jr., Duke Ellington, Langston Hughes and countless others whose contributions are legendary.

I also think of the contributions of brothers that we seldom hear of, like a member of my local chapter, Mu Mu Lambda, brother Jadonal E. Ford, who recently passed away. Jadonal E. Ford, or Jay as we called him, was born in Lakeview, South Carolina, in 1935. He graduated from Columbus High School in Lakeview in 1952, earned a Bachelors degree from Virginia State University in 1956, served in the United States Army until 1959 and received his Master's degree in social work at Boston University in 1961.

Mr. Ford began his professional career as a psychiatric social worker at Cleveland State Hospital in Cleveland, Ohio, prior to moving to Chicago in 1963 to become program administrator at the Chicago Youth Centers. From 1963 until 1971, he served as program director at United Cerebral Palsy in greater Chicago and from 1971 until 1973 as administrator at comprehensive care centers in Chicago.

In 1973, Jay Ford began work at Catholic Charities of the Archdiocese of Chicago and remained there until his death. He began in the Foster Care Department and by 1993 was appointed Senior Associate Division Manager for Nonresidential Services for children and youth.

Jay Ford was an outstanding professional in his chosen field of work, but it was in his volunteer activities, especially through the Mu Mu Lambda chapter of Alpha Phi Alpha fraternity, that he truly excelled. He was instrumental in designing, orchestrating and implementing several programs for African American youth, especially males, on the local, State and national levels.

Warren G. Smith, a fraternity brother and friend of Jay's, made this observation. Jay was a take-charge, get-the-job-done, very responsive fraternity brother. He made things happen and created an environment where everyone could succeed. He mentored hundreds of fraternity brothers and high school students. He was indeed a role model and someone everyone wanted to emulate.

For 10 years, Warren continued, Jay chaired the Beautillion, a scholarship fund-raiser for high school students who are college bound. Each year, this event has raised approximately $150,000 and presented to society 20 young men ready for college as well as presenting scholarships to these students and others.

Jay was a member of Catholic Charities USA, the National Association of Social Workers, the National Association of Black Social Workers, the National Black Child Development Institute, the Academy of Certified Social Workers, the Childcare Association of Illinois and the Catholic Conference of Illinois.

□ 1545

He was a co-founder, charter member, and former president of Virginia State University's Chicago Area Alumni Organization.

Other organizations include the Henry Booth House Board of Directors, the Black Infant Task Force, the Chicago Urban League, the National Association for the Advancement of Colored People, State of Illinois Foster Care, the Adoption Task Force, the Adoption Advisory Council, the Child Care Association, the African American Round Table, the Association of Directors, the Minority Recruitment Committee, and the Dean's Search Committee, both at Loyola School of Social Work.

Mr. Ford was a member of the Congregational Church of Park Manor, and served as chairman of its Board of

World Missions. He was Mu Mu Lambda's Man of the Year several times, Illinois State Alumni Brother of the Year, Midwest Region Brother of the Year, and as Kenneth Watkins, president of Mu Mu Lambda, said, ''Jay Ford truly understood the Alpha motto: First of all; Servants of all; We shall transcend all.''

There was relevance in Jay Ford and there is still relevance in fraternities and sororities.

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

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

TRANSFER OF SPECIAL ORDER TIME

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent to use the time of the gentlewoman from Indiana (Ms. CARSON).

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

There was no objection.

CALLING ON THE SPEAKER TO CONVENE A STUDY SESSION ON YOUTH VIOLENCE

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, over the last couple of weeks, this Congress has confronted a very tragic event dealing with our children. The American people have heard us speak in many different ways. We have raised our voices in sympathy, in fear, in apprehension.

We have raised our voices, reaching out for solutions. We have even spoken in outrage, and we have also expressed pain for those parents who lost their children, and for those whose children are still mending from wounds suffered in Littleton, Colorado.

There have been a number of hearings, Mr. Speaker. Today, in fact, I thank the gentleman from Illinois (Chairman HYDE) of the Committee on the Judiciary and the ranking member, the gentleman from Michigan (Mr. CONYERS), for holding such a hearing in the Committee on the Judiciary.

I made up my mind, Mr. Speaker, upon hearing of the enormous tragedy, feeling a deeply embedded pain, but yet not being able to stand in the shoes of those parents who had actually lost their child or being involved by being part of that community, but I did make a commitment to say that I would not expend any more words about the tragedy if I could not do something constructive.

I have the honor and pleasure of having founded the Congressional Children's Caucus, with a number of exciting issues that we have had to confront, and Members who have committed themselves by being a participant of that caucus in promoting children as a national agenda item.

We have decided to work on the question of confronting a child's inability to cope. In the hearing today, I was somewhat disturbed because I kept hearing the very well-versed witnesses seem to suggest it was the other fellow's fault. We had representatives from the media, we had faith-based representatives, we had those who talked about gun regulation, others who talked about the need for morality in schools. I think it is important, Mr. Speaker, that we acknowledge that all of us can help, and there are many solutions to this problem.

I am going to today ask the Speaker of the House to convene those Members of this Congress who have expressed a particular interest in children, either by way of the caucuses and task forces they belong to or other expressions of that interest, so that, like the White House, we can convene a study session to promote action on these issues.

I would propose that we not be fearful of addressing the President's initiative on gun regulation, because we have already heard that several leaders of the gun lobby, if you will, or organizations, would agree with holding adults responsible if children get guns in their hands, a part of his initiative, or not allowing individuals who are 18 and under or 21 and under to get handguns, and having a safety lock on guns.

Why would we be apprehensive about regulating guns, when we have over 260 million guns, and 13 children die every day? I am aghast that the other body would not want to support an initiative that would have an instant gun check at gun shows, when so many people have indicated that things happen wrong when we do not determine who is trying to get a gun.

I am looking at another perspective, Mr. Speaker, one where I advocate the involvement of the faith-based community. I welcome that. I hope our schools, in keeping with the first amendment and separation of church and State, will not turn away individuals, ministers, as we do in Houston, where we have a Ministers Against Crime organization. We welcome them into the schools.

Tomorrow I will hold a town hall meeting at Scarborough High School in my district with the Secretary of Education on school violence. We will be inviting the ministers. We will be listening to students.

We should not sit back and say what we cannot do. What I am hearing, what is being pled for by students who say they have no one to talk to, they want action now, Mr. Speaker. Why are we pointing the finger at each and every person, the international games, the video games?

Lastly, Mr. Speaker, let me say that we cannot deny that we do not have mental health services for our children K through 12, intervention, at an early stage. So I propose an omnibus bill on children's mental health in which I will look to ensure that all of the pieces are in place.

I hope my colleagues will join me at the offering of that legislation, because we all can be a part of the solution and not part of the problem. Let us stop pointing the finger, let us get to work.

CONCERNS ABOUT THE ADMINISTRATION'S APPROACH TO THE WAR IN YUGOSLAVIA AND KOSOVO

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, earlier this week I was discussing the war supplemental, and some of my concerns about this Administration's approach to the war in Yugoslavia and Kosovo. I found the most disturbing thing underneath the premise that the administration is pushing, and why I have such deep concerns about this entire effort.

Sandy Berger, the National Security Adviser, told our Republican conference during some questioning that, he said, we want to teach the world a new way to live in peace. They also said they wanted to show the world a new way to fight the war.

My concern is that the undergirding of this entire foreign policy is a kind of a liberal, humanitarian, what would be, with quotes around it, a ''secular humanist'' approach that we can somehow teach people to live together, ironically, through bombing them; and I do not fully understand, but that was not our intent.

But we look at the evils that were going on with Milosevic, much like the evils that were going on in Croatia and other ethnic cleansing efforts, not only in the Balkans but in Africa and other parts of the world, and we say, correctly, people should not live that way.

But then we think, based on kind of our humanitarian tradition in the United States, that we can just walk in and say, you know, for 700 years, for 1,000 years, for 2,000 years, you have been wrong. We want you to change. If you do not change, we are going to bomb you into change.

Mr. Speaker, life does not work that way. If this is the supposition under our foreign policy, that somehow we can walk into Africa and say, change the way you have behaved for all these years; if we can walk into Haiti and say, we are going to put a government in, and now you are going to change; if we can walk into Bosnia and say, now we are going to do a Dayton line, and we want you all to behave; and if we are going to go into Serbia and say, this is terrible, we want you to live in peace together, it simply is not going to work.

I was in the camp near Skopje, Montenegro, and talked to many of the

Kosovars. As one of the Senators asked them, they said, will you go back and live at peace in Yugoslavia under the Serbians? Absolutely not. We are going to get rid of Milosevic.

Milosevic will not be there. They said, all Serbs are Milosevic. What do you mean, all Serbs? You lived with them before. Yes, but they slit my neighbor's throat. They burned my house. They raped my daughters. You heard all kinds of the variations of stories. They are not interested in living with peace.

The idea that suddenly we are going to wave a wand, have a sitdown conference here, and everybody in the world is going to live in peace, is a very dangerous undergirding, pressure, for foreign policy.

Just yesterday in the Washington Times, based on a Senate hearing, Secretary Cohen said, ''We have got to find a way to either increase the size of our forces, or decrease the number of our missions.'' Now, in the standard colloquial phrase right now in the United States, you would say, well, duh.

I mean, we have to find a way to either increase the size of our forces, or decrease the number of our missions. Do we mean it is finally dawning on this administration that we cannot take a declining armed forces and send them all over the world to try to change people through exhortation when we are not willing to stand up, which it is not necessary that this would work, either, but it is the only way we would get peace, is that if we believe, as the Judeo-Christian principles teach, that man is born of sin and of self-interest, and unless there is a transforming power in their hearts they are not going to suddenly change, going in and saying, it is in your self-interest not to have war, that is not necessarily true.

It is not necessarily good for Kosovars to let the Serbians have Pristina and the mineral rights in the north part of this country. It is not necessarily in the self-interest of the Serbians to let the Kosovars have the mineral rights and the seminaries in Pristina for their heritage. They both argue over that.

You cannot just use the pleasure-pain principles or positivist principles or some kind of humanist principles. Furthermore, if we are going to get back to that, the renaissance did not occur in a lot of the parts of the world where we have our humanist traditions. Unless you have whatever religious tradition it is that reforms people's hearts and people's thinking that there is a higher power, we are not going to have a real peace.

If we are not going to have a real peace, we certainly are not going to force it through bombing, and the danger of our current foreign policy is that we are going around the world threatening and trying to reform it when we do not have the traditional criteria of how and when we wage war: Was there a sovereign Nation invading another sovereign Nation? Was there a threat to the national interest of the United States? Was there a tie-in that we can actually deal with and win?

These are deep religious and moral questions, and they are not going to be solved by the type of bombing we are doing.

POLICE OFFICER APPRECIATION DURING NATIONAL POLICE WEEK

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

Mr. MALONEY of Connecticut. Mr. Speaker, I rise today to express my strong support and appreciation of our nation's police officers. This week we celebrate National Police Week, in honor of law enforcement officers who have given their lives in the course of their duty, and in honor of those who are giving us their lives in service now.

On Tuesday this House marked National Police Week by unanimously passing House Resolution 165, a resolution recognizing police officers killed in the line of duty. Tonight there is a candlelight vigil at the National Law Enforcement Memorial where the names of those officers killed in the line of duty will be read.

Later this week, the Capitol Police Force is hosting the 18th annual National Police Officers Memorial Service at the Capitol. Police officers from my district in Connecticut will be playing a prominent role in those services, and I want to especially thank them for their participation.

These commemorative events, coupled with the administration's announcement yesterday that we have reached our national goal of providing 100,000 additional police officers to the streets through the COPS program, and also coupled with our call for a further 50,000 police officers on the beat over the next 5 years, strongly signify the important and dedicated role that the law enforcement community plays in our lives.

Community policing in particular represents a shift from the reactive approach of policing to a proactive approach which emphasizes the prevention of crime before it starts, and partnership between law enforcement and the community.

Since our bill in 1994, since that legislation passed, violent crime has gone down substantially, a 7 percent decrease in the 1996–1997 period, over 20 percent in total since the passage of that legislation. Murder rates, for example, in 1996–1997 are down 8 percent, and are now at their lowest level in three decades.

□ 1600

Testimonials from law enforcement agencies around the country reveal that community policing efforts have had a critical impact on the recent drop in crime. Community policing efforts have also expanded beyond the neighborhood to our schools as well.

The recent tragedy at Columbine High School in Littleton, Colorado has left our Nation in shock and disbelief once again and serves as a potent reminder that school violence can happen anywhere and that, unfortunately, violence and crime, although down, are still very real fears and concerns in our communities.

To combat school violence, school districts and law enforcement agencies have formed partnerships to place a specially trained police officer, known as a school resource officer, or SRO, in schools to protect students, to educate students about violence prevention, and to act as a counselor and mentor.

I introduced legislation last year which was enacted to codify the definition of school resource officers and in support of our first dedicated school resource officer funding.

That effort was later expanded to become the COPS in Schools program, which provides funding. Approximately $60 million was dedicated for that program. The first round of grants were offered just last month.

National Police Week reminds us of the vital service that our Nation's law enforcement officers provide to us through their hard work and dedication in keeping our neighborhoods, our communities, and our schools safe.

I am also reminded of the important role that community policing initiatives have played in reducing crime and in offering our communities access to resources necessary to hire and train these police officers to continue their dedicated efforts within our communities.

I applaud the dedication and hard work of our Nation's police officers, and I look forward to working with my colleagues and with the law enforcement community to ensure that our officers continue to receive the support and recognition that they so clearly deserve.

SOLUTIONS TO KOSOVO CRISIS

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

Mr. CUNNINGHAM. Mr. Speaker, once again this country finds itself at war. Many of my colleagues expressed the problems that we go through, and I would like to offer in my opinion what are some of the options, some of the solutions.

I met with the Reverend Jesse Jackson, and I gained a new insight on Reverend Jesse Jackson. He has the ability not only to express his views but to listen as well. I laud Reverend Jackson, not only for bringing our POWs back, but for looking for a peaceful solution, which I think is much more possible than just bombing a nation into the stone age to get what we want.

First of all, it is easy to kill. I flew in Vietnam, and I flew in Israel. But it is difficult to work to live. That is

where the rubber meets the road, and it is very difficult to work out those solutions.

But I think some of these solutions, which I have discussed with foreign policy experts, like Mr. Eagleburger and others, and I think that they are an option outside of just bombing in an air war in which the Pentagon told the President would not work, they told the President that it would not achieve our goals, it would only make them worse; that we would kill innocent men and women and that we would cause the forced evacuation of many of the Albanian people, like you have in most wars. This one has become more extreme.

But Mr. Jackson also has the ability to put himself in the shoes of both parties, to understand what is in their mind. What are they afraid of? What are the Serbs afraid of? What are the Albanians afraid of? What is the KLA afraid of? What are their goals?

Before one ever starts in a diplomatic mission, history shows that one has to understand both sides, not just one side. I think that is the fault of this White House.

First of all, halt the bombing. Halt the bombing. Over 70 percent of Russian military supports the overthrow of the current administration, the Yeltsin administration. The leaders are the group of Communists, adverse Communists that support Milosovic. They want the former Soviet Union to go back to a Communist style of government, and this is giving them that excuse. That is one of the reasons why Russia has been a problem, not part of the solution in this.

Then let us have Russian troops. Let us let them become part of the solution. Let us stabilize the Russian government itself. We saw today where Chernomyrdin was fired and other shake-ups by Yeltsin. It is potential disaster.

Let the Russians, the Greeks who also support the Serbs, Scandinavians, and Italians and, yes, maybe even some from the Ukraine serve as peacekeepers. But Rambouillet said that you are going to have German troops in there. The Yugoslavians absolutely loath and hate Germans. They put 700,000 of them on April 5, 1941, and one in every third Serb died to German Nazis and fought on the side of the allies.

One cannot put Britain, United States, and German troops in there. Put the people in there that can separate the forces. Have Milosovic remove his equipment prior to Rambouillet and establish some kind of at least stability.

It is going to be years before we can bring Albanian people back into Kosovo. Do my colleagues know that there is over 200,000 Albanians that live in Belgrade peacefully?

Our emissary with Jesse Jackson went to a service with the Albanians in the Muslim Temple and had worship. They have not left. They work in harmony.

Has there been killing on both sides in Kosovo? Absolutely. The total number of people killed in Kosovo prior to our bombing was a little over 2,000. One-third of those were Serbs killed by the KLA.

So is there fighting? Are there atrocities on both sides? Yes. But one has got to get into the minds of both sides.

The issue of the KLA having Mujahedin and Hamas, we got a brief and said, yes, there are. There are not significant numbers. But the President has got to demand that those people leave. There is about 20 other events.

CENSUS 2000

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California, Mr. MARTINEZ, is recognized for 5 minutes.

Mr. MARTINEZ. Mr. Speaker, I have heard the debate on Census 2000, and cannot help but come to one conclusion—this is simply a matter of common sense. It is common sense that we should not except counting our population from the advancements that have improved every aspect of our national life, from communicating with each other, to growing our food.

It is not common sense, in the midst of the Internet revolution, to even consider horse and buggy methods of census reporting. How can it be that 1990 was the first year that census reporting was not improved since 1940? Can you think of any other aspect of our daily lives in which that was the case? That innovation and improvement ceased? That we have actually grown worse?

