United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, TUESDAY, MAY 25, 1999 No. 76

House of Representatives

The House met at 9 a.m.

MORNING HOUR DEBATES

The SPEAKER. Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 25 minutes, and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate be continued beyond 9:50 a.m.

THE JUVENILE JUSTICE BILL

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

Mr. HASTERT. On behalf of the elected entire Republican leadership, I rise today to talk about the efforts of the House to respond to the national crisis surrounding violence in our schools.

Last week's shooting in Conyers, Georgia, only reinforced the fears of many parents about the safety of the schools which their children attend. Studies show that our Nation's schools on average are safer than ever, but average means nothing to the mothers and fathers who send their children to school every day. They want more from us, and we will provide more.

Last week the other body passed legislation that responded in part to the situation in our schools. Part of that legislative response included gun control legislation.

We support commonsense legislation that keeps guns out of the hands of unsupervised children. We support tightening laws to bring uniformity between gun shows and gun shops. We support instant background checks at gun shows.

We intend to bring these measures to the floor of the House, and I believe they will pass, but passing these measures is only part of the solution.

As I said on this floor last week, our children need to learn the differences between right and wrong. They need moral instruction, and they need a culture that reinforces positive values that help create a safer and more secure society.

What happened in Littleton, Colorado, and Conyers, Georgia, are genuine national tragedies. It is natural that they should spur us to action, but it is wrong for anyone to simply try to score political points as a result of these tragedies.

I take a back seat to no one in this Congress when it comes to a desire to make our schools safer. I specifically spoke about safer schools from this well in my first speech as Speaker.

I taught high school for 16 years before entering public life. My two boys graduated from public high school not that long ago. My wife goes to work every day in a public school, just as she has for the last 33 years. I want her and the children she teaches to be safe.

Last week, in consultation with the minority leadership, we developed a timetable for consideration of a juvenile justice bill that would help make our schools safer. It was a very constructive meeting. I thought we had mapped out a very responsible, straightforward approach to handling this issue by prompt action of the authorizing committee, not riders on unrelated appropriation bills.

Unfortunately, it appears that despite the best efforts at the leadership level, more partisan elements are continuing to press for quicker, ill-considered action this week. We continue to believe, just as we proposed last week, that we should consider this bill in a timely yet responsible way.

In order to responsibly expedite matters, I asked the Committee on the Judiciary to move up its hearing on this issue by 3 weeks. They agreed, and will start hearings this Thursday.

I asked the gentleman from Illinois (Mr. HYDE) to be prepared to mark up legislation the first week we get back from the Memorial Day district work period so it could be ready for the floor the next week. Again, this was much faster than originally proposed. He has agreed to do so.

Later today he and the chairman of the Subcommittee on Crime, the gentleman from Florida (Mr. MCCOLLUM) will announce an outline of our youth violence legislation.

This legislation will focus on making our schools and our streets safer by prosecuting those who break the current gun laws. It will keep lawbreakers in jail longer. It will enact a zero tolerance policy for children who bring guns to school, and it will make sure that dangerous juveniles will not be able to buy guns lawfully when they become adults, and that we have open and complete juvenile records to help us keep guns out of their hands.

When we consider this legislation, the House will be able to work its will regarding certain provisions from the Senate package, just as I had assured the minority leader last week.

The House will vote on trigger locks, background checks at gun shows, and closing the gun purchasing loophole. We will expedite this legislation, but we will not force it through the system without the proper consideration of the Committee on the Judiciary.

Some of my colleagues, sensing an advantage, may try to go outside of the rules of the House and attach ill-considered riders to legislation not relevant to the juvenile justice issue. That would be a mistake. I know emotions are running high, but let us be honest about this. Even if we did pass legislation this week, it would still be

Printed on recycled paper.

the middle of June at the earliest before we could send a bill to the White House.

Pretending otherwise, and promising the victims of these terrible tragedies something else, does a tremendous disservice not only to us and to our institution, but to the very people we are trying to protect.

Our Nation's schoolchildren deserve to attend the safest, most secure schools that we can provide, and the parents of our children should rest secure in the knowledge that everything is being done within our powers, both as citizens and legislators, to create precisely that environment.

This is not the time to play on the fears of our most vulnerable. This is the time for aggressive yet responsible leadership, one in which we can think carefully and examine all of the issues before we go off half-informed, searching for the snappiest sound bite rather than working together to develop the best legislation that we can.

This is one of those rare times when the national consensus demands that we act, but it does not require us to rush to judgment, to risk compounding the situation by stampeding toward what sounds like the best way to score points against each other. We can do better than that, and I am determined to see that we will.

By cooperating, we can get a bill to the White House promptly, while making sure that the policies are ready to be enforced when schools reopen in September. The Nation's eyes have turned towards us, looking for responsible leadership. We must resist the temptation to score political points at the expense of the lives and families of our Nation's children.

Demagoguery for the sake of partisan advantage will not serve the country well, nor will it produce the best legislative solution possible. We have the opportunity to rise above partisanship and do ourselves and our Nation proud. I appeal to all the Members not to let this opportunity slip away.

We have responsible legislation and it is ready to go. It can be made better. Rushing it to the floor this week will not result in a better product in the long run. Let us come together, move forward, and develop the best legislation we can so that all Americans can take pride in how we respond.

THE FUTURE AMERICAN FLAG WILL HAVE 51 STARS

The SPEAKER pro tempore (Mrs. MYRICK). Under the Speaker's announced policy of January 19, 1999, the gentleman from Puerto Rico (Mr. ROMERO-BARCELÓ) is recognized during morning hour debates for 5 minutes.

Mr. ROMERO-BARCELÓ. Madam Speaker, when the House of Representatives debated legislation on Puerto Rico's self-determination, opponents argued that Puerto Ricans had a different culture, too alien from the rest of the Nation to become a partner.

But they were wrong. The ones that are not mainstream are those that subscribe to a nativist mindset. Have they listened to the radio? Have they watched a ballgame? Have they checked out who is doing art for the Treasury Department, or have they read Time Magazine lately?

Last week's cover of Time featured Puerto Rican pop star Ricky Martin, who boasts the number one song in America. The same article highlighted two other Puerto Rican pop culture success stories, vocalists Mark Anthony and actress-singer Jennifer Lopez.

Last year, baseball's American League recognized Puerto Rican Juan ''Igor'' Gonzalez of the Texas Rangers as its most valuable player, and 11-year-old Laura Hernandez from Puerto Rico is this year's First Place National Winner of the United States Savings Bond Poster Contest.

Right here next to Washington, D.C., in the Goddard Space Center, there are over 40 engineers and scientists who have come from Puerto Rico. They graduated from MIT; not Massachusetts Institute of Technology, but the Mayaguez Institute of Technology.

Time's May 24th cover story states, ''We have seen the future. It looks like Ricky Martin. It sings like Mark Anthony. It dances like Jennifer Lopez. Que bueno.'' I, too, have seen the future, and I saw our flag with 51 stars. Que bueno.

THE FUTURE OF SOCIAL SECURITY

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

Mr. SMITH of Michigan. Madam Speaker, I rise today to talk about an important issue for everyone in this country. It is social security. Everybody that is now receiving social security is concerned when Congress starts talking about changes in social security, because the fact is that one-third of the individuals that are now receiving social security depend on that social security check for 90 percent or more of their retirement income, a huge dependency. So it is easy to understand why seniors get nervous.

Everybody that is near retirement age is concerned, because they have planned their retirement and the fact is that social security is running out of money. Those individuals under 55 years of age are the generation most at risk, because they may be asked to spend a lot more paying for the retirement benefits of those that retired before them.

This week we are going to discuss what has been called a lockbox for social security. It does not fix social security, but it provides that Congress promises not to spend the social security trust fund surpluses for other government programs. It is a good start, but make no mistake, it does nothing to change the fundamentals of the programs and fix social security in the long run.

Briefly, let me describe, what the problems of social security are. When we started the social security program in 1934, it was developed as a pay-as-you-go program, where existing current workers paid in their social security tax for the benefits of existing current retirees, so essentially no savings. The social security taxes went in one week, and by the end of the week they were sent out in benefits to retirees.

The system worked very well in the early stages because there were 42 people working for every 1 retiree receiving those tax benefits. By 1950, the number of people working went down to 17 people working, sending in their social security taxes for every one retiree. Today it is 3 people working, sending in their social security taxes, for every retiree.

The estimate is that by 2030, there are only going to be 2 people working. So what we are asking those 2 people to do, without changes in the social security structure, without changes in the system, we are asking those two workers to try to earn and produce enough for their families plus one retiree; almost impossible.

The Federal Government, since it continues to raise taxes, and it has raised social security taxes 36 times since 1976, more often than once a year. Today 75 percent of our workers pay more in the social security tax than they do in income tax.

But as government raised those taxes on workers, they took the extra money coming in above and beyond what was needed for benefit payments for retirees and the families and the disabled and they spent the money on other government programs.

□ 0915

What that has done is dig us a $700 billion IOU to future retirees that government, that Congress, that the President has no idea how to pay back.

I plead with my colleagues and, Madam Speaker, I plead with the American people to look at Social Security, look at how it is going to affect their lives and the future if Congress and the President is not willing to step up to the plate and deal with the serious problems of Social Security.

I have a proposal that I will be introducing in the next week that, provided we start slowing down some of the benefits for those high-income retirees and use some of that money for private investment accounts, to put that money into individual accounts so those individuals own that money, instead of Congress spending it on other programs.

Let me just finish by saying what tremendously complicates and should concern all of us in terms of how we deal with Social Security is a Supreme Court decision. In fact, two Supreme Court decisions. The Supreme Court

has said there is no entitlement for Social Security benefits; that there is no relationship between the taxes we pay in and our right to receive any Social Security check when we retire. That means that the young generations, those under 55 years old, are completely dependent on future politicians deciding how much they might cut their benefits.

And just one last word, Madam Speaker. The longer we put this off, the more drastic the solution. Let us do it, let us get at it, and let us deal with it.

CONGRESS OWES AMERICAN PUBLIC LEGISLATION ON GUN SAFETY PRIOR TO MEMORIAL DAY RECESS

The SPEAKER pro tempore (Mrs. MYRICK). Under the Speaker's announced policy of January 19, 1999, the gentlewoman from Connecticut (Ms. DELAURO) is recognized during morning hour debates for 5 minutes.

Ms. DELAURO. Madam Speaker, I listened to the Speaker of the House this morning tell us that we cannot pass gun safety legislation in this body before we leave for the Memorial Day break for vacation. We owe it to the American people, to American families, to move on this legislation before we go home. We need to work on the people's timetable and not on the congressional timetable.

To delay this issue is politics. That is what this is about.

We have 13 children in the United States who die every single day because of gun violence. If this is not an emergency, I do not know what is an emergency. This House of Representatives has risen to occasions where there have been crises in this country. We can move on a dime. We can pass legislation in 24 hours or less if we have the will to do it.

The juvenile justice bill has been sitting in committee for the last 3 to 4 weeks. It is a bipartisan piece of legislation. It can be passed in a heartbeat if we have the will to do it. We have to pass gun safety legislation in our country if we are going to meet the pleas and the cries of American families today.

I saw a grandmother yesterday in my district in Connecticut. She lives in Connecticut, her family is in Indiana. And she said to me, ''Ms. DELAURO, when you go back, please pass gun safety legislation. My two grandchildren were evacuated from their schools just last week.'' And I am not the only one who is hearing the plea of the American public. Let us do what is responsible, let us respond to American families.

Last week the other Chamber did the right thing. They passed common-sense gun safety legislation. The House of Representatives this week has that opportunity. Let us take up this legislation and pass fair and sensible measures that we, in fact, know will save lives.

There are some who want to wait until mid-June. I say we have waited too long. We have done nothing despite repeated tragedies in our schools, and we sit idly by while, as I said, 13 children are killed by guns every single day.

Youth violence is a complex problem. It requires several answers. We need parental involvement, safe schools, guidance counselors, mental health services, and less violence in our media. But gun safety laws that protect children are part of a sensible response to a crisis that is killing our kids in the United States.

I call upon the Republican leadership, I call upon the Speaker of the House, to schedule that vote this week. Like the other Chamber, we must ensure that firearms are sold with child safety locks, that we have background checks at gun shows, and that a person is 21 years old before he or she buys a gun.

Let us take these steps. Our families, our children are relying on us, those of us who have been sent here to do the people's business. Let us take the people's House and let us be responsive to the American public this week, when they are in need of knowing that, in fact, we can represent them and their families and their children in this body. That is what our responsibility is this week.

My God, I hope that we are up to the task in this body.

HOUSE SHOULD VOTE ON THREE ELEMENTS OF SENATE GUN SAFETY LEGISLATION PRIOR TO MEMORIAL DAY RECESS

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

Mr. BLUMENAUER. Madam Speaker, I too rise out of a note of optimism and, frankly, a little sadness, having listened to the Speaker's comments on the floor of this House.

I have been in Congress only 3 years, but over the course of those 3 years we have been attempting repeatedly to have the Republican leadership allow us the opportunity to vote on simple, common-sense approaches that will make a difference for the epidemic of gun violence in this country. We, in fact, know that it will make a difference.

There are about six times that I have taken to the well of this Chamber after tragic shootings, not to try to take advantage of them, but thinking that for a moment there might be an opportunity that this would touch the conscience of the people who control what the Members of this body will be able to vote upon.

Nine times since I have been in Congress there have been multiple shooting deaths on school campuses around this country. One of them, tragically, was in my State of Oregon. I do not know how anybody who looks in the eyes of the families who have suffered this tragedy, who have looked in their souls to realize that we have taken steps in this Congress to deal with things like auto safety, yet we will not take the same simple approach to try and make a difference to reduce the carnage from gun violence for young people.

The concept of a livable community, from where I sit, is what the Federal Government is about. It ought to be a partnership with State governments, local governments, with the local communities, school districts, to try to make sure that when children go out the door in the morning that they are safe, that the family is economically secure and they are healthy.

Gun violence has a wrenching impact on all three of those factors. The economic costs are staggering, costing billions of dollars each year for the thousands who are dead and maimed, victimized directly and indirectly. It has a significant impact in terms of public safety and crime, and it certainly makes a difference in terms of people's sense of security.

In the last Congress we pleaded just to act on the child access protection legislation. Give us a chance to vote on it. Fifteen States have enacted it, including the State of Florida, the home State of the Chair of the Subcommittee on Violence, and it has made a difference in terms of making children safer.

I would think that, at a minimum, the Members of this body ought to come forward and demand that we vote at least on the three elements that are in the Senate legislation, pass those things out today, make that progress real; then we can come back after the recess and deal with the Speaker's more deliberative approach on a longer-range term.

We have legislation introduced by the gentlewoman from New York (Mrs. MCCARTHY) that a number of people on both sides of the aisle, Republicans and Democrats, people of conscience, have signed that could be the vehicle that would deal comprehensively with these concerns.

I have legislation that I will be advancing that deals with making sure that the Product Safety Commission spends as much attention with real guns as it does with toy guns; that we would extend the prohibition against criminals having access to weapons under the Brady bill to others who have demonstrated a consistent pattern of violent behavior. This is overwhelmingly supported by the American public.

And last, but not least, that the Federal Government become a leader in personalizing guns to make sure that, for example, they cannot be used, the law enforcement service revolvers cannot be used against that man or woman in uniform. The Federal Government has a chance to make a huge difference in advancing this technology.

I find it a little ironic that the Speaker takes to the well of this Chamber urging caution and arguing against extraneous riders when we just passed an absolute abomination of a spending bill that was supposedly for the defense of our troops in Kosovo and, instead, included everything from reindeer to mining regulations. When it comes to special interests, we are willing to make exceptions, but not when it comes to our children.

I think our children ought to be the special interests. We ought to come forward with comprehensive legislation and we ought to do it now.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 10 a.m.

Accordingly (at 9 o'clock and 27 minutes a.m.), the House stood in recess until 10 a.m.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SUNUNU) at 10 a.m.

PRAYER

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

Let us pray using the words of Psalm 147.

''Praise the Lord!

''How good it is to sing praises to our God; for He is gracious, and a song of praise is fitting.

''The Lord builds up Jerusalem; He gathers the outcasts of Israel.

''He heals the brokenhearted, and binds up their wounds.

''He determines the numbers of the stars; He gives to all of them their names.

''Great is our Lord, and abundant in power; his understanding is beyond measure.

''The Lord lifts up the downtrodden; He casts the wicked to the ground.

''The Lord takes pleasure in those who fear him, in those who hope in his steadfast love.'' Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. FOLEY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 one-minute speeches on each side.

NUCLEAR SECRETS STOLEN UNDER OUR NOSES WHILE ADMINISTRATION DOES NOTHING

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

Mr. FOLEY. Mr. Speaker, today we will release the Cox report on Chinese spying activities and the impact on national security. But I say today, rather than blame the Chinese, we should reflect on our own lax standards and security.

Do the initials ''CIA'' ring a bell? We spend billions on similar activities around the world, but we should be more concerned with protecting our own vital national security.

If I were the White House today reading some of the headlines, ''China Stole Nuclear Secrets for Bombs, White House Seeks to Minimize that Type of Problem,'' then I would want to change the subject, too. I would want to talk about campaign finance reform. I would want to talk about gun control in America. I would want to do anything to change the tone and tenor of what has occurred in the United States under this administration.

We have given up valuable secrets, valuable technology, right under our noses. We were informed about it. Yet, the President denied anybody even told him anything relative to these secrets being stolen. Wake up, America. Fool me once, shame on you. Fool me twice, shame on me.

BRING JUVENILE JUSTICE BILL TO THE FLOOR NOW

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

Mr. MENENDEZ. Mr. Speaker, sending one's child to school should not take an act of courage. When children have died, when students have been shot sitting in class or studying at the library, when schools and communities have been torn apart, and when every American parent now worries when they send their children off to school, it is time for us to act. Not tomorrow. Not next week. Not next month. Now. Today.

There is a juvenile justice bill ready for us to consider that at least begins to address the school violence issue. Why will the Speaker not take up this bill? Is it because the NRA does not want him to? Is it because the far right in his party will not let him?

Whatever the reason, Mr. Speaker, it is not good enough. With 13 children dying each day from guns and with that gun violence spilling into our schools, his reasons are not good enough.

Let us protect our children and bring up the juvenile justice bill today. Not tomorrow. Not next month. Not another day. Not another life. But today.

SUPPORT MISSING, EXPLOITED AND RUNAWAY CHILDREN'S ACT

(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, in this National Missing Children's Week, I urge my colleagues to support S. 249, the Missing, Exploited and Runaway Children's Act.

In my own district, Jimmy Ryce and Shannon Melendi were preyed upon by monsters.

Jimmy was abducted, raped, killed, and dismembered as he walked home from his school bus stop. Jimmy's parents channeled their grief into the establishment of the Jimmy Ryce Center.

Shannon disappeared from a softball field and was never seen again. Shannon's parents have taken their daughter's case to the public, pushing for stronger laws to keep sexual predators off the streets.

Shannon's father, Luis, said, ''What happened to us cannot be changed, but because of what happened to us, changes can be made.''

Passage of this bill will help protect our children from the predators who prey on our most innocent victims.

AMERICANS INSIST ON PEACEFUL NEGOTIATIONS, NOT CONTINUED BOMBING

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

Mr. KUCINICH. Mr. Speaker, NATO's deliberate bombing and knocking out of electric systems and water systems throughout Serbia takes the war to a new low.

NATO is assigning collective guilt to the entire population of Serbia. NATO is then exacting retribution against that civilian population. Violence cannot be redemptive.

NATO, whoever NATO is, does not represent this Congress, which voted against the bombing. The American people are opposed to this bombing. People want to know what they can do.

On Sunday night in Cleveland, 400 people marched in a driving rain along the city's largest bridge, a mile and a half procession for peace, to protest the bombing, to protest the ethnic cleansing, and to make a strong statement that we believe that the only way to resolve this is through peaceful negotiations. I say it is time to continue to insist that that is the way that we resolve this war.

COX REPORT RELEASED; IT IS ABOUT TIME

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

Mr. GIBBONS. Mr. Speaker, ''The Phantom Menace'' is the title to the new popular Star Wars movie. But it might also be an apt description of the Chinese espionage efforts against the United States as outlined in the Cox Report.

Unlike this popular movie, however, this Chinese espionage is not fiction, and it may have far-reaching national security consequences long into the future.

It has taken nearly 5 months of struggle and arguing with the Clinton administration to release the Cox Report. Mr. Speaker, for myself and the many concerned Nevadans that I represent, all I can say is, it is about time.

It is about time that the American people found out if China's nuclear arsenal was built from the genius of the American people, on the backs of the American taxpayer.

It is about time that the Americans learn if the U.S. nuclear weapons labs will meet even minimum security standards some time next year.

But it is ultimately about time that this administration accepts responsibility for its years of inaction in this unfortunate situation, and has the intestinal fortitude to make the appropriate changes.

I yield back this Chinese spy menace, Mr. Speaker, and hopefully today the phantoms will be revealed. It is about time.

CALLING FOR RESIGNATION OF SANDY BERGER

(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, the fact is Sandy Berger is our national security advisor. The fact is Sandy Berger was once China's chief lobbyist in America. The fact is now there is a hole in our national security so big we could throw Berger and all our secrets all the way to China nonstop. Beam me up.

I am not accusing Sandy Berger of any wrongdoing. But for the good of America, Sandy Berger should resign as our national security advisor. Sandy Berger is very close to China. In Washington, perception becomes reality.

Mr. Speaker, I yield back any secrets we have left.

MORE QUESTIONS ARISE ABOUT WHO KNEW WHAT WHEN REGARDING CHINESE ESPIONAGE

(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, the long-awaited Cox Report on Chinese espionage becomes public today, and we already know many of the stunning details about the loss of our most sensitive nuclear secrets.

The President's press secretary says this goes back 20 years and there is no Democrat or Republican face on it. He is using the ''everybody does it'' defense. The Energy Secretary has cautioned us not to overreact.

But how should we react to the worst spy case in American history? It is clear that Clinton-Gore administration did not react at all after this was discovered in 1995. Why wasn't the President briefed on this in 1995, in 1996, 1997, 1998 or 1999? If he was, why was nothing done?

Attorney General Janet Reno is being set up to be the scapegoat in this scandal, but there are a lot more questions which the Clinton administration must answer about who knew it and when they knew it.

NATIONAL MISSING CHILDREN'S DAY

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

Mr. FARR of California. Mr. Speaker, there is an old saying about there being a special God for children. Certainly we would like to think that someone is watching over our young people, protecting them from harm. But, tragically, we know this is not the case.

Our community in the central coast of California lost a beautiful 13-year-old girl last year. That forever changed the lives of the Williams family and the thousands of local volunteers who donated thousands of hours searching for us.

As innocently as many of our children do every day, Christina took the family dog for a walk on June 2, 1998. Seven months later, her parents' worst nightmare came true when her body was discovered January 12, 1999 three miles from the Williams home. The day Christina Williams' body was found was one of the darkest days I have seen on the central coast of California.

Her family and friends said good-bye and vowed never to forget their daughter, sister, and friend. We had to learn to turn our anger and pain into a mission to make our community a safer place to raise our children. From our effort can hopefully come a larger recognition/realization that if we lose one of our children to violence, our society is morally weaker, for we can only imagine the potential that a child had to offer that society.

I wear this ribbon as we observe National Missing Children's Day.

I am wearing this white ribbon as a symbol as we observe National Missing Children's Day. I extend my heartfelt condolences to the family of Christina Williams and to each and every parent and family who has lost a child and pledge my efforts to be a protector of our nation's children.

CHINESE THEFT OF NUCLEAR TECHNOLOGY HAS ADVANCED THREAT BY A GENERATION

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

Mr. CHABOT. Mr. Speaker, the Rosenbergs were executed for giving the former Soviet Union secret information which allowed them to advance their atomic weapons program by 5 years.

The Chinese theft of nuclear weapons technology which has recently occurred under this administration has advanced the threat to our Nation by a generation.

This administration loves to say we have to do this, we have to do that for the children. Think of how much American children's lives have been endangered by this administration because of its lax security measures.

Campaign contributions from the head of the Chinese military intelligence to the Clinton administration; and this administration's response, we need campaign finance reform. They do not even follow the laws in the books that we have now.

Now the Clinton administration screams for gun control. Yet, they invite Chinese arms dealers to coffees at the White House, yes, for campaign donations. Unbelievable.

SUPPORT SAFE PARKS ACT OF 1999

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

Mr. GREEN of Wisconsin. Mr. Speaker, I rise today to introduce an important bill, the Safe Parks Act of 1999.

Mr. Speaker, our national parks are not as safe as we would expect them to be. In 1997, there were over 550 reported sex offenses in our national parks. Even more disturbing, 1997 saw 33 forceful rapes and 11 attempted rapes in those same national parks. That is a rape or attempted rape about every 8 days on Federal lands that are supposed to be safe havens for our families.

That is why I am introducing the Safe Parks Act today. It is a simple bill, barring any convicted sex offender from entering our U.S. parks.

Mr. Speaker, in honor of National Missing Children's Day, please join me in supporting this measure to help defend the sanctity of our Federal parks for our kids.

NATIONAL SMALL BUSINESS WEEK

(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 week is National Small Business Week. I rise in recognition of the important role that small businesses play in our Nation. Small businesses are vital to our economy and our communities. Just listen to some of these facts.

□ 1015

They account for 99.7 percent of the employers in our Nation; they employ 53 percent of the private work force and are responsible for 50 percent of the private gross domestic product in America.

Despite these enormous contributions, small businesses have to struggle under the weight of excessive taxation and unnecessary regulation handed down by the Federal Government. Clearly, I believe the time has come for Congress and the President to provide some relief to small business owners by cutting taxes and reining in overzealous regulators.

Mr. Speaker, I stand to work with both sides, all my colleagues, to promote an agenda that strengthens small business and creates new economic opportunities for the American people.

SCORE

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

Mr. HEFLEY. Mr. Speaker, I am pleased that my colleague who just spoke is emphasizing Small Business Week. This is Small Business Week. It is a time to celebrate the entrepreneurs that make the Nation's engine run. I want to take this opportunity to recognize a group of people that serve as that engine's mechanics, the Service Corps of Retired Executives, known as SCORE, which is celebrating their 35th anniversary this year.

SCORE is made up of a group of retired business executives. They volunteer their time and business expertise to counsel and advise our Nation's small business and entrepreneurs-to-be. With well over 50 percent of all new businesses failing within the first 6 years, counseling early on can make a difference between success and failure of a new business. SCORE's free counseling service does that job and it does it well.

In particular, I want to recognize the 166 SCORE volunteers in Colorado. Colorado SCORE counselors worked nearly 15,000 hours last year in support of the Colorado business community. Their support for Colorado's businesses are appreciated, and I encourage them to keep up the good work.

MILK PRICES IN MINNESOTA SHOULD BE SET BY MARKET

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

Mr. GUTKNECHT. Mr. Speaker, shortly after the hammer and sickle came down for the last time over the Kremlin, a business publication ran a column entitled, ''Markets Are More Powerful Than Armies'' and the 75-year experiment with government-fixed prices came to an end.

But, Mr. Speaker, for 60 years we have had a convoluted milk marketing order system whereby a farmer's milk is priced based on how far they are from Eau Claire, Wisconsin. The closer they are, the less they get. It makes no economic sense. Prices are fixed based on what the milk goes into and where it comes from.

Mr. Speaker, if the Russians are willing to let the market set the price of milk in Moscow, maybe we should try it in Minnesota.

WILL CHINESE ESPIONAGE SCANDAL BE DISMISSED?

(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, on March 19th of this year, the President stated, in response to a question, ''To the best of my knowledge, no one has said anything to me about any espionage which occurred by the Chinese against the labs, during my presidency.''

Sorry, to have to ask this, but is that true? Chinese espionage was discovered in 1995.

Was the President not briefed on this in 1995?

Did no one tell him in 1996?

Was the President not told about this in 1997?

During all of 1998, did no one brief the President about these extremely grave matters?

Did the President not read the November 1998 report on Chinese espionage at the Energy Department labs?

Did the President not see the Cox report delivered to him in January of this year?

Did he forget that, in fact, he had been briefed about the most serious espionage case since the Rosenbergs many, many times?

Why the denial?

Will the other side simply dismiss this scandal too, saying, ''Hey, everybody lies about national security''?

INTRODUCTION OF SCHOOL SAFETY HOTLINE ACT OF 1999

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

Mr. TANCREDO. Mr. Speaker, I rise today not to talk about the horrible tragedies of the Columbine shootings, though they linger in all of our minds. Rather I would like to speak of the good that has come from the ashes of this horrid event.

All around my home community of Littleton, Colorado, we have seen a spirit of coming together. In Littleton our churches have been crowded to the walls with those turning to their faith for answers. Across my district, people of all colors, classes and backgrounds have embraced in the comfort of a mutual loss.