What makes all this especially galling is that innovation in this field already exists. Just ask those who know best how to conduct this effort—the Census Bureau. These trained professionals have alerted us to improved technology that is faster, cheaper, and more accurate—statistical sampling. We must use whatever method is most effective to ensure that all Americans are counted. The Census Bureau tells us that this is sampling.

It is not common sense for Congress to instruct a bureau to avoid programs proven so effective. This is not a political battleground—this is a means of counting our population. We must use the best available means to do that. This is simply a matter of common sense.

STAY TO COURSE IN KOSOVO

The SPEAKER pro tempore (Mr. SAXTON). Under a previous order of the House, the gentleman from New York (Mr. ENGEL) is recognized for 5 minutes.

Mr. ENGEL. Mr. Speaker, on Saturday night, I was at JFK airport in New York to welcome the first group of Kosovar-Albanian refugees who were coming to the United States to be reunited with their families. A number of those families reside in my district in Bronx, New York; and a number of those families have told me about the atrocities that have gone on in a first-hand basis.

This morning I had the pleasure of listening to President Clinton deliver a speech on the whole situation in Yugoslavia. It was an excellent speech. Essentially what the President said was that we will stay the course, as we must, and that we have already told Mr. Milosevic what he needs to do in order for us to stop the bombing.

I cannot understand some of our colleagues who say that we ought to unilaterally stop the bombing when ethnic cleansing and genocide is still going on, when people are being raped and murdered and ordered from their homes, when an entire people is trying to be wiped out.

They want to make Kosovo free of Albanians when Albanians have lived there for years and years and years.

I will include for the RECORD President Clinton's speech. I want to particularly read a couple of things that the President said, because some of my colleagues previously have said certain things.

The President said: ''There are those who say Europe and its North American allies have no business intervening in the ethnic conflicts of the Balkans. They are the inevitable result, these conflicts, according to some, of centuries-old animosity which were unleashed by the end of the Cold War restraints in Yugoslavia and elsewhere.''

The President says, ''I, myself, have been guilty of saying that on an occasion or two, and I regret it now more than I can say. For I have spent a good deal of time in these last 6 years reading the real history of the Balkans. And the truth is that a lot of what passes for common wisdom in this area is a gross oversimplification and misreading of history.

''The truth is that for centuries these people have lived together in the Balkans and Southeastern Europe with greater or lesser degree of tension, but often without anything approaching the intolerable conditions and conflict that exist today. And we do no favors for ourselves or the rest of the world when we justify looking away from this kind of slaughter by oversimplifying and conveniently, in our own way, demonizing the whole Balkans by saying that these people are simply incapable of civilized behavior with one another.''

He goes on, ''There is a huge difference between people who can't resolve their problems peacefully and fight about them, and people who resort to systematic ethnic cleansing and slaughter of people because of their religious and ethnic background. There is a difference. There is a difference.''

I say to my colleagues there absolutely is a difference. We need to show Mr. Milosevic that ethnic cleansing will not be tolerated. We need to stay the course. We need to keep the bombing until he agrees to the demands of NATO. All options ought to be on the table, including the options of troops on the ground. We ought not to tell this dictator what we will or will not do. We ought not to give him a plan of what we intend to do. All options should be on the table.

We must win this war. It goes beyond what is happening in the Balkans today. It goes beyond the ethnic cleansing. The entire credibility of the United States and NATO is at stake. If NATO is to have any relevance in the world, we need to show that NATO can win this war.

Mr. KENNEDY of Rhode Island. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Speaker, I just want to commend the gentleman from New York (Mr. ENGEL) for his persistence on this matter. I can recall well before the Milosevic ever invaded Kosovo it was the gentleman from New York (Mr. ENGEL) who was talking to this Congress about the impending problems that we were going to have with Mr. Milosevic.

He is clearly the greatest authority on this issue in the United States Congress. When he speaks, he speaks from long-held experience and belief in this issue. I want to commend him for all the good work that he does.

Mr. ENGEL. Mr. Speaker, I thank the gentleman from Rhode Island for his kind words, and I appreciate his comments very, very much.

My colleague previously, the gentleman from California (Mr. CUNNINGHAM) said, ''What are the Kosovars afraid of?'' That is an easy question. They are afraid of being killed. They are afraid of being ethnically cleansed. The are afraid of their women being raped. They are afraid of wiping out their whole history, burning their villages, shooting children, destroying any kind of papers that they have so they are a people that do not exist. That is what they are afraid of. We thought we saw an end to that in the Nazi era. We are seeing it again.

Let me just say in conclusion, I think we must stay the course. I think we must win this war. I am proud of the United States of America. I am proud of President Clinton for standing up and saying we will not tolerate ethnic cleansing. We will not stand idly by while genocide is going on.

Mr. Speaker, the President's speech that I referred to is as follows:

WASHINGTON, May 13/U.S. Newswire—Following is a transcript of remarks made by President Clinton today to veterans groups on the Kosovo situation (Part 1 of 2):

EISENHOWER HALL FT. MCNAIR

The PRESIDENT: Good morning, ladies and gentlemen. Thank you, Commander Pouliot, I am grateful to you and to Veterans of Foreign Wars for your support of America's efforts in Kosovo.

General Chilcoat, Secretary Albright, Secretary Cohen, Secretary West, National Security Advisor Berger, Deputy Secretary Gober, General Shelton and the Joint Chiefs, and to the members of the military and members of the VFW who are here. I'd also like to thank Congressman ENGEL and Congressman QUINN for coming to be with us today.

I am especially honored to be here with our veterans who have struggled for freedom in World War II and in the half-century since. Your service inspires us today, as we work with our allies to reverse the systematic campaign of terror, and to bring peace and freedom to Kosovo. To honor your sacrifices and fufill the vision of a peaceful Europe, for which so many of the VFW members risked your lives, NATO's mission, as the Commander said, must succeed.

My meeting last week in Europe with Kosovar refugees, we allied leaders, with Americans in uniform, strengthened my conviction that we will succeed. With just seven months left in the 20th century, Kosovo is a crucial test: Can we strengthen a global community grounded in cooperation and tolerance, rooted in common humanity? Or will repression and brutality, rooted in ethnic, racial and religious hatreds dominate the agenda for the new century and the new millennium?

The World War II veterans here fought in Europe and in the Pacific to prevent the world from being dominated by tyrants who use racial and religious hatred to strengthen their grip and to justify mass killing.

President Roosevelt said in his final Inaugural Address: ''We have learned that we cannot live alone. We cannot live alone at peace. We have learned that our own well-being is dependent on the well-being of other nations far away. We have learned to be citizens of the world, members of the human community.''

The sacrifices of American and allied troops helped to end a nightmare, rescue freedom and lay the groundwork for the modern world that has benefited all of us. In the long Cold War years, our troops stood for freedom against communism until the Berlin Wall fell and the Iron Curtain collapsed.

Now, the nations of Central Europe are free democracies. We've welcomed new members of NATO and formed security partnerships with many other countries all across Europe's East, including Russia and Ukraine. Both the European Union and NATO have pledged to continue to embrace new members.

Some have questioned the need for continuing our security partnership with Europe at the end of the Cold War. But in this age of growing international interdependence, America needs a strong and peaceful Europe more than ever as our partner for freedom and for economic progress, and our partner against terrorism, the spread of weapons of mass destruction, and instability.

The promise of a Europe undivided, democratic and at peace, is at long last within reach. But we all know it is threatened by the ethnic and religious turmoil in Southeastern Europe, where most leaders are freely elected, and committed to cooperation, both within and among their neighbors.

Unfortunately, for more than 10 years now, President Milosevic has pursued a different course for Serbia, and for much of the rest of the former Yugoslavia. Since the late 1980's he has acquired, retained, and sought to expand his power, by inciting religious and ethnic hatred in the cause of greater Serbia; by demonizing and dehumanizing people, especially the Bosnian and Kosovar Muslims, whose history, culture and very presence in the former republic of Yugoslavia impede that vision of a greater Serbia.

He unleashed wars in Bosnia and Croatia, creating 2 million refugees and leaving a quarter of a million people dead. A decade ago, he stripped Kosovo of its constitutional self-government, and began harassing and oppressing its people. He has also rejected brave calls among his own Serb people for greater liberty. Today, he uses repression and censorship at home to stifle dissent and to conceal what he is doing in Kosovo.

Though his ethnic cleansing is not the same as the ethnic extermination of the Holocaust, the two are related—both vicious, premeditated, systematic oppression fueled by religious and ethnic hatred. This campaign to drive the Kosovars from their land and to, indeed, erase their very identity is an affront to humanity and an attack not only on a people, but on the dignity of all people.

Even now, Mr. Milosevic is being investigated by the International War Crimes Tribunal for alleged war crimes, including mass killing and ethnic cleansing. Until recently, 1.76 million ethnic Albanians—about the population of our state of Nebraska—lived in Kosovo among a total population of 2 million, the others being Serbs.

The Kosovar Albanians are farmers and factory workers, lawyers and doctors, mothers, fathers, school children. They have worked to build better lives under increasingly difficult circumstances. Today, most of them are in camps in Albania, Macedonia and elsewhere—nearly 900,000 refugees—some searching desperately for lost family members. Or they are trapped within Kosovo itself, perhaps 600,000 more of them, lacking shelter, short of food, afraid to go home. Or they are buried in mass graves dug by their executioners.

I know we see these pictures of the refugees on television every night and most people would like another story. But we must not get refugee fatigue. We must not forget the real victims of this tragedy. We must give them aid and hope. And we in the United States must make sure—must—make sure their stories are told.

A Kosovar farmer told how Serb tanks drove into his village. Police lined up all the men, about 100 of them, by a stream and opened fire. The farmer was hit by a bullet in the shoulder. The weight of falling bodies all around him pulled him into the stream. The only way he could stay alive was to pretend to be dead. From a camp in Albania, he said, my daughter tells me, ''Father, sleep. Why don't you sleep?'' But I can't. All those dead bodies on top of mine.

Another refugee told of trying to return to his village in Kosovo's capital, Pristina. ''On my way,'' he said, ''I met one of my relatives. He told me not to go back because there were snipers on the balconies. Minutes after I left, the man was killed—I found him. Back in Pristina no one could go out, because of the Serb policemen in the streets. It was terrible to see our children, they were so hungry. Finally, I tried to go shopping. Four armed men jumped out and said, we're going to kill you if you don't get out of here. My daughters were crying day and night. We were hearing stories about rape. They begged me, please get us out of here. So we joined thousands of people going through the streets at night toward the train station. In the train wagons, police were tearing up passports, taking money, taking jewelry.''

Another refugee reported, ''the Serbs surrounded us. They killed four children because their families did not have money to give to the police. They killed them with knives, not guns.''

Another recalled, ''The police came early in the morning. They executed almost a hundred people. They killed them all, women and children. They set a fire and threw the bodies in.''

A pregnant woman watched Serb forces shoot her brother in the stomach. She said, ''My father asked for someone to help this boy, but the answer he got was a beating. The Serbs told my brother to put his hands up, and then they shot him ten times. I saw this. I saw my brother die.''

Serb forces, their faces often concealed by masks, as they were before in Bosnia, have rounded up Kosovar women and repeatedly raped them. They have said to children, go into the woods and die of hunger.

Last week in Germany, I met with a couple of dozen of these refugees, and I asked them

all, in turn, to speak about their experience. A young man—I'd say 15 or 16 years old—stood up and struggled to talk. Finally, he just sat down and said, ''Kosovo, I can't talk about Kosovo.''

Nine of every 10 Kosovar Albanians now has been driven from their homes; thousands murdered; at least 100,000 missing; many young men led away in front of their families; over 500 cities, towns and villages torched. All this has been carried out, you must understand, according to a plan carefully designed months earlier in Belgrade. Serb officials prepositioned forces, tanks and fuel and mapped out the sequence of attack: what were the soldiers going to do; what were the paramilitary people going to do; what were the police going to do.

Town after town has seen the same brutal procedures—Serb forces taking valuables and identity papers, seizing or executing civilians, destroying property records, bulldozing and burning homes, mocking the fleeing.

We and our allies, with Russia, have worked hard for a just peace. Just last fall, Mr. Milosevic agreed under pressure to halt a previous assault on Kosovo, and hundreds of thousands of Kosovars were able to return home. But soon, he broke his commitment and renewed violence.

In February and March, again we pressed for peace, and the Kosovar Albanian leaders accepted a comprehensive plan, including the disarming of their insurgent forces, though it did not give them all they wanted. But instead of joining the peace, Mr. Milosevic, having already massed some 40,000 troops in and around Kosovo, unleashed his forces to intensify their atrocities and complete his brutal scheme.

Now, from the outset of this conflict, we and our allies have been very clear about what Belgrade must do to end it. The central imperative is this: The Kosovars must be able to return home and live in safety. For this to happen, the Serb forces must leave; partial withdrawals can only mean continued civil wars with the Kosovar insurgence.

There must also be an international security force with NATO at its core. Without that force, after all they've been through, the Kosovars simply won't go home. Their requirements are neither arbitrary nor overreaching. These things we have said are simply what is necessary to make peace work.

There are those who say Europe and its North American allies have no business intervening in the ethnic conflicts of the Balkans. They are the inevitable result, these conflicts, according to some of centuries-old animosity which were unleashed by the end of the Cold War restraints in Yugoslavia and elsewhere. I, myself, have been guilty of saying that on an occasion or two, and I regret it now more than I can say. For I have spent a great deal of time in these last six years reading the real history of the Balkans. and the truth is that a lot of what passes for common wisdom in this area is a gross oversimplification and misreading of history.

The truth is that for centuries these people have lived together in the Balkans and Southeastern Europe with greater or lesser degree of tension, but often without anything approaching the intolerable conditions and conflicts that exist today. And we do no favors to ourselves or to the rest of the world when we justify looking away from this kind of slaughter by oversimplifying and conveniently, in our own way, demonizing the whole Balkans by saying that these people are simply incapable of civilized behavior to one another.

Second, there is—people say, okay, maybe it's not inevitable, but look there are a lot of ethnic problems in the world. Russia has dealt with Chechnya, and you've got Abkhazia and Ossetia on the borders of Russia. And you've got all these ethnic problems everywhere, and religious problems. That's what the Middle East is about. You've got Northern Ireland. You've got the horrible, horrible genocide in Rwanda. You've got the war, now, between Eritrea and Ethiopia. They say, oh, we've got all these problems, and therefore, why do you care about this?

I say to them there is a huge difference between people who can't resolve their problems peacefully and fight about them, and people who resort to systematic ethnic cleansing and slaughter of people because of their religious or ethnic background. There is a difference. There is a difference.

And that is the difference that NATO—that our allies have tried to recognize and act on. I believe that is what we saw in Bosnia and Kosova. I think the only thing we have seen that really rivals that, rooted in ethnic or religious destruction, in this decade is what happened in Rwanda. And I regret very much that the world community was not organized and able to act quickly there as well.

Bringing the Kosovars home is a moral issue, but it is a very practical, strategic issue. In a world where the future will be threatened by the growth of terrorist groups; the easy spread of weapons of mass destruction; the use of technology including the Internet, for people to learn how to make bombs, and wreck countries, this is also a significant security issue. Particularly because of Kosovo's location, it is just as much a security issue for us as ending the war in Bosnia was.

Though we are working hard with the international community to sustain them, a million or more permanent Kosovar refugees could destabilize Albania, Macedonia, the wider region, become a fertile ground for radicalism and vengeance that would consume Southeastern Europe. And if Europe were overwhelmed with that, you know we would have to then come in and help them. Far better for us all to work together, to be firm, to be resolute, to be determined to resolve this now.

If the European community and its American and Canadian allies were to turn away from, and therefore reward, ethnic cleansing in the Balkans, all we would do is to create for ourselves an environment where this sort of practice was sanctioned by other people who found it convenient to build their own political power, and therefore, we would be creating a world of trouble for Europe and for the United States in the years ahead.

I'd just like to make one more point about this, in terms of the history of the Balkans. As long as people have existed there have been problems among people who are different from one another, and there probably always will be. But you do not have systematic slaughter and an effort to eradicate the religion, the culture, the heritage, the very record of presence of the people in any area unless some politician thinks it is in his interest to foment that sort of hatred. That's how these things happen—people with organized political and military power decide it is in their interest that they get something out of convincing the people they control or they influence to go kill other people and uproot them and dehumanize them.

I don't believe that the Serb people in their souls are any better—I mean, any worse—than we are. Do you? Do you believe when a little baby is born into a certain ethnic or racial group that somehow they have some poison in there that has to, at some point when they grow up, turn into some vast flame of destruction? Congressman ENGEL has got more Albanians than any Congressman in the country in his district. Congressman QUINN's been involved in the peace process in Ireland. You think there's something about the Catholic and Protestant Irish kids that sort of genetically predisposes them to—you know better than that, because we're about to make peace there, I hope—getting closer.

Political leaders do this kind of thing. You think the Germans would have perpetrated the Holocaust on their own without Hitler? Was there something in the history of the German race that made them do this? No.

We've got to get straight about this. This is something political leaders do. And if people make decisions to do these kinds of things, other people can make decisions to stop them. And if the resources are properly arrayed it can be done. And that is exactly what we intend to do.

Now, last week, despite our differences over the NATO action in Kosovo, Russia joined us, through the G–8 foreign ministers, in affirming our basic condition for ending the conflict, in affirming that the mass expulsion of the Kosovars cannot stand. We and Russia agreed that the international force ideally should be endorsed by the United Nations, as it was in Bosnia. And we do want Russian forces, along with those of other nations, to participate, because a Russian presence will help to reassure the Serbs who live in Kosovo—and they will need some protection, too, after all that has occurred.

NATO and Russian forces have served well side-by-side in Bosnia, with forces from many other countries. And with all the difficulties, the tensions, the dark memories that still exist in Bosnia, the Serbs, the Muslims, the Croats are still at peace, and still working together. Nobody claims that we can make everybody love each other overnight. That is not required. But what is required are basic norms of civilized conduct.

Until Serbia accepts these conditions, we will continue to grind down its war machine. Today, our allied air campaign is striking at strategic targets in Serbia, and directly at Serb forces in Kosovo, making it harder for them to obtain supplies, protect themselves, and attack the ethnic Albanians who are still there. NATO actions will not stop until the conditions I have described for peace are met.

Last week, I had a chance to meet with our troops in Europe—those who are flying the missions, and those who are organizing and leading our humanitarian assistance effort. I can tell you that you and all Americans can be very, very proud of them. They are standing up for what is right. They are performing with great skill and courage and sense of purpose. And in their attempts to avoid civilian casualties, they are sometimes risking their own lives. The wing commander at Spangdahlem Air Force Base in Germany told me, ''Sir, our team wants to stay with this mission until it's finished.''

I am grateful to these men and women. They are worthy successors to those of you in this audience who are veterans today.

Of course, we regret any casualties that are accidental, including those at the Chinese Embassy. But let me be clear again: These are accidents. They are inadvertent tragedies of conflict. We have worked very hard to avoid them. I'm telling you, I talked to pilots who told me that they had been fired at with mobile weapons from people in the middle of highly-populated villages, and they turned away rather than answer fire because they did not want to risk killing innocent civilians.

That is not our policy. But those of you who wear the uniform of our country and the many other countries represented here in this room today, and those of you who are veterans, know that it is simply not possible to avoid casualties of noncombatants in this sort of encounter. We are working hard. And I think it is truly remarkable—I would ask the world to note that we have now flown

over 19,000 sorties, thousands and thousands of bombs have been dropped, and there have been very few incidents of this kind. I know that you know how many there have been because Mr. Milosevic makes sure that the media has access to them.

I grieve for the loss of the innocent Chinese and their families. I grieve for the loss of the innocent Serbian civilians and their families. I grieve for the loss of the innocent Kosovars who were put into a military vehicle that our people thought was a military vehicle, and they've often been used as shields.

But I ask you to remember the stories I told you earlier. There are thousands of people that have been killed systematically by the Serb forces. There are 100,000 people who are still missing. We must remember who the real victims are here and why this started.

It is no accident that Mr. Milosevic has not allowed the international media to see the slaughter and destruction in Kosovo. There is no picture reflecting the story that one refugee told of 15 men being tied together and set on fire while they were alive. No, there are no pictures of that. But we have enough of those stories to know that there is a systematic effort that has animated our actions, and we must not forget it.

Now, Serbia faces a choice. Mr. Milosevic and his allies have dragged their people down a path of racial and religious hatred. This has resulted, again and again, in bloodshed, in loss of life, in loss of territory, and denial of the Serbs' own freedom—and now, in an unwinnable conflict against the united international community.

But there is another path available—one where people of different backgrounds and religions work together, within and across national borders; where people stop redrawing borders and start drawing blueprints for a prosperous, multiethnic future.

This is the path the other nations of Southeastern Europe have adopted. Day after day, they work to improve lives, to build a future in which the forces that pull people together are stronger than those that tear them apart. Albania and Bulgaria, as well as our NATO ally, Greece, have overcome historical differences to recognize the independence of the Former Yugoslav Republic of Macedonia, Romania, Bulgaria, Macedonia and others have deepened freedoms, promoted tolerance, pursued difficult economic reforms. Slovenia has advanced democracy at home, and prosperity; stood for regional integration, increased security cooperation, with a center to defuse land mines left from the conflict in Bosnia.

These nations are reaffirming that discord is not inevitable, that there is not some Balkan disease that has been there for centuries, always waiting to break out. They are drawing on a rich past where peoples of the region did, in fact, live together in peace.

Now, we and our allies have been helping to build that future, but we have to accelerate our efforts. We will work with the European Union, the World Bank, the IMF and others to ease the immediate economic strains, to relieve debt burden, to speed reconstruction, to advance economic reforms and regional trade. We will promote political freedom and tolerance of minorities.

At our NATO Summit last month we agreed to deepen our security engagement in the region, to adopt an ambitious program to help aspiring nations improve their candidacies to join the NATO Alliance. They have risked and sacrificed the support of the military and humanitarian efforts. They deserve our support.

Last Saturday was the anniversary of one of the greatest day in American history and in the history of freedom—VE Day. Though America celebrated that day in 1945, we did not pack up and go home. We stayed—to provide economic aid, to help to bolster democracy, to keep the peace—and because our strength and resolve was important as Europe rebuilt, learned to live together; faced new challenges together.

The resources we devoted to the Marshall Plan, to NATO, to other efforts, I think we would all agree have been an enormous bargain for our long-term prosperity and security here in the United States—just as the resources we are devoting here at this institution—to reaching out to people from other nations, to their officers, to their military, in a spirit of cooperation are an enormous bargain for the future security of the people of the United States.

Now, that's what I want to say in my last point here. War is expensive; peace is cheaper. Prosperity is downright profitable. We have to invest in the rebuilding of this region. Southeastern Europe, after the Cold War, was free but poor. As long as they are poor, they will offer a less compelling counterweight to the kind of ethnic exclusivity and oppression that Mr. Milosevic preaches.

If you believe the Marshall Plan worked, and you believe war is to be avoided whenever possible, and you understand how expensive it is and how profitable prosperity is, how much we have gotten out of what we have done—then we have to work with our European allies to rebuild Southeastern Europe, and to give them an economic future that will pull them together.

The European Union is prepared to take the lead role in Southeastern Europe's development. Russia, Ukraine, other nations of Europe's East are building democracy—they want to be a part of this.

We are trying to do this in other places in the world. What a great ally Japan has been for peace and prosperity, and will be again as they work to overcome their economic difficulty. Despite our present problems, I still believe we must remain committed to building a long-term strategic partnership with China.

We must work together with people where we can, as we prepare—always—to protect and defend our security if we must. But a better world and a better Europe are clearly in America's interests.

Serbia and the rest of the Balkans should be part of it. So I want to say this one more time: Our quarrel is not with the Serbian people. The United States has been deeply enriched by Serbian Americans. Millions of Americans are now cheering for some Serbian Americans as we watch the basketball play-offs every night on television. People of Serbian heritage are an important part of our society. We can never forget that the Serbs fought bravely with the allies against fascist aggression in World War II; that they suffer much; that Serbs, too, have been uprooted from their homes and have suffered greatly in the conflicts of the past decade that Mr. Milosevic provoked.

But the cycle of violence has to end. The children of the Balkans—all of them—deserve the chance to grow up without fear. Serbs simply must free themselves of the notion that their neighbors must be their enemies. The real enemy is a poisonous hatred unleashed by a cynical leader, based on a distorted view of what constitutes real national greatness.

The United States has become greater as we have shed racism, as we have shed a sense of superiority, as we have become more committed to working together across the lines that divide us, as we have found other ways to define meaning and purpose in life. And so has every other country that has embarked on that course.

We stand ready, therefore, to embrace Serbia as a part of a new Europe—if the people of Serbia are willing to invest and embrace that kind of future; if they are ready to build a Serbia, and a Yugoslavia, that is democratic, and respects the right and dignity of all people; if they are ready to join a world where people reach across the divide to find their common humanity and their prosperity.

This is the right vision, and the right course. It is not only the morally right thing for America, it is the right thing for our security interests over the long run. It is the vision for which the veterans in this room struggled so valiantly, for which so many others have given their lives.

With your example to guide us, and with our allies beside us, it is a vision that will prevail. And it is very, very much worth standing for.

Thank you, and God bless you. (Applause.)

OPPOSE RENEWAL OF WHALING BY MAKAH TRIBE

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

Mr. METCALF. Mr. Speaker, I rise to speak on an issue that millions of our people in our Nation seriously care about. Since the close of the worldwide whaling era at the end of the last century, it has been U.S. policy to oppose killing whales.

But today we have a real problem. The Clinton-Gore administration is quietly changing this policy by authorizing the hunting and killing of whales by the Makah Indian tribe in northwest Washington State.

The victims of course are the gray whales, the major focus of whale watching on the northwest coast of Washington State and the United States. These whales are local to the northwest coast, and they do not fear boats. They are used to the boats. They see boats all the time, and they have no fear.

Whales do have a commercial value and there are interests just waiting to cash in, even as they did in the glory days of worldwide commercial whaling. If we allow whaling to begin in America again, what can we say to Japan and Norway whose whaling we have opposed for years? We tried to get them to stop. Now we are going to allow commercial whaling again.

The real problem is, once we open the door to new worldwide commercial whaling, how do we ever close it again? Most Americans believe that we have risen above the wanton slaughter of the buffalo for their hides or the whales for the value of their body parts.

□ 1615

I urge my colleagues to join me in opposition to the renewal of whaling by the Makah Tribe of Northwest Washington State.

SAVE OUR CHILDREN FROM GUN VIOLENCE

The SPEAKER pro tempore (Mr. SAXTON). Under a previous order of the

House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY of New York. Mr. Speaker, yesterday the Senate voted down a loophole that could have been closed as far as guns being sold at gun shows. This was a very moderate request so that people, people with felonies, criminals, could not go to gun shows and buy guns that could possibly be used or sold to our young people.

Last month when we had the shooting in Littleton, Colorado, it was something that all of us as victims were dreading. We always knew it was not a matter of if there would be another shooting in our schools, it all came down to a matter of when. How did I know that? I knew that because we have had five committee hearings here in the House. We have brought in all the experts. We were trying to analyze from the five shootings in our schools what could be done, what can we do.

After Littleton, the American people said, we have to do something, and yet we hear silence here in the halls of Congress and now, obviously, in the Senate. What people forget is that every single day in this country 13 of our young people die through homicide, accidental deaths and suicides. People forget about those young people on a daily basis. Here they say there is nothing we can do.

I do not believe that. I believe with sensible, moderate changes on how our young people get guns we can make a big difference. I know we will not be able to save all our children, but we certainly should do everything that we can to save as many as we can.

I also know if the American people, the mothers, the fathers, students, teachers, if they do not become involved in this debate, we will not do anything here in the House. There are many of us that want to fight to save our children, to make sure our children feel safe when they go to the schools, but we need help. We need help because we have to hear from the American people. We need grass-root organizations. We need people to call here in Congress, call their Senator, e-mail them and say, ''We want something done.''

When there is such a high percentage of Americans willing to make the sacrifice of being inconvenienced, inconvenienced to hopefully have more safety for our children, they are willing to do it. And yet those in the Senate and here in the House we hear nothing from. It is wrong.

All we want is to try and have safe schools, to save our children. That is something that we are supposed to be doing here. That is why I came to Congress, to reduce gun violence, not to take away the right of someone to own a gun. I have never intended that.

All I am saying is, if someone owns a gun, they are responsible for it and they have to make sure that our young people do not get into it.

I know everyone is talking about the media, videos, mental health. These are all important issues. But responsibility with the parents, that is important also. We can deal with all these things. We have all the information. Anyone can go to the Committee on Education and the Workforce, and we will give them all the information they need.

There was one thing in common in every single one of the school shootings, the easy access of guns to our young people. I do not know what it will take to have the Members here and the Senate wake up. I do not know what it will take. I dread what it might take.

We can make a difference. The American people have said enough is enough. We should listen to them.

Why won't this Congress listen to the American people and allow us to pass common sense laws to keep guns out of the hands of our children?

Instead of listening to the American people, the Senate listened to the NRA leadership. Instead of making the laws stronger to stop kids and criminals from buying guns, the Senate has made the laws weaker. As a mother, grandmother and Member of Congress, I am deeply saddened by the Senate's vote.

The American people don't want this to be about politics but that's exactly what it is. How many more children will have to die before Congress wakes up and passes laws to save young lives?

We will not give up. We will fight harder for what the American people want—common sense measures to keep guns away from our kids and off our school campuses. My office alone has heard from thousands of people throughout this country who support legislation to address the deadly combination of children and guns.

Now more than ever, we need to hear from every school and from every parent in this nation. Call, write, e-mail—flood the halls of Congress with your demands—let this Congress know that you want meaningful legislation passed to save our children from gun violence. Every day that goes by with more silence from this Congress, we lose 13 more kids.

CONSUMERS NEED PATIENT PROTECTION LEGISLATION TO PROTECT THEM FROM HMO ABUSES

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. There is 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. Paul Elwood is not a household name, but he is considered the father of the HMO movement. Elwood told a surprised 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 effort by doctors and health plans.''

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 have increasingly felt we've got to shift the power to the patient. I'm mad, in part because I have learned that terrible care can happen to anyone.''

Mr. Speaker, this is not the commentary of a mother whose child was injured by her HMO's refusal to authorize care. It is not the statement of a doctor who could not get requested treatment for his patient. No, Mr. Speaker, those words, suggesting that consumers need real patient protection legislation to protect them from HMO abuses, come from the father of managed care.

I am tempted to stop here and let Dr. Elwood's words speak 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 life are not isolated examples. Mr. Speaker, they are not mere anecdotes.

In the past, I have spoken about James Adams, an infant who lost both his hands and both his feet when his mother's health plan made them drive past one emergency room after another in order to go to an authorized emergency room. Unfortunately, enroute, James suffered an arrest, and because of that arrest he lost both hands and feet because of the delay in treatment.

On Monday, May 4, USA Today ran an excellent editorial on that subject. It was 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.''

And this is hardly an isolated problem. The Medicare Rights Center in New York reported that 10 percent of complaints for Medicare HMOs related to denials for emergency room bills. The editorial noted that about half the States have enacted prudent layperson definitions for emergency care this decade, and Congress has passed such protection for Medicare and Medicaid recipients. Nevertheless, the USA Today editorial concludes that this patchwork of laws would be much strengthened by passage of a national prudent layperson standard that applies to all Americans.

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 this editorial for the RECORD:

[From USA Today, May 4, 1999]

PATIENTS FACE BIG BILLS AS INSURERS DENY EMERGENCY CLAIMS

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 that 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 that Medicaid-sponsored health plans routinely fail to pay for ER care, despite state and federal requirements 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 layperson'' 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 had difficulty getting health care from their HMO. Whether we are talking about extreme cases like little Jimmy Adams or routine difficulties in obtaining care that seem all too common, the public is getting frustrated by managed care. In fact, 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. 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 managed care companies do a good job of serving their customers. That is down sharply from the 45 percent who thought that 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 safety problem. By nearly two to one 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 than the managed care industry on the trust issue was the 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 during the movie when Academy Award winner Helen Hunt expressed an expletive about the lack of care her asthmatic son was getting from their HMO. No doubt the audiences' reactions were fueled by dozens of articles and news stories documenting the problems with managed care.

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. 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 one? ''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 bureaucrat told him to hold a fundraiser. A fundraiser. Mr. Speaker, this is about patient protections, not about campaign finance reform.

To counteract this, some health plans have even taken to bashing their own colleagues. Here in Washington one ad read: ''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. But at PHN, doctors are responsible for controlling costs.''

Advertisements like these demonstrate that even the HMOs know that there are more than a few rotten apples at the bottom of that barrel.

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In trying to stave off Federal legislation to improve health care quality, many HMOs have insisted that the free market will help cure whatever ails managed care.

And I am a firm believer in the free market, but the health care market is anything but a free market. Free markets generally are not dominated by third parties providing first-dollar coverage. Free markets generally do not reward companies who give consumers less of what they want. And free markets usually do not feature limited competition either geographically or because an employer offers them only one choice, take it or leave it.

The Washington Business Group on Health recently released its fourth annual survey report on purchasing value in health care. Here are a few examples of how the market is working: ''To improve health care, 51 percent of employers,'' this is employers, ''51 percent of employers believe cost pressures are hurting quality. In evaluating and selecting health plans, 89 percent of employers consider cost. Less than half consider accreditation status. And only 39 percent consider consumer satisfaction reports.

''Employees are given limited information about their health plans. Only 23 percent of companies tell employees about appeals and grievance processes. And in the last 3 years, the percentage of businesses giving employees consumer satisfaction results has dropped from 37 percent to 15 percent. Over half of employers offer employees an incentive to select plans with lower costs. Only about 15 percent offer financial incentives to choose a plan with higher quality.''

Mr. Speaker, the recent Court of Appeals decision in the case ''Jones v.

Kodak'' demonstrates just how dangerous the ''free market'' is to health plan patients.

Mrs. Jones received health care through her employer, Kodak. The plan denied her request for in-patient substance abuse treatment, finding that she did not meet their protocol standards. The family took the case to an external reviewer who agreed that Mrs. Jones did not qualify for the benefit under the criteria established by the plan. But that 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 for Mrs. Jones's condition.

So, in denying Mrs. Jones's claim, the 10th Circuit Court of Appeals held that ERISA, the Employment Retirement Income Security Act, does not require plans to state the criteria used to determine whether a service is medically necessary. On top of that, the court ruled that unpublished criteria are a matter of plan design and structure rather than implementation and, therefore, not reviewable by the judiciary.