Unfortunately, many children still do not feel safe to go to school. As the school year ends, attendance rates across the district are still horribly low. Students and parents feel helpless in controlling the safety of their learning environment.

In Denver, on Friday, we announced another coming together. We brought together leaders from business, State and local governments into a partnership to create the School Safety Hotline, an anonymous hotline for students, parents and teachers to report violent or threatening behavior to authorities.

It is my sincere hope that this initiative will give our students a sense they can control the safety of their environment by calling in to report threatening behavior. For that reason, I would like to offer the School Safety Hotline Act of 1999.

This bill will allow state and local agencies all across the country to apply for federal grants to help create and maintain public-private partnership hotlines similar to ours in Colorado. Furthermore, Mr. Speaker, I would like to encourage all of my colleagues from both sides of the aisle to support this modest, but important, legislation. I ask my colleagues to use this legislation as the first step to reach out to your own community and business leaders, so that we may give back to our young students the feeling that they can do something to ensure a safe and healthy learning environment.

WHY IS ADMINISTRATION DENYING KNOWLEDGE OF NUCLEAR ESPIONAGE

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

Mr. KINGSTON. Mr. Speaker, I am very disturbed today. If we go back to, I guess, the 1976 presidential debates between President Ford and President Carter, one of the questions asked of Jimmy Carter was what he thought was the biggest issue, at which point he quoted his daughter, Amy, and said, ''nuclear war.''

Well, I am here to say Amy Carter was right, nuclear war is, because we are giving nuclear warheads and secrets to China, which has not exactly been our staunchest ally over the years.

The W–88, which is one of the most powerful nuclear warheads in history, is now in the hands of the Chinese Communists despite the fact that the Deputy Intelligence Security Officer at the Department of Energy, as long as 3 years ago, warned the administration this was going on.

Sandy Berger, National Security Adviser, was told in April 1996. The President was informed July 1997. The President was informed again in November 1998, and then in January this year. And yet, as late as March, he was denying it and saying nothing happened on his watch.

There are two big issues here: Number one, what happened? Which should scare the death out of any American. And number two is, why did the administration deny this? This is not a partisan debate. This is a scary debate. And I was glad when Democrat liberal Senator TORRICELLI called for the resignation of Janet Reno.

It is time for bipartisan support, and I hope the Democrats will join us on this one because America and America's children depend on it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Such rollcall votes, if postponed, will be taken later today.

MISSING, EXPLOITED, AND RUNAWAY CHILDREN PROTECTION ACT

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 249) to provide funding for the National Center for Missing and Exploited Children, to reauthorize the Runaway and Homeless Youth Act, and for other purposes, as amended.

The Clerk read as follows:

S. 249

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Missing, Exploited, and Runaway Children Protection Act''.

SEC. 2. NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.

(a) FINDINGS.—Section 402 of the Missing Children's Assistance Act (42 U.S.C. 5771) is amended—

(1) in paragraph (7), by striking ''and'' at the end;

(2) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(9) for 14 years, the National Center for Missing and Exploited Children has—

''(A) served as the national resource center and clearinghouse congressionally mandated under the provisions of the Missing Children's Assistance Act of 1984; and

''(B) worked in partnership with the Department of Justice, the Federal Bureau of Investigation, the Department of the Treasury, the Department of State, and many other agencies in the effort to find missing children and prevent child victimization;

''(10) Congress has given the Center, which is a private non-profit corporation, access to the National Crime Information Center of the Federal Bureau of Investigation, and the National Law Enforcement Telecommunications System;

''(11) since 1987, the Center has operated the National Child Pornography Tipline, in conjunction with the United States Customs Service and the United States Postal Inspection Service and, beginning this year, the Center established a new CyberTipline on child exploitation, thus becoming 'the 911 for the Internet';

''(12) in light of statistics that time is of the essence in cases of child abduction, the Director of the Federal Bureau of Investigation in February of 1997 created a new NCIC child abduction ('CA') flag to provide the Center immediate notification in the most serious cases, resulting in 642 'CA' notifications to the Center and helping the Center to have its highest recovery rate in history;

''(13) the Center has established a national and increasingly worldwide network, linking the Center online with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, and Puerto Rico, as well as with Scotland Yard in the United Kingdom, the Royal Canadian Mounted Police, INTERPOL headquarters in Lyon, France, and others, which has enabled the Center to transmit images and information regarding missing children to law enforcement across the United States and around the world instantly;

''(14) from its inception in 1984 through March 31, 1998, the Center has—

''(A) handled 1,203,974 calls through its 24-hour toll-free hotline (1–800–THE–LOST) and currently averages 700 calls per day;

''(B) trained 146,284 law enforcement, criminal and juvenile justice, and healthcare professionals in child sexual exploitation and missing child case detection, identification, investigation, and prevention;

''(C) disseminated 15,491,344 free publications to citizens and professionals; and

''(D) worked with law enforcement on the cases of 59,481 missing children, resulting in the recovery of 40,180 children;

''(15) the demand for the services of the Center is growing dramatically, as evidenced by the fact that in 1997, the Center handled 129,100 calls, an all-time record, and by the fact that its new Internet website (www.missingkids.com) receives 1,500,000 'hits' every day, and is linked with hundreds of other websites to provide real-time images of breaking cases of missing children;

''(16) in 1997, the Center provided policy training to 256 police chiefs and sheriffs from 50 States and Guam at its new Jimmy Ryce Law Enforcement Training Center;

''(17) the programs of the Center have had a remarkable impact, such as in the fight against infant abductions in partnership with the healthcare industry, during which the Center has performed 668 onsite hospital walk-throughs and inspections, and trained 45,065 hospital administrators, nurses, and security personnel, and thereby helped to reduce infant abductions in the United States by 82 percent;

''(18) the Center is now playing a significant role in international child abduction cases, serving as a representative of the Department of State at cases under The Hague Convention, and successfully resolving the cases of 343 international child abductions, and providing greater support to parents in the United States;

''(19) the Center is a model of public/private partnership, raising private sector funds to match congressional appropriations and receiving extensive private in-kind support, including advanced technology provided by the computer industry such as imaging technology used to age the photographs of long-term missing children and to reconstruct facial images of unidentified deceased children;

''(20) the Center was 1 of only 10 of 300 major national charities given an A+ grade in 1997 by the American Institute of Philanthropy; and

''(21) the Center has been redesignated as the Nation's missing children clearinghouse and resource center once every 3 years through a competitive selection process conducted by the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice, and has received grants from that Office to conduct the crucial purposes of the Center.''.

(b) DEFINITIONS.—Section 403 of the Missing Children's Assistance Act (42 U.S.C. 5772) is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(3) the term 'Center' means the National Center for Missing and Exploited Children.''.

(c) DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.—Section 404 of the Missing Children's Assistance Act (42 U.S.C. 5773) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by striking subsection (b) and inserting the following:

''(b) ANNUAL GRANT TO NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.—

''(1) IN GENERAL.—The Administrator shall annually make a grant to the Center, which shall be used to—

''(A)(i) operate a national 24-hour toll-free telephone line by which individuals may report information regarding the location of any missing child, or other child 13 years of age or younger whose whereabouts are unknown to such child's legal custodian, and request information pertaining to procedures necessary to reunite such child with such child's legal custodian; and

''(ii) coordinate the operation of such telephone line with the operation of the national communications system referred to in part C of the Runaway and Homeless Youth Act (42 U.S.C. 5714–11);

''(B) operate the official national resource center and information clearinghouse for missing and exploited children;

''(C) provide to State and local governments, public and private nonprofit agencies, and individuals, information regarding—

''(i) free or low-cost legal, restaurant, lodging, and transportation services that are available for the benefit of missing and exploited children and their families; and

''(ii) the existence and nature of programs being carried out by Federal agencies to assist missing and exploited children and their families;

''(D) coordinate public and private programs that locate, recover, or reunite missing children with their families;

''(E) disseminate, on a national basis, information relating to innovative and model programs, services, and legislation that benefit missing and exploited children;

''(F) provide technical assistance and training to law enforcement agencies, State and local governments, elements of the criminal justice system, public and private nonprofit agencies, and individuals in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children; and

''(G) provide assistance to families and law enforcement agencies in locating and recovering missing and exploited children, both nationally and internationally.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this subsection,

$10,000,000 for each of fiscal years 2000, 2001, 2002, and 2003.

''(c) NATIONAL INCIDENCE STUDIES.—The Administrator, either by making grants to or entering into contracts with public agencies or nonprofit private agencies, shall—

''(1) periodically conduct national incidence studies to determine for a given year the actual number of children reported missing each year, the number of children who are victims of abduction by strangers, the number of children who are the victims of parental kidnapings, and the number of children who are recovered each year; and

''(2) provide to State and local governments, public and private nonprofit agencies, and individuals information to facilitate the lawful use of school records and birth certificates to identify and locate missing children.''.

(d) NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN.—Section 405(a) of the Missing Children's Assistance Act (42 U.S.C. 5775(a)) is amended by inserting ''the Center and with'' before ''public agencies''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 408 of the Missing Children's Assistance Act (42 U.S.C. 5777) is amended by striking ''1997 through 2001'' and inserting ''2000 through 2003''.

SEC. 3. RUNAWAY AND HOMELESS YOUTH.

(a) FINDINGS.—Section 302 of the Runaway and Homeless Youth Act (42 U.S.C. 5701) is amended—

(1) in paragraph (5), by striking ''accurate reporting of the problem nationally and to develop'' and inserting ''an accurate national reporting system to report the problem, and to assist in the development of''; and

(2) by striking paragraph (8) and inserting the following:

''(8) services for runaway and homeless youth are needed in urban, suburban, and rural areas;''.

(b) AUTHORITY TO MAKE GRANTS FOR CENTERS AND SERVICES.—Section 311 of the Runaway and Homeless Youth Act (42 U.S.C. 5711) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) GRANTS FOR CENTERS AND SERVICES.—

''(1) IN GENERAL.—The Secretary shall make grants to public and nonprofit private entities (and combinations of such entities) to establish and operate (including renovation) local centers to provide services for runaway and homeless youth and for the families of such youth.

''(2) SERVICES PROVIDED.—Services provided under paragraph (1)—

''(A) shall be provided as an alternative to involving runaway and homeless youth in the law enforcement, child welfare, mental health, and juvenile justice systems;

''(B) shall include—

''(i) safe and appropriate shelter; and

''(ii) individual, family, and group counseling, as appropriate; and

''(C) may include—

''(i) street-based services;

''(ii) home-based services for families with youth at risk of separation from the family; and

''(iii) drug abuse education and prevention services.'';

(2) in subsection (b)(2), by striking ''the Trust Territory of the Pacific Islands,''; and

(3) by striking subsections (c) and (d).

(c) ELIGIBILITY.—Section 312 of the Runaway and Homeless Youth Act (42 U.S.C. 5712) is amended—

(1) in subsection (b)—

(A) in paragraph (8), by striking ''paragraph (6)'' and inserting ''paragraph (7)'';

(B) in paragraph (10), by striking ''and'' at the end;

(C) in paragraph (11), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(12) shall submit to the Secretary an annual report that includes, with respect to the year for which the report is submitted—

''(A) information regarding the activities carried out under this part;

''(B) the achievements of the project under this part carried out by the applicant; and

''(C) statistical summaries describing—

''(i) the number and the characteristics of the runaway and homeless youth, and youth at risk of family separation, who participate in the project; and

''(ii) the services provided to such youth by the project.''; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) APPLICANTS PROVIDING STREET-BASED SERVICES.—To be eligible to use assistance under section 311(a)(2)(C)(i) to provide street-based services, the applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

''(1) provide qualified supervision of staff, including on-street supervision by appropriately trained staff;

''(2) provide backup personnel for on-street staff;

''(3) provide initial and periodic training of staff who provide such services; and

''(4) conduct outreach activities for runaway and homeless youth, and street youth.

''(d) APPLICANTS PROVIDING HOME-BASED SERVICES.—To be eligible to use assistance under section 311(a) to provide home-based services described in section 311(a)(2)(C)(ii), an applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

''(1) provide counseling and information to youth and the families (including unrelated individuals in the family households) of such youth, including services relating to basic life skills, interpersonal skill building, educational advancement, job attainment skills, mental and physical health care, parenting skills, financial planning, and referral to sources of other needed services;

''(2) provide directly, or through an arrangement made by the applicant, 24-hour service to respond to family crises (including immediate access to temporary shelter for runaway and homeless youth, and youth at risk of separation from the family);

''(3) establish, in partnership with the families of runaway and homeless youth, and youth at risk of separation from the family, objectives and measures of success to be achieved as a result of receiving home-based services;

''(4) provide initial and periodic training of staff who provide home-based services; and

''(5) ensure that—

''(A) caseloads will remain sufficiently low to allow for intensive (5 to 20 hours per week) involvement with each family receiving such services; and

''(B) staff providing such services will receive qualified supervision.

''(e) APPLICANTS PROVIDING DRUG ABUSE EDUCATION AND PREVENTION SERVICES.—To be eligible to use assistance under section 311(a)(2)(C)(iii) to provide drug abuse education and prevention services, an applicant shall include in the plan required by subsection (b)—

''(1) a description of—

''(A) the types of such services that the applicant proposes to provide;

''(B) the objectives of such services; and

''(C) the types of information and training to be provided to individuals providing such services to runaway and homeless youth; and

''(2) an assurance that in providing such services the applicant shall conduct outreach activities for runaway and homeless youth.''.

(d) APPROVAL OF APPLICATIONS.—Section 313 of the Runaway and Homeless Youth Act (42 U.S.C. 5713) is amended to read as follows:

''SEC. 313. APPROVAL OF APPLICATIONS.

''(a) IN GENERAL.—An application by a public or private entity for a grant under section 311(a) may be approved by the Secretary after taking into consideration, with respect to the State in which such entity proposes to provide services under this part—

''(1) the geographical distribution in such State of the proposed services under this part for which all grant applicants request approval; and

''(2) which areas of such State have the greatest need for such services.

''(b) PRIORITY.—In selecting applications for grants under section 311(a), the Secretary shall give priority to—

''(1) eligible applicants who have demonstrated experience in providing services to runaway and homeless youth; and

''(2) eligible applicants that request grants of less than $200,000.''.

(e) AUTHORITY FOR TRANSITIONAL LIVING GRANT PROGRAM.—Section 321 of the Runaway and Homeless Youth Act (42 U.S.C. 5714–1) is amended—

(1) in the section heading, by striking ''PURPOSE AND'';

(2) in subsection (a), by striking ''(a)''; and

(3) by striking subsection (b).

(f) ELIGIBILITY.—Section 322(a)(9) of the Runaway and Homeless Youth Act (42 U.S.C. 5714–2(a)(9)) is amended by inserting '', and the services provided to such youth by such project,'' after ''such project''.

(g) COORDINATION.—Section 341 of the Runaway and Homeless Youth Act (42 U.S.C. 5714–21) is amended to read as follows:

''SEC. 341. COORDINATION.

''With respect to matters relating to the health, education, employment, and housing of runaway and homeless youth, the Secretary—

''(1) in conjunction with the Attorney General, shall coordinate the activities of agencies of the Department of Health and Human Services with activities under any other Federal juvenile crime control, prevention, and juvenile offender accountability program and with the activities of other Federal entities; and

''(2) shall coordinate the activities of agencies of the Department of Health and Human Services with the activities of other Federal entities and with the activities of entities that are eligible to receive grants under this title.''.

(h) AUTHORITY TO MAKE GRANTS FOR RESEARCH, EVALUATION, DEMONSTRATION, AND SERVICE PROJECTS.—Section 343 of the Runaway and Homeless Youth Act (42 U.S.C. 5714–23) is amended—

(1) in the section heading, by inserting ''EVALUATION,'' after ''RESEARCH,'';

(2) in subsection (a), by inserting ''evaluation,'' after ''research,''; and

(3) in subsection (b)—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) through (10) as paragraphs (2) through (9), respectively.

(i) STUDY.—Part D of the Runaway and Homeless Youth Act (42 U.S.C. 5731 et seq.) is amended by adding after section 344 the following:

''SEC. 345. STUDY

''The Secretary shall conduct a study of a representative sample of runaways to determine the percent who leave home because of sexual abuse. The report on the study shall include—

''(1) in the case of sexual abuse , the relationship of the assaulter to the runaway; and

''(2) recommendations on how Federal laws may be changed to reduce sexual assaults on children.

The study shall be completed to enable the Secretary to make a report to the committees of Congress with jurisdiction over this Act, and to make such report available to the public, within one year of the date of the enactment of this section.''

(j) ASSISTANCE TO POTENTIAL GRANTEES.—Section 371 of the Runaway and Homeless Youth Act (42 U.S.C. 5714a) is amended by striking the last sentence.

(k) REPORTS.—Section 381 of the Runaway and Homeless Youth Act (42 U.S.C. 5715) is amended to read as follows:

''SEC. 381. REPORTS.

''(a) IN GENERAL.—Not later than April 1, 2000, and biennially thereafter, the Secretary shall submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on the Judiciary of the Senate, a report on the status, activities, and accomplishments of entities that receive grants under parts A, B, C, D, and E, with particular attention to—

''(1) in the case of centers funded under part A, the ability or effectiveness of such centers in—

''(A) alleviating the problems of runaway and homeless youth;

''(B) if applicable or appropriate, reuniting such youth with their families and encouraging the resolution of intrafamily problems through counseling and other services;

''(C) strengthening family relationships and encouraging stable living conditions for such youth; and

''(D) assisting such youth to decide upon a future course of action; and

''(2) in the case of projects funded under part B—

''(A) the number and characteristics of homeless youth served by such projects;

''(B) the types of activities carried out by such projects;

''(C) the effectiveness of such projects in alleviating the problems of homeless youth;

''(D) the effectiveness of such projects in preparing homeless youth for self-sufficiency;

''(E) the effectiveness of such projects in assisting homeless youth to decide upon future education, employment, and independent living;

''(F) the ability of such projects to encourage the resolution of intrafamily problems through counseling and development of self-sufficient living skills; and

''(G) activities and programs planned by such projects for the following fiscal year.

''(b) CONTENTS OF REPORTS.—The Secretary shall include in each report submitted under subsection (a), summaries of—

''(1) the evaluations performed by the Secretary under section 386; and

''(2) descriptions of the qualifications of, and training provided to, individuals involved in carrying out such evaluations.''.

(l) EVALUATION.—Section 384 of the Runaway and Homeless Youth Act (42 U.S.C. 5732) is amended to read as follows:

''SEC. 386. EVALUATION AND INFORMATION.

''(a) IN GENERAL.—If a grantee receives grants for 3 consecutive fiscal years under part A, B, C, D, or E (in the alternative), then the Secretary shall evaluate such grantee on-site, not less frequently than once in the period of such 3 consecutive fiscal years, for purposes of—

''(1) determining whether such grants are being used for the purposes for which such grants are made by the Secretary;

''(2) collecting additional information for the report required by section 384; and

''(3) providing such information and assistance to such grantee as will enable such grantee to improve the operation of the centers, projects, and activities for which such grants are made.

''(b) COOPERATION.—Recipients of grants under this title shall cooperate with the Secretary's efforts to carry out evaluations, and to collect information, under this title.''.

(m) AUTHORIZATION OF APPROPRIATIONS.—Section 385 of the Runaway and Homeless Youth Act (42 U.S.C. 5751) is amended to read as follows:

''SEC. 388. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—

''(1) AUTHORIZATION.—There is authorized to be appropriated to carry out this title (other than part E) such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003.

''(2) ALLOCATION.—

''(A) PARTS A AND B.—From the amount appropriated under paragraph (1) for a fiscal year, the Secretary shall reserve not less than 90 percent to carry out parts A and B.

''(B) PART B.—Of the amount reserved under subparagraph (A), not less than 20 percent, and not more than 30 percent, shall be reserved to carry out part B.

''(3) PARTS C AND D.—In each fiscal year, after reserving the amounts required by paragraph (2), the Secretary shall use the remaining amount (if any) to carry out parts C and D.

''(b) SEPARATE IDENTIFICATION REQUIRED.—No funds appropriated to carry out this title may be combined with funds appropriated under any other Act if the purpose of combining such funds is to make a single discretionary grant, or a single discretionary payment, unless such funds are separately identified in all grants and contracts and are used for the purposes specified in this title.''.

(n) SEXUAL ABUSE PREVENTION PROGRAM.—

(1) AUTHORITY FOR PROGRAM.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended—

(A) by striking the heading for part F;

(B) by redesignating part E as part F; and

(C) by inserting after part D the following:

''PART E—SEXUAL ABUSE PREVENTION PROGRAM

''SEC. 351. AUTHORITY TO MAKE GRANTS.

''(a) IN GENERAL.—The Secretary may make grants to nonprofit private agencies for the purpose of providing street-based services to runaway and homeless, and street youth, who have been subjected to, or are at risk of being subjected to, sexual abuse, prostitution, or sexual exploitation.

''(b) PRIORITY.—In selecting applicants to receive grants under subsection (a), the Secretary shall give priority to nonprofit private agencies that have experience in providing services to runaway and homeless, and street youth.''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 388(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5751), as amended by subsection (m) of this section, is amended by adding at the end the following:

''(4) PART E.—There is authorized to be appropriated to carry out part E such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003.''.

(o) CONSOLIDATED REVIEW OF APPLICATIONS.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by inserting after section 383 the following:

''SEC. 385. CONSOLIDATED REVIEW OF APPLICATIONS.

''With respect to funds available to carry out parts A, B, C, D, and E, nothing in this title shall be construed to prohibit the Secretary from—

''(1) announcing, in a single announcement, the availability of funds for grants under 2 or more of such parts; and

''(2) reviewing applications for grants under 2 or more of such parts in a single, consolidated application review process.''.

(p) DEFINITIONS.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by inserting after section 386, as amended by subsection (*l*) of this section, the following:

''SEC. 387. DEFINITIONS.

''In this title:

''(1) DRUG ABUSE EDUCATION AND PREVENTION SERVICES.—The term 'drug abuse education and prevention services'—

''(A) means services to runaway and homeless youth to prevent or reduce the illicit use of drugs by such youth; and

''(B) may include—

''(i) individual, family, group, and peer counseling;

''(ii) drop-in services;

''(iii) assistance to runaway and homeless youth in rural areas (including the development of community support groups);

''(iv) information and training relating to the illicit use of drugs by runaway and homeless youth, to individuals involved in providing services to such youth; and

''(v) activities to improve the availability of local drug abuse prevention services to runaway and homeless youth.

''(2) HOME-BASED SERVICES.—The term 'home-based services'—

''(A) means services provided to youth and their families for the purpose of—

''(i) preventing such youth from running away, or otherwise becoming separated, from their families; and

''(ii) assisting runaway youth to return to their families; and

''(B) includes services that are provided in the residences of families (to the extent practicable), including—

''(i) intensive individual and family counseling; and

''(ii) training relating to life skills and parenting.

''(3) HOMELESS YOUTH.—The term 'homeless youth' means an individual—

''(A) who is—

''(i) not more than 21 years of age; and

''(ii) for the purposes of part B, not less than 16 years of age;

''(B) for whom it is not possible to live in a safe environment with a relative; and

''(C) who has no other safe alternative living arrangement.

''(4) STREET-BASED SERVICES.—The term 'street-based services'—

''(A) means services provided to runaway and homeless youth, and street youth, in areas where they congregate, designed to assist such youth in making healthy personal choices regarding where they live and how they behave; and

''(B) may include—

''(i) identification of and outreach to runaway and homeless youth, and street youth;

''(ii) crisis intervention and counseling;

''(iii) information and referral for housing;

''(iv) information and referral for transitional living and health care services;

''(v) advocacy, education, and prevention services related to—

''(I) alcohol and drug abuse;

''(II) sexual exploitation;

''(III) sexually transmitted diseases, including human immunodeficiency virus (HIV); and

''(IV) physical and sexual assault.

''(5) STREET YOUTH.—The term 'street youth' means an individual who—

''(A) is—

''(i) a runaway youth; or

''(ii) indefinitely or intermittently a homeless youth; and

''(B) spends a significant amount of time on the street or in other areas that increase the risk to such youth for sexual abuse, sexual exploitation, prostitution, or drug abuse.

''(6) TRANSITIONAL LIVING YOUTH PROJECT.—The term 'transitional living youth project' means a project that provides shelter and

services designed to promote a transition to self-sufficient living and to prevent long-term dependency on social services.

''(7) YOUTH AT RISK OF SEPARATION FROM THE FAMILY.—The term 'youth at risk of separation from the family' means an individual—

''(A) who is less than 18 years of age; and

''(B)(i) who has a history of running away from the family of such individual;

''(ii) whose parent, guardian, or custodian is not willing to provide for the basic needs of such individual; or

''(iii) who is at risk of entering the child welfare system or juvenile justice system as a result of the lack of services available to the family to meet such needs.''.

(q) REDESIGNATION OF SECTIONS.—Sections 371, 372, 381, 382, and 383 of the Runaway and Homeless Youth Act (42 U.S.C. 5714b–5851 et seq.), as amended by this Act, are redesignated as sections 380, 381, 382, 383, and 384, respectively.

(r) TECHNICAL AMENDMENTS.—The Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended—

(1) in section 331, in the first sentence, by striking ''With'' and all that follows through ''the Secretary'', and inserting ''The Secretary''; and

(2) in section 344(a)(1), by striking ''With'' and all that follows through ''the Secretary'', and inserting ''The Secretary''.

SEC. 4. STUDY OF SCHOOL VIOLENCE.

(a) CONTRACT FOR STUDY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Education shall enter into a contract with the National Academy of Sciences for the purposes of conducting a study regarding the antecedents of school violence in urban, suburban, and rural schools, including the incidents of school violence that occurred in Pearl, Mississippi; Paducah, Kentucky; Jonesboro, Arkansas; Springfield, Oregon; Edinboro, Pennsylvania; Fayetteville, Tennessee; Littleton, Colorado; and Conyers, Georgia. Under the terms of such contract, the National Academy of Sciences shall appoint a panel that will—

(1) review the relevant research about adolescent violence in general and school violence in particular, including the existing longitudinal and cross-sectional studies on youth that are relevant to examining violent behavior,

(2) relate what can be learned from past and current research and surveys to specific incidents of school shootings,

(3) interview relevant individuals, if possible, such as the perpetrators of such incidents, their families, their friends, their teachers, mental health providers, and others, and

(4) give particular attention to such issues as—

(A) the perpetrators' early development, families, communities, school experiences, and utilization of mental health services,

(B) the relationship between perpetrators and their victims,

(C) how the perpetrators gained access to firearms,

(D) the impact of cultural influences and exposure to the media, video games, and the Internet, and

(E) such other issues as the panel deems important or relevant to the purpose of the study.

The National Academy of Sciences shall utilize professionals with expertise in such issues, including psychiatrists, social workers, behavioral and social scientists, practitioners, epidemiologists, statisticians, and methodologists.

(b) REPORT.—The National Academy of Sciences shall submit a report containing the results of the study required by subsection (a), to the Speaker of the House of Representatives, the President pro tempore of the Senate, the Chair and ranking minority Member of the Committee on Education and the Workforce of the House of Representatives, and the Chair and ranking minority Member of the Committee on Health, Education, Labor, and Pensions of the Senate, not later than January 1, 2001, or 18 months after entering into the contract required by such subsection, whichever is earlier.

(c) APPROPRIATION.—Of the funds made available under Public Law 105-277 for the Department of Education, $2.1 million shall be made available to carry out this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware (Mr. CASTLE) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Delaware (Mr. CASTLE).

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

Mr. Speaker, I rise today in support of the Missing, Exploited and Runaway Children's Protection Act. This legislation authorizes the Runaway and Homeless Youth Act and the Missing Children's Assistance Act. It provides an authorization for the National Center for Missing and Exploited Children and it directs the National Academy of Sciences to conduct a study of the cultural influences on youth violence.

Mr. Speaker, this is National Missing Children's Day, and obviously, we have had a great number of hardships in America in recent weeks that all of us want to address. Hopefully, what we are going to do today will in some small part start to address these problems.

This legislation authorizes the Runaway and Homeless Youth Act to provide services for the 0.5 million to 1.5 million youth estimated to run away annually. The legislation continues the runaway and homeless youth programs found in current law, including the basic center grants and the transitional living grants.

These effective programs protect youth by keeping them off the streets, away from criminal activities and out of desperate circumstances. These programs provide assistance to homeless and other youth who are without adult support so they learn to live independently and become productive adults.

This legislation also provides for the continuation of services under the Missing Children's Assistance Act. For instance, this act authorizes grants for research, demonstration projects and service programs in areas such as abduction prevention education.

The provision of this bill that I particularly want to focus my colleagues' attention on is its authorization of an appropriation for the National Center for Missing and Exploited Children. The National Center for Missing and Exploited Children helps families who have a missing child locate that child. Since 1984, the Center has worked with law enforcement on the cases of 67,173 missing children, resulting in the recovery of 46,031 children. In 1998 alone, it assisted in finding 5,835 missing children.

The Center works with the families of 80 missing children in my own State of Delaware. The Center services, including its National Missing Child Hotline, are essential to all families of missing children.

Recognizing the Center's substantial success rate in recovering missing children and its annual designation as the national clearinghouse for information on missing children, the legislation authorizes a $10 million yearly appropriation for fiscal years 2000 through 2003 for the Center. This authorization ensures that for the next 4 years the Center can focus on providing assistance to families without interruption.

Some of my colleagues may remember that I have been working to get this legislation passed since the 105th Congress. I am pleased we are one step closer to completing this effort. The Runaway and Homeless Youth Act, the Missing Children's Assistance Act and the National Center for Missing and Exploited Youth provide much needed services for missing and runaway youth.

Finally, I would like to mention an important study contained in this legislation. As Members may know, my subcommittee has held hearings on the issue of school violence in response to the tragic shootings that have traumatized our Nation's schools. The gentleman from Pennsylvania (Mr. GREENWOOD), an active member of the subcommittee, has crafted legislation to help us obtain information on why students commit such violent acts.

A great deal of blame has been spread around, and I believe it is important that we really understand the causal factors that place youth at risk for school violence.

Before I conclude, I would like to thank several Members for their assistance on this legislation. I would like to thank the chairman of the committee, the gentleman from Pennsylvania (Mr. GOODLING). I would also like to thank the gentleman from Pennsylvania (Mr. GREENWOOD) and the gentleman from Michigan (Mr. KILDEE), who will be managing the bill on the opposite side of the aisle, as well as the gentleman from Virginia (Mr. SCOTT), for their hard work on the school violence study.

Mr. Speaker, this is good legislation and it deserves the support of the House of Representatives. The Senate has already passed comparable legislation. We would like to pass our legislation and proceed to conference as quickly as possible. It has been far too long that these important programs have been without an authorization.

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

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

Mr. Speaker, S. 249, the Missing, Exploited and Runaway Children Protection Act makes vital improvements to the National Center for Missing and

Exploited Children and the Runaway and Homeless Youth Act and deserves the strong support of all the Members here today.

This legislation will streamline and refocus the existing basic Center grants, the transitional living grants and the drug education program into one reauthorization, while maintaining the distinct nature of each program. I believe this is an essential improvement that will strengthen the ability of localities to provide services to the vulnerable populations of runaway and homeless children.

Mr. Speaker, S. 249 also requires a National Academy of Sciences study to examine which factors contribute to violence around and in our schools. This study will better enable us to understand what leads our young people to commit such tragic acts as those in Littleton, Colorado, and other places that have shared the unfortunate experience of having school violence touch its teachers, parents, students and communities.

This study, which has been a cooperative effort between the gentleman from Delaware (Mr. CASTLE), the gentleman from Pennsylvania (Mr. GREENWOOD), the gentleman from Virginia (Mr. SCOTT), the gentleman from Pennsylvania (Mr. GOODLING), and myself is necessary so we can gain a better understanding of the profile of those most likely to commit violence and provide them with appropriate interventions and supportive services.

It is my hope we can constructively use the results of this study to lessen the violence which presently is troubling our schools.

Mr. Speaker, I believe this legislation is worthy of Members' support, and I urge its adoption.

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

Mr. CASTLE. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. GOODLING), the distinguished chairman of the Committee on Education and the Workforce.

□ 1045

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

I, too, rise in support of the Missing, Exploited and Runaway Children's Protection Act. The programs and activities under this legislation aim to improve the well-being of our Nation's runaway, homeless, and missing children. This legislation authorizes the Runaway and Homeless Youth Act. And one program under this Act is the Transitional Living Project for ages 16 to 21, children who cannot safely live at home.

I share the enthusiasm of the gentleman from Delaware (Mr. CASTLE) for the National Center for Missing and Exploited Children. The Center has trained at least 42 law enforcement officers in Pennsylvania on how best to handle missing children's cases, a service available to law enforcement officers across the country.

Additionally, on its web site and through other avenues, the Center provides actual photographs of missing children along with age progression computerized images of the missing children. Currently, the Center's web site includes a photograph and computerized image of 51 missing children from Pennsylvania. I must commend the Center on its extraordinary success rate in finding missing children.

Another key provision of the legislation will address an issue that has weighed heavily on our minds over the past few months. In a hearing held by the Subcommittee on Early Childhood, Youth and Families last week, we heard firsthand testimony from students who have been the victims of violent acts in their schools. We heard loud and clear the fear in their voices and their concerns about future violence in their schools.

But we still have no clear answers to the core casual factors of school violence. This legislation includes a study to be performed by the National Academy of Science which will explore the causes of school violence. Information gathered through this study will help us to improve the effectiveness of our current violence prevention efforts.

I would like to thank members of the committee for their hard work and their staffs, particularly the gentleman from Delaware (Mr. CASTLE) for his leadership. Also, I would like to thank the gentleman from Pennsylvania (Mr. GREENWOOD), the gentleman from Michigan (Mr. KILDEE) and the gentleman from Virginia (Mr. SCOTT) for their guidance on the School Science Study. The result is a quality piece of legislation.

I encourage my colleagues to support the legislation.

Mr. KILDEE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in support of the House amendments to the Missing, Exploited and Runaway Children's Protection Act. I want to thank the chairman and ranking member of the Committee on Education and the Workforce for their bipartisan work on this legislation.

I also want to thank the gentleman from Delaware (Mr. CASTLE) for his excellent work as a sponsor of this legislation and the gentleman from Michigan (Mr. KILDEE), my dear colleague.

The bill before us today provides the resources for families to deal with the terrible issue of missing, exploited and runaway children. The National Center for Missing, Exploited and Runaway Children operates a National Resource Center and a toll-free hot line to provide assistance to state and local governments in finding missing children and preventing the exploitation of children.

I believe this is important, Mr. Speaker. This legislation utilizes all of our law enforcement and child services tools once a child is missing, but the legislation also is designed to prevent the terrible occurrence of a missing, exploited or runaway child. I am glad that we are addressing this bill today.

In the last 6 weeks, I have had a personal experience. I got a call late one Saturday night and it was my girlfriend of over 30 years. She said, ''Carolyn, I do not know what I am going to do. My daughter's two children have been kidnapped.''

With that, I gave her the information, only because I have learned about this through Congress. I gave her the phone numbers to call. And within hours, the photos of the missing children were put out across this country. I am happy to say that one child has been recovered. The other one is still missing. But with all the resources coming together, I am grateful that we, hopefully, will find the other child.

Also, since being in Congress, one of the provisions of this bill is also helping with children that have nowhere else to go. I have been privileged to meet and work with a number of groups on Long Island; and I have to tell my colleagues, I was shocked on how many homeless children we have just on Long Island.

We have found that we can give them shelter. We have found that we can give them training. We have found that they turn their lives around and become productive citizens. This is something that really helps our children across this Nation. It is something that we should be working on more and more. It shows, when we work together, we can make a difference here in Congress.

I am glad that we are addressing this bill today, and I urge my colleagues to support this important bill. I thank the Committee on Education and the Workforce for their bipartisan work.

I believe the true measure of our Government's efficiency can be found in the way we treat our children, the extent to which we protect our children. The legislation before us today demonstrates there is an important role in protecting our children and saving our children's lives. I thank everyone for the work that they have done, and may we continue to do this.

Mr. CASTLE. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GREENWOOD), another distinguished gentleman from the Commonwealth of Pennsylvania who has worked hard in the Congress of the United States on the issues of children.

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

Mr. Speaker, I also rise in support of the Missing, Exploited and Runaway Children's Protection Act; and I do so with a deep sense of gratitude. As a former caseworker who worked with abused and neglected children, I understand the importance of this legislation.

I would like to focus my remarks on that part that I worked on, and that is the study that we are asking the National Academy of Science to conduct with regard to school violence.

Mr. Speaker, the Nation has been horrified and people have been saddened and perplexed and to some extent we have been divided over the issues of these school shootings. America asks the question, ''Why? Why would children take firearms to their schools and shoot their classmates and shoot their teachers?'' America then quickly responds with the command, ''Do something. Somebody do something.'' And, as policymakers, that is part of our responsibility.

Mr. Speaker, I think, for the most part, the short-term efforts to prevent school violence must be community based and they must be school based and they must be home based. But there are some things that the Congress can do and there are things that we need to do in terms of a long-run strategy.

This legislation will direct the National Academy of Sciences to do a study on the antecedents of school violence. Researchers, the best social scientists and child psychologists that we can gather in this country, will literally travel to Pearl, Mississippi, to Paducah, Kentucky, to Jonesboro, Arkansas, to Springfield, Oregon, to Edinboro, Pennsylvania, to Fayetteville, Tennessee, indeed to Littleton, Colorado; and, regretfully, most recently we have had to amend this language to include Conyers, Georgia.

The scientists will interview, when they can, the perpetrators, the actual shooters. They will interview their parents, their siblings, their neighbors, their classmates, their teachers, their guidance counselors, any professionals that have dealt with these young people, to try to find out what were the early childhood experiences of these kids, what were their school experiences, what were the relationships between the perpetrators and the victims, how did the perpetrators gain access to firearms, and what were the impact of cultural influences and exposure to the media, video games and the Internet.

They will report back to America about their findings. And, hopefully, in a sober and thoughtful and disciplined way, America will understand how some of our communities impacted some of our children in ways that made them so inexplicably violent.

Mr. Speaker, it is my experience that the left-most of our political spectrum tends to look at this issue and turn immediately and almost exclusively to guns and the right-most of our political spectrum tends to look exclusively at the cultural impacts.

It is my belief that we need to look at the children. We need to understand how our children are affected by experiences in their home, in their schools and in their communities and how we as a society can value our children more than we do so that all of our children are uplifted by our actions.

I would like to thank the chairman, the gentleman from Pennsylvania (Mr. GOODLING), for his help and cooperation with this. I would like to thank the subcommittee chairman, the gentleman from Delaware (Mr. CASTLE), the gentleman from Michigan (Mr. KILDEE), the gentleman from Virginia (Mr. SCOTT) and the Speaker for his condolences, his help as well.

Mr. KILDEE. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. KLINK).

Mr. KLINK. Mr. Speaker, I thank the ranking member for yielding me the time.

Mr. Speaker, I think a lot of good work has been done on this bill; and I would like to laud Members on both sides of the aisle for this work.

The National Center for Missing and Exploited Children is a private, non-Federal corporation that was founded back in 1984; and they have helped over the last 15 years to recover over 40,000 missing children. I first worked with them back in 1985. They were one year in existence at that time. And I was a news reporter working back in Pennsylvania.

One afternoon after getting off the school bus near the town of Cabot, Pennsylvania, 8-year-old Cherrie Mahan disappeared, never to be seen or heard from again. There was a police bulletin which went out, went all over the Nation, looking for a van with a ski scene on the side. That is what they believed the people were driving who they thought abducted Cherrie.

That was never proven. The van was never found. But a very quiet, rural community was upended. The family was upended. This 8-year-old girl had just gotten off the bus on her way home, never to be seen, never to be heard from again. Where do they look? Where do they turn to?

And finally, the people from that community found the National Center for Missing and Exploited Children. People in the community worked together. They searched. They looked for clues. They put out every kind of feeler they could trying to find out who knew about this young girl's abduction. And they collected money for a reward. All told, they collected from their hard-earned dollars $58,000.

Last October, when it was determined that Cherrie was not going to come back and she was declared legally dead, that $58,000 was presented by me along with those people, the friends and neighbors of Cherrie Mahan, a $58,000 check, to the National Center for Missing and Exploited Children so that that money could be used as a resource to help establish computer networks across this country to find runaway kids, to find kids who have been abducted, and to help fight against violence in our schools.

In return, the National Center for Missing and Exploited Children gave an $8,000 TRAC system, called Technology to Recover Abducted Kids, back to the Butler State Police Barracks in Butler, Pennsylvania. And they hoped that if they ever have to see another sad situation like the tragic disappearance of Cherrie Mahan, that the community will be better prepared, that they will be better armed with this new technology, and that we in the Federal Government can be a partner in that, making sure that the resources are there so that the sadness that the Mahan family has had to live with will never be felt by other families across this Nation.

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

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

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

Mr. Speaker, this measure, S. 249, focuses on the terrible problem confronting all too many American families: missing, exploited and runaway children. I commend the sponsors of the House and Senate resolution, the gentleman from Delaware (Mr. CASTLE) and the distinguished senator from Utah (Mr. HATCH), for their diligence in bringing it to the Congress.

As a parent, few things can be more painful than the uncertainty and anxiety that arises when a child becomes missing. The void of not having a loved one present, plus the fear and anxiety of what that loved one may be undergoing, are cruel hardships that no one should ever have to endure.

Although this measure focuses primarily upon the domestic aspect of this problem and improves the way our Government addresses the problems that may be associated with missing or exploited children, I want to highlight an issue that I have become increasingly involved with, the problem of internationally abducted children.

In an interdependent world, we are finding American citizens often marrying and having children with foreign nationals and a corresponding increase in the number of children that are taken to or illegally retained in another country.

This measure highlights the excellent work of our National Center for Missing and Exploited Children. I join in commending that organization and add my voice to those who feel that the role of NCMEC should be straightened in the cases of international parental abductions. Our citizens deserve an able advocate for their rights as parents, and I am confident that NCMEC is the appropriate organization to serve this vital function.

There are efforts underway in some parts of our Government to curtail NCMEC's role in assisting our citizens recover their illegally abducted or wrongfully retained children from other countries. I urge that all supporters of this measure exercise their vigilance to make certain that does not

occur. Our citizens who are victims of child abduction deserve to have an organization such as the NCMEC to support them.

I thank the gentleman from Delaware (Mr. CASTLE) for his courtesy in yielding, and I urge our colleagues to fully approve S. 249 on behalf of our missing, exploited and runaway children.

□ 1045

Mr. KILDEE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. LAMPSON).

Mr. LAMPSON. Mr. Speaker, I thank the gentleman from Michigan for yielding me this time.

First, I would like to associate my remarks with those of the gentleman from New York (Mr. GILMAN) regarding his work with the international effort to return children who are taken from our country, and I look forward to working with the gentleman from New York on that issue.

I rise today to encourage all of my colleagues to cast their votes in favor of S. 249, the Missing, Exploited, and Runaway Children Protection Act. Two years ago when I first joined all of you in Congress, I wanted to address all of the problems that we face here, education, Social Security and health care. But unfortunately in April, right after my first swearing-in, all of my plans drastically changed when a 12-year-old little girl, Laura Kate Smither from Friendswood, Texas, was abducted and savagely murdered. After seeing the faces of the Smither family and the outpouring of support from the community of Friendswood, I knew that I wanted to work on behalf of our children and their families.

After meeting Ernie Allen, the President of the National Center for Missing and Exploited Children, and his dedicated staff, I decided to work diligently to establish the first-ever Congressional Missing and Exploited Children's Caucus with my colleagues the gentleman from Alabama (Mr. CRAMER) and the gentleman from New Jersey (Mr. FRANKS) to provide a unified and loud voice for missing and exploited children here in Congress.

I am pleased to report, as of today, this bipartisan caucus now has 126 members. We work on legislation to impose tougher penalties on those who commit sexual offenses against children and to make sure our communities are notified when convicted sex offenders move into their neighborhoods.

The caucus would not be nearly as effective in producing innovative legislation and helpful district safety workshops without the advice and programs offered at the National Center. The Center's outreach programs help chiefs of police and sheriffs to develop fast response plans through the Jimmy Ryce Law Enforcement Training Program, to comb neighborhoods and streets for our children who have been reported as missing. The Center also focuses its educational outreach programs toward children who can learn how to protect themselves from the dangers that they face in today's world. I am proud to have helped the Center unveil a nationwide program called ''Know the Rules.'' It was a public service campaign that was started here in Washington just a couple of years ago.

''Know the Rules'' is a set of simple rules all children, but especially teenage girls between the ages of 12 and 17, should use in their everyday lives to build self-esteem and to help them escape potentially dangerous situations.

I have two daughters and will become a grandfather for the first time in November. I am convinced that funding the National Center is as good an investment of taxpayer dollars as can be made to ensure the safety of our Nation's children.

Mr. Speaker, I ask all of our colleagues from Oregon to Ohio and California to Connecticut to support the National Center for Missing and Exploited Children on this National Missing Children's Day by voting for S. 249.

Mr. CASTLE. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Colorado (Mr. TANCREDO) who is not only from Colorado, but has been through a difficult 5 weeks living in the shadow of Columbine High School.

Mr. TANCREDO. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of this bill, the Missing, Exploited, and Runaway Children's Act, but more specifically in support of the school violence study that has been referred to here several times.

Mr. Speaker, it is a fact that we have now had to deal with for quite some time, but it has been brought home to us more dramatically in the last few weeks than perhaps anytime in the recent past. That fact is that we are a violent country.

The character of the American people, unfortunately, we have a violent character. The history of this Nation is replete with violence. It is not a good thing that I say but it is unfortunately a true thing.

What is completely unusual, what is not at all to be explained by our history, however, is the violence we see now in schools and with children. Because although we have always had a violent society, the fact is we have never in the history of this country had a situation where children were participants to the extent that they are today in that violent nature.

So something has happened. Something has changed. This is one thing we know for sure, that this is a brand new phenomenon. We have to figure out why this is occurring.

There was a recent study that was a fascinating study I commend to my colleagues. It was done by an individual who works for the armed forces. His task really is to desensitize members of the armed forces to the actual act of killing another human being because, as he says, this is a very difficult thing. People do not do it naturally.

Taking the life of another member of your own species is not natural and you have to work at it. When we do it in the armed forces under controlled circumstances, you use technology to desensitize members of the armed forces to actually taking a life. But that is in a very controlled environment.

What has happened is that some of the same technology that is used by the armed forces, in particular a computerized game called Doom, is a game that is now available to everyone, to youngsters in our society, over the Internet. As a matter of fact, the two shooters in Colorado, Mr. Klebold and Mr. Harris, were compulsive about this game, Doom, were into it to a very great extent.

I do not know whether or not that one thing had everything to do with what happened in Columbine. I do not know how much of an impact it had on what they decided to do. All I do know is this, that something has changed in our society, and we are turning children into killers. We are turning children into individuals without a conscience.

This is new, Mr. Speaker, and this is frightening. We have to find out why this is happening. Therefore, I commend my colleagues on the committee for this bill and specifically for the study on school violence, which I hope will bring to our attention the cause of this new phenomenon.

Mr. KILDEE. Mr. Speaker, I would like to commend the bipartisan spirit in which this bill has been written from beginning to end. I think we have a very good bill here. I urge its passage.

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

Mr. CASTLE. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Speaker, it is a parent's worst nightmare when you come in from work and you call out your child's name and she does not answer, and you begin to look for her and you cannot find her; and as you begin to search, your apprehension turns to panic and then your concern turns to pure terror.

Unfortunately, that happens in literally thousands of homes in America today. In fact, if you are the parent of an 11-year-old girl, you will be sad to know that that group is the most at risk for murder and abduction in this country today.

Unfortunately, there are so many of the colleagues that could speak today who will name the name of a child who is missing in their community. In my case, her name is Opal Jennings. She is a darling little girl who is missing from our community. Unfortunately, a number have been missing from our community. That is what we are talking about today.

The Missing, Exploited, and Runaway Children Protection Act would do something to help those parents. It would authorize $10 million a year for a period of 5 years for the National Center for Missing and Exploited Children. Among other things, this money would help operate a 24-hour toll free telephone line to report those children and public and private programs to locate, recover and hopefully reunite them with their family. This is something that needs to be done, it should have wonderful bipartisan support in this Congress, and it is the least we can do for our children.

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

I would just point out a couple of things. One, we have spoken to various parts of this legislation, but I think we all in the House of Representatives need to understand the importance and the components of what we are dealing with here. It first authorizes, as I said in my opening, the Runaway and Homeless Youth Act and Missing Children's Assistance Act. It also provides an authorization, which we heard about very eloquently from several speakers for the National Center for Missing and Exploited Children; and it does, as we also heard from the gentleman from Pennsylvania (Mr. GREENWOOD) and others, direct the National Academy of Sciences to conduct a study of the cultural influences on youth violence.

These things, in and of themselves, may not prevent all the problems of youth in this country, it will not; but it may in some small way start the mending process which we consider to be so important.

I would just like to thank all of those who took the time to come to the floor to speak to this today and all the Members of the House, who I believe will be supportive of what we consider to be very significant legislation to help with these problems.

Mr. PAUL. Mr. Speaker, organizations like the Center for Missing and Exploited Children should be commended and supported for their work on this critical issue. However, I must oppose this legislation as it is outside the proper Constitutional role for the federal government to spend money in this way; such spending is more appropriate coming from the states and private donations. As always, I am amazed that Members of Congress are so willing to be generous with their constituent's tax dollars, yet do not seem willing to support such causes out of their own pockets.

This legislation would spend more than $268 million on issues that are simply outside the constitutional jurisdiction of the federal government. In addition, legislation like this blurs the lines between public and private funds, and opens good organizations to needless regulatory control for Congress. The legislation even opens the door to public money being used to support sectarian organizations, in direct violation of the First Amendment.

The moral decay of our nation is a serious issue that must be addressed. However, after some forty years of federal meddling in education and other social issues, it is clear politicians on Capitol Hill have made matters worse for our children, not better.

Mr. PACKARD. Mr. Speaker, today is National Missing Children's Day. Fitting enough, today we will also be voting on legislation to help locate missing, exploited and runaway children in our society.

Congress first established Missing Children's Day in 1982 to increase public awareness regarding the thousands of children who disappear each year. Through the hard work of organizations such as the National Center for Missing and Exploited Children, I am proud to say that within the past 13 years, more than 35,000 children have been located, many having been saved from child abductions, molestations and sexual exploitation.

Mr. Speaker, it is only fitting that today we will vote on S. 249, The Missing, Exploited and Runaway Children Protection Act. This legislation will provide funds for the National Center for Missing and Exploited Children to meet several of our nation's needs as they work to reunite missing and exploited children and their families.

For parents who have missing children, every day is a struggle. I urge my colleagues to help families stricken with this awful tragedy by supporting S. 249.

Ms. WOOLSEY. Mr. Speaker, this legislation is very important, and it is particularly significant to me due to the tragic murder of Polly Klaas that occurred in my home town of Petaluma in 1993.

Polly Klaas was taken from her home at knife point during a slumber party while her mother slept in the next room. Richard Allen Davis, the brutal kidnapper, was later stopped by police in a nearby community. The officers did not know that there was a suspect being sought at that moment, so unfortunately they let him go. Could Polly have been saved if a more sophisticated computer system had been in place allowing different police jurisdictions to communicate? We'll never know.

What I do know is that—thanks to a COPS grant recently awarded to the Sonoma County Police Consortium—such a computer system will soon be in place. This $6.2 million grant will permit the agencies in my district to upgrade dispatch systems, connect mobile police units, and increase the efficiency in filing incident reports. This is just one important step in improving our safely net for children.

I am forever heartbroken that we were not able to save Polly, but I know that the best way we can honor Polly and other missing children is by doing our utmost to prevent such atrocities from happening to another child, another family, another community.

This bill today, the Missing, Exploited, and Runaway Children Protection Act, will allow such vital assistance programs as the Center for Missing and Exploited Children and the national toll-free hotline to continue. Without such resources, it is nearly impossible to conduct a responsive, nationwide search that could be the key to the missing child's survival.

I am also proud to be a Member of the Missing and Exploited Children's Caucus in Congress, because it heightens awareness that we must continue to make progress in protecting our children. We cannot let our guard down. Saving the lives of the most vulnerable in our population should be our most important priority. Children are 25% of our population, but they are 100% of our future.

Mr. DEUTSCH. Mr. Speaker, I rise to encourage all my colleagues to support the Missing, Exploited, and Runaway Children Protection Act. Today I would like to focus on one specific facet of this Act, the authorization of Congressional support for the National Center for Missing and Exploited Children. Since 1984, the Center has proven to be an invaluable resource for state and local governments who struggle each day to recover missing children and to prevent the exploitation of children.

Through its toll-free hotline, its training programs for state and local professionals, and its coordination of recovery programs, the Center is a focal point mobilizing citizens and communities in the pursuit of safety for all of America's children. The convergence of public and private resources in pursuit of this common goal has resulted in the recovery of more than 40,000 children—40,000 children who could have been lost without the contributions of the National Center for Missing and Exploited Children.

The Center is particularly important to South Florida because one of its affiliated programs, the Jimmy Ryce Law Enforcement Training Center, was established by Congress in 1996 in memory of my constituent, Jimmy Ryce, the son of Don and Claudine Ryce. In 1995, at 9 years of age, Jimmy was abducted and brutally murdered while walking home from school. The Ryce Center, a joint project of the Center for Missing and Exploited Children and the Justice Department's Office of Juvenile Justice and Delinquency Prevention, trains Chiefs of Police and Sheriffs in the most up-to-date methods of searching for missing children. The Ryce Center promotes swift, effective investigative response to missing and exploited children cases, provides comprehensive training in case investigations, ensures the consistent and meaningful use of reporting systems, and promotes the use of important national resources to assist in these cases.

The Ryce Center is an invaluable resource to law enforcement officials throughout the country, and in just a few short years has made enormous strides in changing the way America deals with cases of missing and exploited children. In the face of a problem which none of us should have to face, Don and Claudine have turned their personal tragedy in to a positive effort to help ensure the safety of millions of American children just like Jimmy. I urge all of my colleagues to support the passage of this bill.

GENERAL LEAVE

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 249.

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

There was no objection.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and pass the Senate bill, S. 249, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

TRADE AGENCY AUTHORIZATIONS, DRUG FREE BORDERS, AND PREVENTION OF ON-LINE CHILD PORNOGRAPHY ACT OF 1999

Mr. CRANE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1833) to authorize appropriations for fiscal years 2000 and 2001 for the United States Customs Service for drug interdiction and other operations, for the Office of the United States Trade Representative, for the United States International Trade Commission, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1833

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Trade Agency Authorizations, Drug Free Borders, and Prevention of On-Line Child Pornography Act of 1999''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—UNITED STATES CUSTOMS SERVICE

Subtitle A—Drug Enforcement and Other Noncommercial and Commercial Operations

Sec. 101. Authorization of appropriations for noncommercial operations, commercial operations, and air and marine interdiction.
Sec. 102. Illicit narcotics detection equipment for the United States-Mexico border, United States-Canada border, and Florida and the Gulf Coast seaports.
Sec. 103. Peak hours and investigative resource enhancement for the United States-Mexico and United States-Canada borders.
Sec. 104. Compliance with performance plan requirements.

Subtitle B—Child Cyber-Smuggling Center of the Customs Service

Sec. 111. Authorization of appropriations for program to prevent child pornography/child sexual exploitation.

Subtitle C—Personnel Provisions

CHAPTER 1—OVERTIME AND PREMIUM PAY OF OFFICERS OF THE CUSTOMS SERVICE

Sec. 121. Correction relating to fiscal year cap.
Sec. 122. Correction relating to overtime pay.
Sec. 123. Correction relating to premium pay.
Sec. 124. Use of savings from payment of overtime and premium pay for additional overtime enforcement activities of the Customs Service.
Sec. 125. Effective date.

CHAPTER 2—MISCELLANEOUS PROVISIONS

Sec. 131. Study and report relating to personnel practices of the Customs Service.

TITLE II—OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Sec. 201. Authorization of appropriations.

TITLE III—UNITED STATES INTERNATIONAL TRADE COMMISSION

Sec. 301. Authorization of appropriations.

TITLE I—UNITED STATES CUSTOMS SERVICE

Subtitle A—Drug Enforcement and Other Noncommercial and Commercial Operations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS FOR NONCOMMERCIAL OPERATIONS, COMMERCIAL OPERATIONS, AND AIR AND MARINE INTERDICTION.

(a) NONCOMMERCIAL OPERATIONS.—Section 301(b)(1) of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075(b)(1)) is amended—

(1) in subparagraph (A) to read as follows:

''(A) $999,563,000 for fiscal year 2000.''; and

(2) in subparagraph (B) to read as follows:

''(B) $996,464,000 for fiscal year 2001.''.

(b) COMMERCIAL OPERATIONS.—

(1) IN GENERAL.—Section 301(b)(2)(A) of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075(b)(2)(A)) is amended—

(A) in clause (i) to read as follows:

''(i) $1,154,359,000 for fiscal year 2000.''; and

(B) in clause (ii) to read as follows:

''(ii) $1,194,534,000 for fiscal year 2001.''.

(2) REPORTS.—Not later than 90 days after the date of the enactment of this Act, and not later than each subsequent 90-day period, the Commissioner of Customs shall prepare and submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report demonstrating that the development and establishment of the automated commercial environment computer system is being carried out in a cost-effective manner and meets the modernization requirements of title VI of the North American Free Trade Agreements Implementation Act.