Well, Mr. Speaker, the implications of this decision are breathtaking. ''Jones v. Kodak'' provides a virtual road map to enterprising health plans on how to deny payment for medically necessary care. 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 use guidelines that are applicable or appropriate to a particular patient's case.

And most important to the plans, the decision assures HMOs that if they follow their own criteria, then they are shielded from court review. It makes no difference how inappropriate or inflexible those criteria can be since, as the court in ''Jones'' noted, this is a plan design issue and, therefore, not reviewable under ERISA.

Well, if Congress, through patient protection legislation, does not address this issue, many more patients will 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.

For example, a plan could promise to cover cleft lip surgery for those born with this birth defect but they could put, under ''Jones,'' 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.

Logic and principles of good medical practice would dictate that is not sound health care. But the ''Jones'' case affirms that health plans do not have to consider good health care, all they have to look at is 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 find out what those policies are and to reach independent decisions about the medical necessity of a proposed treatment using generally accepted principles of standards of care. And the Federal ERISA law will prevent courts from engaging in those inquiries, too.

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 ERISA shield which health plans have used to prevent State court negligence actions by enrollees who are injured as a result of the 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 Association of Children's Hospitals, the National Multiple Sclerosis Society.

It has also been supported by many health care groups, such as the American Academy of Family Physicians, whose members are on the front lines and who see how faceless HMO bureaucrats thousands of miles away, bureaucrats who have never even seen the patient, deny needed medical care because it does not fit their criteria.

I would like to focus on one small aspect of my bill, especially the way in which it addresses the issue of the Employment 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 actions.

Mr. Speaker, personal responsibility has been a watchword 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.

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 their actions. But winning a lawsuit is little consolation to a family that has lost a loved one. The best HMO bill ensures that health care is delivered when it is needed. And I also believe that the liability should attach to the entity that is making that medical decision.

Many self-insured companies contract with large managed care plans to deliver care. If the business is not making those discretionary decisions, then in my bill, they would not face liability. But if they cross that line and determine whether a particular treatment is medically necessary in a given case, then they are making medical decisions and they should be held accountable for their actions.

However, 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.

Mr. Speaker, that is where it varies with what passed this House last year. Sure, there was an external appeals process in last year's bill, but it was not binding on the plan. An external review could be requested in my bill by either the patient or by the health plan.

I can see some circumstances where a patient is requesting an obviously inappropriate treatment, like laetrile for cancer, and the plan would want to take that case to an external review. That would back up their decision and it would give them an effective defense if they were ever dragged into court to defend that decision.

So 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.

This CEO also told me that he could support a strong independent external review system like the one in my bill. But he said, if we do not make that decision and we are just following the recommendation of that external review panel, then we should not be liable for punitive damages. And I agree with that.

Punitive damage awards are meant to punish outrageous and malicious behavior. If a health plan follows the recommendation of an independent review board composed of medical experts, it is tough to figure out how that health plan has acted with malice.

So my bill provides health plans with a complete shield from punitive damages if they promptly follow the recommendations of that external review panel. And that I think is a fair compromise to the issue of health plan liability.

I certainly suspect that Aetna wishes 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 the ability to send the denial of care to an external review, they could have avoided the courtroom, but more importantly,

David Goodrich probably would have received the care that he needed and he might still be alive today.

And that is why my plan should be attractive to both sides. Consumers get a reliable and quick external appeals process which helps 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 million or $100 million punitive damages 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.

Now, the HMOs say that patient protection legislation will cause premiums to skyrocket. There is ample evidence, however, that that is not the case.

Last year, the Congressional Budget Office estimated that a similar proposal, which did not include the punitive damages relief that is in my bill, would have increased premiums around 4 percent cumulative over 10 years. And when Texas passed its own liability law 2 years ago, the Scott and White health plan estimate, that premiums would have to increase just 34 cents per member per month to cover the costs.

Now, Mr. Speaker, those are hardly alarming figures. And the low estimate by Scott and White seems accurate since only one suit has been filed against a Texas health plan since that law was passed. That is far from the flood of litigation that the opponents to that legislation predicted. I have been encouraged by the positive response my bill has received, and I think that this is the basis for what could be 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.

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Speaking of the punitive damages provision, MacDonald called it ''a reasonable compromise'' and he urged insurance companies to embrace the proposal as ''the best deal they see in a long time.''

Mr. Speaker, I ask that the full text of the editorial by John MacDonald be included in the RECORD at this point.

[From the Hartford Courant, Mar. 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 designed 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 his 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 form 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 gong 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-Dingall 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.

It is also important to state what this bill does not do to ERISA plans. It does not eliminate ERISA or otherwise force large, multiState health plans to meet benefit mandates of each and every State.

Now, this is an exceedingly important point. Just 2 weeks ago, I had representatives of a major employer from the upper Midwest 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 covering their 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—let me repeat, Mr. Speaker—it would not alter the ability of group health plans to design their own benefit package. I want to be totally clear on this. The ERISA amendments in my bill would allow States to pass laws to hold health plans accountable for their actions, but it would not allow States to subject ERISA plans to a variety of State benefit mandates.

Before closing, Mr. Speaker, I also want to address something that should not be in patient protection legislation. I am speaking specifically of extraneous provisions that could bog down the bill and severely weaken its chances for passage. 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 clear about this. While I strongly believe that Congress should consider ways to make health insurance more affordable, it would be a tremendous mistake to try to join these two issues together. It would present too many opportunities for needed patient protections to become sidetracked in fights over tax policy or the future of the employer-based 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 I was very 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 tax law so that individuals receive the same tax treatment as large businesses when buying health insurance. It does not make 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 has to pay all the cost with after-tax dollars.

But ideas like Association Health Plans, also known as Multiple Employer Welfare Associations, and HealthMarts could, in my opinion, destroy the individual market by leaving it with a risk pool that is sicker and more expensive.

Simply put, an Association Health Plan is a pool of individuals or 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, or I would say lack of regulation, by the 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 health insurers.

In a very real sense, ERISA remains the ''wild west'' of health care. Unlike State laws, which regulate quality, ERISA contains only minimal safeguards.

Among its many 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 issue 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.

In a letter to Congress in June, 1997, the American Academy of Actuaries 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.

That letter is in reference to the bill that passed the House last year.

The Academy went on to explain how those plans could undermine State insurance reforms:

> 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 could 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 chances for bankruptcy and fraud.''

These concerns were echoed in a jointly signed letter by the National Governors Association, the National Conference of State Legislatures, and the National Association of Insurance Commissioners. They 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.''

Mr. Speaker, attempting to attach Association Health Plans or HealthMarts to patient protection legislation poses two very real dangers. First, Association Health Plans undermine the insurance market and can leave consumers without meaningful protections from HMO abuses. Second, I am very concerned that the opposition to AHPs and HealthMarts, if they are added to a patient protect bill, will bog down patient protection legislation and lead it to suffer the same death that it did last year. In other words, Mr. Speaker, Association Health Plans, HealthMarts, these are real poison pills.

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 promise that I will fight efforts to derail managed care reform by adding these sorts of untested and potentially harmful provisions to patient protection legislation. 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.

Finally, Mr. Speaker, time is flying. It is already the middle of May. The gentleman from Virginia (Mr. BLILEY), the chairman of the Committee on Commerce, and the gentleman from Florida (Mr. BILIRAKIS) the chairman of the Subcommittee on Health, now have a draft of patient protection legislation prepared by the gentleman from Oklahoma (Mr. COBURN), the gentleman from Georgia (Mr. NORWOOD) and myself. That draft should serve as the basis for the chairman's mark.

The American Medical Association has just written me a letter that contains high praise for this draft. Mr. Speaker, I ask that the full text of this letter be included in the RECORD at this point.

AMERICAN MEDICAL ASSOCIATION,
Chicago, IL, May 12, 1999.

Hon. GREG GANSKE,
Longworth House Office Building, House of Representatives, Washington, DC

DEAR REPRESENTATIVE GANSKE: On behalf of the 300,000 physician and student members of the American Medical Association (AMA), I would like to thank you for your efforts in drafting a compromise patient protection package for the Commerce Committee. The draft proposal, developed by Representatives Tom Coburn, MD (OK) and Charles Norwood, DDS (GA), and you, is a significant milestone in the advancement of real patient protections through the Congress. We look forward to working with you to perfect the draft bill through the committee process and to pass a comprehensive, bipartisan patient protection bill this year.

It is imperative that a patient protection bill be reported out of committee and be considered on the floor prior to the July 4th recess. The AMA stands ready to help further advance these important patient protections through the committee process, the House floor and final passage.

The AMA applauds the inclusion of ''medical necessity'' language that is fair to patients, plans and physicians alike. We are particularly pleased with the non-binding list of medical necessity considerations that you have incorporated into the draft bill.

The AMA is pleased with the incorporation of the ''state flexibility'' provisions that allow patient protections passed by various states to remain in force. Allowing pre-existing patient protection laws to remain in force is critical to the success of federal patient protection legislation such as the draft bill.

The draft bill also offers patients a real choice by incorporating a ''point of service'' option provision. The AMA supports this important patient protection because it puts the full power of the free market to work to protect consumers.

We applaud your inclusion of a comprehensive disclosure provision that allows consumers to make educated decisions as they comparison shop for health care coverage. The AMA also notes with great appreciation the many improvements that the draft bill makes over last year's Patient Protection Act.

The draft bill expands consumer protections with a perfected ''emergency services'' provision. By eliminating the cost differential between network and out-of-network emergency rooms, the draft bill offers expanded protection for patients who are at their most vulnerable moments.

We support the strides the draft bill takes in protecting consumers with a comprehensive ban on gag practices. This is an important consumer protection that the AMA has been seeking for more than six years.

We commend the improvements incorporated in the ''appeals process'' provisions of the draft bill. The bill represents a major step toward guaranteeing consumers the right to a truly independent, binding and fair review of health care decisions made by their HMO.

The April 22nd draft copy of the bill makes a strong beginning for the Commerce Committee and the 106th Congress on the issue of patient protection and reaffirms the leadership role that you have assumed in the process. While you have raised some concerns about the process, the AMA stands ready to assist in completion of this legislative task. The AMA wishes to thank you for your efforts and work with you and the minority to pass a comprehensive, bipartisan patient protection bill this year. We look forward to working with you toward this goal.

Respectfully,

E. RATCLIFFE ANDERSON, Jr., MD.

Mr. Speaker, I sincerely hope that the chairmen of the committees of jurisdiction will not substantively change this draft and that they will keep it clean. It is also important that we move expeditiously on this issue. A strong patient protection bill should be debated under a fair rule on the floor by July 4.

On the floor by July 4.

Mr. Speaker, on the floor by July 4.

I look forward to working with you and with all of my colleagues to see real HMO reform signed into law this Congress.

SETTING RECORD STRAIGHT ON GAMING

The SPEAKER pro tempore (Mr. SAXTON). Under a previous order of the House, the gentlewoman from Nevada (Ms. BERKLEY) is recognized for 5 minutes.

Ms. BERKLEY. Mr. Speaker, I am dismayed about the news articles this week erroneously reporting on the gaming industry. For the benefit of my colleagues, I want to set the record straight. I offer my comments on behalf of the more than 700,000 Americans who are employed by legal and well-regulated gaming.

One recent article alleged that the gaming industry has caused major problems in our society and that it exploits the public. Another article includes the allegation that the only people who go to casinos are elderly Social Security recipients. These unfounded and outrageous allegations are a product of what objective researchers call the circle of disinformation about the gaming industry, disinformation spawned by a clique of antigaming zealots.

Unfortunately, this disinformation finds its way into the press, misleading the public and hurting the reputation of each of the 700,000 Americans employed by the industry.

Gaming must be the most studied industry in the United States, and study after study shows that the industry's customers come from all age groups, all geographic areas and from all walks of life. They choose legal gaming as a part of their leisure activities. And study after study shows that, by a large margin, Americans firmly believe that people should be allowed to participate in gaming if they so choose to do so.

Academic studies also show that legal gaming does not cause society's problems. To the contrary, the research on the benefits of the industry to the communities are lengthy and convincing. Tens of thousands of gaming employees are in good jobs rather than being on welfare and on food stamps. Two-thirds of the gaming employees report they have better health care because of their jobs in gaming. More than 40 percent say they have better access to day care as a result of employment in the gaming industry.

The industry has a payroll approaching $9 billion, generating tremendous community economic benefits. Gaming employees buy houses and cars and appliances. In many areas, they have ignited economic booms. For example, my hometown of Las Vegas now ranks in the top three best cities to start up a business because of favorable taxes, a lower crime rate, job growth and recreational facilities and civic pride, all stimulated by a robust gaming economy.

I encourage my colleagues to look closely at the well-documented facts about the gaming industry, rather than being influenced by the distortions that come from a circle of disinformation. I can use myself as an example, having been raised in Las Vegas. My family moved there 38 years ago. My dad was able to get a job and, because of the robust economy that the gaming industry provided Las Vegas, he managed to put a roof over our head, food on the table, clothes on our back and two daughters through college and law school. The reason for that was a robust economy fueled by the gaming industry. I ask my colleagues to look to me as an example, look to my family, look to my parents, and look to my children as cited as examples of what good community gaming can foster.

INTRODUCTION OF COMPREHENSIVE RETIREMENT SECURITY AND PENSION REFORM ACT OF 1999

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

Mr. PORTMAN. Mr. Speaker, I rise this evening to discuss an issue of great importance to so many Americans, and that is financial security in retirement. It is an important issue that has made the headlines a lot lately because of the retirement squeeze that our country faces.

We have more and more people who are going to be retiring, the baby boom generation, 76 million Americans, including myself, beginning to retire in 10 short years. We have people living much longer in this country, which is a good thing. But it is a huge demographic shift, this combination of this big generation retiring and people living longer, that is putting a lot of pressure on our retirement systems.

The Social Security system is not ready for it. Most of us know that now. But also our private retirement system, the employer-sponsored pension system, is not ready for it. Social Security needs to be a top priority of this Congress and this President.

I would love to see Social Security reform this year. I am pushing hard for it. But Social Security is only one component of a secure retirement for Americans. It was never intended to meet all the financial needs of retirement and for most Americans, of course, it does not, as this chart shows.

In fact, retirement security has often been called the three-legged stool, because people depend on three aspects of retirement savings. One is Social Security, one is personal savings and another one, a very important one, is employer-provided pensions.

□ 1700

The fourth part of this pie, of course, is people's earnings after they retire from a full-time job, but it is employer provided pensions that 19 percent of people's retirement that I would currently like to focus on today.

This is 401(k) plans. This is profit sharing plans. This is all of the plans that people who have a comfortable retirement have to supplement their Social Security.

It is interesting when we look at pensions as compared to Social Security benefits. It is already a very important part of the retirement for so many Americans. In fact, last year more money was paid out through employer provided pensions than was paid out under Social Security.

But all is not well with our pension system, not well at all in fact. Fewer than half of Americans who are working today have pensions. This is a major problem.

Madam Speaker, in 1983 about 48 percent of Americans had pensions. One would think that by 1993 we would have improved that and said it was only about 50 percent. It remains there. Sixty million American workers do not have access to one of the most important means of a comfortable, secure retirement, and that is pension savings. Half of all workers do not have it, and actually it is worse than that among those employees of small businesses. Among our smaller businesses where so many of our jobs are being created in our economy today fewer than half of the workers have pensions. In fact when we combine those companies between 1 and 10 employees and those between 10 and 25 employees, the average for those smaller companies, and again this the companies that are creating most of the new jobs out there, is that only 19 percent of them offer any kind of pension program at all today. So those employees with smaller businesses even have less of an opportunity to be able to get the kind of retirement security that they deserve.

Why is that? Madam Speaker, it is because setting up these plans, these pension plans, 401(k)s and so on, has become so costly and so burdensome, maintaining them has become so costly and there is so much liability that small businesses cannot afford to do it. Not enough workers have pension coverage at a time when our overall savings rate in this country also is terribly low. In fact, it is at historically low levels, and this is a real problem. Economists will tell us, whether they are liberal, centrist or conservative economists, we have got to increase the savings rate in this country if we want to continue to have the kind of economic prosperity we have enjoyed over the last several years.

We have a plan to solve these problems. It is called the Comprehensive Retirement Security and Pension Reform Act of 1999. I have introduced it this year with my colleague and friend the gentleman from Maryland (Mr. CARDIN). It is designed to dramatically increase personal savings rate and overall retirement security for millions of Americans by expanding the availability of pensions. It knocks down barriers to savings by raising limits and allowing workers to set more aside tax free for their retirement. It also untangles the complex

and irrational rules and cuts through the red tape that burdens retirement plans and their participants, and it creates new incentives for small businesses to establish these pension plans. It has a wonderful catch-up provision where older workers who are coming back into the work force can put even more aside for their pensions. This is particularly important for working moms who have been out of the work force but coming back after age 50 and want the opportunity to get more in the nest egg for their retirement. It responds to the needs of the increasingly mobile work force we have in this country by allowing people to vest faster in their pension plans and allowing portability so you can move your pension plan from job to job, which is so important to many, Americans. We believe that changing jobs should not mean that you get short changed on your retirement savings and your sense of security in retirement.

If enacted, these changes will expand savings, and they will make the difference between mere subsistence in retirement and retirement security for millions of workers nationwide.

I urge my colleagues to cosponsor the legislation, H.R. 1102.

FORMULATING A RATIONAL DRUG POLICY

The SPEAKER pro tempore (Mrs. BONO). Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. MICA) is recognized for 60 minutes.