(c) AIR AND MARINE INTERDICTION.—Section 301(b)(3) of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075(b)(3)) is amended—

(1) in subparagraph (A) to read as follows:

''(A) $109,413,000 for fiscal year 2000.''; and

(2) in subparagraph (B) to read as follows:

''(B) $113,789,000 for fiscal year 2001.''.

(d) SUBMISSION OF OUT-YEAR BUDGET PROJECTIONS.—Section 301(a) of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075(a)) is amended by adding at the end the following:

''(3) By no later than the date on which the President submits to the Congress the budget of the United States Government for a fiscal year, the Commissioner of Customs shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate the projected amount of funds for the succeeding fiscal year that will be necessary for the operations of the Customs Service as provided for in subsection (b).''.

SEC. 102. ILLICIT NARCOTICS DETECTION EQUIPMENT FOR THE UNITED STATES-MEXICO BORDER, UNITED STATES-CANADA BORDER, AND FLORIDA AND THE GULF COAST SEAPORTS.

(a) FISCAL YEAR 2000.—Of the amounts made available for fiscal year 2000 under section 301(b)(1)(A) of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075(b)(1)(A)), as amended by section 101(a) of this Act, $90,244,000 shall be available until expended for acquisition and other expenses associated with implementation and deployment of illicit narcotics detection equipment along the United States-Mexico border, the United States-Canada border, and Florida and the Gulf Coast seaports, as follows:

(1) UNITED STATES-MEXICO BORDER.—For the United States-Mexico border, the following:

(A) $6,000,000 for 8 Vehicle and Container Inspection Systems (VACIS).

(B) $11,200,000 for 5 mobile truck x-rays with transmission and backscatter imaging.

(C) $13,000,000 for the upgrade of 8 fixed-site truck x-rays from the present energy level of 450,000 electron volts to 1,000,000 electron volts (1–MeV).

(D) $7,200,000 for 8 1–MeV pallet x-rays.

(E) $1,000,000 for 200 portable contraband detectors (busters) to be distributed among ports where the current allocations are inadequate.

(F) $600,000 for 50 contraband detection kits to be distributed among all southwest border ports based on traffic volume.

(G) $500,000 for 25 ultrasonic container inspection units to be distributed among all ports receiving liquid-filled cargo and to ports with a hazardous material inspection facility.

(H) $2,450,000 for 7 automated targeting systems.

(I) $360,000 for 30 rapid tire deflator systems to be distributed to those ports where port runners are a threat.

(J) $480,000 for 20 portable Treasury Enforcement Communications Systems (TECS) terminals to be moved among ports as needed.

(K) $1,000,000 for 20 remote watch surveillance camera systems at ports where there are suspicious activities at loading docks, vehicle queues, secondary inspection lanes, or areas where visual surveillance or observation is obscured.

(L) $1,254,000 for 57 weigh-in-motion sensors to be distributed among the ports with the greatest volume of outbound traffic.

(M) $180,000 for 36 AM traffic information radio stations, with 1 station to be located at each border crossing.

(N) $1,040,000 for 260 inbound vehicle counters to be installed at every inbound vehicle lane.

(O) $950,000 for 38 spotter camera systems to counter the surveillance of customs inspection activities by persons outside the boundaries of ports where such surveillance activities are occurring.

(P) $390,000 for 60 inbound commercial truck transponders to be distributed to all ports of entry.

(Q) $1,600,000 for 40 narcotics vapor and particle detectors to be distributed to each border crossing.

(R) $400,000 for license plate reader automatic targeting software to be installed at each port to target inbound vehicles.

(2) UNITED STATES-CANADA BORDER.—For the United States-Canada border, the following:

(A) $3,000,000 for 4 Vehicle and Container Inspection Systems (VACIS).

(B) $8,800,000 for 4 mobile truck x-rays with transmission and backscatter imaging.

(C) $3,600,000 for 4 1–MeV pallet x-rays.

(D) $250,000 for 50 portable contraband detectors (busters) to be distributed among ports where the current allocations are inadequate.

(E) $300,000 for 25 contraband detection kits to be distributed among ports based on traffic volume.

(F) $240,000 for 10 portable Treasury Enforcement Communications Systems (TECS) terminals to be moved among ports as needed.

(G) $400,000 for 10 narcotics vapor and particle detectors to be distributed to each border crossing based on traffic volume.

(3) FLORIDA AND GULF COAST SEAPORTS.—For Florida and the Gulf Coast seaports, the following:

(A) $4,500,000 for 6 Vehicle and Container Inspection Systems (VACIS).

(B) $11,800,000 for 5 mobile truck x-rays with transmission and backscatter imaging.

(C) $7,200,000 for 8 1–MeV pallet x-rays.

(D) $250,000 for 50 portable contraband detectors (busters) to be distributed among ports where the current allocations are inadequate.

(E) $300,000 for 25 contraband detection kits to be distributed among ports based on traffic volume.

(b) FISCAL YEAR 2001.—Of the amounts made available for fiscal year 2001 under section 301(b)(1)(B) of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075(b)(1)(B)), as amended by section 101(a) of this Act, $8,924,500 shall be available until expended for the maintenance and support of the equipment and training of personnel to maintain and support the equipment described in subsection (a).

(c) ACQUISITION OF TECHNOLOGICALLY SUPERIOR EQUIPMENT; TRANSFER OF FUNDS.—

(1) IN GENERAL.—The Commissioner of Customs may use amounts made available for fiscal year 2000 under section 301(b)(1)(A) of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075(b)(1)(A)), as amended by section 101(a) of this Act, for the acquisition of equipment other than the equipment described in subsection (a) if such other equipment—

(A)(i) is technologically superior to the equipment described in subsection (a); and

(ii) will achieve at least the same results at a cost that is the same or less than the equipment described in subsection (a); or

(B) can be obtained at a lower cost than the equipment described in subsection (a).

(2) TRANSFER OF FUNDS.—Notwithstanding any other provision of this section, the Commissioner of Customs may reallocate an amount not to exceed 10 percent of—

(A) the amount specified in any of subparagraphs (A) through (R) of subsection (a)(1) for equipment specified in any other of such subparagraphs (A) through (R);

(B) the amount specified in any of subparagraphs (A) through (G) of subsection (a)(2) for equipment specified in any other of such subparagraphs (A) through (G); and

(C) the amount specified in any of subparagraphs (A) through (E) of subsection (a)(3) for equipment specified in any other of such subparagraphs (A) through (E).

SEC. 103. PEAK HOURS AND INVESTIGATIVE RESOURCE ENHANCEMENT FOR THE UNITED STATES-MEXICO AND UNITED STATES-CANADA BORDERS.

Of the amounts made available for fiscal years 2000 and 2001 under subparagraphs (A) and (B) of section 301(b)(1) of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075(b)(1)(A) and (B)), as amended by section 101(a) of this Act, $127,644,584 for fiscal year 2000 and $184,110,928 for fiscal year 2001 shall be available for the following:

(1) A net increase of 535 inspectors, 120 special agents, and 10 intelligence analysts for the United States-Mexico border and 375 inspectors for the United States-Canada border, in order to open all primary lanes on such borders during peak hours and enhance investigative resources.

(2) A net increase of 285 inspectors and canine enforcement officers to be distributed at large cargo facilities as needed to process and screen cargo (including rail cargo) and reduce commercial waiting times on the United States-Mexico border.

(3) A net increase of 40 inspectors at sea ports in southeast Florida to process and screen cargo.

(4) A net increase of 300 special agents, 30 intelligence analysts, and additional resources to be distributed among offices that have jurisdiction over major metropolitan drug or narcotics distribution and transportation centers for intensification of efforts against drug smuggling and money-laundering organizations.

(5) A net increase of 50 positions and additional resources to the Office of Internal Affairs to enhance investigative resources for anticorruption efforts.

(6) The costs incurred as a result of the increase in personnel hired pursuant to this section.

SEC. 104. COMPLIANCE WITH PERFORMANCE PLAN REQUIREMENTS.

As part of the annual performance plan for each of the fiscal years 2000 and 2001 covering each program activity set forth in the budget of the United States Customs Service, as required under section 1115 of title 31, United States Code, the Commissioner of the Customs Service shall establish performance goals, performance indicators, and comply with all other requirements contained in paragraphs (1) through (6) of subsection (a) of such section with respect to each of the activities to be carried out pursuant to sections 111 and 112 of this Act.

Subtitle B—Child Cyber-Smuggling Center of the Customs Service

SEC. 111. AUTHORIZATION OF APPROPRIATIONS FOR PROGRAM TO PREVENT CHILD PORNOGRAPHY/CHILD SEXUAL EXPLOITATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Customs Service $10,000,000 for fiscal year 2000 to carry out the program to prevent child pornography/child sexual exploitation established by the Child Cyber-Smuggling Center of the Customs Service.

(b) USE OF AMOUNTS FOR CHILD PORNOGRAPHY CYBER TIPLINE.—Of the amount appropriated under subsection (a), the Customs Service shall provide 3.75 percent of such amount to the National Center for Missing and Exploited Children for the operation of the child pornography cyber tipline of the Center and for increased public awareness of the tipline.

Subtitle C—Personnel Provisions

CHAPTER 1—OVERTIME AND PREMIUM PAY OF OFFICERS OF THE CUSTOMS SERVICE

SEC. 121. CORRECTION RELATING TO FISCAL YEAR CAP.

Section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) is amended to read as follows:

''(1) FISCAL YEAR CAP.—The aggregate of overtime pay under subsection (a) (including commuting compensation under subsection (a)(2)(B)) that a customs officer may be paid in any fiscal year may not exceed $30,000, except that—

''(A) the Commissioner of Customs or his or her designee may waive this limitation in individual cases in order to prevent excessive costs or to meet emergency requirements of the Customs Service; and

''(B) upon certification by the Commissioner of Customs to the Chairmen of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate that the Customs Service has in operation a system that provides accurate and reliable data on a daily basis on overtime and premium pay that is being paid to customs officers, the Commissioner is authorized to pay any customs officer for one work assignment that would result in the overtime pay of that officer exceeding the $30,000 limitation imposed by this paragraph, in addition to any overtime pay that may be received pursuant to a waiver under subparagraph (A).''.

SEC. 122. CORRECTION RELATING TO OVERTIME PAY.

Section 5(a)(1) of the Act of February 13, 1911 (19 U.S.C. 267(a)(1)), is amended by inserting after the first sentence the following new sentences: ''Overtime pay provided under this subsection shall not be paid to any customs officer unless such officer actually performed work during the time corresponding to such overtime pay. The preceding sentence shall not apply with respect to the payment of an award or settlement to a customs officer who was unable to perform overtime work as a result of a personnel action in violation of section 5596 of title 5, United States Code, section 6(d) of the Fair Labor Standards Act of 1938, or title VII of the Civil Rights Act of 1964.''.

SEC. 123. CORRECTION RELATING TO PREMIUM PAY.

(a) IN GENERAL.—Section 5(b)(4) of the Act of February 13, 1911 (19 U.S.C. 267(b)(4)), is amended by adding after the first sentence the following new sentences: ''Premium pay provided under this subsection shall not be paid to any customs officer unless such officer actually performed work during the time corresponding to such premium pay. The preceding sentence shall not apply with respect to the payment of an award or settlement to a customs officer who was unable to perform work during the time described in the preceding sentence as a result of a personnel action in violation of section 5596 of title 5, United States Code, section 6(d) of the Fair Labor Standards Act of 1938, or title VII of the Civil Rights Act of 1964.''.

(b) CORRECTIONS RELATING TO NIGHT WORK DIFFERENTIAL PAY.—Section 5(b)(1) of such Act (19 U.S.C. 267(b)(1)) is amended to read as follows:

''(1) NIGHT WORK DIFFERENTIAL.—

''(A) 6 P.M. TO MIDNIGHT.—If any hours of regularly scheduled work of a customs officer occur during the hours of 6 p.m. and 12 a.m., the officer is entitled to pay for such hours of work (except for work to which paragraph (2) or (3) applies) at the officer's hourly rate of basic pay plus premium pay amounting to 15 percent of that basic rate.

''(B) MIDNIGHT TO 6 A.M.—If any hours of regularly scheduled work of a customs officer occur during the hours of 12 a.m. and 6 a.m., the officer is entitled to pay for such hours of work (except for work to which paragraph (2) or (3) applies) at the officer's hourly rate of basic pay plus premium pay amounting to 20 percent of that basic rate.

''(C) MIDNIGHT TO 8 A.M.—If the regularly scheduled work of a customs officer is 12 a.m. to 8:00 a.m., the officer is entitled to pay for work during such period (except for work to which paragraph (2) or (3) applies) at the officer's hourly rate of basic pay plus premium pay amounting to 20 percent of that basic rate.''.

SEC. 124. USE OF SAVINGS FROM PAYMENT OF OVERTIME AND PREMIUM PAY FOR ADDITIONAL OVERTIME ENFORCEMENT ACTIVITIES OF THE CUSTOMS SERVICE.

Section 5 of the Act of February 13, 1911 (19 U.S.C. 267), is amended—

(1) by redesignating subsection (e) as subsection (f); and

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

''(e) USE OF SAVINGS FROM PAYMENT OF OVERTIME AND PREMIUM PAY FOR ADDITIONAL OVERTIME ENFORCEMENT ACTIVITIES.—

''(1) USE OF AMOUNTS.—For fiscal year 1999 and each subsequent fiscal year, the Secretary of the Treasury—

''(A) shall determine under paragraph (2) the amount of savings from the payment of overtime and premium pay to customs officers; and

''(B) shall use an amount from the Customs User Fee Account equal to such amount determined under paragraph (2) for additional overtime enforcement activities of the Customs Service.

''(2) DETERMINATION OF SAVINGS AMOUNT.—For each fiscal year, the Secretary shall calculate an amount equal to the difference between—

''(A) the estimated cost for overtime and premium pay that would have been incurred during that fiscal year if this section, as in effect on the day before the date of the enactment of sections 122 and 123 of the Trade Agency Authorization, Drug Free Borders, and Prevention of On-Line Child Pornography Act of 1999, had governed such costs; and

''(B) the actual cost for overtime and premium pay that is incurred during that fiscal year under this section, as amended by sections 122 and 123 of the Trade Agency Authorization, Drug Free Borders, and Prevention of On-Line Child Pornography Act of 1999.''.

SEC. 125. EFFECTIVE DATE.

This chapter, and the amendments made by this chapter, shall apply with respect to pay periods beginning on or after 15 days after the date of the enactment of this Act.

CHAPTER 2—MISCELLANEOUS PROVISIONS

SEC. 131. STUDY AND REPORT RELATING TO PERSONNEL PRACTICES OF THE CUSTOMS SERVICE.

(a) STUDY.—The Commissioner of Customs shall conduct a study of current personnel practices of the Customs Service, including an overview of performance standards and the effect and impact of the collective bargaining process on drug interdiction efforts of the Customs Service and a comparison of duty rotation policies of the Customs Service and other Federal agencies that employ similarly-situated personnel.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Commissioner of Customs shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report containing the results of the study conducted under subsection (a).

TITLE II—OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 141(g)(1) of the Trade Act of 1974 (19 U.S.C. 2171(g)(1)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''not to exceed the following'' and inserting ''as follows'';

(B) in clause (i) to read as follows:

''(i) $26,501,000 for fiscal year 2000.''; and

(C) in clause (ii) to read as follows:

''(ii) $26,501,000 for fiscal year 2001.''; and

(2) in subparagraph (B)—

(A) in clause (i), by adding ''and'' at the end;

(B) by striking clause (ii); and

(C) by redesignating clause (iii) as clause (ii).

(b) SUBMISSION OF OUT-YEAR BUDGET PROJECTIONS.—Section 141(g) of the Trade Act of 1974 (19 U.S.C. 2171(g)) is amended by adding at the end the following:

''(3) By no later than the date on which the President submits to the Congress the budget of the United States Government for a fiscal year, the United States Trade Representative shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate the projected amount of funds for the succeeding fiscal year that will be necessary for the Office to carry out its functions.''.

TITLE III—UNITED STATES INTERNATIONAL TRADE COMMISSION

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 330(e)(2)(A) of the Tariff Act of 1930 (19 U.S.C. 1330(e)(2)) is amended—

(1) in clause (i) to read as follows:

''(i) $47,200,000 for fiscal year 2000.''; and

(2) in clause (ii) to read as follows:

''(ii) $49,750,000 for fiscal year 2001.''.

(b) SUBMISSION OF OUT-YEAR BUDGET PROJECTIONS.—Section 330(e) of the Tariff Act of 1930 (19 U.S.C. 1330(e)(2)) is amended by adding at the end the following:

''(4) By no later than the date on which the President submits to the Congress the budget of the United States Government for a fiscal year, the Commission shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate the projected amount of funds for the succeeding fiscal year that will be necessary for the Commission to carry out its functions.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. CRANE) and the gentleman from New York (Mr. RANGEL) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois (Mr. CRANE).

GENERAL LEAVE

Mr. CRANE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1833.

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

There was no objection.

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

Mr. Speaker, H.R. 1833, the Trade Agency Authorizations, Drug Free Borders, and Prevention of On-Line Child Pornography Act of 1999 contains budget authorizations for the United States Customs Service, the Office of the United States Trade Representative and the International Trade Commission. H.R. 1833 also reforms Customs inspectors overtime and shift differential pay.

H.R. 1833 passed the committee unanimously by a vote of 36–0.

H.R. 1833 authorizes the President's budget request for USTR and the ITC, but goes beyond the President's request for the Customs Service in order to provide more funding for drug interdiction, child pornography prevention initiatives and Customs automation.

Illegal drugs are killing our youths. Sex predators stalk our children on the Internet. We must protect our children from the scourge of illegal drugs and on-line sex predators. H.R. 1833 aims to do just that.

Today is Missing Child Day. It is tragic that we need to recognize such a day. H.R. 1833 would authorize $10 million for the Customs Cyber-smuggling Center so that customs can step up protection of our children from on-line predators and pedophiles. Part of this authorization would go to the National Center for Missing and Exploited Children's cyber tipline that handles calls and on-line reports of sexual exploitation of children.

While I am on this portion of the bill, I would like to pay tribute to the distinguished gentlewoman from Connecticut (Mrs. JOHNSON) because she was the one that was in the vanguard of incorporating these provisions dealing with trying to monitor pornography on the Internet. She deserves the overwhelming credit of one and all on a bipartisan basis for her work. She will elaborate more fully later.

H.R. 1833 also includes more than $400 million over the President's budget request for drug interdiction in fiscal year 2000 and fiscal year 2001. This funding would allow Customs to purchase drug detection equipment and hire additional inspectors to keep illegal drugs from crossing our borders into our children's hands.

Customs must also keep our trade moving smoothly. Customs current Automated Commercial System, ACS, is 16 years old and on the brink of continual brownouts and shutdowns. This costs the American taxpayer millions of dollars. Customs has begun building a new system, Automated Commercial Environment, ACE, but the President did not see fit to request funding for ACE for fiscal year 2000. Instead, the President requested a fee that the administration did not justify. The American public cannot wait for the President, so Congress must take action. H.R. 1833 does just that. It authorizes $150 million for ACE in fiscal year 2000 and fiscal year 2001.

H.R. 1833 also makes common-sense changes to Customs officers overtime pay and nighttime pay. The legislation maintains, and even increases, some benefits to Customs inspectors in recognition of their hard work and the valuable services they perform.

□ 1100

The revisions also correct some anomalies in Customs officers' overtime and differential pay. Under H.R. 1833, officers would be paid overtime only for overtime hours worked. Also, officers would be paid shift differential only for night work instead of daytime work under the present system. This saves the American taxpayer money.

In short, this legislation will help prevent illegal drugs from crossing our borders, prevent on-line child pornography, prevent waste of taxpayers' dollars and prevent delays in moving our trade.

Finally, I note that at the request of the chairman of the Committee on Government Reform and Oversight we had to drop a provision in the bill that would put the Commissioner of Customs at the same pay level as other Treasury Department bureau heads. That provision is the only provision within the jurisdiction of that committee.

In conclusion, Mr. Speaker, I urge my colleagues to support this package and pass this legislation.

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

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

Mr. Speaker, this suspension procedure that we use in the House is supposed to be reserved for bills that are not controversial. Where there is controversy in the committee or subcommittee, members of the minority

and the majority should have an opportunity to at least discuss those issues and vote on those issues.

Today we see a violation, a real violation, of that principle, because here we find a good bill, a bill there that is supposed to support the United States Trade Represenative's Office, the International Trade Commission, a bill that the gentlewoman from Connecticut (Mrs. JOHNSON) worked so hard on to prevent child pornography, which all of us find repugnant to everything that we believe in as Americans, as human beings, and we find a real attack against drug trafficking by providing sophisticated equipment for those men and women who have dedicated themselves to protect our borders against these drugs coming into the United States.

Why in God's name then, Mr. Speaker, do we find on the suspension calendar, incorporated in this bill, that which prevents us from debating, prevents us from voting for it, a provision that nobody wants except one or two people in the majority on the committee? Where did it come from? Where did it start? Where were the hearings? Where was the reports? Where is the evidence that indicated that Customs inspectors were overpaid?

It certainly did not come from hearings which we had on this issue before we voted on this, and even when we were marking up the bill, the only evidence we had was a staff member from the majority giving us information that was not available through any official report. Here we have Customs officials that put their lives on the line each and every day protecting our borders; three were killed in the line of duty. They fight every day, they struggle every day, and the commissioner and the unions were never discussed on this issue, but somebody knew better than them on the committee and revised it because they did not like the wording of it in the regulation.

It is not fair, Mr. Speaker, and it comes almost close to being illegal, to fold something like that, a controversial subject like that, into a bill that no one politically is prepared to vote against on the suspension calendar for fear that we would be supporting child pornography, that we would be supporting drug trafficking, that we would not support the USTR and the ITC.

There is no excuse for this being included in this bill. It divided our committee, it divides our subcommittee, and it is things like this that cause divisions in the House of Representatives.

We knew why these people were paid overtime pay, we know the reasons they were done, and it is because, unlike other federal law enforcement officers, the Customs do not give and we did not provide the same type of benefits that law enforcement officials get. They do not get the 20-year pension retirement, they do not get a whole lot of perks that law enforcement officials get, and this was folded into their pay in order to compensate for the fact that some do law enforcement work and they do not get paid law enforcement salaries.

Was it controversial? Ask anybody on the majority whether it was controversial. So, why should it be included in this suspension calendar in a bill that certainly is without controversy? I suspect it is because they once again want to deny us the opportunity to reconsider the amendment that was offered in committee and deny us the opportunity to be able to vote on this issue singularly, like it should be.

I know that the Committee on Ways and Means has traditionally enjoyed closed rules when it comes to the House, but this is not a tax issue, and this is not an issue that is coming to the House in regular form. It comes to us as a suspension bill, and I am really disappointed that my committee would see fit to fold a controversial subject into a suspension bill and deny us the opportunity once again to debate it.

I would just like to say Ray Kelly is the Commissioner of Customs; he opposes it. The union opposes it, the Secretary of Treasury opposes it, the administration opposed it, and almost half of the members of the Committee on Ways and Means opposed it, but we will not get an opportunity to vote on that issue.

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

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume, and in response to some of the concerns registered, and I can certainly sympathize with our distinguished colleague, but I do think that we have put together here a good bill, and it is one that in committee the total package enjoyed the support of both sides of the aisle overwhelmingly. But we are, I think, making some common sense changes, and at the same time we are maintaining and even increasing some benefits as Customs inspectors or to Customs inspectors in recognition of their hard work and the valuable services they perform. These revisions are identical to those that this committee and the full House passed overwhelmingly last year.

The night pay reform still keeps Customs officers in a better position than other federal employees, and the bill does not change some of the other special benefits that Customs officers receive. For example, Customs officers receive twice the hourly rate for overtime while FEPA employees receive only one and a half times the hourly rate. The night pay reform is not meant to penalize our hard-working Customs officers. Instead, it is designed to advance common sense.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois (Mr. WELLER), our colleague who serves on the Committee on Ways and Means.

Mr. WELLER. Mr. Speaker, I rise in support of this important legislation today, and first, let me begin by commending my friend and colleague from Illinois (Mr. CRANE), chairman of the Subcommittee on Trade, putting forward a good bill, a bill which was endorsed by unanimous bipartisan vote, the Committee on Ways and Means just this past week. I rise in support of this legislation, the Trade Agency Authorizations, Drug-free Borders, Prevention of On-line Pornography Act of 1999. It is important legislation designed to protect children from drugs and child pornographers. Amongst the most important provisions of H.R. 1833, the bill authorizes $10 million for the Child Cyber Smuggling Center to provide the U.S. Customs Service with the necessary tools to prevent child pornography and child sexual exploitation initiated over the Internet. I also want to commend my friend and colleague, the gentlewoman from Connecticut (Mrs. JOHNSON) for her leadership on this issue as she authored the original legislation that was included in this bill today.

Protecting children from Internet predators is an issue that is important to the folks back home in the south suburbs of Chicago. This last year I received a phone call from a mother asking for help in responding to a situation affecting her 9-year-old daughter. An Internet predator posted her child's name on several pornographic Internet sites and in chat rooms and advertised for certain favors. To protect their daughter, their family was forced to move from their home and to hide from those they feared would contact them as a result of this Internet advertising. When they sought the help of local police, they were told there is no law preventing predators from doing this to young children. I am proud that legislation I authored, which became law last year, the Protecting Children From Internet Predators Act which made it illegal to use the Internet to target an individual under the age of 16 for sexually explicit messages or contacts, is now law, and I want to thank this House for the bipartisan support.

Let me explain very clearly with some startling facts and statistics why this legislation is so important and deserves bipartisan support, because we should all care about kids, and we should all care about child pornography and its impact on children. It is estimated that by the year 2002 more than 45 million children will be on-line with access to the Internet. The number of child pornography and pedophilia sites is impossible to determine, but the Center for Missing Children estimates that are 10,000 web sites maintained by pedophiles while the CyberAngles organization estimates 17,000 pedophile web sites available via the Internet. The United States alone law enforcement has confiscated more than 500,000 indecent images, photos of children, some as young as 2 years of age, and since January 1 of 1998 federal law enforcement has arrested over 460 adults for Internet-related child sexual exploitation offenses.

Mr. Speaker, we need to do more to protect kids from child pornography, to protect children from being exploited by those who would prey on them via the Internet. This legislation gives the United States Customs Service the tools they need. It deserves bipartisan support. Let us protect the kids from pornographers.

Mr. RANGEL. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Speaker, I strongly support the objective of H.R. 1833 to provide the U.S. Customs Service with the resource it needs to safeguard our borders and to put a stop to the spread of child pornography on-line. The men and women of the U.S. Customs Service perform vital functions with respect both to law enforcement and preserving the integrity of U.S. trade with foreign nations there on the front line.

Much of this bill is devoted to authorizing the appropriation of funds for the acquisition of sophisticated narcotics detection equipment by the Customs Service. Ironically, however, Section 123 (b) would cut the pay of some of the very people who will be operating that equipment. The current pay structure for Customs inspectors and officers was put into place in 1993. It was designed to reflect the unusual demands of inspectors' and officers' jobs, the odd hours, the unpredictability of schedules, the physical safety risk. Under this system, if a majority of the hours in an inspector officer's shift falls within the window from 3 p.m. to 8 a.m., the inspector officer is paid at a premium rate for the shift. 1833 would change it. Let me just give my colleagues an example.

For example, take the Customs inspector who regularly works the 3 a.m. to 11 a.m. shift. Assuming that that inspector earns $19.25 per hour as base pay, his or her premium pay under the current system is $154 per week. Under H.R. 1833, the premium pay would be reduced by $96.25 per week, and assuming that shift would work throughout the year, it would amount to a reduction in pay of $5,000 a year.

Why this provision? It was introduced without adequate consideration of the adverse impact it would have on actual Customs inspectors and officers. The sponsors of this provision relied on a report by the Inspector General that did nothing more than calculate the absolute increase in night pay differential over a 3-year period since enactment of the current arrangement.

□ 1115

The report did not study the cause of that increase, nor did it purport to find that that increase was unjustified. It was simply an accounting of the size of the increase.

So what happens? The majority decides to bring this bill under suspension, with no ability for us to present an amendment. This is a distortion of the suspension process. The chair of the subcommittee and others have said this passed unanimously. True, after an amendment was introduced to strike it, it was debated. We lost it on a straight party vote, but we had a chance to raise it.

What the majority is doing here is putting forth a bill that is good in almost all of its provisions and tying in a provision that is not justified and, I think, is not justifiable. They essentially trapped the minority, saying if you want to vote against a bill that is generally good because of one provision and it is a serious one, go ahead and do it.

Mr. Speaker, bipartisanship should have some meaning in this place. There is no excuse whatsoever for this procedure. It was tried last session, the same trick was tried, and what happened? The bill died in the Senate because of provisions that are not related to the important work of the Customs force and had nothing to do with child pornography, which we obviously must be very concerned about.

This is not a tax bill. There is no reason to have this bill brought on suspension or in any other way that prevents an amendment.

Mr. Speaker, we talk about common sense. Common sense and common decency in a legislative body mean giving people a chance to present an amendment and debating it. This is not a defensible procedure.

I suggest that we vote ''aye,'' because the bill, in all but one of its major provisions, is a strong bill that we should pass. But I just want the majority here to understand that we resent this procedure. There is no reason for it. It undermines the bipartisanship that the majority sometimes says it believes in. We will do what happened last time. We will march over to the Senate and ask it to extricate this House from an unfair procedure.

My colleagues may think they are being politically clever, but they are going to pay for it in terms of feelings between the majority and the minority.

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

Last year in committee we considered identical provisions on reforming pay, and my colleagues across the aisle did not move to strike. I find it difficult now for them to say that we are being unfair today.

The irony of the current system is that one can receive night pay for the entire noon-to-8-p.m. shift, but one would receive no night pay for working a 4-a.m.-to-noon shift, even for those brutal hours between 4 a.m. and 6 a.m., and that makes no sense. This bill would fix this problem.

Our goal is not to penalize Customs officers, but to correct an anomaly in the law.

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

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

I do not think there is any controversy about the facts between the majority and the minority. It was opposed last year by the Democrats; it was opposed by the Commission of Customs, it was opposed by the union, it was opposed by the employees, and it is still being opposed, and it has no place in this bill.

Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL) for yielding me this time.

Mr. Speaker, there is much good in this bill. As the gentleman from Michigan (Mr. LEVIN) has pointed out, there are a lot of provisions in here that are extremely important to the Customs Service. H.R. 1833 provides additional resources needed for the U.S. Customs Service to combat illegal drug activities across our border; it will provide additional equipment with the latest technology for the antidrug enforcement provisions. It provides additional funds for the Child Cyber-Smuggling Center to assist in our efforts to prevent child pornography.

So there is a lot of good in this bill. We are going to support it. I think it is going to get a large vote.

But there is bad in this bill. There are provisions that should not be in here. It amends existing laws concerning the payment of night-shift pay for our Customs officers.

Let me talk a little bit about what this Congress did before, why we put shift pay differential in the law. Congress found that these odd hour shifts that Customs officials are assigned, they do not volunteer, are assigned as part of their work, have an adverse impact on the quality of life of Customs officials who are required to work regularly scheduled shifts at night, on Sundays or holidays. We found, as a body, that the shift differential compensation levels are substantially greater than applied generally to other Federal employees for such regularly scheduled work. So what this legislation is doing is altering the balance that we took in 1993, and that is just wrong.

U.S. Customs Service performs vital functions of both law enforcement and preserving the integrity of U.S. trade laws with foreign nations. The current compensation structure was designed to take account of the unusual stresses of their job, both on-job safety risks and irregular work hours. We should honor that, and I agree with the gentleman from Michigan (Mr. LEVIN), the process should provide us an opportunity as a body to express our will on the subject. But the process that has been used by the majority will deny that opportunity today.

Yes, we will support the bill because of the important provisions in it, but the provision concerning pay differential is wrong; it should be removed from the bill.

This bill alters the balanced approached crafted in 1993 in two ways. First, the provision restricts the hours that qualify for the night shift differential to hours between 6 p.m.

and 6 a.m. Second, the provision compensates Customs officers at the differential rate only for those hours that occur between 6 p.m. and 6 a.m. (with one limited exception), and not the entire shirt. Effectively, these changes will mean that a Customs officer who works a shift starting at 3 a.m. and ending at 11 a.m. will receive the shift differential for only 3 hours of that shift.

To offset some of the loss in pay likely to occur, section 121 of the bill adjusts the overtime cap that, under current law, restricts the amount of overtime pay a Customs officer may earn in one year. In effect, this adjustment would allow Customs officers to work more overtime to compensate for lost wages, or put another way, Customs officers will have to work more to get the same pay. Such a result seems unfair, given that no one (including Customs) has alleged that Customs officers are overcompensated. Moreover, only a small percentage of officers currently reach the overtime cap, and therefore would even benefit from the new provision.

A single report, done in 1996 by the Office of Inspector General (OIG), has been offered to support this change to night shift differential pay. That report purportedly reviews the operation of the night pay differential and the overtime cap since COPRA. The report, which concludes that the COPRA resulted in an increase in overall premium night shift differential payments, is, however, seriously flawed.

First, the OIG report merely calculated the absolute increase in night differential pay over a three year period. The report did not investigate the cause of the increase. The OIG's report did not investigate whether the increase was due to an overall increase in the number of hours being worked, whether there was an increase in the number of late shifts being worked due to increased trade, or whether the increase in cost was attributable to an increase in base wages. Rather, the OIG report merely concludes that the increase was due to COPRA without investigating, entertaining or otherwise considering any other possible reasons for the increase.

Second, the OIG report did not assess the impact on Customs employees' salaries. As discussed above, the 1993 changes to the methods of calculating premium night shift differential payments was part of a comprehensive package of reforms intended to ensure that Customs officers would receive pay adequate compensation for the hard and, often dangerous, work they perform. Altering the carefully crafted package Congress created in 1993 without assessing the impact on Customs officers' overall pay is irresponsible, and could result in an unwarranted pay cut for many of these officers. Such a result seems unfair, given that no one, including OIG and Customs, has alleged that Customs employees are overpaid. Third, OIG did not find any evidence of abuse in this system. In fact, to the contrary, the OIG report specifically states that Customs management did not change work schedules to allow employees to earn more shift differential pay. Rather, Customs management continued to schedule shifts to fit customer's demand.

We are not opposed to considering amendments to Customs officers pay, if a credible study evaluates and recommends that legislative changes be made. However, we are opposed to cutting someone's wages based on report that shows nothing. The men and women of the U.S. Customs Service perform vital functions with respect to both law enforcement—keeping drugs and other contraband from crossing our borders—and preserving the integrity of U.S. trade with foreign nations. Their current compensation structure was designed to take account of the unusual stresses of their job—both the on-the-job safety risks and the irregular hours. We do not believe that there is clear evidence that those aspects of a Customs officer's job have changed in a way that would justify reducing their pay, which is precisely what H.R. 1833 will do.

It's too bad, Mr. Speaker. We have a good bill here. We found a flaw and I believe there would have been a way to address this issue that would have made both sides of this Congress happy and would have been supported by the men and women who will actually be affected by our vote today. I am sorry we missed an opportunity.

Mr. RANGEL. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Speaker, I thank the gentleman from New York (Mr. RANGEL) for yielding me this time.

There is good news, obviously, and some bad news in regard to H.R. 1833. The good news, as we have heard, is that this bill contains authorizations for funds which are desperately needed for drug interdiction, to combat child pornography, and to help the Customs Department automate its very antiquated computer system.

By the way, with regard to that computer system, which is about 15 years old, it has browned out on several occasions. That means it has come close to actually blacking out completely. The 6-hour lapse of that brown-out caused the Customs caseload to increase not 6 hours, but by 2 weeks. Businesses across the country were thrown off their schedule for months.

We are desperately in need of updating our computer system at the Customs Department because of the constantly growing load of import and export product coming into this country and leaving this country.

Mr. Speaker, there is also bad news with H.R. 1833, and that is that it contains a provision that has nothing to do with Customs running its shop well, nothing to do with treating its employees well; and has no place in this bill, and should not come up through this suspension process for a vote. Unfortunately, this is a heavy-handed approach to try to get something done that was not approved by either the employees of the Customs Department or the Customs Department itself.

Management and labor do not agree with this provision, yet it is in here. That is a heavy-handed approach to try to impose upon both the agency and its employees something that they do not believe in. It is unfortunate that we have to micromanage at this stage a bill that, for the most part, does great good for the Customs Department.

That agency is in need of our support. Its workload is growing constantly with regard to trying to interdict drugs. We know the issue of child pornography and trying to stop it from coming into this country. Why we would clutter a good bill with a bad provision makes no sense. But because of the procedural mess we find ourselves in, unfortunately, we have very little choice. Do we oppose a bill that for the most part is very good, to make a point, or do we vote for a bill, understanding that we are providing for legislation the possibility of enacting a law that would change the rules of the game for employees who have no say as to their work hours?

It is unfortunate that we are there; it is unfortunate that employees at Customs find themselves in this situation, not because management at Customs wants to do this, but because Congress, in its wisdom to micromanage, has decided to include a provision which they do not want.

If we extract this, this bill would fly without any no votes, I would suspect. But with this, unfortunately, there are a number of people who have to pause. Pause because while we want to do good, we do not want to do bad at the same time. Unfortunately for Customs employees, it looks like they are going to have to swallow some bad to politically take the good. That is unfortunate, and it should never happen.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Speaker, I know this bill is to reauthorize the Customs Service, and I know the Customs Service has a difficult job. One of the jobs I wanted to just mention to my colleagues as we are debating this bill involves a company in my State that imports lots of items that are under the classification of festive items, Christmas items. Those items have a different tariff duty than other items do, and just so the House is aware, recently one of their items, an item that was an inexpensive music box that played Silent Night, the Customs folks would not classify that a ''festive item'' because, they said, it was a music box and because, they said, it played Silent Night instead of Jingle Bells, I am not sure which. But the code is specific. It tries to set aside that type of item.

Mr. Speaker, I am wondering if we could not ask the Customs Service to be more reasonable in applying those laws. This is not an expensive thing; it is not a musical instrument. It is a one-time-a-year use that happens to play a religious Christmas-type of song.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume to reassure my colleague that we will look into it. This is the first I have heard of it, and it does sound a little bizarre, and I hope it is just a parochial, isolated case and not universal.

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

Mr. CRANE. I yield to the gentleman from Missouri.

Mr. BLUNT. Mr. Speaker, I appreciate the gentleman being willing to look into it, and I appreciate the time of the Members here today.

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

While the distinguished subcommittee chairman is looking into the controversy of Jingle Bells and Silent Night, I hope he might take some time to read the letter from the Commissioner of Customs, Raymond Kelly, who indicated on May 25 that he is opposed to this subtitle C, sections 122, 123 and 124 of the bill that is before us today, and a bill that apparently we are unable to do anything about.

Mr. Speaker, I would like to yield to the subcommittee chairman and ask him whether or not he would consider reconsidering this provision since it is a good bill and a lot of people worked hard on this bill. It helps prevent drugs, it helps prevent the spread of child pornography, it supports the administration for things that they have been waiting for, and we want to be able to go over to the Senate and say it is a good bill and that this provision should be reconsidered.

I hope the majority might consider excluding this provision or reconsidering this provision in conference, because it is a good piece of legislation.

Mr. Speaker, I know how difficult it is for the majority to rule with just six votes in the majority, but I think that is the reason why now more than ever we should try to work together on those things that we agree on, because that is what the American people want.

□ 1130

They do not want to see us coming down here each and every day fighting each other over things that deal with procedure while they are working for substantive issues to be passed.

There is no need for us to have had to discuss this provision today, Mr. Speaker, because it had no place in this bill. If certain Republicans wanted it that badly, they should have brought it to the floor and had debate on it. It is just wrong to fold this into the suspension calendar, which says that it is not a controversial position.

We can hear what we want from the other side, we can examine the RECORD, but no one challenges that the employees did not want this, the union did not want this, the Commissioner of Customs did not want this, the President of the United States and his administration did not want this.

There is not one scintilla of evidence that substantiates the need for changing this except somebody on the other side of the aisle, somebody whose name is not in the record, wanted this change, and waited until the middle of the night on the suspension calendar to fold it into basically a good bill. It is wrong to do this, and I hope it does not happen again.

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

Mr. Speaker, the Department of the Treasury Inspector General issued a very rigorous recommendation to end the night pay anomaly back in 1996. The Inspector General went further and asked for a 10 percent pay differential. Our bill does not go so far and preserves a 15 to 20 percent differential, better than any other Federal employee, in recognition of the hard work by our Customs employees.

Mr. Speaker, I include for the RECORD the recommendation of the Inspector General, since my colleague on the other side of the aisle thinks this came from us.

He said, ''The Assistant Secretary (Enforcement) should direct Customs to seek legislation that would lessen the number of hours available for Customs officers to earn night differential and reduce the night work differentials to a 10 percent premium on base pay.'' As I said, that is in contrast to our 15 to 20 percent.

''The change to the COPRA should create a night differential payment package that would more accurately reimburse Customs officers for hours actually worked at night, as was done previously under the FEPA. We believe guidance similar to the FEPA would accomplish this purpose.''

So this is not new. That was 1996 when that recommendation was made.

Mr. Speaker, I just want to quickly recite some other facts of the Customs bill that deals with trying to curb the abuses by pedophiles on the Internet.

In the United States alone, law enforcement has confiscated more than 500,000 indecent images of children, some as young as 2 years old. Since January 1 of last year, Federal law enforcement has arrested over 460 adults for Internet-related child sexual exploitation offenses, and according to some police estimates, as many as 80,000 child pornography files are traded online every week.

Mr. Speaker, I yield the balance of my time to the gentlewoman from Connecticut (Mrs. JOHNSON), our distinguished colleague who is responsible for that precious component of this legislation.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in strong support of this legislation and its many provisions to improve the effectiveness of the Customs Office, but I will focus my comments on the provisions of this bill that strengthen Custom's ability to combat cyber predators.

The Internet has revolutionized the way we learn, communicate, and even shop. It is making a reality of equal opportunity by providing truly equal access to information and the power that knowledge confers. But there is a dark side to the Internet that we must confront. Parents need to know that just as there are dangerous areas in every city, there are dangerous sites on the Internet. We need to do a better job of protecting our children from entering a website or chatroom that could lead them to harm.

The old question of ''Do you know where your child is'' has a whole new meaning in the age of cyperspace. Most people are not aware that the Internet is now the number one choice, the number one choice, of predators as a means of preying on children and trafficking in child pornography.

There are an estimated 10,000 websites maintained by pedophiles. Trading in images of child pornography on the Internet takes place 24 hours a day, 7 days a week. Let us make no mistake about it, these people are out there lurking in cyberspace, and any child on the Internet could fall prey to these pedophiles.

Roughly 12 million children use the Internet every day, spending an average of 8 hours a week in chatrooms where they can come into contact with online pedophiles. The danger of these chatrooms is that they provide sex predators with a forum to prey on unsuspecting kids who cannot see who is behind the screen on the other end of the line.

When I go into fifth grade classrooms, I ask those kids, what does your mom tell you about talking to strangers? And they all know the answer. What do your folks tell you about getting into the cars of strangers? And their little faces just light up, because they know they should not do that and they will not do that, and that I can count on them, that they will not do that.

It is a new world. We have to understand the new rules, and just as our kids will not talk to a stranger or get in the car of a stranger, we have to teach them not to go into the chatrooms, where everyone is a stranger.

These cyber predators use their anonymity to lure our children out of their homes to meet people solely for the purpose of sexual assault. Sexual predators used to lurk around the schoolyard. Now they lurk in our living rooms, they lurk in our children's bedrooms, they lurk wherever we have our computer terminal.

Listen to the Hartford Current of February 18, 1999: ''A 31-year-old Enfield man was arrested Wednesday on charges that he sexually assaulted a 12-year-old East Hartford girl he met on America Online chatroom.

She told the police, and I am skipping forward, she told them that she had met Ed in the chatroom on America Online, and that they had graphic sexual discussions over the Internet. She identified herself to him as Veronica, which was not her real name. They would talk for hours at night while the girl's mother was at work and she was babysitting for her younger sister.

On February 4, they arranged to meet in the parking lot of the East Hartford apartment complex so her mother would not know.

Kids think this is a game, like so many other games they play on television. This did not turn out to be a game for this kid. This turned out to be a terrible experience.

These cyber predators use their anonymity to lure our children out of our homes for the sole purpose of sexual assault. This legislation will help the Customs Service expand their work in combatting cyber predators and purveyors of child pornography.

They have done a phenomenal job. They have gotten a conviction of every single arrest. But they need better funding, they need more people, and they need more authority. This Congress is working on all three of those fronts.

This bill authorizes better funding of the child pornography and child sexual exploitation program that is designed to capture online pedophiles, and it would also better fund the operation of the child pornography cyber tip line run by the National Center for Missing and Exploited Children that helps identify and locate online predators.

As more kids go online every day, we need to ensure their safety. It is time to let online pedophiles know that they can no longer hide behind our computer screens. I urge support of this legislation, and full funding of the needed $10 million in the appropriations process.

I thank the chairman of the subcommittee for his long work on this and for his leadership.

Mr. LAMPSON. Mr. Speaker, I ask unanimous consent to speak for 1½ minutes in support of this bill.

The SPEAKER pro tempore (Mr. SUNUNU). Is there objection to each side being granted an additional 1 minute for debate?

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas (Mr. LAMPSON) is recognized to control 1 minute.

Mr. LAMPSON. Mr. Speaker, I rise for 2 reasons: First, to applaud the gentlewoman from Connecticut (Mrs. JOHNSON) for her efforts to help the U.S. Customs Service battle against child exploitation on the Internet, and second, to support the provisions of her legislation included in H.R. 1838.

Child pornography was a worldwide industry that was all but eradicated in the 1980s, but the explosive growth of computer technology via e-mail, chatrooms, and news groups have created a bigger demand for pornographic pictures of our children on the information superhighway.

Congress must step up to the plate and take some action to stem the growing tide of child exploitation on the Internet. In February, I introduced a bill to authorize $5 million to appropriate each year for the next 4 fiscal years to fund the Cyber Smuggling Center.

Until that bill reaches the floor, I would ask Members' complete support for H.R. 1838, which contains provisions championed by the gentlewoman from Connecticut (Mrs. JOHNSON), including the addition of $100,000 for the Cyber Smuggling Center for fiscal year 2000.

I urge all of the Members, on this National Missing Children's Day, to support the Customs Service's fight against child pornography on the Internet by voting in favor of H.R. 1833.

The SPEAKER pro tempore. The gentleman from Illinois (Mr. CRANE) is recognized for 1 minute in closing.

Mr. CRANE. Mr. Speaker, I yield my final 1 minute to my distinguished colleague, the gentleman from Iowa (Mr. NUSSLE).

Mr. NUSSLE. I thank the chairman for yielding time to me, Mr. Speaker.

Mr. Speaker, I rise in support of this commonsense legislation. It is about time that we have the opportunity here today on this floor to move legislation that will, as my colleague, the gentlewoman from Connecticut (Mrs. JOHNSON) said, begin the process of patrolling what is happening with pornography, of being able to work on drugs coming into this country, being able to do what every one of our constituents back in our districts at town meetings across this country have told us, that we need to do a better job at our borders.

We finally have the opportunity to pass this commonsense reform today. Yet, for some strange reason there seems to be some lingering technicality out there with regard to this legislation which is making it very difficult for all of the very positive reasons for maybe some of the Democrats to not support this legislation.

I would implore those who are listening in their offices and getting ready to come over to consider voting for this that it is time that they put their word and deeds where the actions of our constituents have requested us to, and that is to pass this commonsense reform for our Customs Service.

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to commend my colleague from Illinois, Representative CRANE, for his hard work in bringing this important legislation forward early on in this Congress. H.R. 1833 will provide the U.S. Customs Service with additional tools to prevent illegal drugs from entering our nation. This is a vital bill that will go a long way in winning the war on drugs but the most valuable asset of any agency is its workforce.

Unfortunately, H.R. 1833 also contains a provision which I believe will seriously harm the morale of our Customs agents and impede our ability to recruit qualified individuals. H.R. 1833 contains a provision that restricts the hours during which customs agents can earn night shift differential pay to between the hours of 6 p.m. and 6 a.m. Currently, Customs agents earn night shift differential pay between the hours of 3 p.m. and 8 a.m. The Customs Agency is the only federal agency where employees work a constantly changing shift. For example, employees work days for two weeks, then evenings, then nights. Night shift differential pay is a standard law enforcement benefit and one of the few federal law enforcement benefits extended to Customs agents.

If this bill passes the House, we will reduce the amount of pay at Customs agent earns by an average of $96.00 a week or $5000.00 a year. A Customs agent making $40,000 a year will face a reduction in pay of nearly 12%. Do we really want to tell Customs agents that we are only willing to spend more money on desperately needed equipment to fight the war on drugs if they give up a portion of their yearly salary? I think not, this provision sends entirely the wrong message to these brave men and women.

Moreover, I have serious concerns that this provision says to Customs agents that they can make up for the lost night shift differential pay due to enhancements in overtime benefits. But in order to earn back lost pay, an individual would be required to work more than forty hours a week. This is simply wrong. We would be telling these federal workers that they must spend greater and greater amounts of time away from their family just to meet their current needs. Again, this is backwards and contrary to the family values we should be promoting. This provision sends the wrong message to the indvidiuals who play a significant role in protecting our border and our entire nation from shipments of illegal drugs.

During the week of May 10th, a Customs Agent was shot on his way home from work by an individual who had targeted him as a law enforcement official. The Federal Government does not extend most law enforcement officer benefits to Customs Agents. This bill would limit one of the few law enforcement benefits that Customs Agents receive.

I am greatly disappointed that H.R. 1833 is on the Suspension Calendar today, and that we do not have the opportunity to even offer an amendment that would have removed section 123(b), the new night shift differential pay provisions. I think that Members of this House deserve the opportunity to support this important bill while also supporting our U.S. Customs Agents.

Mr. Speaker, again, I would like to thank my colleague, Representative CRANE for all of his work in bringing H.R. 1833 forward and express my profound disappointment in the currently included night shift differential pay provisions. I believe we need to strengthen the Customs Agency if we are going to stop illegal drugs from entering our Country and we must do all that we can to protect our children. However, we must not say to Customs Agents that their tireless efforts are insufficient, and that equipment counts more than the personnel. I firmly hope that we can work our differences out when this bill goes to Conference with the Senate.

Mr. FILNER. Mr. Speaker, here we go again. We all oppose child pornography. We all want to fight drugs. But why include provisions to cut our Customs officers' pay in this important bill?

This does not make sense! How can you ask Customs employees—who enforce more laws than any other federal officers—to be more effective when you open the door to cutting some of their pay up to $96 a week? Giving employees $5,000 less pay in a year is an incentive to help them do their jobs better?

The bill undermines the partnership that has flourished between Customs personnel and their managers in the successful drug interdiction efforts. How does cutting Customs employees pay for working their regular night shifts help bolster our War on Drugs?

I support the provisions of H.R. 1833 that would increase the number of Customs Service employees along the border and provide Customs with state-of-the-art drug detection equipment. I support the $10 million to prevent the imports of on-line child pornography. But I reject the provisions that cut Customs hazardous pay for essential nighttime shifts.

H.R. 1833 gives us tools to fight the War on Drugs, but puts those who will use the tools in straitjackets. We will lose the War on Drugs and waste taxpayers' money if we spend money on expensive, cutting-edge equipment at the same time we undermine employee morale and labor standards.

I support the frontline soldiers in the War on Drugs—our Customs personnel—and urge support for legislation that enhances, rather than detracts, from their good work.

Mr. MILLER of Florida. Mr. Speaker, I take this opportunity to rise in support of H.R. 1833. This bill reauthorizes the U.S. Trade Representative and Custom offices as well as increase efforts to patrol our borders and protect the Internet from online predators.

H.R. 1833 affects agricultural trade with its authorization of the United States Trade Representative. I support this bill and I believe this bill is an opportunity to urge the Ways and Means Committee to work with me to reform our sugar subsidy problem. I have introduced with Congressman GEORGE MILLER (D–CA) H.R. 1850, the Sugar Program Reform Act. The Miller-Miller bill would phase out the sugar program by the end of 2002.

The sugar program is the ''sugar daddy'' of corporate welfare. Why? Because most of the benefits of this program go to huge corporate sugar producers, not the typical family farmer.

The sugar program's sole purpose is to prop up the price of sugar in the United States through a complex system of low-interest, nonrecourse loans and tight import restrictions. In fact, the price of sugar in the United States today is roughly four times as high as the price of sugar world wide.

As a result, the sugar program imposes a ''sugar tax'' on consumers, forcing them to more than $1 billion in higher prices for food and sugar every year.

It devastates the environment, particularly the fragile Everglades in my home State of Florida. Higher prices for sugar have encouraged more and more sugar production in the Everglades Agricultural Area, leading to high levels of phosphorus-laden agricultural runoff flowing into the Everglades, which has damaged the ecosystem.

It has cost many Americans their jobs because it has restricted the supply of sugar that is available on the American market, resulting in the closure of a dozen sugar refineries across the country.

Finally, it hampers our ability to expand trade opportunities for America's farmers. It is hypocritical for the United States to protect domestic sugar production while urging other countries to open their agricultural markets. America loses leverage in trade negotiations as a result.

I am not here to talk about my bill, but to raise the issues of trade in H.R. 1833. This bill reauthorizes funding for the United States Trade Representative. The USTR is charged with helping to enforce trade laws and to break down barriers around the world. As a matter of fact, there will be important trade talks in Seattle later this year to discuss eliminating trade barriers. However, the USTR will head into Seattle with little credibility as long as the U.S. sugar program is in existence.

At Seattle, our USTR will try to have foreign nations lower their subsidies claiming that subsidies are unfair to consumers, taxpayers and trading nations. At the same time, the U.S. will greatly impair the ability of foreign sugar to come into this huge market because of our crazy sugar policy. This double standard will greatly affect our ability to argue the benefits of no trade barriers. All countries will try to protect their favorite subsidy or tariff as long as the United States maintains its indefensible defense of the sugar barons. I am hopeful that passage of this legislation will give the USTR the resources necessary to break down foreign barriers while educating all policy makers on the importance of lowering our own barriers on sugar.

The sugar program is an archaic, unnecessary government handout to corporate sugar producers at the expense of consumers, workers, and the environment. It is truly deserving of reform. I hope the USTR will work to eliminate the double standard of the sugar program.

Mr. SHAW. Mr. Chairman, I rise today in support of H.R. 1833.

While this bill contains many worthy provisions, there are a number of provisions contained in H.R. 1833 of particular importance to my constituents in South Florida. For example, the bill directs the following additional resources to Florida and Gulf Coast ports: $4.5 million for 6 vehicle and container inspection systems; $11.8 million for 5 mobile truck x-rays; $7.2 million for 8 1-MeV pallet x-rays; $0.25 million for portable contraband detectors; and $0.3 million for 25 contraband detection kits.

The bill also authorizes a net increase of 40 inspectors at southeastern Florida seaports (Port of Miami, Port Everglades, and Port of Palm Beach) to process and screen cargo.

In sum, this bill renews Congress' commitment to interdict drugs in Florida. For too long, Customs resources have been diverted to the southwestern border and Puerto Rico while drugs have poured into Florida. This bill begins to rectify that situation.

Mr. Chairman, H.R. 1833 is an excellent bill, and I urge my colleagues to support it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. CRANE) that the House suspend the rules and pass the bill, H.R. 1833, as amended.

The question was taken.

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

The yeas and nays were ordered.

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

CONCERNING TENTH ANNIVERSARY OF TIANANMEN SQUARE MASSACRE

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 178) concerning the tenth anniversary of the Tiananmen Square massacre of June 4, 1989, in the People's Republic of China.

The Clerk read as follows:

H. RES. 178

Whereas the United States was founded on the democratic principle that all men and women are created equal and entitled to the exercise of their basic human rights;

Whereas freedom of expression and assembly are fundamental human rights that belong to all people and are recognized as such under the United Nations Declaration of Human Rights and the International Covenant on Civil and Political Rights;

Whereas the death of the former General Secretary of the Communist Party of the People's Republic of China, Hu Yaobang, on April 15, 1989, gave rise to peaceful protests throughout China calling for the establishment of a dialogue with government and party leaders on democratic reforms, including freedom of expression, freedom of assembly, and the elimination of corruption by government officials;

Whereas after that date thousands of prodemocracy demonstrators continued to protest peacefully in and around Tiananmen Square in Beijing until June 3 and 4, 1989, until Chinese authorities ordered the People's Liberation Army and other security forces to use lethal force to disperse demonstrators in Beijing, especially around Tiananmen Square;

Whereas nonofficial sources, a Chinese Red Cross report from June 7, 1989, and the State Department Country Reports on Human Rights Practices for 1989, gave various estimates of the numbers of people killed and wounded in 1989 by the People's Liberation Army soldiers and other security forces, but agreed that hundreds, if not thousands, of people were killed and thousands more were wounded;

Whereas 20,000 people nationwide suspected of taking part in the democracy movement were arrested and sentenced without trial to prison or reeducation through labor, and many were reportedly tortured;

Whereas human rights groups such as Human Rights Watch, Human Rights in China, and Amnesty International have documented that hundreds of those arrested remain in prison;

Whereas the Government of the People's Republic of China continues to suppress dissent by imprisoning prodemocracy activists, journalists, labor union leaders, religious believers, and other individuals in China and Tibet who seek to express their political or religious views in a peaceful manner; and

Whereas June 4, 1999, is the tenth anniversary of the date of the Tiananmen Square massacre: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses sympathy to the families of those killed as a result of their participation in the democracy protests of 1989, as well as to the families of those who have been killed and to those who have suffered for their efforts to keep that struggle alive during the past decade;

(2) commends all citizens of the People's Republic of China who are peacefully advocating for democracy and human rights; and

(3) condemns the ongoing and egregious human rights abuses by the Government of the People's Republic of China and calls on that government to—

(A) reevaluate the official verdict on the June 4, 1989, Tiananmen prodemocracy activities and order relevant procuratorial organs to open formal investigations on the June fourth event with the goal of bringing those responsible to justice;

(B) establish a June Fourth Investigation Committee, the proceedings and findings of which should be accessible to the public, to make a just and independent inquiry into all matters related to June 4, 1989;

(C) release all prisoners of conscience, including those still in prison as a result of their participation in the peaceful prodemocracy protests of May and June 1989, provide just compensation to the families of those killed in those protests, and allow those exiled on account of their activities in 1989 to

return and live in freedom in the People's Republic of China;

(D) put an immediate end to harassment, detention, and imprisonment of Chinese citizens exercising their legitimate rights to the freedom of expression, freedom of association, and freedom of religion; and

(E) demonstrate its willingness to respect the rights of all Chinese citizens by proceeding quickly to ratify and implement the International Covenant on Civil and Political Rights which it signed on October 5, 1998.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

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

GENERAL LEAVE

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

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, I want to commend the gentlewoman from California (Ms. PELOSI) and the gentleman from Virginia (Mr. WOLF) for drafting this important legislation. I thank the gentleman from California (Mr. LANTOS) for his support of the legislation.