Mr. MICA. Madam Speaker, I come before the House again tonight to talk primarily about one of the major issues I am involved in in the United States Congress and as a Member of the House of Representatives.

I have the privilege and opportunity to serve as the Chair during the 106th Congress of the Subcommittee on Criminal Justice, Drug Policy and Human Resources, and in that capacity it is my responsibility to help formulate a rational drug policy both for the House of Representatives, for the United States Congress and, hopefully, for the American people, to deal with a problem that is epidemic and devastating across our land. We do not fail to pick up a newspaper across the United States today or in my local community in central Florida and not read about some tragedy, particularly among our young people, some faceless, some unknown, some celebrities, some stars; one last week, I believe Mark Tuinei of the Dallas Cowboys. A 39-year-old healthy successful athlete died tragically from the results of a heroin overdose. I understand it was one of the first times he had ever used heroin. I understand it was also possibly in conjunction with another drug, possibly ecstacy. I am sure all this is to be investigated, but nonetheless he did die a tragic death, and we lost another young athletic star.

But, Madam Speaker, it is my concern that we cannot get attention to this problem.

This past couple of weeks the Nation has been focused and riveted on the tragedy at Columbine High School in Colorado, and certainly this horrific act in Colorado and Littleton did cause all of us pause and concern about the state of violence in our school system and education and with our young people.

But, Madam Speaker, there are three Columbine High Schools or the equivalent of the death and destruction among our population every single day in America. There are three Columbine High School tragedy equivalents across our land on Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, Sunday and every one of the 365 days. Last year over 14,000 Americans lost their lives to drug-related deaths. The statistics are mind-boggling when you stop and think that in the last 6 years of this administration over 100,000 Americans, the equivalent of cities of significant population have been entirely wiped out by drug-related deaths, and what is more disturbing is some of the policies of this administration which were instituted in the first 2 years when they controlled the United States House of Representatives, the other body, the United States Senate, and the White House, that in fact we are still reeling from the devastating effects of those policies on our country and particularly in the area of illegal narcotics deaths.

We have seen a dramatic increase in both the use and abuse of very hard drugs including heroin. A heroin epidemic exists and rages across this land, in my own community. Our young people, our teenage population in the last 5 years, has experienced an 875 percent increase in heroin use. Now I am talking about our teen population, our youngest victims in again this epidemic of heroin.

What has also caused the record number of deaths and I am sure will be attributed to the deaths we have read about just in the past few days in my local community and the death I cited of a Dallas Cowboys athlete is the high purity of heroin that is entering the United States. People today have no idea of the deadly effects of high purity heroin, and particularly when they are used with any other substance the results are devastating.

In my local community, and I represent central Florida from Orlando to Daytona Beach, a very prosperous area, an area that has a high education level, a high income level, again relatively high prosperity across the district, we have a situation of heroin deaths now exceeding homicides in that, again, tranquil part of central Florida, and this is no longer a problem of one urban addiction population, a hardcore use in, again, center cities problem; this is a problem that now extends to every income level and, again, particularly is violent and prevalent among our young people and our teenage population.

The cost of this epidemic is staggering. We have filled our prisons across this great land with almost 2 million Americans incarcerated. Estimates are now that 60 to 70 percent of those behind bars in our jails, in our prisons, in our Federal penitentiaries are there because of some drug-related offense. And many of these individuals are there because they committed a very serious crime, not small usage of illegal narcotics, but very serious felonies, and sometimes because they were on drugs or sometimes they were dealing in illegal narcotics, but the results are 60 to 70 percent of our prison population across this land is now again involved and has been involved with illegal narcotics.

If my colleagues want to take an example of a human tragedy, take the area we are in, Madam Speaker, the Nation's Capital, an area that is visited by thousands and thousands of tourists daily. It should be the pride of every American, and unfortunately, my colleagues, Washington, because of illegal narcotics, has become a sad commentary on the abuse and misuse of illegal narcotics. Three hundred fifty to 400 young men in most instances, and mostly black males, in our nation's capital have died annually the past 6 or 7 years, tragic deaths, and most of them related to illegal narcotics. The situation is even worse when you look at the effect again on the minority population, the young black males who have so much potential in our society. In the District of Columbia nearly 50 percent of the male population is part of the judicial system on probation or behind bars, again an incredible human tragedy and much of it linked to the abuse and misuse and trafficking in illegal narcotics.

□ 1715

The cost in dollars, not to mention the human tragedy that I just mentioned, is phenomenal. As chair of the subcommittee, we are now trying to work with others in the Congress to formulate a package to address in dollars the direct cost of illegal narcotics, and we do not have all of the costs combined in this figure but we will be somewhere in the neighborhood of $18 billion that Congress is about to pass a supplemental appropriations, of which $6.9 billion can be attributed to the war in Kosovo and we are looking at double to triple of that direct cost in our budget to the war on drugs, which again is an expensive proposition.

Madam Speaker, these are only the direct costs that I am referring to, this $18 billion we will consider for the next fiscal year. There are a quarter of a trillion dollars in additional costs, in lost wages, in incarceration, in costs to the judicial system, in welfare and support systems and social systems and the loss, the tremendous loss, of people involved and victims of illegal narcotic trafficking.

So the loss in lives and direct human lives is incredible. The loss in dollars and cents to the taxpayers and the costs that the Congress must cover in expenses for, again, this situation and illegal narcotics is phenomenal.

Again, some of the problems that we are facing today emanated from a change in policy. It may have been well intended. During the Reagan administration, and I had the opportunity to serve with Senator Paula Hawkins who initiated many of the anti-narcotics legislative and administrative efforts working with the Reagan administration in the early eighties, Florida was inundated with cocaine and other illegal narcotics trafficking, but a strategy to stop drugs at their source, a strategy to interdict illegal narcotics as they came from their source, a strategy to employ the military, the Coast Guard and other United States assets before the illegal narcotics ever got to our shores, all of these programs were put in place.

Additionally, we had a First Lady who developed a program working with legislative leaders and the President and others. It was a simple program. She developed a program that said, just say no, to our young people. The results were pretty dramatic.

If we look in the early eighties, we had high drug usage. We had increasing narcotics trafficking, and those statistics and figures went down steadily through the Reagan administration of the 1980s into the early 1990s when President Bush continued those policies.

It was not until 1993, with this administration, that they began dismantling, first of all, the drug czar's office. We cannot fight a national or international effort without the proper resources, without the proper direction, and certainly with so many Federal agencies involved and responsible for various elements of combatting illegal narcotics, whether it is the Department of Education, HHS, the Department of Justice, the DEA, our Drug Enforcement Administration, the Coast Guard, which is under transportation and other agencies, unless there was a good coordinating operation which was established again under the Reagan administration, and with the position of drug czar, can you have an effective anti-narcotics, illegal narcotics, operation or administration at the Federal level. So the first mistake that was made was dismantling that office and cutting dramatically their resources.

Next, the Clinton administration, and this is now history, cut the source country operations. If we look at how to stop illegal narcotics in huge quantities from entering the United States, we merely look at the sources. Now, if we had cocaine growing in every backyard or if we had cocaine coming from every nation on earth, it might be impossible to stop cocaine and coca production in every one of these sources, but, in fact, we have known that the three countries involved in the production of coca were Bolivia, Peru and Colombia. Ninety percent of the cocaine and coca was actually produced in Bolivia and Peru. However, again, changes from this administration have now made Colombia the major producer of coca and cocaine in the entire world, now exceeding what Peru and Bolivia had captured as the major source of production.

So we had, again, a dramatic decrease, a cut of the source country programs that cost effectively stopped the production of illegal narcotics. We knew cocaine was coming from there. We knew heroin and other things, tough narcotics, were trafficking through Mexico, and we stopped programs to, again, stop drugs at their production source and then stop drugs at the second most cost effective stage, which is interdicting them before they ever get to the country, as they are leaving the source country. Dramatic cuts were made in these interdiction programs.

Most of the military activities were sharply cut back, and additionally we cut the Coast Guard budget. When I say ''we,'' the Congress that was controlled, again, by the other side of the aisle, the Democrats, in 1993 to 1995. Again, they controlled both the legislative and executive branches of government when they made these cuts in the military, in the Coast Guard, in the eradication and interdiction programs.

Now, they did dramatically increase the treatment programs, but if we fought a battle and we only fought the battle by treating the wounded, it is not much of a battle. If we did that in any of our conflicts, we would be decimated. We have been, in fact, decimated in the war on drugs, because basically this administration, through the direction of President Clinton, dismantled what we had in place as a war on drugs. That is how we got to the situation where we have seen an incredible increase in narcotics, particularly heroin and cocaine and methamphetamine, coming into the United States.

Our subcommittee has looked at some of the problems relating to stopping drug trafficking, and I am pleased to inherit the responsibility I have for helping to develop this national drug strategy from the gentleman from Illinois (Mr. HASTERT), who is now the Speaker of the House of Representatives.

Speaker HASTERT, in his capacity as chair of the Subcommittee on National Security, Veterans Affairs and International Relations and the Subcommitee on Criminal Justice Drug Policy and Human Resources, on which I served in the last Congress, led the fight and the effort to put our real war on drugs back together; to restore the interdiction programs; to restore the eradication, again, at the source country programs; to bring the military and the Coast Guard back in to this battle so that, again, we have a real war and effort to stop the incredible supply and quantity of hard narcotics coming into the United States.

If that is not a responsibility of the Federal Government to deal with the international problem, the supply coming into the country, I do not know what is a national responsibility for any Federal Government.

I do want to give credit to Speaker HASTERT, who in his capacity as chair of the subcommittee on which I served with him in the last Congress helped put together again these programs that were decimated by the Clinton administration and by the policy of the democrat controlled Congress from 1993 to 1995. He did an admirable job.

Not only did Speaker HASTERT restore some of the areas that are so important, eradication at the source, interdiction, use of the military, the Coast Guard and getting those resources to enforcement, he also shepherded through dramatic increases in education, because if we do not have a solid education program and make young people in particular, and all Americans, aware of the potential danger of these hard narcotics, then we cannot be successful in stopping drug abuse and the stream of illegal narcotics coming into the country.

Nearly a billion dollars in increase in funding was appropriated, a very dramatic increase, to bring us up to the levels not even of 1992 when they started dismantling some of these programs, but starting back to restore again and have an effective war on drugs.

I hear some of the critics saying the war on drugs has failed. Well, Madam Speaker, there has been no war on drugs since 1993, with this administration. It is only in the last 2 years that we have again put the adequate resources to cost effectively stop these huge quantities of deadly narcotics from entering this country. So we have begun that effort and we need to pick that effort up.

Another incredible mistake made by this administration was a decision to cut aid to Colombia. The Congress has provided aid to Colombia. Now, why should the United States provide aid, and what interest do the taxpayers and others have in providing aid to Colombia?

As I said, there are two sources of cocaine where 90 percent of the cocaine came from in all the world; it was from Peru and Bolivia. This administration stopped resources, aid, assistance, ammunition, helicopters, spare parts, despite numerous protests from Congress, from going to Colombia. They stopped the shipment and supply.

In that period of time in the last few years, 3, 4 years, now we have to understand there was almost no coca produced in Colombia some 5 years ago, with the policy of this administration and stopping again that assistance from getting there, Colombia is now the major producer in the world of coca, the raw material, and the major producer of cocaine. Not only is it a producer of the raw material, and the major processor in the entire world, again through a very direct policy of

this administration, which was to cut off assistance, again, despite countless protests, despite letters, despite communications, despite pleas from Members of Congress, and I know this because I participated in this with Speaker HASTERT, the gentleman from New York (Mr. GILMAN), who chairs the Committee on International Relations, and numerous other Members of Congress who joined us in saying do not make this mistake, do not cut off this assistance to Colombia, so now we have, again, made Colombia, through an incorrect policy, the number one producer of cocaine.

In the same period of time, since President Clinton took office, Colombia produced almost no heroin. There was almost zero heroin, zero poppies and opiates produced from the country of Colombia. What has happened, Madam Speaker, is absolutely incredible in this 5, 6 year period of this administration. The largest source of heroin, and not the heroin of the 1960s or 1970s or even the 1980s, but high quality, high purity heroin, the largest source, 75 percent of all the heroin entering the United States, devastating children and people of all ages in Florida and across this Nation, 75 percent is now coming from Colombia.

Again, Colombia was not a producer of heroin of any quantity 6 years ago, and this policy of this administration has now made actually heroin so readily available its purity exceeds that of any other available drug, hard drug.

The price has dropped. The supply is so great. It is available as now a drug that can be marketed to our young people, probably lower than the price of cocaine on our streets. So we have seen a deadly brand of heroin being grown from that country.

It would be nice if people on my side of the aisle stood up and said what they have done and are doing about this situation, and it is incumbent on me not to just criticize the Clinton administration or my colleagues on the other side for their failed policies, but I think it is important that we state for the record what we have done.

In fact, I cited that Speaker HASTERT, who shared the responsibility for developing and putting back together our drug strategy, began that process, putting resources into, again, source country eradication programs, interdiction, getting funds and resources to the military and to the Coast Guard and others to fight this tremendous battle.

Additionally, we put in over a billion dollars in education funding, $191 million last year, to begin public information education and a media campaign, which will be matched by private sector donations. So we should have close to half a billion dollars before we are through this effort to educate folks.

On the front of Colombia, which has become our major source of production, it has been my pleasure to meet with President Pastrana, both in the United States here, soon after he took office, the end of last year, and visiting with him also in Colombia with other Members of Congress, to seek his cooperation, to seek Colombia's cooperation, and we are doing just that. He faces a very difficult challenge now that the Marxist guerillas, the FARC and ELN and others, have taken control of a large portion of the land area of Colombia, have dug their heels in and have now created an incredible war.

If we think the problem in Kosovo is a tragedy, thousands and thousands of Colombians have died in this civil conflict, and certainly if we look at the national interest, if we looked at Kosovo and we looked at Colombia, our national interest with this being the source of the death of 14,000 Americans, the majority of 14,000 Americans who died, I am sure we could trace the narcotics right to Colombia.

In Colombia, dozens and dozens of elected officials, 11 members of their Supreme Court, have been murdered, killed; over 3,000 of the national police have died in a conflict giving their lives trying to combat the narcoterrorists, which are again related to a Marxist effort and narcoterrorist effort to take over Colombia, but we stopped, again, any resources going down there, ammunition, helicopters, equipment, spare parts, and we now see again this leftist-initiated civil war that has killed tens of thousands of Colombians, thousands of officials, created terror and allowed narcoterrorism to flourish in that country.

I might say that, again, we have begun to put this whole program and effort back together to deal with that situation. Several weeks ago I was so pleased to join with the gentleman from Indiana (Mr. BURTON), who is chairman of the Committee on Government Reform, the full committee of which we are a subcommittee. I also had the pleasure of joining with the gentleman from New York (Mr. GILMAN), who is the Chair of our Committee on International Affairs, two individuals who have fought for years to get resources to Colombia so we would not be in the situation we are in.

I participated with them by going to a factory in Connecticut, near New Haven, Connecticut, for delivery of Black Hawk helicopters, 6 Black Hawk helicopters, which will be supplied in the war and effort against illegal narcotics, both the production and also going after traffickers. These 6 helicopters are long overdue. There should be 16, as I said in my remarks there at the ceremony in which they were turned over. Unfortunately, it will take some months before the pilots are fully trained and before they are in the air. We are doing our part, as a majority. Speaker HASTERT again in his capacity began this initiative to make certain that now that those helicopters and those parts and that ammunition are delivered that we have a war on drugs, so that we have a cost effective operation at the source.

Madam Speaker, if we know where the majority of cocaine and coca is produced and processed, and that is Colombia, and if we know where 75 percent of the heroin coming in to the United States, and we know that without question because we have signature programs like DNA programs that can almost trace the heroin to the poppy fields where they are grown, if we know that 75 percent of this deadly heroin is coming from Colombia, why in heaven's name would we not be sending the adequate resources there?

I am here to say tonight that we are sending some of those resources on their way, and I hope that this time that this administration will not block those resources from getting to where they can do the most cost effective job in stopping deadly heroin, deadly cocaine, from coming into the United States. There is no cheaper way of stopping the supply than stopping it at its source; again, hopefully to help in the resolution of a civil war that has taken thousands of lives, and which we know is directly financed by the proceeds of this narcoterrorism.

So, again, I congratulate the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations, for his assistance and leadership, the gentleman from Indiana (Mr. BURTON), our chair of the full Committee on Government Reform, for their efforts and persistence in getting the resources to where they can be most cost effective.

Madam Speaker, again, we try to address the issues dealing with drugs as they come into the United States and before they come into the United States in a cost effective manner. In that regard, last week my subcommittee held a hearing on the question of Panama, and the effects of the United States losing its flight operations and basically being kicked out of the Panama Canal Zone as far as any forward surveillance operations dealing with narcotics.

On May 1, the United States was prohibited from launching any flights, any narcotics surveillance missions, from the Republic of Panama. This is an incredible blow to our capability to find drugs as they come from, again, their source country. Again, we have to think of the most cost effective way to stop drugs and we have to think of where these illegal narcotics are produced, where they are processed and where the beginning of the trafficking comes from. Our ability to deal with that has been as through an operation that has been found for a number of years in Panama, particularly at Howard Air Force base where we have had various surveillance aircraft, including AWACS and others tracking and monitoring illegal narcotics flights, trafficking, doing surveillance work in cooperation with countries.

□ 1730

Most Americans are not aware of it, but again, we were kicked out May 1.

The reason we were kicked out deals back to the Carter administration and the truth agreements that the United States must vacate. However, our subcommittee in Congress was led to believe that this administration was moving forward with negotiations with Panama so that we could, at a minimum, keep our narcotics surveillance operations from that base, which is just ideally located, again for the purpose of interdicting close to the source, illegal narcotics.

Unfortunately, there is no other way to put it, but the State Department bungled the negotiations and this went on until the very last minute. We were in Panama in January hoping that there could be some resolution. Unfortunately, the negotiations failed. The United States lost all access.

In fact, the United States stopped all flights from Panama on May 1. We had 15,000 flights, and we covered 100 percent of the area that needed to be covered to conduct surveillance of illegal narcotics trafficking and production.

In the hearing that we conducted last week, unfortunately we could not be told as to how many operations have been relocated.

Now, it would not be bad enough that we got kicked out and the negotiations were bungled, but part of the $18 billion that the administration has come to Congress to ask for to deal in the drug war, part of that, a large part of it, is $73 million to relocate what we had been not paying for in Panama, but to relocate operations to Aruba or Curacao with the Netherlands, and also to Ecuador.

So what has been patched together, we learned through this hearing, are interim agreements, and we have no long-term agreements, not a single long-term agreement to replace our base operations in Panama, but at a cost of $73 million, which was originally proposed to us to move these operations, which now we cannot even tell how many flights are taking off from that area, but we know that they are less than 50 percent of the coverage we had on May 1, or prior to May 1.

We know it is costing us money, and we also know that a request came to our subcommittee in Congress for an additional $40-some million, I believe it was $45 million, on top of the $73 million that we are being asked to foot the bill for for dealing with, again, a failed negotiation.

And we now have, again, less than 50 percent coverage, and it may be several years before we have any hope of having the coverage that we had from our Panama location. All this will be paid for by the taxpayers, and unfortunately, this is only the tip of the iceberg. We are also told that it may cost as much as $200 million to upgrade some facilities and some airstrips in some of these countries.

□ 1745

Unfortunately, again, we only have interim agreements, no long-term agreements. We also have a very short-term interim agreement with Ecuador, which is of concern because Ecuador has had very difficult political problems, economic instability.

If we are to house a forward operating location there and expend money, we want some assurance that taxpayers' money would be properly expended.

But we have really witnessed a small disaster, which has not been properly recorded by the press in the loss of our operations. The cost is phenomenal. It will probably be a half a billion dollars to replace these operations before we are through.

We have lost over 5,600 buildings, not to mention Howard Air Force Base and its use for these surveillance operations. We lost $10 billion in assets that the American taxpayers paid for in the Canal Zone, all quietly closed down and again leaving an incredible gap in the area that needs protection and surveillance and overflight information.

So we find ourselves in a very difficult situation trying to put this South American strategy and interdiction strategy back together. But, again, we are trying to do our best and do it in a cost-effective manner as we consider the appropriations in this budget.

So we put some of the helicopters into place in Colombia. We have got equipment going back to Colombia as an initiative of the majority, the Republican side, and efforts again by those who fought these cuts, which have had such serious implications for us.

We now are trying to piece together a forward-operating location for surveillance and interdiction of drugs at their source and do that again in a cost-effective manner, picking up the shred of disastrous negotiations by this administration as we quietly make our way from the Panama Canal Zone and pay for access to other countries.

So those are a couple of the agenda items that our subcommittee has been involved in in trying to restore our war on drugs and our efforts to curtail this major national illegal narcotics problem.

One of the other concerns that I have had, as a Member of Congress and also dealing with this drug issue, is try to come up with some solution to address what I will term the Mexican problem.

Now, in addition to Colombia, and we have now cooperation equipment going there, we look at a strategy that deals from a national perspective, an international perspective, again stopping drugs at their source. I have already cited Peru, Colombia, Bolivia and their role in providing both the production and trafficking of illegal narcotics.

The next biggest offender and really the biggest problem that we have facing us is the problem with Mexico. Unfortunately, this administration certified Mexico some weeks ago as fully cooperating in our efforts and with their efforts to stop the production and trafficking of illegal narcotics.

Nothing could probably be further than the truth. Nothing could encourage a country to just kick sand in the face of the United States and ignore the will of the United States Congress and the American people than an action to certify Mexico as fully cooperating.

Our subcommittee held a hearing on Mexican certification and decertification, and today we held another one on the question of extradition and particularly what Mexico has been doing to extradite major drug traffickers.

Let me say, if I may, for way of explanation to Members of Congress, for the Speaker's edification, that the certification law which was passed in the 1980s is a simple law. It says that no country that is not fully cooperating with the United States will be eligible to receive foreign aid or foreign assistance if they do not take steps again to fully cooperate in an effort to curtail illegal narcotics production and trafficking. Simple law, simple concept. No assistance in stopping illegal narcotics and the trafficking and production, no foreign assistance.

Again, this administration, for the past several years, has certified Mexico as fully cooperating. Why would anyone certify a country as fully cooperating who performed as follows: Mexico, first of all, in the last calendar year had a decrease in the number of seizures of heroin. Mexico had a decrease in the number of seizures of cocaine. Mexico also had a decrease in the number of vessels that were seized in narcotics trafficking.

Mexico has ignored every request of the United States Congress and Members of Congress to deal with the hard narcotics. And 50 percent of the narcotics coming into the United States can be traced either as produced or trafficked through Mexico. That is 50 percent of the death and destruction, the 14,000 Americans last year, the 100,000 Americans in the last 6 years who have lost their lives to the effects of illegal narcotics. We can trace them, again, to inaction by Mexico.

Not only do we have inaction and lack of cooperation, lack of effort on their part, we have had actually difficulty in trying to conduct any operations to stop money laundering and illegal narcotics with Mexico.

I bring to the floor and to the attention of my colleagues and the Speaker the situation with Operation Casa Blanca. We asked for cooperation in Operation Casa Blanca, which was a multimillion dollars, in fact one of the largest money laundering operations ever uncovered in the Western Hemisphere, and it involved Mexican bankers.

What did the Mexican officials do? Even though we know that they were alerted and aware of this operation, they threatened to arrest United States Customs officials who were involved in that operation.

This is not fully cooperating by any standards. This is a close ally to which the United States, the Congress, and many Members on both sides of the aisle extended incredible trade benefits through NAFTA, extended incredible finance underwriting when their currency was failing.

When their economy was faltering several years ago, we helped bolster and we do bolster through our international cooperation and finance, financing and the structure of support for international finance for Mexico. We give incredible benefits to that country, which, again, has not in any sense and in any term fully cooperated in meeting requests.

I have tonight from the hearing that we conducted several little posters, wanted posters. We have Ramon Eduardo Arellano-Felix, who has pending U.S. criminal charges dealing with conspiracy to import cocaine and marijuana. He is a fugitive, a United States fugitive. He has not been arrested by Mexico.

I used him as one example in the hearing we held just a few hours ago on extradition. We found again the request of Congress and repeated requests of the House of Representatives in particular has been for Mexico to cooperate in extraditing even one major narcotics trafficker.

Through the hearing that we held this afternoon, we learned that in fact Mexico has been requested to extradite over 270 Mexican nationals. There are over 40 major drug traffickers that we are trying to extradite. To date not one single individual major drug trafficker, not one drug kingpin has been extradited from Mexico.

We heard a tale today from the Department of Justice, Department of State how these drug lords with their oodles of death money are now subverting even the Mexican process and hiring legal experts and doing everything possible to avoid extradition.

But this individual is only one of numerous requests that we have made of Mexico year after year for extradition. This Congress and this House of Representatives passed, 2 years ago March, several simple requests of Mexico. First was extradition of major drug traffickers, even one. Again, to date, nothing has transpired.

Additionally, this House of Representatives 2 years ago asked Mexico to enter into a maritime agreement. That is so important because many of the drug traffickers use the sea lanes and water to transport and also as escape routes. It is so important that we have a maritime agreement. Still to date no maritime agreement with Mexico, another request of this House of Representatives.

Additionally, we had asked for radar to be placed in the south of Mexico, because we knew that from Colombia and from South America illegal narcotics were coming in through Mexico. To date, no progress and radar to the south of Mexico. Another request completely ignored.

We asked additionally that our DEA agents, our drug enforcement agents that are located in Mexico, be given the ability to protect themselves, in some cases arm themselves, because they are at incredible personal risk in this war there and exposed on every front in Mexico. To date, those requests have still been ignored.

Then we asked that some of the laws that Mexico had passed to deal with illegal narcotics, trafficking and money laundering, we asked that those laws be enforced. Rather than enforcement, what the Mexicans have done, as I just cited, was kick dirt in our face in Operation Casa Blanca, threaten to arrest our United States Customs agents who uncovered multimillion dollar illegal narcotics trafficking.

So by any measure, all of the requests that we have made as a House of Representatives, as individual Members, as members of the subcommittee have been ignored.

Again we have this wanted poster. We had dozens of these at the committee hearing this afternoon of major drug lords, traffickers who have not been extradited, requests that have been pending year after year; and Mexico has ignored time and again the extradition of any of these Mexican nationals to the United States where they know and our DEA agents and our head of DEA has said that there is nothing that these traffickers fear more than coming to the United States where they will face justice, where they will face a jail term, and they will face punishment.

In these countries, many of those who we have asked for extradition after we have indicted them have fled. Many of them are free and in Mexico.

What is unfortunate, Madam Speaker, what is incredible as I conclude this evening is that this situation with Mexico again has rained tremendous damage on the United States of America who has tried to be a good friend, a good ally, and a good trading partner.

□ 1800

When a country which is a close ally and neighbor, and we have millions of great Mexican Americans in the United States who bring great diversity and tremendous contributions to our society, when we have this ally of Mexico not cooperating, it is a tragedy.

What concerns me is that we are on the verge now of seeing Mexico become a narcoterrorist state. It is unfortunate, but the reports that we have is that the entire Baja Peninsula, all the Mexican territory of the Baja Peninsula below California, is now under narcoterrorist control. They control the police, they control the local government, they control the military. Basically, the entire Baja region has become a narcoterrorist state.

Over 300 Mexicans were killed last year. Some 20 of them my colleagues may have read about were machine-gunned down, women and children, in violence we had only seen when the drug lords were in power in Cali and Medellin. So Mexico is about to lose the Baja Peninsula, or has lost the Baja Peninsula.

Additionally, Mexico has lost the Yucatan Peninsula. When we met with Mexican officials and the Attorney General, who told us they were doing everything to bring the situation under control, we cited the corruption of the governor of Quintana Roo, the Yucatan Peninsula, that state where President Clinton went down and met with President Zedillo just a few months ago.

They met in another narcoterrorist state, controlled by a governor who was corrupt, who we knew was corrupt and the Mexicans knew was corrupt. In fact, the Mexicans told us the only reason they had not arrested him is because in Mexico public officials have a certain immunity while they are in office, and they were waiting for him to leave office and then he would be arrested. And what took place there just a few days before the governor of Quintana Roo, the Yucatan Peninsula, was to leave office, he fled and is now a fugitive. So we did not even get one of the major traffickers in the Yucatan Peninsula. So another major land area in Mexico is now lost to narcoterrorism.

Additionally, we have reports of mountain regions and other states and locales in Mexico being completely overtaken by narcoterrorism, and it is a different kind of activity than we have seen before with just corruption. Now we see real terrorism, where they are killing local officials and others who cross them in this incredible war that has been fueled by illegal narcotics trafficking.

So tonight, as I close, I am disappointed with the Clinton administration and the problems they have created through their policies of 1993 to 1995, but I am pleased that we have taken a new direction and, with some help from folks on both sides of the aisle, Democrat and Republican, we now have more resources going into cost-effective source country programs, to interdiction, as again we know where these drugs are coming from; for law enforcement, which is a tough way to go, but we must enforce the laws of our land and try to bring illegal narcotics trafficking under control; and also for education, so our young people know about the dangers and about the deadly heroin, cocaine and methamphetamine that is on our streets.

WHERE'S THE BEEF

The SPEAKER pro tempore (Mrs. BONO). Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Madam Speaker, where's the beef? May 13, today, marks the day in which the European Union is set to respond to its loss of the beef hormone dispute.

The 11-year-old ban on American beef has prohibited our ranchers from exporting to Europe an estimated $500 million worth of beef each year. U.S. cattle producers have won each and every decision of the World Trade Organization to open European markets. It is now time for the European Union to comply with international trading laws and to eliminate its ban on American beef.

Rarely has European protectionism been so soundly defeated. In this case, the U.S. was not alone. Argentina, Canada, Australia, and New Zealand all joined in filing complaints to open markets. The countries have won, and it is time to begin shipments of beef to Europe.

Yet again we hear that the EU will not open its markets, will not allow beef imports, and will continue to defy the World Trade Organization. Perhaps trade barriers may be lowered on other products, perhaps tariffs reduced on goods and services, but no relief will be afforded the U.S. rancher.

Access to European beef markets is the objective. Compensation is not an acceptable alternative. The Clinton administration, its Departments of Agriculture and State and its trade ambassador must aggressively retaliate to force market access. Anything less than the shipment of fresh U.S. beef is unacceptable.

Madam Speaker, where's the beef? It should be on the tables of European families and in the restaurants of France and Germany.

PAKISTANI SUPPORT FOR MILITANTS IN KASHMIR CONTINUES TO CAUSE INSTABILITY

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

Mr. PALLONE. Madam Speaker, once again the annual State Department report on international terrorism has acknowledged official Pakistani support for militants operating in India's state of Jammu and Kashmir. Yet once again the State Department has refused to designate Pakistan's government as a sponsor of international terrorism.

The report, ''Patterns of Global Terrorism 1998,'' which was released 2 weeks ago, stated, and I quote, ''As in previous years, there were continuing credible reports of official Pakistani support for Kashmiri militant groups that engage in terrorism.''

Still quoting from this report, ''Pakistani officials stated publicly that while the government of Pakistan provides diplomatic, political and moral support for 'freedom fighters' in Kashmir, it is firmly against terrorism, and provides no training or material support for Kashmiri militants. Kashmiri militant groups continued to operate in Pakistan, however, raising funds and recruiting new cadre. These activities create a fertile ground for the operations of militant and terrorist groups in Pakistan, including the HUA (Harkat-ul-Ansar).''

Madam Speaker, I should point out that the HUA is the terrorist organization that has been blamed for the 1995 kidnapping of five western tourists in Kashmir, including two Americans. One of the American hostages managed to escape. One of the other hostages, a Norwegian, was brutally murdered; and the fate of the remaining hostages, including an American, Donald Hutchings of Spokane, Washington, is still unknown, despite what the State Department has said is ''ongoing cooperative efforts between U.S. and Indian law enforcement.''

Even if we accept the argument that there has not been official Pakistani training or material support for the militants, and there has been evidence to cast doubt on this assertion, but if we accept that argument, still it is clear that our State Department recognizes, at a minimum, that Pakistan is a base for various militant groups, and that there are credible reports of official Pakistani support. Pakistan admits to diplomatic, political, and moral support for the militants. And we have to wonder, Madam Speaker, how anyone can use the word moral to describe support for a movement that has caused the deaths of thousands of civilians and the dislocation of hundreds of thousands of people from their homes.

Madam Speaker, the issue of Kashmir frequently gets mentioned in the geopolitical calculations over the larger India-Pakistan conflict. There has been an ongoing Pakistani effort to internationalize this issue by bringing the United States or other world powers into the negotiations. The one aspect of this tragedy that frequently is overlooked is the plight of the Hindu community of this region, the Kashmiri Pandits. The Kashmiri Pandits have suffered doubly, from the atrocities committed by the militants and the indifference of the world community.

I have urged our government, India's government, and various U.N. bodies to accord more attention to the plight of the Kashmiri Pandits, and I will continue these efforts until this tragic situation starts to receive the attention it deserves.

Last month, I had the opportunity to raise some of these issues in a meeting with Chief Minister Farooq Abdullah of Jammu and Kashmir, who was in Washington on a working visit. I have to say that Dr. Abdullah had some important ideas on how the U.S. can help promote investment and international lending to rebuild the economy of Jammu and Kashmir. He also mentioned the importance of lifting the U.S. unilateral sanctions on India.

Chief Minister Abdullah appealed to both the administration and to Congress to do all in our power to get Pakistan to end its proxy war against India, which it wages by means of its support for the insurgency in Kashmir.

Sadly, Madam Speaker, the same May 7, 1999, edition of the newspaper ''India Abroad'' that included coverage of the ''Patterns of Global Terrorism'' and the visit of Chief Minister Abdullah also had this headline, ''Terrorists Gun Down Eight of a Family.'' The article said that in the northwest Kashmir district of Kupwara, that terrorists surrounded the home of Muhammad Maqbool Ganai, a middle-aged resident of the village of Krishipora, and fired indiscriminately at the occupants, killing five men and three women. Apparently, this gentleman was helping security forces in their campaign against the terrorists.

Killing people who cooperate with the police is a tactic that has become widespread recently. The terrorists have also been targeting former militants who have surrendered and their families. In the past few months, these attacks have claimed more than 100 lives. According to a police official quoted in the ''India Abroad,'' ''The state police is receiving tremendous support from the locals, and that has made the militants nervous.''