I strongly support House Resolution 178, a resolution concerning the 10th anniversary of the Tiananmen Square massacre of June 4, 1989, in the People's Republic of China. Our government's policy concerning the People's Republic of China has failed to promote human rights in China.

□ 1145

It has failed to promote our national security and failed to ensure a modicum of trade fairness.

The arrest, the executions, the torture and imprisonment of prodemocracy activists in China, occupied Tibet and East Turkestan continue unabated. The government in Beijing is just as determined as ever to distort the truth and prevent that truth from getting out.

Just yesterday the Washington Post reported that, in an effort to ensure that there are no demonstrations regarding the anniversary of the massacre, they arrested Yang Tao, a student leader of the 1989 demonstrations.

One campaigner who has led the effort to give compensation for and urged a government apology to the families of the victims of the massacre has been under virtual house arrest since May 4.

An AP report mentioned that Beijing is trying to stop internet news in China regarding the massacre in Tiananmen Square.

But coming to grips with reality is not just a problem facing Beijing. For too long, we have failed to respond adequately to the challenge of the People's Republic of China represents.

We hope that with the release of the Cox Report today, our Nation will begin to address this serious issue. Accordingly, I urge my colleagues to support this resolution.

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

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

Mr. Speaker, let me at the outset commend the gentlewoman from San Francisco, California (Ms. PELOSI) for her leadership on this issue, as well as the gentleman from Virginia (Mr. WOLF), the gentleman from New Jersey (Mr. SMITH), the gentleman from Illinois (Mr. PORTER), and many others.

Mr. Speaker, it is important to take a moment to remember Tiananmen Square. Ten years ago on the 4th of June, thousands and thousands of democratically inclined students and citizens of China demonstrated peacefully. On that fateful day, the full force of the Chinese military and security apparatus came down on them with brutality and ferocity of incredible proportions.

Thousands were killed. Tens of thousands were injured. Thousands were imprisoned. There came a dark night in China for all who were hoping for some measure of human rights.

When we introduced this legislation to commemorate the 10th anniversary of this outrage against all standards of civilized conduct, we merely wanted to do just that, to call attention to the fact that 10 years ago, this outrage occurred.

But there is an additional outrage that occurred just a few weeks ago which I believe is highly relevant to this resolution. When the United States, by mistake, bombed the Embassy of China in Belgrade, the Chinese Government engaged in a degree of cynical and hypocritical manipulation of both its own public opinion and global public opinion.

They never told the Chinese people that NATO's air strikes were in response to the killing and mass rape and expulsion of over a million and a half ethnic Albanians. When this mistake occurred, for which the United States apologized at the highest levels, they claimed that the hit on the Embassy of China in Belgrade was not a mistake but a deliberate act of atrocity.

This, Mr. Speaker, underscores the obvious fact. This Communist totalitarian dictatorship has not changed since that fateful day on June 4, 1989. It continues to lie, to fabricate to its own people and to the rest of the world.

By this attempt, it tries to equate morally the deliberate killing of thousands of democracy-loving Chinese citizens at Tiananmen Square with the inadvertent killing of three innocent journalists at the embassy in Belgrade. The civilized world will not allow this attempt at moral equivalence to succeed.

The Chinese Communist government stands self-condemned before the court of global public opinion, both for what it did at Tiananmen Square 10 years ago and what it has been doing the last few weeks, attempting to destroy the functioning Embassy of the United States in Beijing, encouraging mobs of Chinese to attack the embassy, to keep its staff and our ambassador captive, and to engage in the most cynical manipulation of its media and the media of the world.

We are here to commemorate the fallen heroes of Tiananmen Square. When my colleagues come to my office, Mr. Speaker, in the entry hall there is that forever to be remembered poster of a single unarmed Chinese student facing down a column of tanks, the most poignant reminder of human courage and dignity against overwhelming odds.

While that student may have been killed, as were thousands of others, the cause of freedom has not been extinguished in China. The future belongs to the students and citizens of China who, even under these impossible conditions, are insisting on freedom of speech, freedom of press, freedom of religion, the right to make their own decisions about their own future.

I strongly urge my colleagues to vote for this resolution.

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

Mr. GILMAN. Mr. Speaker, I yield the balance of my time to the gentleman from New Jersey (Mr. SMITH), and I ask unanimous consent that he be permitted to control that time.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I reserve the balance of my time.

Mr. LANTOS. Mr. Speaker, I am particularly delighted to yield as much time as she may consume to the gentlewoman from California (Ms. PELOSI), who has been a leader on this issue for many years in the Congress.

Ms. PELOSI. Mr. Speaker, I thank the gentleman from California for yielding me this time and for his very generous comments. They are reciprocated by me in terms of his leadership on this issue for the past 10 years, really for his whole life, as a champion of human rights throughout the world.

I want to also thank the distinguished gentleman from New York (Mr. GILMAN), chairman of the Committee on International Relations, for his steadfastness.

Ten years have gone by, and we have been working on this issue a very, very long time. I wish the outcome, this 10 years later, would be a better one to report on human rights in China. But I thank the gentleman from New York (Mr. GILMAN) for his leadership over the years and in the recent days in moving this legislation out of the committee. I appreciate that very much.

Mr. GILMAN. Mr. Speaker, will the gentlewoman yield?

Ms. PELOSI. I am pleased to yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, we cannot thank the gentlewoman from California (Ms. PELOSI) enough for her continued, diligent effort in reminding the entire Congress of the violations of human rights in China, particularly when we discussed most favored nation with China. I hope our colleagues will be reminded of that in our next debate on most favored nation for China.

Ms. PELOSI. Mr. Speaker, reclaiming my time, one of the most enduring images of the 20th Century is the picture of the lone man before the tank in Tiananmen Square. The distinguished gentleman from San Francisco, California (Mr. LANTOS) mentioned it as an icon that is in the entrance of his office.

It is a constant reminder to all of us of the courage of the young people in Tiananmen Square, and of course of the sadness that the human rights situation has not improved in China yea these many years.

In fact, the policy of our country which was to provide trickle down liberty. If economics goes well and trade goes well, then the political freedom will follow. That simply has not happened. In fact, for all of our concessions to the Chinese, our trade deficit has gone from, $2 million when we started this debate, to this year when it will be well over $60 billion with China.

The proliferation of weapons of mass destruction by China still continues, no matter what anyone tells us. Of course we are witnessing the abuse of the good nature of our President with the violations by the Chinese on proliferation, trade, and the continuing violations of the human rights of people there.

As a tribute to the brave dissidents who gave their lives, risked their personal security, and continue to do so in China, and in commemoration of the 10-year anniversary of the Tiananmen Square massacre, I was pleased to join my colleagues, some of who are present here, the gentleman from Virginia (Mr. WOLF), the gentleman from New Jersey (Mr. SMITH), the gentleman from California (Mr. LANTOS), the gentleman from New York (Mr. GILMAN), the gentleman from Illinois (Mr. PORTER), the gentleman from Missouri (Mr. GEPHARDT), the gentleman from California (Mr. Cox), the gentleman from Michigan (Mr. BONIOR), the gentleman from Connecticut (Mr. GEJDENSON), and others who, being lead sponsors on this resolution. A resolution that is not about economics, it is not about politics, it is about remembering.

It is about remembering the challenge that these young people undertook in the spring of 1989. Millions of Chinese students and workers across China demonstrated peacefully for freedom of expression and the elimination of corruption by government officials.

On June 3, the Chinese regime responded to these peaceful demonstrations by ordering the People's Liberation Army to use lethal force on the protesters around Tiananmen Square. Hundreds, if not thousands, we do not know the number because the Chinese Government will not give us access to that, were slaughtered in that night of horror. Thousands more were injured, and over 20,000 prisoners of conscience were arrested and sentenced without trial, to prison, to labor camps, and to years of torture.

Prisoners of conscience tell us that one of the most extricating painful forms of torture occurs when the perpetrators of their torture tell them that no one even knows about them, cares about them, or cares about the cause for which they are in prison.

The purpose of our legislation, which has strong bipartisan support in the House, I am pleased to cosponsor the legislation with my colleague whom I respect so much, the gentleman from Virginia (Mr. WOLF), has strong bipartisan support in the House and in the United States Senate. The purpose of this legislation is to tell the prisoners and their torturers and the Chinese regime and the world that the American people remember.

We remember the brave students who modeled their Goddess of Democracy after our own Statue of Liberty. We remember how the brave students echoed the words of our Founding Fathers in their courageous appeals to the regime. We remember the regime's responding with guns and tanks to crush the peaceful demonstrations. We remember today the many political prisoners who still languish these 10 years later in Chinese prisons.

Our legislation parallels the petition being circulated by the Tiananmen leader Wang Dan and the global campaign for the anniversary of June 4. The petition calls on the Chinese Government to reverse the verdict of Tiananmen Square, to free the prisoners, to allow them and all Chinese to speak freely, and to allow for the return of the Chinese exiles.

The petition has been endorsed by Human Rights Watch, Amnesty International, and International Pen, to name a few organizations.

On the day we introduced our Tiananmen resolution, the Chinese Government arrested dissidents for planning to distribute leaflets seeking redress for the massacre. The location of these pro-democratic activists is still unknown. That same day, a member of the banned China Democratic Party was beaten and stripped of his clothes by the police for merely speaking about democracy in a public park.

At the same time, the regime, speaking through a signed editorial in the People's Daily, the official Chinese newspaper, claimed that overseas dissidents, exiles, and escapees are ''crowing'' at the ''murder'' of their compatriots who died in the NATO bombing of the Chinese Embassy in Belgrade.

What a pathetic commentary on the Beijing regime, that it feels threatened by dissidents in China and abroad!

□ 1200

The regime has the power of their military and security forces at home and they have their economic partners abroad and supporters, including the U.S. Government, bowing to their every whim, and yet they are still frightened.

And speaking of the U.S. Government, while we have bowed to their every whim, sad to say, the Chinese have not returned any friendship to the Clinton administration.

As the gentleman from California (Mr. LANTOS) pointed out, when the stupid mistake of bombing the embassy occurred, the President apologized and apologized and apologized and apologized, but his friends in the regime whom he visited and gave great face to last year, would not even let the Chinese people know that the President had apologized. And they participated in the orchestration of rocks being thrown at our embassy for 3 days, one of our consulates being set on fire, and the ambassador, in his own words, being a hostage in the embassy. This, after we have, as a government, catered to their every whim.

And I might say that the President's apology was exceptional, because we usually do not apologize when we do not do something intentional. This was a mistake; it was not intentional.

It might be of interest to our colleagues to know that when 20 Europeans were killed in a ski lift accident, which occurred in Italy, the United States of America expressed regret. And when we had the problem in Iran, when we mistakenly killed Iranian civilians, President Reagan expressed regret. So an apology is an intensified response to this accidental and mistaken bombing. The Chinese Government would not even accept what the President of the United States was stooping to in this case.

I certainly think the Chinese people deserve to be apologized to or have our regrets extended to them. We should make reparations, we should investigate how the bombing took place, but we should not extend any favors to them on the economic front like premature entry into the WTO unless under commercially viable terms, and we should not ignore their continued violations of human rights in China.

Our President went to China last year. He went to the extreme step of leading the People's Liberation Army band with a baton. He gave face to the regime and came back with a message that this was going to help improve democratic freedoms in China. It has not. It has not.

On the heels of the President's visit, people who supported the China Democracy Party felt emboldened, spoke out, and they are now in prison.

I know I have taken a great deal of time, but with the Chairman's indulgence, I would like to read some of the

names of the people still in prison right now. Xu Wenli, for example, a leader of the China Democracy Party was arrested immediately upon speaking out. In addition we are remembering about people who are still in prison 10 years later for their activities at the time of the 1989 Tiananmen Square massacre. Cao Yingyuan, Chang Jingqiang, Chang Yongjie, Chen Dongxiang, Chen Qiulong, Chen Yanbin. And it is a long, long, long list, Mr. Speaker, and I am going to submit it for the RECORD. It is a list compiled by Human Rights in China, an organization dedicated to freeing the prisoners arrested at that time.

HUMAN RIGHTS IN CHINA

BEIJING CITIZENS STILL IN PRISON IN CONNECTION WITH 1989 JUNE FOURTH CRACKDOWN

Ten years after the Beijing Massacre and subsequent crackdown, hundreds remain in prison for their role in the 1989 protests. The list below contains the names of 144 individuals from Beijing alone who are serving lengthy prison sentences for their participation in the 1989 democracy movement.

This information was primarily compiled by Li Hai, 44, a former Beijing student who was arrested in 1995 for making the list public. He was subsequently sentenced to a nine-year prison term for ''prying into and gathering'' ''state secrets.''

The individuals listed below include a wide variety of Beijing residents—from peasants, security guards and factory workers to engineers and cadres in the State Planning Commission. At the time of their arrest, they ranged in age from 17 to 71. In the official propaganda, these demonstrators were called ''rioters,'' and were charged with ''arson,'' ''hooliganism,'' ''disturbing social order,'' and other criminal offenses. For the most part they are people who were seen on television screens around the world in May 1989, marching in the streets, blocking the path of the troops entering the city with improvised barricades, running through the streets on the night of June 3–4, and throwing rocks and paving stones at tanks and armed personnel carriers. Many are thought to have been detained merely because they were out on the streets. In general, these people were brought to trial more quickly and received more severe sentences than did the prominent students and intellectuals who were arrested. The average sentence of those not given life terms is approximately thirteen years.

Li Hai, the persons on this list, and the many other ''namesless'' individuals jailed throughout China in connection with the 1989 crackdown might not be as internationally well-known as some dissidents, but their lives and liberty are equally significant.

Human Rights in China submits the following list to President Clinton for presentation to Prime Minister Zhu Rongji during his visit.

Human Rights in China urges the Chinese government to demonstrate its commitment to making genuine improvements in the human rights situation by releasing all of the prisoners on this list, as well as the thousands of other political and religious detainees throughout China.

LIST OF BEIJING CITIZENS STILL IN PRISON IN CONNECTION WITH 1989 TIANANMEN SQUARE CRACKDOWN

Beijing No. 2 Prison: Name, Age—Sentence, Charge (see key below for charge name).

Cao Yingyuan, 40—10 years, #6; Chang Jingqiang—25, Life, #4, 5; Chang Yongjie, 31—Susp. death #4, 6, 9; Chen Dongxiang, 57—14 years #3; Chen Qiulong, 38—13 years, #3; Chen Yanbin, 23—15 years, #7; Liang Zhaohui, 26, worker—13 years, #4; Liang Zhenyun, 32, auto-mechanic—12 years, #11; Liang Zhixiang, 25, worker—10.5 years, #4; Liu Changqing, 34—15 years, #4; Liu Chunlong, 26—12 years, #4; Liu Huaidong, 31, cadre—13 years, #10; Liu Jianwen, 29, worker—20 years, #11, #10; Liu Kunlun, 43, cadre—13 years, #4; Liu Quann, 44—15 years, #4, #13; Liu Xu, 28, worker—15 years, #4; Liu Zhenting, 36, worker in Beijing No. 2 auto plant—17 years, #9; Lu Xiaojun, 36, worker—13 years, #9, #10; Ma Guochun, 35—11 years, #9, #10.

Ma Lianxi, 44—15 years, #11; Ma Shimin, 26—11 years, #4; Meng Fanjun, 29, worker—13 years, #11; Mi Yuping, 39, worker—13 years, #4; Niu Shuliang, 26, worker—12 years, #4; Niu Zhanping, 43, worker—12 years, #4, #12; Peng Xingguo, 41—15 years, #4; Qiao Hongqi, 38, worker—12 years, #11; Shan Hui, 28, worker—14 years, #9; Shi Xuezhi, 58—Life, #4; Song Shihui, 24, worker—11 years, #9, #10; Su Gang, 28, teacher—15 years, #4; Sun Chuanheng, 28—Life, reduced to 20 years, #2; Sun Hong, 27, worker—Susp. death, #4; Sun Yancai, 32—Life, #9; Sun Yanru, 27—13 years, #9; Sun Zhengang, 33, worker—14 years, #4; Wang Jian, 30, worker—13 years, #9; Wang Lianhui, 31—Life, #9; Wang Lianxi, 43, worker—Life, #4; Wang Xian, 30, worker—Life, #4.

Wang Yonglu, 30, worker—11 years, #11; Wang Yueming, 32—13 years, #4; Wang Chunmo, 34—11 years, #9; Wang Dongming, 37, worker—13 years, #4; Wu Ruijiang, 28, cadre—13 years, #9, #10; Xi Haoliang, 27, worker—Susp. death, #4, #5; Xu Ning, 26, worker—12 years (reduced by 2 years), #4; Yan Jianxin, 30, worker—11 years, #9, #10; Yang Guanghui, 25—12 years, #4; Yang Jianhua, 38, worker—14 years, #9, #12; Yang Pu, 34—Susp. death, #4; Yang Yupu, 33—15 years, #4; Yu Wen, 29, worker—12 years, #10; Zhang Baojun, 27—13 years, #4, #9; Zhang Baoku, 29, worker—12 years, #4; Zhang Baoqun, 32—Life, #4; Zhang Fukun, 39—Life, #4; Zhang Guodong, 27—Life, #4; Zhang Kun, 28, worker—11 years, #4; Zhang Maosheng, 30—Susp. death, #4; Zhang Qijie, 32, worker—Susp. death, #9, #10, concealing a weapon; Zhang Qun, 27, worker—Life, #4.

#7—Organizing a counterrevolutionary group

#8—Conspiring to subvert the government

Common criminal charges: #9—Robbery; #10—Hooliganism; #11—Stealing or seizing gun or ammunition; #12—Disturbing social order; #13—Disrupting traffic.

Notes: (1) Some of the ages of prisoners in Qinghe Farm No. 3 Branch are age at date of arrest; (2) Sentences marked with an asterisk * could have been subject to reduction or supplementation; (3) ''Susp. death'' means a death sentence with a two-year reprieve. This means that if the prisoner has behaved well during the two-year period, the sentence is normally commuted to life.

I want to call the attention of my colleagues to the Global Petition Campaign for the 10th anniversary of the June 4th massacre. It is an open letter to the Government of the People's Republic of China calling upon the regime to reverse the verdict of Tiananmen Square. So we are associating ourselves in the Congress today with the aspirations of those brave people, including Wang Dan who was imprisoned for his political beliefs and his participation at the time of Tiananmen and after; and we are also associating ourselves with those many people who are still imprisoned.

Free the prisoners. It is 10 years later. What do you have to be afraid of?

And then in closing, Mr. Speaker, I want to say that were it not for this Congress, we really would not be having much to talk about today. But year in and year out we keep this on the front burner. There is no story written about China that doesn't talk about the disagreement we have between at least the Congress of the United States and the Chinese regime about promoting democratic freedoms.

We do not in this body subscribe to the principle of trickle-down liberty. We subscribe to what our Founding Fathers established this country on. Those words of our Founding Fathers were echoed by the young people in Tiananmen Square. For that, they were crushed by tanks, and for that, they will be remembered by us in this resolution remembering Tiananmen.

Mr. Speaker, I yield back the balance of my time and I thank the gentleman for his indulgence in affording me the opportunity to speak at this length on the floor.

Mr. Speaker, I include for the RECORD the material I referred to above.

I want to call to the attention of my colleagues the Chinese activists detained in recent crackdown around June 4.

Yang Tao—Detained May 5, 1999; Present situation unknown. Mr. Yang, 29, is a former student leader of the 1989 Democracy Movement. In 1989, Yang was listed as #11 on the central governments most wanted list of 21 leaders of the democracy demonstrations. Now based in Guangzhou city, Guangdong Province, Yang previously served a one-year sentence for ''instigating a counter-revolutionary rebellion'' for his 1989 activities. Human rights monitors in Hong Kong reported Yang had been formally arrested on May 24 and faces criminal prosecution for his recent activism.

Jiang Qisheng—Detained May 19, 1999; Present situation unknown. Mr. Jiang, 51, is a former graduate student leader of the 1989 Democracy Movement. Jiang was elected by People's University classmates as a representative on the ''Dialogue Delegation'' that conveyed student communications with central government representatives in May 1989. He served a 17-month sentence for his 1989 activities. Since his release, Jiang worked closely with Prof. Ding Zilin, the mother of one of the demonstrators killed on June 4, 1989, and participated in numerous petition campaigns.

Liu Xianli—Sentenced to four years for inciting to overthrow state power on May 9, 1999. Mr. Liu was arrested in March 1998 while putting together a book of interviews with many Chinese democracy and human rights movement. His secret trial was held in November 1998, but his sentence was only recently released to his family.

The following are the names of the Chinese worker prisoners still imprisoned for 1989 democracy activities.

Yu Zhijian—life sentence for counter-revolutionary sabotage. Yu Zhijian, 31, is a former primary-school teacher from Hunan Province. Yu gave speeches in Hunan during the early spring in support of the 1989 democratic movement. He traveled to Beijing in May 1989 to join the demonstrations there. On May 23, Yu and two friends threw ink- and paint-filled

eggs at the portrait of Mao Zedong in Tiananmen Square. Yu was sentenced to life in prison in August 1989. According to a 1996 Human Rights Watch report, he was believed to be serving in solitary confinement at the Lingling Prison in Hunan Province.

Yu Dongyue—20 years for counter-revolutionary sabotage. Yu Dongyue is a former fine arts editor of the Liuyang News, a city paper of Liuyang city, Hunan Province. He traveled to Beijing in May 1989 to join the demonstrations there. On May 23, Yu and two friends threw ink- and paint-filled eggs at the portrait of Mao Zedong in Tiananmen Square. Yu was sentenced to twenty years imprisonment in August 1989. He reportedly served at least two years in solitary confinement. He is said to be serving in Hunan Province Yuanjiang No. 1 Prison. Recent news articles report Yu ''was suffering severe mental illness.''

Lu Decheng—16 years for counter-revolutionary sabotage. Lu Decheng is a former worker at the Liuyang (Hunan Province) Public Motors Company. He traveled to Beijing in May 1989 to join the demonstrations there. On May 23, Lu and two friends threw ink- and paint-filled eggs at the portrait of Mao Zedong in Tiananmen Square. Yu was scentenced so sixteen years imprsonment in August 1989. He reportedly served at least two years in solitary confinement. He is said to have been moved from his original prison in 1992, but no updated informaiton is available.

Chen Zhixiang—10 years for counter-revolutionary propaganda and incitement. Chen Zhixiang, 33, is a former instructor at the Guangzhou (Guangdong Province) Maritime Transport Academy. Chen was involved in the Guangzhou city-wide 1989 democratic protest and arrested in late 1989. He was convicted of ''counter-revolutionary propaganda and incitement'' in January 1990 and received a ten year sentenced. He is reportedly held in the Shaoguan Laogai Detachment in Guangdong Province.

Li Wei—13 years for taking part in a counterrevolutionary group. Li, a worker at the Changchun (Jilin Province) No. 1 Motor Works, joined a 'workers' forum' in 1987 and 1988. In Spring 1989, he joined a number of marches led by workers at the Changchun No. 1 Motor Works in support of the democratic movement. Li was detained in June 1989 and convicted of actively taking part in a counterrevolutionary group'' in November 1990. He was sentenced to 13 years imprisonment. Chinese authorities confirmed Li's sentence to the US government in November 1991. He is reportedly being held in the Liaoning Province Lingyuan No. 2 Laogai Detachment.

Wang Changhuai—13 years for subversion. Wang was the Chairman of the Hunan Workers Autonomous Federation prior to the crackdown on the democratic protests of Spring 1989. Formerly a worker at the Changsha Au tomobile Engine Factory, Wang turned himself in to authorities in late June 1989. Wang was sentenced to 13 years improsonment for 'subversion'. He is reportedly being held in Hunan Province Yuanjiang No. 1 Prison.

Mr. SMITH of New Jersey. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Virginia (Mr. WOLF), who has been indefatigable in his attempts to promote human rights not just in China but around the world.

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

Mr. WOLF. Mr. Speaker, I rise in strong support of H. Res. 178, a resolution concerning the massacre at Tiananmen Square on June 3 and June 4 of 1989. Next week marks the 10th anniversary of that historic tragic event, and so the Chinese Government ought to know we are not going to forget about it. But more importantly, we want the men and women who are still in jail to know.

And I thank the gentleman from New Jersey (Mr. SMITH). He and I visited Beijing Prison Number One, where we saw 40 Tiananmen Square prisoners working on socks to export to the United States.

Also, by us doing this and the Congress voting this way, it sends a message the same way we did to Sharansky. When Sharansky was in Perm Camp 35, he told us he knew every time the United States Congress spoke out on behalf of him and other Soviet dissidents. It encouraged them and emboldened them and let them know that the West cared and was going to stand with them no matter what.

So it has been a decade since the crackdown, but we are not going to forget.

Also, Mr. Speaker, it is important to know that the persecution of the church and the persecution in Tibet still continues unabated in China. They have Catholic priests in jail, Catholic bishops in jail; they have plundered Tibet, they are persecuting the Buddhist monks, they are persecuting the Muslims in the northwest portion of the country. So in addition to commemorating the 10th anniversary, to letting the Tiananmen Square demonstrators know we stand in solidarity, it also sends a message that this government has not changed.

I am convinced that the Chinese Government cannot last much longer. I am convinced they will go the way of the Ceausescu administration. In fact, they must have found Ceausescu's playbook because everything Ceausescu did against the church they are doing against the church. Everything Ceausescu did against the demonstrators in Tiananmen Square in Bucharest, they are doing.

And so this government and all of us here, all of us in this body, will live to see the day that they fall. And one day in China, in the not too distant future, the good people of China, and they are good people, will be free, able to choose their leaders in democracy and free elections and they will free the press and have freedom of worship.

Until then, we applaud all those fighting inside China to keep the struggle for human rights and democracy alive. We call on the Chinese Government to show its respect for human rights by releasing all of the prisoners of conscience. If we were to wake up tomorrow or in celebration of the anniversary and were to see they were to release all of the prisoners of conscience, that may make a big difference in this country. But until they do that, we will remember.

Lastly, for the administration and Members of Congress on both sides of the aisle to talk about giving this country Most Favored Nation trading status is absolutely crazy. And after the Cox report, released today, if we have a vote on MFN, it ought to go down overwhelmingly. And, quite frankly, the administration ought not even send anything up.

But more importantly, back to the brave young men and women and their families, we will remember and stand with them in solidarity and will celebrate in victory in Tiananmen Square when freedom comes to China.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to associate myself strongly with the remarks of all the previous speakers, the gentleman from Virginia (Mr. WOLF), the gentleman from California (Mr. LANTOS), the gentleman from New York (Mr. GILMAN), and the gentlewoman from California (Ms. PELOSI). And I want to thank the gentlewoman for her leadership in drafting this legislation. I am very proud to be a cosponsor of it.

Mr. Speaker, I urge a ''yes'' vote on H. Res. 178, which many of us want to see passed unanimously today. Ten years ago, Mr. Speaker, the ground at Tiananmen Square was hallowed by the blood of thousands of peaceful democracy advocates. Those Chinese patriots were slaughtered by a Communist regime that remains defiantly unapologetic for its actions and that continues to deny the very truth of what happened.