Madam Speaker, there are indications that leading, moderate Pakistani officials have convinced the State Department not to designate Pakistan a sponsor of international terrorism for fear it would provoke anti-American sentiment and embolden the radicals. The question is, given the continuing pattern of Pakistani support for the militants in Kashmir, what has been accomplished by our refusal to state the obvious?

ANNUAL REPORT OF NATIONAL INSTITUTE OF BUILDING SCIENCES FOR FISCAL YEAR 1997—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Banking and Financial Services:

To the Congress of the United States:

In accordance with the requirements of section 809 of the Housing and Community Development Act of 1974, as amended (12 U.S.C. 1701j–2(j)), I transmit herewith the annual report of the National Institute of Building Sciences for fiscal year 1997.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 13, 1999.*

COMMUNICATION FROM DEPUTY DISTRICT DIRECTOR OF THE HONORABLE DAVID MINGE, MEMBER OF CONGRESS

The SPEAKER pr tempore laid before the House the following communication from Alana Christensen, the Deputy District Director of the Honorable David Minge, Member of Congress:

Washington, DC, May 13, 1999.

Hon. NEWT GINGRICH
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena ad testificandum issued by the United States District Court for the District of Columbia.

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

Sincerely,

ALANA CHRISTENSEN,
Deputy District Director.

RECESS

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

Accordingly (at 6 o'clock and 13 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2208

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 10 o'clock and 8 minutes p.m.

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 Mrs. MCCARTHY of New York) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. CARSON, for 5 minutes, today.

Mr. MALONEY of Connecticut, for 5 minutes, today.

Mr. ENGEL, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. GANSKE) to revise and extend their remarks and include extraneous material:)

Mr. JONES of North Carolina, for 5 minutes, today.

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. METCALF, for 5 minutes, today.

Mr. SOUDER, for 5 minutes, today.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. BERKLEY, for 5 minutes, today.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, a bill of the House of the following title:

H.R. 432. To designate the North/South Center as the Dante B. Fascell North-South Center.

ADJOURNMENT

Mr. MOLLOHAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 9 minutes p.m.), the House adjourned until Friday, May 14, 1999, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2079. A letter from the Chief Counsel, FinCEN, Department of Treasury, transmitting the Department's final rule—FinCEN Advisory, Issue 11, Enhanced Scrutiny for Transactions Involving Antigua and Barbuda—received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2080. A letter from the Legal Advisor, Cable Services Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of Cable Act Reform Provisions of the Telecommunications Act of 1996 [CS Docket No. 96–85] received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2081. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Munds Park, Arizona) [MM Docket No. 98–27 RM–9188] received May 5, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2082. A letter from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Parts 13 and 80 of the Commission's Rules to Implement the Global Maritime Distress and Safety System (GMDSS) to Improve the Safety of Life at Sea [PR Docket No. 90–480] received April 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2083. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Standards for Business Practices of Interstate Natural Gas Pipelines [Docket No. RM96–1–011; Order No. 587–K] received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2084. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Listing of Color Additives for Coloring Sutures; [Phthalocyanianto(2-)] Copper [Docket No. 98C–0041] received May 5, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2085. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Investigational New Drug Applications; Clinical Holds; Confirmation of Effective Date [Docket No. 98N–0979] (RIN: 0910–AA84) received April 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2086. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Carbohydrase and Protease Enzyme Preparations Derived From Bacillus Subtilis or Bacillus Amyloliquefaciens; Affirmation of GRAS Status as Direct Food Ingredients [Docket No. 84G–0257] received April 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2087. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

2088. A letter from the Assistant Secretary of Commerce, Export Admin., Department of Commerce, transmitting the Department's final rule—Exports to Serbia [Docket No. 990422104–9104–01] (RIN: 0694–AB91) received May 5, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2089. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule—Researcher Registration and Research Room Procedures (RIN: 3095–AA69) received April 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2090. A letter from the the Chief Administrative Officer, the U.S. House of Representatives, transmitting a quarterly report of the Statement of Disbursements of the House of Representatives covering receipts and expenditures of appropriations and other funds for the period January 1, 1999 through March 31, 1999, pursuant to 2 U.S.C. 104a; (H. Doc. No. 106–63); to the Committee on House Administration and ordered to be printed.

2091. A letter from the Assistant Secretary, for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Importation, Exportation, and Transportation of Wildlife (User Fee Exemptions for qualified fur trappers) (RIN: 1018–AE08) received Aril 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2092. A letter from the Acting Director, Office of Sustainable Fisheries National Marine Fisheries Service, Department of Commerce, transmitting the Department's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Trip Limit Adjustments [Docket No. 981231333–8333–01; I.D. 042299A] received May 5, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2093. A letter from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Extension of Effective Date and Amendment of Bycatch Reduction Device Certification [Docket No. 980505118–8286–02; I.D. 110598B] (RIN: 0648–AL14) received April 27,1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2094. A letter from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Amendments for Addressing Essential Fish Habitat (EFH) Requirements [I.D. 100698A] (RIN: 0648–AL40) received April 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2095. A letter from the Chief, Regs and Admin Law, USCG, Department of Transportation, transmitting the Department's final rule—Vessel Identification System; Effective Date Change [CGD 89–050] (RIN: 2115–AD35) received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2096. A letter from the Chairman, Surface Transportation Board, Surface Transportation Board, transmitting the Board's final rule—Regulations for the Publication, Posting and Filing of Tariffs for the Transportation of Property by or with a water carrier in the Noncontiguous Domestic Trade [STB Ex Parte No. 580] received April 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2097. A letter from the Office of the Chief Counsel, Department of Transportation, transmitting the Department's final rule—Commercial Space Transportation Licensing Regulations [Docket No. 288851; Amdt. Nos. 401–01, 411–01, 413–01, 415–01 and 417–01] (RIN: 2120–AF99)received April 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

2098. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Claims and Effective Dates for the Award of Educational Assistance (RIN: 2900–AH76) received May 4, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2099. A letter from the Director, Office of Regulations Management (02D), Department of Veterans Affairs, transmitting the Department's final rule—Estimated Economic Impact Due to Implementation of Reasonable Charges—received April 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2100. A letter from the Deputy Executive Secretariat, Department of Health and Human Services, transmitting the Department's final rule—Implementation of Section 403(a)(2) of Social Security Act Bonus to Reward Decrease in Illegitimacy Ratio (RIN: 0970–AB79) received April 19, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calender, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 66. A bill to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of the Interior to provide assistance; with an amendment (Rept. 106–137). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 658. A bill to establish the Thomas Cole National Historic Site in the State of New York as an affiliated area of the National Park System; with an amendment (Rept. 106–138). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 659. A bill to authorize appropriations for the protection of Paoli and Brandywine Battlefields in Pennsylvania, to direct the National Park Service to conduct a special resource study of Paoli and Brandywine Battlefields, to authorize the Valley Forge Museum of the American Revolution at Valley Forge National Historic Park, and for other purposes; with an amendment (Rept. 106–139). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 747. A bill to protect the permanent trust funds of the State of Arizona from erosion due to inflation and modify the basis on which distributions are made from those funds (Rept. 106–140). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1104. A bill to authorize the Secretary of the Interior to transfer administrative jurisdiction over land within the boundaries of the Home of Franklin D. Roosevelt National Historic Site to the Archivist of the United States for the construction of a visitor center (Rept. 106–141). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 883. A bill to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands (Rept. 106–142). Referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 10 Referral to the Committee on Commerce extended for a period ending not later than June 11, 1999.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. FRANKS of New Jersey (for himself, Mr. FRELINGHUYSEN, and Mr. LANTOS):

H.R. 1788. A bill to deny Federal public benefits to individuals who participated in Nazi persecution; referred to the Committee on the Judiciary, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 1789. A bill to restore the inherent benefits of the market economy by repealing the Federal body of statutory law commonly referred to as ''antitrust law'', and for other purposes; to the Committee on the Judiciary.

By Mr. BLILEY (by request):

H.R. 1790. A bill to provide for public disclosure of accidental release scenario information in risk management plans, and for other purposes; referred to the Committee on Commerce, and in addition to the Committees on Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELLER (for himself, Mr. ROTHMAN, and Mr. CHABOT):

H.R. 1791. A bill to amend title 18, United States Code, to provide penalties for harming animals used in Federal law enforcement; to the Committee on the Judiciary.

By Mr. THOMPSON of Mississippi (for himself, Mr. HUTCHINSON, Mr. SHOWS, Mr. ETHERIDGE, and Mr. HOLDEN):

H.R. 1792. A bill to provide crime-fighting scholarships to certain law enforcement officers; to the Committee on the Judiciary.

By Mr. KOLBE (for himself, Mr. STENHOLM, Mr. SMITH of Michigan, Mr. DOOLEY of California, Mr. SANFORD, Ms. MCCARTHY of Missouri, and Mr. GREENWOOD):

H.R. 1793. A bill to amend title II of the Social Security Act to provide for individual security accounts funded by employee and employer Social Security payroll deductions, to extend the solvency of the old-age, survivors, and disability insurance program, and for other purposes; referred to the Committee on Ways and Means, and in addition to the Committee on Rules, 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. BROWN of Ohio (for himself and Mr. CHABOT):

H.R. 1794. A bill concerning the participation of Taiwan in the World Health Organization (WHO); to the Committee on International Relations.

By Mr. BURR of North Carolina (for himself and Ms. ESHOO):

H.R. 1795. A bill to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Engineering; to the Committee on Commerce.

By Mr. CARDIN (for himself, Mr. COYNE, Mr. LEVIN, Mr. STARK, and Mrs. THURMAN):

H.R. 1796. A bill to amend part B of title XVIII of the Social Security Act to provide for a chronic disease prescription drug benefit under the Medicare Program; referred 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. DAVIS of Illinois (for himself and Mr. GUTIERREZ):

H.R. 1797. A bill to amend section 203 of the National Housing Act to require properties that are subject to mortgages insured under the FHA single family housing mortgage insurance program to be inspected and determined to comply with the minimum property standards established by the Secretary of Housing and Urban Development; to the Committee on Banking and Financial Services.

By Mr. GREENWOOD (for himself, Mrs. LOWEY, Mrs. JOHNSON of Connecticut, Mr. BROWN of Ohio, Mr. BURR of North Carolina, Mr. WAXMAN, Mr. PICKERING, Mr. DEAL of Georgia, Mrs. MORELLA, Mr. FRANK of Massachusetts, Ms. DELAURO, Mr. NETHERCUTT, Mr. LEACH, Mr. ENGLISH, Mr. TOWNS, Mr. COYNE, Mr. LEWIS of Georgia, Mr. NADLER, Mr. WICKER, Mr. FILNER, and Ms. PELOSI):

H.R. 1798. A bill to amend the Public Health Service Act to provide additional support for and to expand clinical research programs, and for other purposes; to the Committee on Commerce.

By Mr. GUTIERREZ:

H.R. 1799. A bill to amend title 38, United States Code, to revise and improve the authorities of the Secretary of Veterans Affairs relating to the provision of counseling and treatment for sexual trauma experienced by veterans; to the Committee on Veterans' Affairs.

By Mr. HUTCHINSON (for himself and Mr. SCOTT):

H.R. 1800. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to ensure that certain information regarding prisoners is reported to the Attorney General; to the Committee on the Judiciary.

By Mr. HYDE (for himself, Mr. CONYERS, Mrs. CHRISTENSEN, Mr. FALEOMAVAEGA, Ms. NORTON, Mr. ROMERO-BARCELO, and Mr. UNDERWOOD):

H.R. 1801. A bill to make technical corrections to various antitrust laws and to references to such laws; referred to the Committee on the Judiciary, and in addition to the Committee on Armed Services, 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. JOHNSON of Connecticut (for herself and Mr. CARDIN):

H.R. 1802. A bill to amend part E of title IV of the Social Security Act to provide States with more funding and greater flexibility in carrying out programs designed to help children make the transition from foster care to self-sufficiency, and for other purposes; referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KASICH (for himself and Mr. RYAN of Wisconsin):

H.R. 1803. A bill to preserve and protect the surpluses of the Social Security trust funds by reaffirming the exclusion of receipts and disbursement from the budget, by setting a limit on the debt held by the public, and by amending the Congressional Budget Act of 1974 to provide a process to reduce the limit on the debt held by the public; referred to the Committee on the Budget, and in addition to the Committees on Rules, and 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. LATOURETTE (for himself, Ms. BERKLEY, Mr. BERMAN, Mr. BILBRAY, Mr. BLAGOJEVICH, Mr. BLILEY, Mr. BLUNT, Mr. BOEHLERT, Mr. BORSKI, Mr. BOUCHER, Mr. BRADY of Pennsylvania, Mr. BROWN of Ohio, Mrs. CHRISTENSEN, Mr. COOK, Mr. CRAMER, Mr. CROWLEY, Mr. CUNNINGHAM, Mr. DAVIS of Illinois, Mr. DEAL of Georgia, Mr. DIAZ-BALART, Mr. DIXON, Ms. DUNN, Mrs. EMERSON, Mr. ENGLISH, Mr. FOSSELLA, Mrs. FOWLER, Mr. FROST, Mr. GIBBONS, Mr. GILLMOR, Mr. GONZALEZ, Mr. GOODLING, Mr. GUTKNECHT, Mr. HALL of Ohio, Mr. HILL of Indiana, Mr. HOLDEN, Ms. NORTON, Ms. HOOLEY of Oregon, Mr. HORN, Mr. HOYER, Mr. INSLEE, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK, Mr. KING, Mr. KUCINICH, Mr. LAHOOD, Mr. LIPINSKI, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Mr. MCHUGH, Ms. MCKINNEY, Mr. MARTINEZ, Mr. MASCARA, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. METCALF, Ms. MILLENDER-MCDONALD, Mr. GARY MILLER of California, Mrs. MYRICK, Mr. NEY, Mr. NORWOOD, Mr. PALLONE, Mr. PASCRELL, Mr. PITTS, Ms. PRYCE of Ohio, Mr. RAHALL, Mr. REYES, Mr. ROHRABACHER, Mr. ROMERO-BARCELO, Mrs. ROUKEMA, Mr. SAWYER, Mr. SCHAFFER, Mr. SENSENBRENNER, Mr. SHERMAN, Mr. SHIMKUS, Mr. SHOWS, Mr. SMITH of Washington, Mr. SNYDER, Mr. SPRATT, Mr. STUPAK, Mr. TAYLOR of Mississippi, Mrs. THURMAN, Mr. TRAFICANT, Mr. UNDERWOOD, Ms. VELAZQUEZ, Mr. WOLF, Mr. WYNN, and Mr. YOUNG of Florida):

H.R. 1804. A bill to authorize the Pyramid of Remembrance Foundation to establish a memorial in the District of Columbia or its environs to soldiers who have lost their lives during peacekeeping operations, humanitarian efforts, training, terrorist attacks, or covert operations; to the Committee on Resources.

By Mrs. LOWEY (for herself and Mr. GILMAN):

H.R. 1805. A bill to amend the Internal Revenue Code of 1986 to allow a capital loss deduction with respect to the sale or exchange of a principal residence; to the Committee on Ways and Means.

By Mrs. LOWEY (for herself and Mr. LAZIO):

H.R. 1806. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide adequate access to providers of obstetric and gynecological services; referred to the Committee on Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINNIS:

H.R. 1807. A bill to establish a matching grant program to help State and local jurisdictions purchase bullet resistant equipment for use by law enforcement departments; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. MATSUI, and Mr. GEJDENSON):

H.R. 1808. A bill to provide an exemption from certain import prohibitions; to the Committee on Ways and Means.

By Mr. NADLER (for himself, Mr. WEINER, Mr. RUSH, Mrs. JONES of Ohio, Ms. DEGETTE, Mr. MEEHAN, Mr. WAXMAN, Mr. LIPINSKI, Mr. MCDERMOTT, Mr. WEXLER, Ms. LOFGREN, Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mr. TIERNEY, Ms. KILPATRICK, and Mr. DAVIS of Illinois):

H.R. 1809. A bill to prohibit the importation of dangerous firearms that have been modified to avoid the ban on semiautomatic assault weapons; to the Committee on the Judiciary.

By Mr. NUSSLE (for himself and Mr. BOSWELL):

H.R. 1810. A bill to amend the Internal Revenue Code of 1986 to exempt small issue bonds for agriculture from the State volume cap; to the Committee on Ways and Means.

By Mr. PASTOR:

H.R. 1811. A bill to amend the Indian Gaming Regulatory Act to provide adequate and certain remedies for sovereign tribal governments, and for other purposes; referred to the Committee on Resources, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL (for himself, Mr. ROHRABACHER, Mr. METCALF, Mr. CLAY, Mr. DEFAZIO, and Mr. STARK):

H.R. 1812. A bill to amend the Military Selective Service Act to suspend the registration requirement and the activities of civilian local boards, civilian appeal boards, and similar local agencies of the Selective Service System, except during national emergencies, and to require the Director of Selective Service to prepare a report regarding the development of a viable standby registration program for use only during national emergencies; to the Committee on Armed Services.

By Mr. SWEENEY:

H.R. 1813. A bill to prohibit the export to Hong Kong of certain high-speed computers; to the Committee on International Relations.