I was gravely disappointed last year when the President of the United States and our country, which more than any other in the world ought to bear the standard of freedom and democracy and do so very, very diligently, met at that very site with the dictators who continued to lie about the murders committed less than a decade ago. In December of 1996, Mr. Speaker, General Chi Haotian, the Defense Minister of the People's Republic of China and the operational commander of the forces that attacked the pro-democracy demonstrators, we call him the ''Butcher of Beijing,'' was invited to the United States by the Clinton administration.

During his visit he was given full military honors, a 19-gun salute, visits to several military bases and a tour of Sandia Nuclear Laboratory. And I would just say parenthetically, the Cox report suggests that that visit probably was not needed. He even had a personal meeting, Mr. Speaker, with the President of the United States at the White House.

He also stated in what he called a responsible and serious manner, and I quote this, ''Not a single person lost

his life in Tiananmen Square.'' He claimed that on June 4th, 1989, the People's Liberation Army did nothing more violent than pushing. General Chi Haotian said the only thing they did in Tiananmen Square was push people that he called hooligans. General Chi's remarkable ''big lie'' statement about Tiananmen Square helped the American people and the world to understand what he and his government are really like.

Mr. Speaker, my Subcommittee on International Operations and Human Rights of the Committee on International Relations has had more than a dozen hearings on China and its repressive human rights regime, and during one of those, when we heard those outrageous remarks, we very quickly put together a hearing with people who were there on the ground—students—and we also had a man that was a journalist from the People's Daily, who was actually arrested for his honest reporting as to what had occurred, a Time magazine correspondent, and, like I said, some of the students. But we also invited General Chi.

The gentleman from California (Mr. LANTOS) and I, then the ranking member, wanted to give the Chinese an opportunity to give an account for Tiananmen Square. The General was mouthing off to audiences here in the United States that nobody died. We offered that he come without delay before the people's body and give an account, because we happened to have evidence that would prove contrary. General Chi didn't make it. He didn't show up.

We offered it to a representative of his government and we also invited Ambassador Lee for a roundtable discussion, and at the very last minute, he opted out. C–SPAN, everybody was there to cover it and there was another empty chair because they do not want to be held accountable for the atrocities.

Perhaps General Chi, perhaps the ambassador, perhaps any representative of the government could tell us that there are no persecuted Christians in China. Perhaps they could tell us there is no ethnic and religious persecution in Tibet or Xinjiang. Perhaps they could tell us there is no forced abortions or forced sterilization, no dying rooms for unwanted children, usually baby girls and usually handicapped children.

They also perhaps could tell us there is no political suppression or dissent and no torture. Of course, we would know that is a lie, but it is about time we held them to account.

At one of our hearings recently, Mr. Speaker, Amnesty International issued a report card and on every one of the items they came to the conclusion that there was a total failure by the dictatorship. For example, release of all Tiananmen Square prisoners and other prisoners of conscience. Amnesty's response, total failure. Not one Tiananmen Square prisoner has been released since President Clinton's visit. Review all counterrevolutionary prison terms, about 2,000 of them; total failure. Not one counterrevolutionary prison sentence has been reviewed.

There has been no indication by Chinese authorities that they will undertake a systematic review of such cases; according to Amnesty. Allow religious freedom; continued strong repression, says Amnesty.

□ 1215

There has been no indication of improvement since the President's visit. On the gross violation of coercive family planning and the harvesting of organs, again, Amnesty International reports no progress whatsoever. Those are crimes against humanity.

The information concerning the practice of coercive population control is ''unequivocal''. And the Chinese authorities have announced no steps to stop it.

Review of the system and reeducation through labor; total failure says Amnesty. Chinese authorities have made no changes in the system, nor have they announced any plans to do so.

End police and prison brutality. Amnesty reports total failure in these two areas as well. Chinese authorities continue to use torture and beatings.

Mr. Speaker, as I indicated, General Chi did not respond to our invitation. Nor has the ambassador. And we reissue it again to them. Come and speak before the House, through our subcommittee or any other forum, because we think that there is much to be held accountable for.

What really happened on Tiananmen Square? I think Ms. PELOSI put it so well. There were people there on the ground who reported. Let us not forget the very images we saw. It was captured on videotape. And yet, they still lie right through their teeth.

Nicholas Kristoff of the New York Times, who was in the Square on that night, reports, and this is his reporting, ''The troops began shooting. Some people fell to the ground wounded or dead. Each time the soldiers fired again and more people fell to the ground.''

When he went to the Xiehe Hospital, the nearest to the Square, ''It was a bloody mess with hundreds of injured lying on the floors. I saw bullet holes in the ambulances.''

Jan Wong of The Toronto Globe and Mail, looking down from a balcony in Beijing, ''watched in horror as the army shot directly into the crowds. People fell with gaping wounds.''

Later she reported, ''The soldiers strafed ambulances and shot medical workers trying to rescue the wounded.'' ''In all,'' she reported, ''I recorded eight long murderous volleys. Dozens died before my eyes.''

General Chi said this was just pushing. What an outrageous big lie, reminiscent of what the Nazis did during their terrible reign of terror.

This is what Tiananmen Square means to the people of China, Mr. Speaker, and to the world. We should mark the tenth anniversary of that tragedy by remembering those who lost their lives in Tiananmen Square and by publicly committing ourselves to the cause for which they died, freedom for the people of China.

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

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume. The Congress is always at its best when we speak with a bipartisan voice. There is no issue on which we speak with a stronger, clearer, more articulate bipartisan voice than the issue of human rights violations in China and in Tibet.

All of my colleagues who have spoken and all who will vote for this resolution express our determination that we shall not rest until China becomes a free and open and democratic society. The Chinese people deserve no less, one of the most talented people with an incredible record in science, literature, music, art, in every aspect of human endeavor, who are suffering under the yoke of an unspeakable totalitarian communistic dictatorship. The day of the Chinese people will come.

I call on all my colleagues to vote for this resolution.

Mr. BEREUTER. Mr. Speaker, following the death of Mao and the end of the chaotic Cultural Revolution in 1976, China embarked down the path of significant economic and political reform, comparatively speaking. With Deng Xiaoping's Reform and Opening Policy, trade and foreign investment expanded and rigid communist economic policies were relaxed. As a result, the Chinese people were exposed to new standards of living, access to information and commercial freedoms never before realized. These progressive economic reforms stimulated the desire for increased political freedom and democratization, especially among students in China.

Unfortunately, while the Chinese Communist Party leadership acknowledged that economic reform was necessary and encouraged it, these leaders fearfully viewed even modest political liberalization as a serious threat to the Communist Party's monopoly on power. Thus, when Chinese students peacefully demonstrated for democratic change, hard-line Communist leaders responded with tanks, bullets and mass arrests. The most visible and brutal incidents occurred on June 3rd and 4th in Tiananmen Square. Many people were killed by the People's Liberation Army and other security forces. A great many more were wounded. It is reported at over 20,000 people nationwide suspected of taking part in the democracy movement were arrested and sentenced without trial to prison or labor camps. Hundreds of these individuals remain incarcerated today.

As the Chairman of the House International Relations Subcommittee on Asia and the Pacific, this Member follows developments in China as closely as possible and believes that it is certainly in America's national security interests to integrate China into the international community. Yet, it is clear that Sino-American relations are complex and comprehensive, and have become increasingly problematic. Our concerns continue to multiply in scope and seriousness: espionage, illegal campaign contributions, weapons proliferation, abortion,

Tibet, Taiwan, unfair trade and human rights. Each of these issues needs to be addressed by the appropriate means in the appropriate fora.

In some cases we will find ourselves in concert with the views or policies of China. For example, we have a shared interest in supporting a sustainable recovery from the Asian financial crisis. In other matters, such as to what constitutes a respect and proper actions on matters relating to human rights, we strongly disagree. Responsible engagement does not equate to appeasement. It is a comprehensive approach focusing on both areas of agreement and disagreement.

Freedom and democracy are the very foundation of the United States and are principles the American people cherish. Americans were outraged watching Chinese students whose only apparent crime was asking for more political freedom being crushed by PLA tanks and shot in the back as they tried to flee Tiananmen Square. Our consciences will not allow us to quietly ignore this tragic misconduct of a government towards its people. While Tiananmen Square may have been cleared of protesters ten years ago, the aftermath of that violence remains.

Over the past decade since the tragic incident in Tiananmen Square, the human rights situation in China gradually began to improve, relatively speaking. Unfortunately, that encouraging progress was reversed six months ago when hundreds of prodemocracy activists, journalists, labor union leaders, religious believers, and others labeled by the Communist Party as dissidents began to be exiled, imprisoned or harassed.

Therefore, as part of our policy of responsible engagement, this Member supports H. Res. 178, the resolution before the House concerning the tenth anniversary of the Tiananmen Square massacre of June 4, 1989, in the People's Republic of China. This is an appropriate and measured way to send a message to the Communist leadership in Beijing and to the Chinese people at large that Americans are understandably and as a matter of principle and conscience very much concerned about human rights and democratic reform in China.

If China is to be integrated and welcomed into the international community as a responsible member and positive force, China ultimately must respect the rule of law. H. Res. 178 serves as a strong reminder that, in the opinion of the House of Representatives, very significant actions still need to be taken by Beijing to achieve that standard.

Mr. Speaker, with the 10th anniversary of the Tiananmen Square massacre just a week away, this Member urges his colleagues to join him in supporting H. Res. 178.

Mr. PORTER. Mr. Speaker, I rise today to commemorate a group of courageous individuals and their commitment to freedom and democracy—the thousands of Chinese students and activists who took part in the Tiananmen Square demonstration in May and June of 1989.

I want to thank the chairman of the Congressional Working Group on China, the gentleman from Virginia (Mr. WOLF) and the gentle lady from California (Ms. PELOSI) for bringing this resolution to the floor of the House so quickly and in such a timely fashion.

Days after the June 4th massacre, the Congressional Human Rights Caucus, held a briefing on this event. The pictures we saw, and the stories we heard are some of the most disturbing pictures of brutality and barbarity I have ever been exposed to.

And yet, ten years later the perpetrators of this massacre have not been brought to justice. Hundreds of people are still held in prison for their involvement. Thousands more have been jailed since for similar reasons. Far too much time has passed for these cries of democracy to go unheard.

The Chinese leadership remains unapologetic about the events of June 4, 1989, they continue to vilify, imprison and exile these and other brave democracy activists. As recently as the beginning of this month, Yang Tao, a student leader of Tiananmen Square, was picked up from his house and arrested for calling on the government to ''re-evaluate'' its position on the events of June 1989. Other leaders have been put under house arrest for calling on the government to apologize for the murders and compensate the victims' families. Radio Free Asia reports in the days following the bombing of the Chinese Embassy, over half of the callers to their talk show were critical of the Chinese Government.

The time has come for the Chinese government to take a close look at what happened ten years ago and to apologize to its people. The government cannot continue its harassment and imprisonment of its citizens who exercise their rights of freedom of speech, expression and religion. The hope and desire for democracy is still alive. We must do all we can to support it. I stand in strong support of H. Res. 178.

Mr. GEPHARDT. Mr. Speaker, today, I honor the hundreds, if not thousands of Chinese students that were brutally slain on June 4, 1989, by the Communist Chinese authorities. On that fateful day ten years ago, the best and brighest of a generation perished needlessly and the lives of countless Chinese families were disrupted forever.

I commend my colleague NANCY PELOSI for her continuing leadership on China issues and for introducing H. Res. 178, to commemorate the Tenth Anniversary of the Tiananmen Square massacre. Her efforts insure that the U.S. House of Representatives and the American people will never forget.

To all the activists in China fighting today for the freedom of their country, I vow never to forget Tiananmen Square. I remind you that your allies across the globe continue to fight for your universal cause; to attain freedom, democracy and human rights for the Chinese people.

The Chinese leaders say that they want to bring China into the modern world economy. I say to the Chinese leaders, you can't have capitalism without democracy and human rights. Capitalism and democracy go hand in hand, you can't have one without the other.

The democratic rights advocated by these slain students ten years ago are universal, not uniquely western values as the Chinese leadership would have us believe. Indeed the blooming of full democracy in Taiwan, Korea, South Africa, Eastern Europe, Russia and many other countries since 1989 proves the universality of democracy and human rights.

Ultimately, the values of the Universal Declaration of Human Rights will prevail. As that document states, ''All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.'' Until that day I will join NANCY PELOSI, many of my colleagues here in the House, and countless others around the world in fighting for this just cause.

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

Mr. SMITH of New Jersey. Mr. Speaker, I too yield back the balance of my time, and I urge a ''yes'' vote on the resolution.

The SPEAKER pro tempore (Mr. SUNUNU). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the resolution, H. Res. 178.

The question was taken.

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

The yeas and nays were ordered.

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

JENNIFER'S LAW

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

Mr. LAZIO. Mr. Speaker, I just wanted to announce, this being National Missing Children's Day, that an important piece of legislation which will be known as Jennifer's Law, an effort to ensure that States have the resources to create a database including DNA and fingerprints and other important information through identified persons, that will be matched with a missing persons list that is created through a database throughout our Nation, that that important legislation will be on the floor, will be available for suspension vote right after we return from the Memorial Day recess.

I speak on behalf of the gentleman from Texas (Mr. ARMEY), the majority leader, as the assistant majority leader today; and I speak on behalf of a young lady from my district, 21-year-old Jennifer, who in 1993 moved from her parents' suburban home in New York to California.

She was in pursuit of her dream. Her mom was lonely for her and sent her a ticket to come home, but she never picked up that ticket. She was never seen again. And this is for Jennifer and for the many tens of thousands of families that need to bring closure and peace of mind. This important bill, Jennifer's Law, will help States and the Federal Government partner together to do just that.

So I just wanted to announce to the House that that will be introduced today, will be available, and will be brought to the floor of this House as soon as we return from the Memorial Day recess.

PROVIDING FOR CONSIDERATION OF H.R. 1906, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 185 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 185

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. 1906) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2000, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII or section 306 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. DIAZ-BALART. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

House Resolution 185 is an open rule, providing for the consideration of H.R. 1906, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill for Fiscal Year 2000.

The rule waives clause 4(a) of rule 13, requiring a 3-day layover of the committee report, and Section 306 of the Congressional Budget Act, prohibiting consideration of legislation within the Committee on the Budget's jurisdiction, unless reported by the Committee on the Budget, against consideration of the bill. Further, the rule waives clause 2 of rule XXI, prohibiting unauthorized and legislative provisions in an appropriations bill, against provisions in the bill.

As has become standard practice since the 104th Congress, Mr. Speaker, the rule provides Members who have preprinted their amendments in the RECORD prior to their consideration priority in recognition to offer their amendments.

The Chairman of the Committee of the Whole may postpone votes during consideration of the bill and reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote.

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

I would like to urge my colleagues to support this open rule on our first appropriations measure to come to the floor in the 106th Congress, Agriculture Appropriations.

I commend the subcommittee chairman, the gentleman from New Mexico (Mr. SKEEN), and the ranking member, the gentlewoman from Ohio (Ms. Kaptur), for their hard work in producing this year's bill, which provides significant assistance for agriculture. I know that spending levels are extremely tight, and I believe they did a good job of working within their limits.

The Agriculture Appropriations bill funds programs that help benefit each of us every single day. From improving nutrition to helping ensure safe and nutritious food to put on America's tables, the funds in this bill make it possible for less than 2 percent of the American population to provide food that is safe, nutritious, and affordable for all 272 million people in the United States of America, as well as others throughout the world.

I have consistently been an admirer and supporter of American agriculture, and I commend the hard work and efficiency of the American farmer. I am pleased to support both this open rule providing the means to bring forth this legislation today and the underlying bill. I urge my colleagues to support this rule.

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

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

Mr. Speaker, I want to thank the gentleman from Florida (Mr. DIAZ-BALART) for yielding me the time.

This is an open rule on the Agriculture Appropriations bill. As my colleague has described, this rule provides for one hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule permits amendments under the 5-minute rule, which is the normal amending process in the House. Members on both sides of the aisle will have the opportunity to offer amendments which are germane and which follow the rules for appropriations bills.

The Agriculture Appropriations bill is one of the most important measures that we consider. It funds programs that feed hungry people in the United States and around the world. It supports the American farmers, who are so important to the U.S. economy.

This bill represents a compromise. I wish that some of the funding levels could be higher. However, I recognize that appropriators were working under restraints and they faced many difficult decisions. Overall, this is a worthwhile bill.

I appreciate the efforts of the Appropriations subcommittee chairman, the gentleman from New Mexico (Mr. SKEEN), and especially the gentlewoman from Ohio (Ms. KAPTUR), ranking minority member, in crafting the bill. They did a good job. They had to work under difficult constraints, but they did a very, very good job and funded some very important programs.

The committee restored $50 million cut by the administration for Title 2 of the P.L. 480 ''Food for Peace'' program. This program donates crops grown by American farmers to hungry people in impoverished and war-torn countries. This is the cornerstone of America's humanitarian assistance around the world.

The bill provides $4 billion for the WIC program, which provides nutrition to women, infants, and children. This is $81 million more than the current level of funding but $100 million less than the administration's request. According to the Center on Budget and Policy Priorities, this level is not adequate to maintain the current participation level of 7.4 million recipients.

Mr. Speaker, I note that once again the Committee on Rules has been forced to waive the 3-day layover for committee reports. This rule guarantees that all Members have at least 3 days to examine a bill before the committee files a report with the House. By waiving this rule, the House risks that some Members will not have enough time to study a bill before it is considered on the House floor.

This is the 13th time this year the Committee on Rules had to waive this rule. But it is an important bill and we need to act quickly, so I will support the rule and the bill. I think it is vital, important, and we need it.

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

Mr. DIAZ-BALART. Mr. Speaker, I yield 7 minutes to the gentleman from Oklahoma (Mr. COBURN).

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

□ 1230

Mr. COBURN. Mr. Speaker, I come to the floor today to talk about where we

are going in this country. This rule is symptomatic of the problem that we face. There are two Members of the House who honestly agreed that we would not be able to live within the 1997 budget agreement with the President. Those two Members voted for a budget that would actually spend Social Security money. Everybody else that is a Member of this House voted for one budget or another that would preserve 100 percent of the Social Security surplus this year. This bill is the first among many bills that will do exactly the opposite of that. The Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies states that this bill is a cut. That is an untruthful statement. This bill actually increases spending around $250 million. That money will come from the Social Security surplus.

There will be those today in the debate on this bill that will deny that. They will say there is no way you can know that this money will be coming from Social Security because we have not considered the other bills. To me that is intellectually dishonest, because we realize that this is the first bill of 13 appropriations bills under which we will consider over the next several months. We have said with the budget that passed this House that we would preserve 100 percent of the Social Security surplus. My question to my colleagues is if we really do not intend to do that, it is time for us to be very, very honest with the American people. I put my colleagues on notice that I will vote for no appropriations bill and no rule that is intended to spend the first penny of Social Security surplus. The issue really is not Social Security. The issue really is are we going to regenerate faith of the American people in this body? We cannot in good conscience for our country, for our children and for our grandchildren do anything but be fully honest about what our intentions are.

On my side of the aisle, there is a great debate on how best to accomplish this. We are faced with an ag appropriations bill because of process time. We must get a bill to the floor. We must start passing appropriations bills. Consequently, we are going to put forth a bill today and a rule. There is no question in my mind it will pass. There is no question in my mind that this bill also will probably pass. But if it does in its present form, $250 million above last year, then what we are saying to the American people is we do not really mean what we say when we passed both a Democrat budget, which did not pass but when we voted on it, or the Republican budget which did pass and we voted on, that we really do not mean what we say about protecting Social Security money. That lies at the heart of the problems of our body. For America to thrive, for America to turn around from the tragedies that are facing us today, the same principles have to be beheld in this body, and that is a principle of truth.

If in fact this body intends to protect Social Security, if it intends to do that, if we are true with our votes about what we meant on the various budgets, then there is no way this rule should pass and there is no way if this rule passes that this bill should pass.

I come from an agricultural district. My district is farmers. It is rural. Everything in my district has lots to do with the appropriations coming from the Agricultural Department. But we can do better. We must do better. Because it is not about spending Social Security money. It is not about being true to our word. It is about the foundational structure of our country and whether or not we are going to operate on the principles that we want our children to have, that we are going to reinforce the positive aspects of honor, of commitment to your word. Are we going to set an example for our children in high school that we are going to do what we said we were going to do? Are we going to be true to the founding principles of this country?

I am in my last term, and I must say that I am very much discouraged as a Member of this body whether or not we have a great future when in fact we say one thing and mean another. I hope that you will check your heart, not just your mind, especially not your political mind, but that you will check your heart. Do we really mean it when we say we are going to protect Social Security, or do we not? I believe we do not mean it.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, I thank the gentleman for yielding me this time. I rise in strong support of this rule, and I congratulate the chairman and the ranking member for their work. I think there are a lot of very positive aspects to this bill.

I wanted to highlight, though, at this moment two amendments that I will be offering with support from different members from both political parties. Mr. Speaker, it is important to note that in the United States of America today, at a time when we are far and away the wealthiest country in the history of the world, hunger, h-u-n-g-e-r, remains a very serious problem for senior citizens and for children in this Nation. At a time when this Nation possesses so much wealth, there is absolutely no excuse, none at all, that one American citizen is hungry. And yet hospital administrators tell us that many of the senior citizens who come into their hospitals are suffering, if you can believe this, from malnutrition. Malnutrition. That is not what should be going on in the United States. I along with Democrats and Republicans will be offering an amendment to increase by $10 million funding for the Commodities Supplemental Food Program which comes close, therefore, to the level that the President had requested. This amendment will be offset by cutting the Agricultural Research Service which received a $50 million increase this year, bringing it up to $830 million. So they received a $50 million increase up to $830 million when we have large numbers of senior citizens in this country going hungry. And while agriculture research is important and there is much in that bill that is important, we should not be increasing funds to develop red snapper aquaculture when senior citizens and children in America are going hungry.

The second amendment that I will be introducing will be a very small amount of money which would go to help develop agritourism in the United States. It is no secret that all over this country, family farmers, whether it is dairy, whether it is in other commodities, are fighting for their lives, and there are States such as New Mexico and Massachusetts with an agritourism program, a program by which tourists could come visit family farms, perhaps to bed-and-breakfast or other types of activities and get cash into the pockets of family farms who are struggling. There are some very good programs all over this country that have been established in New Mexico, established in Massachusetts. I think it is important for a small sum of money to be appropriated at the Federal level to allow innovative programs to be developed throughout this country. I would hope that for those of us who are concerned about preserving the family farm, we support that amendment as well.

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

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

I would simply request support for this rule. It is an open rule. Any concerns or opposition that Members may have with regard to the underlying legislation can be dealt with through amendments. If there are colleagues who believe there is too much spending, they can propose amendments to cut spending. All of that is permitted under a totally open rule. And so I would ask all of my colleagues to support this rule so that the process can go on and so precisely debate on the legislation, including any disagreements, may also go on and take place in this House today.

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

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

Mr. COBURN. 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 Chair announces that proceedings will resume immediately following this first 15-minute vote on the three postponed suspension motions and that each of those will be 5-minute votes.

The vote was taken by electronic device, and there were—yeas 402, nays 10, not voting 21, as follows:

[Roll No. 147]

YEAS—402

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (FL)

NAYS—10

Bishop
Coburn
Edwards
Hilliard
Hostettler
McIntosh
McKinney
Miller, George
Sanford
Wu

NOT VOTING—21

Boucher
Brown (CA)
Buyer
Cox
Ewing
Graham
Hinojosa
Jackson-Lee (TX)
John
Kasich
Lucas (KY)
Millender-McDonald
Napolitano
Ortiz
Packard
Peterson (MN)
Reyes
Smith (TX)
Waxman
Whitfield
Young (AK)

□ 1301

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to clause 8, rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

S. 249, by the yeas and nays;

H.R. 1833, by the yeas and nays; and

House Resolution 178, by the yeas and nays.

The Chair will reduce to 5 minutes the time for each vote in this series.

MISSING, EXPLOITED, AND RUNAWAY CHILDREN PROTECTION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 249, as amended.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and pass the Senate bill, S. 241, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 1, not voting 18, as follows:

[Roll No. 148]

YEAS—414

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos

Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—18

Bachus
Boucher
Brown (CA)
Buyer
Davis (FL)
Ewing
Graham
Hinojosa
Jackson-Lee (TX)
Kasich
Lucas (KY)
Lucas (OK)
Millender-McDonald
Napolitano
Ortiz
Reyes
Smith (TX)
Waxman

□ 1310

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TRADE AGENCY AUTHORIZATIONS, DRUG-FREE BORDERS, AND PREVENTION OF ON-LINE CHILD PORNOGRAPHY ACT OF 1999

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1833, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. CRANE) that the House suspend the rules and pass the bill, H.R. 1833, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 2, not voting 21, as follows:

[Roll No. 149]

YEAS—410

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—2

McHugh
Paul

NOT VOTING—21

Bereuter
Bilbray
Boucher
Brown (CA)
Buyer
Ewing
Gekas
Graham
Herger
Hinojosa
Jackson-Lee (TX)
Kasich
Lucas (OK)
Millender-McDonald
Moakley
Napolitano
Ortiz
Reyes
Sherwood
Smith (TX)
Woolsey

□ 1320

Mr. DAVIS of Virginia changed his vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, on rollcall Nos. 147, 148, and 149, I was unavoidably

detained. Had I been present, I would have voted "Yes" on each vote.

CONCERNING TENTH ANNIVERSARY OF TIANANMEN SQUARE MASSACRE

The SPEAKER pro tempore (Mr. LATOURETTE). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 178.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the resolution, H. Res. 178, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 0, not voting 15, as follows:

[Roll No 150]

YEAS—418

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Boucher
Brown (CA)
Buyer
Ewing
Gekas
Graham
Hinojosa
Jackson-Lee (TX)
Kasich
Martinez
McCarthy (NY)
Millender-McDonald
Ortiz
Reyes
Smith (TX)

□ 1329

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ELECTION OF MEMBERS TO COMMITTEE ON SMALL BUSINESS

Mr. FROST. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 188) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 188

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

Committee on Small Business: Ms. BERKLEY of Nevada; Mr. UDALL of Colorado

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATION FROM HON. RICHARD A. GEPHARDT, DEMOCRATIC LEADER

The SPEAKER pro tempore (Mr. LATOURETTE) laid before the House the following communication from the Honorable RICHARD A. GEPHARDT, Democratic leader:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, May 25, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to Title 44 of the U.S.C. 2702, I hereby appoint the following individual to the Advisory Committee on The Records of Congress:

Dr. Joseph Cooper of Baltimore, MD.

Yours Very Truly,

RICHARD A. GEPHARDT.

GENERAL LEAVE

Mr. SKEEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and that I may include tabular and extraneous materials on the bill (H.R. 1906) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2000, and for other purposes.

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

There was no objection.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore. Pursuant to House Resolution 185 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. 1906.

□ 1333

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. 1906)

making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2000, and for other purposes, with Mr. PEASE in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from New Mexico (Mr. SKEEN) and the gentlewoman from Ohio (Ms. KAPTUR) each will control 30 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. SKEEN).

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

Mr. Chairman, today I have the honor to present to the House the fiscal year 2000 bill appropriating funds for Agriculture, Rural Development, Food and Drug Administration and Related Agencies. The bill we are taking up today has a total discretionary budget authority of almost $13.99 billion. This is $296 million above the current level and $531 million below the request.

In mandatory spending, this bill has $47 billion for fiscal year 2000, about $4.8 billion over current levels and $890 million below the request. Almost two-thirds of the mandatory spending in this bill is for food stamps, child nutrition, and most of the rest goes to support basic farm programs. This bill is within the allocations required by the Committee on Appropriations.

This bill is truly a bipartisan product, Mr. Chairman, constructed from hearings that began on February 10 and ended on March 18. The Committee on Appropriations has produced seven volumes of hearing records containing thousands of pages of information on the hearings, the detailed budget requests, and the answers to questions asked by Members and the public as well.

The Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies and the Committee on Appropriations held markups on May 13 and May 19 respectively, and these were public meetings with which the Members participated actively in shaping the bill.

Many Members would like to spend more than is in the bill, and so would I. We have about 250 letters to date, many of them with multiple requests, but only a handful ask for reduced spending.

Once again this year the administration proposed to pay for requested increases, more than $780 million, with user fees that require legislation. Once again the administration has favored budget gimmicks over reality because the main component of this legislation, user fees on meat and poultry inspection, has been strongly opposed by consumer groups, industry, and the authorizing committee for several years.

This bill does a lot of good in many areas. Farm Service Agency salaries and expenses are increased by $80 million to improve delivery of farm programs; agricultural credit programs are increased by more than $700 million; and funds to protect our Nation's soils are increased by $13 million. Rural housing programs are increased over last year's level and rural telephone and electric loans are increased or held at last year's levels.

Once again, the Food Safety and Inspection Service gets the full request, a $36 million increase. FDA has an increase of $115 million. Funding for the Food Safety Initiative is provided throughout the bill.