By Mr. VISCLOSKY (for himself, Mr. ISTOOK, Mr. SANDLIN, Mr. LAHOOD, Mr. ROEMER, Mr. MCINTOSH, Mr. SKELTON, Mr. COBLE, Mr. SOUDER, Mrs. MYRICK, Mr. HOSTETTLER, Mrs. EMERSON, Mr. NEY, Mr. NETHERCUTT, Mr. HILL of Montana, Mr. SESSIONS, Mr. TANCREDO, Mr. BURTON of Indiana, Mr. ROTHMAN, Mr. BUYER, Mr. GRAHAM, and Mr. CANADY of Florida):

H.R. 1814. A bill to provide incentives for Indian tribes to collect and pay lawfully imposed State sales taxes on goods sold on tribal lands and to provide for penalties against Indian tribes that do not collect and pay such State sales taxes; to the Committee on Resources.

By Mr. YOUNG of Alaska:

H.R. 1815. A bill to rename Mount McKinley in Alaska as Denali; to the Committee on Resources.

By Ms. SLAUGHTER (for herself, Mrs. MORELLA, Mr. SISISKY, and Mr. HASTINGS of Florida):

H.R. 1816. A bill to require coverage for colorectal cancer screenings; referred to the Committee on Commerce, 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. VENTO (for himself and Mr. SMITH of New Jersey):

H. Res. 169. A resolution expressing the sense of the House of Representatives with respect to democracy, free elections, and human rights in the Lao People's Democratic Republic; to the Committee on International Relations.

By Mr. COX (for himself and Mr. DICKS):

H. Res. 170. A resolution amending House Resolution 5, One Hundred Sixth Congress, as amended; to the Committee on Rules.

By Ms. DELAURO:

H. Res. 171. A resolution expressing the sense of the House of Representatives with respect to the National Conference of Law Enforcement Emerald Societies for their services in honoring slain Detective John Michael Gibson and Private First Class Jacob Chestnut of the United States Capitol Police; to the Committee on the Judiciary.

By Mr. GILMAN (for himself, Mr. TAYLOR of Mississippi, Mr. TALENT, and Mr. ROHRABACHER):

H. Res. 172. A resolution to authorize and direct the Archivist of the United States to make available for public use the records of the House of Representatives Select Committee on Missing Persons in Southeast Asia; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XII,

68. The SPEAKER presented a memorial of the House of Representatives of the State of Washington, relative to House Joint Memorial 4011 urging the Federal Communications Commission to address promptly the matters raised in the Department of Information Service's Petition for Reconsideration, and find that schools and libraries may participate with independent colleges in consortia to procure telecommunictions services at below-tariffed rates without losing their eligibility for universal services discounts; 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. 8: Mr. SPENCE, Mr. SHIMKUS, Mr. CAMP, Mr. THUNE, Mr. TOOMEY, and Mr. SOUDER.

H.R. 36: Mr. JACKSON of Illinois and Mr. SANDERS.

H.R. 49: Mr. ACKERMAN.

H.R. 113: Mr. JONES of North Carolina and Mr. SCHAFFER.

H.R. 148: Mr. RYAN of Wisconsin and Mr. SMITH of Washington.

H.R. 152: Mr. GUTIERREZ.

H.R. 220: Mr. HERGER.

H.R. 262: Mr. CONYERS, Mr. FORD, Mr. KIND, Mr. CLAY, Mr. TOWNS, Mr. DELAHUNT, Mr. MEEKS of New York, Mr. OLVER, Mr. PAYNE, and Ms. KILPATRICK.

H.R. 315: Mr. PASTOR.

H.R. 357: Ms. LEE and Mr. GILCHREST.

H.R. 372: Mr. DICKS, Mr. MALONEY of Connecticut, and Ms. SCHAKOWSKY.

H.R. 382: Mr. STENHOLM, Mr. JEFFERSON, Mr. CUMMINGS, and Mr. LUTHER.

H.R. 405: Mr. GILMAN and Mr. EVANS.

H.R. 406: Mr. BAIRD.

H.R. 417: Mr. UNDERWOOD.

H.R. 425: Ms. HOOLEY of Oregon, Mr. QUINN, Mr. RUSH, Mr. NEY, Mr. BROWN of Ohio, and Mr. GUTKNECHT.

H.R. 443: Mr. ENGEL.

H.R. 456: Mr. DIXON.

H.R. 488: Ms. ESHOO.

H.R. 505: Mr. PASTOR.

H.R. 517: Ms. RIVERS.

H.R. 541: Mr. HOLT.

H.R. 544: Mr. MOORE and Mr. THOMPSON of Mississippi.

H.R. 556: Mr. SCHAFFER.

H.R. 576: Mr. LUTHER.

H.R. 583: Mr. CAMP.

H.R. 584: Mr. CONDIT.

H.R. 590: Mr. METCALF.

H.R. 595: Mr. GILMAN, Mrs. MEEK of Florida, Mrs. CHRISTENSEN, Mr. HINOJOSA, and Mr. ENGEL.

H.R. 599: Mr. LUTHER, Mr. DAVIS of Illinois, and Mr. GUTIERREZ.

H.R. 601: Mr. BILBRAY, Mr. LOBIONDO, and Mr. EVERETT.

H.R. 629: Mr. FRANK of Massachusetts, Mr. BARRETT of Wisconsin, Ms. DEGETTE, and Mr. BROWN of California.

H.R. 648: Mr. JONES of North Carolina.

H.R. 670: Mr. JEFFERSON, Mr. WYNN, and Mr. HOEFFEL.

H.R. 675: Mr. UDALL of Colorado, Mr. GUTIERREZ, Mr. BRADY of Pennsylvania, Mr. LANTOS, and Mr. BROWN of Ohio.

H.R. 689: Mr. NETHERCUTT, Mr. FROST, and Mr. CAMP.

H.R. 701: Mr. WISE, Mr. UPTON, Mr. PASTOR, Mr. GALLEGLY, and Ms. DANNER.

H.R. 716: Mr. MORAN of Kansas.

H.R. 721: Mrs. MCCARTHY of New York and Mr. HILLEARY.

H.R. 742: Mrs. LOWEY and Mr. OLVER.

H.R. 760: Mr. GARY MILLER of California, Mr. MINGE, and Ms. KILPATRICK.

H.R. 765: Mr. KOLBE.

H.R. 777: Mr. HASTINGS of Florida, Ms. LEE, and Mr. THOMPSON of Mississippi.

H.R. 785: Ms. ESHOO and Ms. KILPATRICK

H.R. 804: Mr. LATOURETTE.

H.R. 827: Ms. WOOLSEY, Mr. HINCHEY, and Mr. SHOWS.

H.R. 838: Mr. STRICKLAND.

H.R. 844: Mr. BACHUS, Mr. PORTMAN, Mr. ISAKSON, Mr. MASCARA, Mr. KLINK, and Mr. SMITH of Washington.

H.R. 854: Mr. STRICKLAND.

H.R. 860: Ms. LOFGREN and Mrs. MALONEY of New York.

H.R. 864: Mr. WELDON of Pennsylvania, Mr. TERRY, Mr. FLETCHER, Mrs. MEEK of Florida, Mr. PORTER, Mr. PETERSON of Pennsylvania, Mr. THOMAS, Mr. PASCRELL, Mr. SMITH of New Jersey, Mr. FATTAH, Mr. HUNTER, Mr. TOWNS, Ms. BALDWIN, Ms. DELAURO, Mr. SHUSTER, Mr. TALENT, Mr. KILDEE, and Mr. HUTCHINSON.

H.R. 883: Mr. SKELTON, Mr. TURNER, Mr. JENKINS, Mr. ISAKSON, Mr. SUNUNU, Mr. EHRLICH, and Mr. CAMP.

H.R. 904: Mr. BLUMENAUER.

H.R. 943: Mr. DAVIS of Illinois.

H.R. 979: Mr. BOEHLERT, Mr. ALLEN, and Mr. LUTHER.

H.R. 997: Mr. BERMAN, Mr. CONDIT, Mrs. MCCARTHY of New York, Ms. LOFGREN, and Mr. STRICKLAND.

H.R. 1044: Mr. NETHERCUTT, Mr. GREEN of Wisconsin, Mr. MCHUGH, and Mr. BARCIA.

H.R. 1053: Mr. DEFAZIO.

H.R. 1080: Mr. FORBES.

H.R. 1083: Mrs. EMERSON, Mr. HOUGHTON, Mr. HUTCHINSON, and Mr. BRADY of Texas.

H.R. 1095: Mr. DIXON, Mrs. MEEK of Florida, Mr. METCALF, and Mr. RANGEL.

H.R. 1102: Mr. BOEHLERT, Mr. TALENT, Mr. RAHALL, Mr. LEWIS of Kentucky, and Mr. GILMAN.

H.R. 1123: Ms. VELAZQUEZ, Mr. DELAHUNT, and Mr. MCGOVERN.

H.R. 1130: Mr. MCNULTY and Mr. RUSH.

H.R. 1172: Ms. LEE, Mr. GUTIERREZ, and Mr. COOK.

H.R. 1180: Mr. TOWNS, Mr. MALONEY of Connecticut, Mr. KILDEE, Mr. FILNER, Mr. TERRY, and Ms. LEE.

H.R. 1188: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1202: Mr. BORSKI, Mr. MCDERMOTT, Mr. ABERCROMBIE, Mr. GREENWOOD, Mr. DICKS, and Mr. DAVIS of Illinois.

H.R. 1216: Mr. TAYLOR of Mississippi, Mr. CAPUANO, Mr. MCGOVERN, Mr. ENGEL, and Ms. CARSON.

H.R. 1226: Mr. OLVER, Mr. RAHALL, Mr. UNDERWOOD, Ms. RIVERS, Mr. GEJDENSON, Mr. FRANK of Massachusetts, Mr. WYNN, Mrs. THURMAN, Ms. DANNER, Mrs. MINK of Hawaii, Mr. GUTIERREZ, Mr. KLECZKA, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. KILPATRICK.

H.R. 1227: Mr. GUTIERREZ.

H.R. 1256: Mr. KING, Mr. QUINN, and Mr. HOUGHTON.

H.R. 1261: Mrs. KELLY, Mr. DEUTSCH, and Mr. WALDEN of Oregon.

H.R. 1274: Mr. LANTOS, Mrs. CHRISTENSEN, Mrs. THURMAN, Mr. DIXON, Mr. BONIOR, Mr. FROST, Mr. WEINER, Mr. ENGLISH, Mr. WYNN, and Mr. JEFFERSON.

H.R. 1287: Mr. RYAN of Wisconsin.

H.R. 1292: Mr. CAMP and Mr. FRANK of Massachusetts.

H.R. 1301: Mr. RYUN of Kansas, Mr. ORTIZ, Mrs. NORTHUP, Mr. HOLDEN, and Mr. WELLER.

H.R. 1304: Mr. RILEY, Ms. BALDWIN, Mr. THOMPSON of Mississippi, Mr. CANADY of Florida, Mr. RADANOVICH, Ms. DELAURO, Mr. MICA, Mr. PASCRELL, and Mr. BERMAN.

H.R. 1333: Mr. KUYKENDALL, Mr. SANDLIN, and Mr. KUCINICH.

H.R. 1342: Ms. MCCARTHY of Missouri, Ms. VELÁZQUEZ, and Mr. HALL of Ohio.

H.R. 1349: Mr. WELDON of Florida.

H.R. 1350: Mr. DEFAZIO, Mr. SHAYS, Mr. MARTINEZ, and Mr. JACKSON of Illinois.

H.R. 1355: Mr. LUTHER, Mr. BALDACCI, and Mr. ROTHMAN.

H.R. 1358: Mr. MCINTOSH.

H.R. 1399: Mr. UNDERWOOD, Mr. PASTOR, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GREEN of Texas, Mr. BROWN of California, Mr. WEYGAND, Mr. FILNER, Ms. KILPATRICK, and Mr. ORTIZ.

H.R. 1443: Mr. ROTHMAN.

H.R. 1477: Mr. FORBES, Ms. KILPATRICK, and Mr. TIERNEY.

H.R. 1485: Mr. MEEHAN, Mrs. CHRISTENSEN, and Mr. JACKSON of Illinois.

H.R. 1491: Ms. KILPATRICK.

H.R. 1495: Mr. STRICKLAND.

H.R. 1496: Mr. SMITH of Washington, Mr. GARY MILLER of California, Mr. HILL of Montana, and Mr. SWEENEY.

H.R. 1511: Mr. SWEENEY, Mr. COMBEST, Mr. SAM JOHNSON of Texas, and Mrs. EMERSON.

H.R. 1522: Mr. PETERSON of Pennsylvania and Mr. TAYLOR of North Carolina.

H.R. 1523: Mr. METCALF, Mr. GRAHAM, and Mr. GIBBONS.

H.R. 1524: Mr. NETHERCUTT, Mr. SCHAFFER, Mr. PETERSON of Pennsylvania Mr. HILL of Montana, Mr. WALDEN of Oregon, and Mr. TAYLOR of North Carolina.

H.R. 1536: Mr. BARCIA.

H.R. 1592: Mr. LINDER, Mr. HAYES, Mr. THORNBERRY, Mr. CLEMENT, Mr. STUMP, Mr. LEWIS of Kentucky, Mr. HULSHOF, Mr. TURNER, and Mr. CHAMBLISS

H.R. 1598: Mr. WEXLER.

H.R. 1601: Mr. GRAHAM, Mrs. CUBIN, Mr. BILBRAY, Mr. UDALL of New Mexico, Mr. HOLT, Mr. HASTINGS of Washington, and Mr. RODRIGUEZ.

H.R. 1624: Mr. RANGEL, Mr. NADLER, and Mr. SANDLIN.

H.R. 1631: Mr. MEEKS of New York, Ms. KILPATRICK, Mr. CUMMINGS, and Ms. LEE.

H.R. 1634: Mrs. KELLY, Ms. PRYCE of Ohio, Mr. MCCRERY, Mr. SESSIONS, Mr. ISAKSON, Mr. HILLEARY, Mr. WAMP, Mr. ROYCE, Mr. DUNCAN, Mr. LINDER, Mr. JOHN, AND Mrs. EMERSON.

H.R. 1644: Mr. BALDACCI, Mr. CONYERS, Mr. FORD, Mr. KIND, Mr. LATOURETTE, Mr. TAYLOR of Mississippi, Mr. TRAFICANT, Mr. TOWNS, Mr. VENTO, Mr. JEFFERSON, Mr. LANTOS, Mr. BISHOP, Mr. PAYNE, Mrs. TAUSCHER, Mr. LEWIS of Georgia, Mr. BERRY, Mr. DEFAZIO, Mr. LUTHER, Mr. BLAGOJEVICH, Mr. CLYBURN, Mrs. MCCARTHY of New York, and Mr. BECERRA.

H.R. 1645: Mr. MATSUI, Mr. HASTINGS of Florida, and Mr. INSLEE.

H.R. 1654: Mr. BROWN of California, Mr. GORDON, Mr. WELDON of Florida, Mr. COOK, Mr. NETHERCUTT, and Mr. ETHERIDGE.

H.R. 1658: Mr. WALDEN of Oregon, Mr. WAMP, Mr. CANADY of Florida, Mrs. CHRISTENSEN, Mr. KING, Mr. PHELPS, and Mr. RAHALL.

H.R. 1691: Mr. ENGLISH, Mr. COOK, Mr. STUMP, Mr. TAYLOR of Mississippi, Mrs. EMERSON, and Mrs. MORELLA.

H.R. 1706: Mr. HILLEARY.

H.R. 1710: Mr. BAKER.

H.R. 1718: Mr. DUNCAN, Mr. WAMP, and Mr. JENKINS.

H.R. 1750: Mr. DIXON, Mr. HILL of Indiana, Mr. MOLLOHAN, Mr. MURTHA, Mr. NEAL of Massachusetts, Mr. TAYLOR of Mississippi, Mr. WU, Mr. DELAHUNT, and Mr. WEINER.

H.J. Res. 9: Mr. HILLEARY and Mr. CASTLE.

H.J. Res. 25: Mr. GONZALEZ and Mr. GOODLATTE.

H.J. Res. 33: Mr. ARMEY.

H.J. Res. 47: Mr. UDALL of Colorado, Mr. GREEN of Wisconsin, Ms. KILPATRICK, and Mr. BROWN of Ohio.

H. Con. Res. 8: Mr. TAUZIN.

H. Con. Res. 34: Mr. DICKS, Mr. SMITH of Washington, and Mr. RUSH.

H. Con. Res. 60: Mr. MORAN of Virginia, Mrs. MEEK of Florida, Ms. VELAZQUEZ, Mr. TIERNEY, Ms. DELAURO, and Mr. GEJDENSON.

H. Con. Res. 87: Mr. VENTO, Mr. WAXMAN, Mr. GEORGE MILLER of California, Mr. PALLONE, Mr. ISTOOK, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. INSLEE, Mr. LUCAS of Oklahoma, and Mr. ACKERMAN.

H. Con. Res. 99: Mr. ROHRABACHER, Mr. MCHUGH, Mrs. MYRICK, and Mr. COBURN.

H. Res. 161: Mr. SMITH of New Jersey, Mr. LANTOS, Mr. GALLEGLY, Mr. CROWLEY, Mr. ROHRABACHER, Mr. MCGOVERN, Mr. BLAGOJEVICH, Mr. HASTINGS of Florida, Mr. FALEOMAVAEGA, Mr. CAMPBELL, Mr. COOKSEY, Mr. HUTCHINSON, and Mr. PICKERING.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1342: Mr. RYUN of Kansas.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 883

OFFERED BY: MR. YOUNG OF ALASKA

AMENDMENT NO. 1: On page 9, line 12, strike ''2000'' and insert instead ''2003.''