Child nutrition programs have been increased by $370 million and WIC by $81 million. P.L. 480, Titles I and II, the two main food aid titles, are restored to last year's levels, and the full request is provided for the Foreign Agricultural Service.

I would also like to say to my colleagues that the bill so far does not have any significant provisions that would bring objections from authorizing committees, and I would strongly urge that we keep it that way.

Mr. Chairman, I want to thank the gentleman from Florida (Chairman Young) and the gentleman from Wisconsin (Mr. OBEY), the distinguished ranking member of the Committee on Appropriations, and the gentlewoman from Ohio (Ms. Kaptur), our even more distinguished ranking member on the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, for their help in putting this bill together.

I would also like to recognize the gentlewoman from Missouri (Mrs. EMERSON), the gentleman from New York (Mr. HINCHEY), the gentleman from California (Mr. FARR), and the gentleman from Florida (Mr. BOYD), our new subcommittee members who have brought a great deal of enthusiasm and creativity to this bill. I look forward to their participation on the floor today and in the conference.

Mr. Chairman, I say to all my colleagues that this is a bill that will benefit every one of our constituents every day of their lives, no matter where they live in this great country.

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

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

Mr. Chairman, I rise to acknowledge the hard work of the gentleman from New Mexico (Mr. SKEEN), the chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, members of our subcommittee, as well as the staff for their leadership, including our new staff director, Hank Moore, who has worked so hard this year.

This bill makes a reasonable effort to apportion the limited resources available to our subcommittee to keep our Nation at the leading edge for food, fiber, new fuels, and forest production, as well as the counts relating to research, trade and food safety.

May I begin by reminding my colleagues that food is not produced at the local grocery store. There is no question that agriculture and food processing are America's leading industries. Our farmers and our agricultural sector remain the most productive on the face of the Earth. They well understand, as we do, how difficult it is to maintain our Nation's commitment to excellence in agriculture in tight budgetary times.

While on balance this bill seems like a reasonable effort to stretch a limited sum of money as far as possible, and I would encourage my colleagues to vote for this bill, we simply disagree on the levels of support needed for priority programs, including the Women, Infants and Children feeding program; the Natural Resource Conservation Service, the primary conservation operation in this country; and other programs like farmland protection which were not able to be funded at all in this bill, nor was the school breakfast pilot program that the administration requested.

We must also keep in mind that this bill simply does not do enough to address the Depression-level conditions affecting many sectors of rural America from coast to coast, whether we are talking about the Salinas Valley, cattle country in Florida, hog producing country in the Midwest, cotton fields in Texas, the list goes on and on.

This bill simply is an exceedingly limited response to an extremely serious situation afflicting many sectors of the farm economy across our Nation. As we consider this bill today, I would urge my colleagues to think about what is going on in rural America, as farmers continue to experience significant decreases in commodity prices. It started with wheat and with cattle, and it spread to the feed grains, to oil seeds, to cotton, to pork, and even now the dairy sectors.

At the same time, the costs of production are not decreasing. In fact, they are increasing. Total farm debt has risen now to over $170 billion at the end of last year, up nearly 9 percent over the last 2 years.

That means people are borrowing against their accumulated equity to make up for their lack of ability to receive a price for their product in the market. In fact, farmland values began declining in 1998, not a good sign.

We know that USDA, the Department of Agriculture predicts the greatest strain this year will be on field crops. We know that wheat, corn, soybean, upland cotton, and rice crops experienced about a 17 percent drop last year; and they project that this year, 27 percent, there will be a 27 percent drop in prices from prior year averages.

So we have a real tender situation here, which frankly this bill does not address. This bill puts blinders onto what is happening in rural America and basically says, well, we really do not have the money, so let us just continue like it was in years past, which will not solve the real situation out there.

Overall, this bill does a number of useful things, but it can hardly be considered adequate. It is moving in the right direction but falls far short of the mark. All I can say is that our Nation has a responsibility beyond this bill to help a sector of our economy so vital to our national security.

What is really happening in our country, as more bankruptcies occur in rural America, is the average age of farmers has now risen to 55. People are making live decisions out there about whether or not they are going to hold on to the farm or sell it off for another suburban development. This is not a good sign for America in the 21st Century. People really should not be selling off their seed corn for the future.

Let me just mention that in the discretionary appropriations, which in this bill total $13.9 billion for the next fiscal year, if we just take a look at the Farm Credit and the Farm Service Agency people, the people doing the work, administering the programs in our Farm Service Agency offices, and the loans and so forth that are being made, there is an increase of less than one-fifth of 1 percent over the prior year.

If we really take a look at what it is taking to hold agricultural America together today in this severely depressed economy in the rural countryside, we will find that the amounts in this bill are one-third below what was spent during this fiscal year and the last fiscal year as we attempted to prop up the disasters going on out there with the emergency bills that we were forced to pass outside the regular budget process.

So this a very lean bill that truly will not meet the needs of rural America. We may be forced again into one of these extra budgetary sessions to try to figure out how we are going to prop up rural America in the months ahead.

Let me also mention that the bill does try to meet the administration's request for the Food and Drug Administration to process additional drug approvals and to increase the safety of our food supply, with all the additional imports that are coming in here as well as pathogens found in food.

We increased funding for the Food Safety and Inspection Service, very important to the health of the American people, and to some rural housing and rural development accounts, as well as for agricultural research and pest and disease control through the Animal and Plant Health Inspection Service as well as the Natural Resources Conservation Service.

But, more importantly, on the minus side there is no provision in this bill for any of the emergency assistance provided to rural America during this fiscal year. We do not continue any support for market support, nor any of the subsidies for the crop insurance premiums or the extra funds we provided to the Secretary of Agriculture to lift surplus commodities off the marketplace to try to get prices to rise in this country.

So the situation facing our farmers in this bill is that, well, we really do not take care of them. We sort of continue things the way they were, and we may be forced to come back later in the year in order to deal with the hemorrhage that is occurring across this country.

Let me also mention that in this bill we will probably be forced to reduce county office staff by another 650 staff positions. I think this is truly tragic, because we have got backlogs around the country of farmers waiting to receive payments after months and months because of disasters that have occurred from coast to coast.

□ 1345

So reducing these staffing levels really does not make much sense, and yet it is the truth that is buried inside this bill.

Further, the bill reduces funding for food aid programs, which are so important to support people around the world who live at the edge of hunger, but also to aid rural America. In fact, we lift surplus during this year that was sent to Russia; we have tried to assist the Kosovo refugees in the emergency supplemental that just passed, but there is nothing in this bill that continues that kind of additional surplus purchase. In fact, it will be reduced.

So the gentleman from New Mexico (Mr. SKEEN) and our subcommittee have certainly tried to do what was best under the hand that we were dealt, but the bill falls far short of what is needed to address the urgent problems facing farmers across America.

One thing is certain, no matter what forum or legislative vehicle is chosen, it is essential that Congress act today at least to move this bill forward and to move the first appropriation bill through this session of Congress. We are now approaching Memorial Day.

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

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Chairman, I want to take a moment to express my appreciation to the gentleman from New Mexico (Mr. SKEEN) for the hard work he has done in putting together this piece of legislation before us today.

Given the tight budget constraints that we face, the chairman has had to make difficult decisions and balance a lot of different needs. He knows, and I think all our subcommittee members know, that this bill will not, as the gentlewoman from Ohio (Ms. KAPTUR) said, address all of the many urgent needs that are there out on the farm right now. Funds are desperately needed for farm programs because of the low prices and tough market conditions for farmers and ranchers all over the country.

However, I think the gentleman from New Mexico has worked with the numbers that he was given and done a tremendous job and the best job possible to meet the many needs of farmers and ranchers, and I just want to thank him for the outstanding job he has done.

Let me just take a minute too to highlight some of the aspects of this bill that are critically important to agriculture. Total dollars for agriculture research are up by $61 million. The bill rejects the cuts in Hatch Act and extension research funding that were proposed by the administration. Export programs, such as P.L. 480, Titles I and II, are funded at or near last year's levels, again rejecting large cuts by the administration.

Many farm State Members of Congress have expressed a concern, as I have, about increased concentration in agriculture markets, and I am pleased this bill includes a $636,000 increase for packer competition and industry concentration, as well as $750,000 strictly for poultry compliance activities. There is much needed oversight and enforcement money to ensure our beef, pork and poultry producers are treated fairly.

Now, I personally believe that we should do more and have mandatory price reporting for livestock, but this is a function of the authorizing committee, not the Committee on Appropriations, and I will look forward to working with my colleague from Ohio (Ms. KAPTUR) on this legislation later on this year.

Our bill also increases farm loan accounts, such as farm ownership, farm operating, and emergency loans from $2.3 billion to $3 billion. Not enough, and we will probably need more later, but because there is an increasing demand for these loans due to the hardships in the farm economy, we need the money now and, as I said, we will need more later.

For soybean producers in Missouri and around the country there is continued funding needed to fight the cyst nematode pest. Continued research will help develop soybean varieties that are resistant to the yield and profit endangering pest.

I would simply add this is an extremely tough time for our farmers and ranchers. As the gentlewoman from Ohio noted, this is an issue of national security. My farmers tell me that it is as bad as it has been in decades. Not years ago, but decades. And while this bill does not address all of the problems in the farm economy, particularly as it relates to the staffing in the Farm Services Agency and the National Resource Conservation Service, it is a positive step in the right direction and I would urge a strong ''yes'' on the bill.

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Chairman, today I am disappointed and I am outraged. I am almost at a loss for words.

I am angry because this bill does not include the school breakfast pilot program. The school breakfast pilot program tests the benefits of making breakfast available at school to all children in early grades. It was authorized in the William F. Goodling Nutrition Reauthorization Act, and it is included in the President's budget.

As this Nation searches for ways to make our schools safer, surely, surely we want to consider all reasonable ways to improve students' behavior. Well, two studies have already shown that kids who eat breakfast improve both their grades and their behavior at school. So why are some of my colleagues opposed to an official study to evaluate what happens in a school when all the students start the day with a good breakfast?

I plan to fight this and I plan to keep working with the committee, but I want to talk about the whys on this. The answer may be because we already know that school breakfast should be offered by schools as a learning tool, just like a book, just like a computer. It may be that some of my colleagues are too concerned with keeping our schools just the way they have always been, so they fight against any proposals for change. Or it may be that children just do not count enough.

Mr. Chairman, as this Nation, as this body searches for ways to make our schools safer and better for our children, surely we want to consider all reasonable ways to improve students' behavior. The school breakfast program would help us with that, so I will continue to fight, I will continue to work with my colleagues in support of the school breakfast program on the appropriations committee.

Ms. KAPTUR. Mr. Chairman, will the gentlewoman yield?

Ms. WOOLSEY. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I wanted to thank the gentlewoman for fighting so hard for this school breakfast program and to say that with her leadership the members of the subcommittee and the full committee have attempted to do what was necessary.

Unfortunately, the administration did not provide us with some of the information that we were expecting. The gentlewoman from Connecticut (Ms. DELAURO) worked with us at the subcommittee and full committee levels, and it is our firm intention to try to take this issue into conference to see if we cannot do something to move this pilot project forward.

But I just want to say to the gentlewoman that without her interest and research and the deep dedication that she has shown, we would not be this far. I know we are not where the gentlewoman wants us to be yet, but without her leadership we would not be anywhere. We hope that as we move towards conference we might be able to accommodate some of this.

Ms. WOOLSEY. I thank the gentlewoman.

Mr. SKEEN. Mr. Chairman, I yield 7 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I stand in support of the agriculture appropriations bill. I serve on the subcommittee and can say on a firsthand basis that the staff, on a bipartisan basis, went through this legislation thoroughly to be sure that we have balanced the needs of the American farm, agricultural community, and the American grocery consuming public.

Last year's bill was $61.7 billion. This year the legislation is down to $60.8 billion. A lot of this goes back, Mr. Chairman, to the 1997 bipartisan budget agreement, which was pushed by Democrat and Republican leaders alike with the full support of the President. And to get back to that budget agreement, it had some good and it had some bad, as my colleagues can imagine in any huge piece of legislation which Democrats and Republicans come together on.

Now, unfortunately, we are seeing from both sides of the aisle people who are peeling away from the agreement, people who voted for the budget agreement that are now lamenting the fact that it actually does call for some belt tightening here and there and they are beginning to walk away from it.

But the staff on this subcommittee, and again on a bipartisan basis, tried to put together the actual requests of 280 Members asking for specific projects in their districts or of national scope. And it was quite a balancing act, because we do have a certain amount of institutional schizophrenia. We have, on one hand, people who say I want to cut the budget and I want it cut now, but oh, no, not in my district, not in the district that I happen to represent. And, by the way, I want to fund this particular project, which of course is not pork, it is just that it is economic development when it is in my district. So this bill, like all appropriation bills, is a balancing act.

Now, Mr. Chairman, the American farmer is facing probably unprecedented challenges. They have challenges getting credit. Businesses in America, small businesses to Fortune 500 companies, have to have credit. They have to borrow both short- and long-term money. Yet for farmers, they cannot get long-term money any more. Banks, and rightfully so, facing the realities of making a profit on the farm, they will not lend them money any more. So the farmers are scrambling, and that is one of the huge challenges that is facing farmers today.

A second challenge is international competition. I represent Milen, Georgia, little Jenkins County, Georgia, and farmers there can grow oats and do it very inexpensively and very efficiently. And yet at the end of the season, they can still go down to Brunswick, Georgia, and buy imported oats cheaper than they can grow it in America. And that is just one commodity.

That is the story with so many of our imports now. And one reason is that our foreign competitors are heavily, heavily subsidized in comparison to the American farmers, where we have about $3.9 billion of this $60 billion bill that is spent on actual commodity-type programs.

People say, oh, let us cut out the farm ''subsidies'', yet most of these are not true subsidies. But even so, it is impossible to compete against foreign competitors, even with the modern technology and all the farming techniques we know.

A third challenge that our farmers are facing is that simply of the weather. We do not get the rain that we need in every growing season. Last year Screven County, Georgia, town seat of Sylvania, lost $17 million because of the drought; $17 million in farm losses. Now, that is not much for a big country like America, but tell that to somebody in Sylvania, Georgia, and tell that to a third generation farmer who is going to lose his farm because of that drought.

Unfortunately, in Georgia this year, we are facing possibly another bad season because of the lack of rain. We need to help our farmers on all these challenges, Mr. Chairman, and this bill tries to do that. It is not going to do it all the way. It will not do it as well as we would like, but it takes a step in the right direction.

There are a lot of things in this bill, though. There is some money for water projects, there is money for conservation projects. One thing not in the bill, that I want to try to work with the minority and the majority representatives on, is giving some tax credit for precision agriculture. Because if we can move our farmers towards obtaining precision agriculture equipment, then they would know exactly how much fertilizer to apply, exactly how much water to use, and exactly what their profits are per acre so that they can make Ag production as absolutely efficient as possible.

I would also like to see more tax credits for farmers in other areas. I would like to see them taxed more on the use of their land rather than on the potential use of their land. I represent Coastal Georgia, it is a huge growth area. Bulloch County last year, 17 percent; Effingham County, 42 percent; Bryan County, 52 percent. All these are traditionally agricultural counties and now they are becoming urban or suburban counties. There are few family farms left, but they are being taxed out of existence.

□ 1400

I would like to see some tax help for farmers in that direction. I would like to see land taxed on its actual use and not its percentage use. And I of course, Mr. Chairman, would love to see some estate tax or death tax relief so that family farms can be passed from one generation or the other.

This is not going to happen in this bill but this bill takes us in the right direction. Right now, Mr. Chairman,

less than 2 percent of the American population is feeding 100 percent of the American population and a substantial portion of the world. Does our ag policy work? I would say yes, it does. Americans spend about 11 cents on the dollar earned on food and groceries. We spend more than that on entertainment, jet skis, CDs, movies, vacations. We are spending more on recreation than we do on food and groceries.

So the ag policy is working. It has a lot of good potential in it for improvements. We are going to continue to work on that on a bipartisan basis. I urge my Members to support the bill.

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY), a distinguished member of the subcommittee who has put in long hours on this bill.

Mr. HINCHEY. Mr. Chairman, I want to express my appreciation to the gentleman from New Mexico (Mr. SKEEN), the chairman of our subcommittee, for the care and craftsmanship with which he worked to put this bill together. It has been a pleasure to work with him as a member of the Subcommittee on Agriculture.

Unfortunately, the constraints within which we have had to operate, constraints imposed by the leadership here in the Congress and traceable directly back to the agriculture bill of 1996, the so-called Freedom to Farm bill, have made it impossible to put together an agriculture appropriations bill here that meets the needs of the agriculture community, the needs of our farmers and the needs of our consumers across the country.

As I said, this is directly attributable to the constraints that flow from the so-called Freedom to Farm bill, which is not in fact a Freedom to Farm bill, but in many cases it has been a freedom to fail bill, almost a guarantee of failure. Farm prices in the farm belts all across our country are at near-Depression prices. Farmers are finding themselves in situations that verge on the desperate and in many cases they are in fact desperate. Farmers are being forced out of business because they cannot sell their crops at a price that is higher than the cost that they had to incur for putting those crops in the ground. It is an absolutely impossible situation.

We cannot have an agriculture that is sustained in a global economy where other countries are subsidizing their agriculture and making certain creating circumstances within which agricultural people are going to prosper. We have failed to do that. In fact, we have taken all the safeguards that our agricultural community has had away from them. We did so in that Freedom to Farm bill in 1996. We need to go back and correct those mistakes, and we need to do so soon. The longer we wait, the more desperate the circumstances will become.

Are we committed to family farms, or do we want farms that are corporate in nature exclusively across this country? Do we want farmers to make a living, or do we want it all to be processors? Do we want to have an agricultural community that is healthy and strong and providing the food and fiber that our people need domestically here to sustain their lives?

These are the basic questions that are before us. And, unfortunately, this bill, not through any fault of the chairman or members of the subcommittee, but only because of the constraints imposed upon the subcommittee and constraints in the Freedom to Farm bill have made it impossible to meet these needs this year. We need to go back and meet them and we need to do so soon, intelligently, and thoroughly.

Mr. SKEEN. Mr. Chairman, I yield 2½ minutes to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Chairman, I would wish to engage in a colloquy with my good friend from New Mexico (Mr. SKEEN).

Mr. SKEEN, I appreciate your willingness to discuss the Department of Agriculture Plant Protection Center located in Niles, Michigan. I know that you share my belief that this center has a very important mission, finding natural means to combat pests. The role of this facility among plant protection centers is important to American agriculture and is of enormous value to the agriculture industry throughout the Midwest.

The work the employees do in Niles is particularly important in light of the probable loss of pesticides as a result of the implementation of the Food Quality Protection Act. In fact, just this past year the Michigan Department of Agriculture and Michigan State University have formed partnerships with the laboratory at Niles aimed at promoting biological control options. This is a prime example of partnering and cost-sharing between State and Federal agriculture interests using the best strengths of both partners to benefit agriculture.

I am greatly troubled that within the past 2 years the budget of this facility has been cut by 26 percent, the staff reduced from 45 to 19 employees. Especially troubling is the fact that this facility receives its funding through the biocontrol line item, which tends to receive increased funding and is scheduled to get a 22 percent increase in fiscal year 2000. I firmly believe that any further reductions in the budget at this Niles facility would be a serious error and would jeopardize the strength of agriculture throughout the Midwest.

Mr. Chairman, I yield to my friend the gentleman from New Mexico (Mr. SKEEN) for a response.

Mr. SKEEN. Mr. Chairman, I share the gentleman's concern for the future of the critical work that is being done at the Niles Protection Center.

As I understand it, the USDA has not made a final decision. And, of course, we have a long way to go before we produce a conference report with a final number for APHIS. We have provided the account in question with a significant increase for fiscal year 2000 at a time of a very tight budget, and I hope the USDA will take note of our efforts and our concerns for the Niles facility.

Mr. Chairman, I thank the gentleman for his efforts, and I promise to continue working with him in conference on this matter.

Mr. SKEEN. Mr. Chairman, I yield to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Chairman, I want to say to the chairman of our subcommittee, and to the gentleman from Michigan (Mr. UPTON) that we so much support the efforts that he is making for this Niles Center, also on behalf of the gentleman from Indiana (Mr. ROEMER). We have that special situation where Michigan, Indiana, and Ohio all meet. And the services provided through the Center serve the entire country certainly, especially the Midwest. And I want to compliment the gentleman for drawing our attention to it and placing it in the debate today.

Ms. KAPTUR. Mr. Chairman, I yield 3½ minutes to the gentleman from Salinas Valley, California (Mr. FARR), another member of our committee who represents the area that really feeds America, a hard working and dedicated member of our subcommittee.

Mr. FARR of California. Mr. Chairman, I thank the gentlewoman for yielding me the time.

I rise as a new member of the Committee on Appropriations and of the Subcommittee of Agriculture, first of all to tell them how much I appreciated the leadership that was given in this markup by the chairman, the gentleman from New Mexico (Mr. SKEEN) and also by our ranking member, the gentlewoman from Ohio (Ms. KAPTUR).

I represent a productive part of our country. We produce about 84 crops, which no other State in the United States produces that many as are produced in my district, about $2.5 billion in agricultural sales. And most of it does not receive any help from the Federal Government. But they are interested in research and they are interested in sort of cutting-edge issues.

I would just like to point out, for those that are interested in these budgetary issues, that this markup is about a 1.8 percent increase over last year's discretionary money. Now, remember, last year we had a lot of agricultural debate on the floor because we were putting money into supplementals, into emergency aid. If we take the total amount that was spent last year on agriculture and we look at the amount that was spent this year, we are $6.4 billion below what Congress spent last year, or about a 31 percent cut. So this is a very, very, very tight budget.

And I might add, as tight as it is, it still ranks number four of all the appropriation committees in the amount of spending it does. Why? Because in America we created the Department of

Agriculture when President Lincoln was here, and he indicated that we needed a department that essentially had a little bit for everybody in America, kind of a consumers department.

So the department has all the rural America issues, which are as true today as they were a hundred years ago. Rural America always needs more help. We have all the commodities programs. We have all the foreign sales programs, whether we are going to have commodities abroad. And I know there will be Members up here attacking the fact we put taxpayers' money into foreign sales.

But my colleagues, wake up and smell the coffee. Every day we have Juan Valdez telling us to drink Colombian coffee, and we do. Why? Because that country puts money in advertising in America and Americans buy it. So we do a little quid pro quo in the same way. We take money here and we take products and try to get them to sell abroad. Why? Because we export four times more than we import. Our balance of trade is in the plus in agriculture. We produce more agriculture in America than Americans can consume, so we need to export it, and people want it. And we ought to be proud of it, because it is a labor-intensive industry that is the heart of our country, and it has been the number one production in America historically and today more than ever.

So, with this tough budget that we have adopted, we also left many programs on the table, the conservation program, farm land protection. There is no money in here. We have got to get that before this is over. Also left on the table, we cut wetlands reserves. We left on the table environmental quality initiatives. We left on the table, more importantly, about $120 million to fully fund all the nutritional programs we need in America.

This is a very tight appropriation, too tight for many people and not tight enough for others. But I do not think we will ever find an appropriation that has had more bipartisan support than this one does, and I think that is attributable to both the leadership on the other side of the aisle and on our own side.

Mr. SKEEN. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma (Mr. COBURN).

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

Mr. COBURN. Mr. Chairman, I want to say from the outset, I come from a farm district of rural northeastern Oklahoma that has a great deal of farmers. And I believe, overall, that the appropriators have done a good job on this bill. But they have not done good enough.

We passed two supplemental emergency bills for farmers in this last Congress, almost $12 billion, and I am not objecting to the fact that we did that. What I am objecting to is the fact that that money was paid for out of Social Security receipts. There is no question about it. And what I want to focus on is, where is the money going to come for the increase in this year over the true baseline last year? It is going to come from Social Security.

I want to spend a minute just showing everybody the kind of problems we have. Most young people under 35 believe in UFOs before they believe they are going to get their Social Security money. And do my colleagues know what? They are probably right. This is the Social Security 1999 Trust Report. And what we see in black is the amount of money that is coming into the government in excess of what is being paid out, and my colleagues will note as of 2014 that starts to turn red.

Last year we spent approximately $29 billion of that money. The Congress appropriated $29 billion of excess Social Security money for appropriation bills. Twenty-nine billion was taken out of the money that was coming in supposedly dedicated for Social Security.

The other thing that I would like to discuss is we do not have a real surplus. What we have is a Washington surplus, because if we exclude Social Security money, last year we ran a $29 billion deficit. The debt to our children and our grandchildren is rising at the rate, as we speak, of $275 million a day. So it is not about whether we should do the right things for our farmers. We should, and probably we should spend more money on our farmers than what we are spending. The question is, how do we spend that money?

If we look at what is about to happen this year, the surplus for the year 2000, as estimated by the Social Security Administration, is $141 billion. Based on the plans that we see, it is a conservative estimate that $45 billion of that will be spent. That is Social Security money that people are working every day putting into that, with the trust to think that that money is going to be there for them when they retire. And that does not come close to addressing the issue, can they live on their Social Security payment now?

In my practice in Muskogee, Oklahoma, when I see seniors, I have seniors who are totally dependent on Social Security. And do my colleagues know what they do? They do not buy their medicine because they do not have enough money. They buy food before they buy medicine.

□ 1415

So not only do we have a problem in taking the money that is supposed to be for Social Security, the benefit that we have out there in many instances is not enough for our seniors to live on, let alone live healthily on.

Finally, the point I would make is that we have 102,000 Agricultural Department employees. We have another 87,000 contract employees for the Department of Agriculture. That comes to 189,000 employees in the United States. If we take 260 million people, it is pretty quick you can come up, for every 1,500 people in the United States, we have at least one Agricultural Department employee. Do we need all those employees? What we have said is we cannot cut the number of employees in the Agriculture Department, we cannot have less employees, and we cannot get more money directly to the farmer, because we are chewing up a vast majority of the money trying to give them the money. It is not about not taking care of our farmers. If we expect to protect Social Security money, which on both sides of the aisle, save two Members of this body, voted for budgets that said they would protect 100 percent of Social Security, then we have to bring this bill back to the level of spending last year. What that requires is about $260 million worth of trimming amendments to be able to do that. I propose to offer offsetting amendments that will bring us down to last year's level. When we are at that level, then I will stop offering amendments. Until we get to that level, I plan on continuing to offer amendments. This is not done in any precocious fashion. My intention is to help us all do what we all voted, save two Members, to do, and, that is, to preserve Social Security. The best way I know of doing that is the first appropriation bill, to make a first start on that.

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

Mr. Chairman, the reason we have a 1-year appropriations bill is so that the Congress can look at the spending each year and adjust accordingly as the Constitution requires. We do not rubber stamp the administration's request and we do not automatically approve last year's level of spending. This bill has a modest increase in spending over fiscal year 1999, and it is about 30 percent of the increase requested by the administration. I have heard several hundred requests for more spending by my colleagues, both Republicans and Democrats. Frankly this bill does not come near to paying for all those requests. But we did the best we could and I certainly hope that no one who wrote us asking for spending will support this amendment.

In this bill, there is additional money for food safety, for conservation, for rural housing and for a lot of programs that benefit all our constituents. Our bill funds about 130 accounts with many more subaccounts and individual projects. It is always possible to find fault with individual items in the bill, but this bill is a cooperative effort. I believe it reflects the kind of legislation that a majority of our Members want to see for their constituents.

Mr. Chairman, I would like to remind all my colleagues that although we refer to this as the agricultural appropriations bill, the majority of funding goes to nonproduction agricultural programs. This bill pays for badly needed housing, water and sewer, and economic development in rural America. It pays for human nutrition programs

for children and the elderly. It pays for conservation programs that benefit watersheds in urban and rural areas. It pays for food safety and medical device inspection programs that are literally life and death matters. That is why I oppose this amendment and why I ask my colleagues to do the same.

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

Ms. KAPTUR. Mr. Chairman, I yield myself such time as I may consume. I also wanted to make a couple of comments about the prior gentleman's remarks. No department percentagewise inside this government of the United States has been cut more than the U.S. Department of Agriculture. In 1993, there were 129,500 employees. Today the request of the department would fund 107,700. This is a reduction of over 21,800 positions. I would like any other department of the United States based on the amount of funds that it receives through the taxpayers to take this kind of cut. There have been over 35,000 positions cut in the U.S. Forest Service, battling forest fires. Look what has happened across this country over the last several years. In meat inspection, so vital to the health of this country, over 9,700 meat inspectors have been cut. I would say to the gentleman, we have had over a 30 percent cut in the staffing levels at the U.S. Department of Agriculture. So if you are looking for cuts, believe me, this agency is hemorrhaging. Part of the damage being caused in Oklahoma and other places in this country is because we are not paying attention to the production side of the equation inside the United States in rural America, and that is a true tragedy.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM), a very respected member of the authorizing committee.

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

Mr. STENHOLM. Mr. Chairman, I thank the gentlewoman for yielding me this time. I rise in support of this bill. I commend the chairman and the ranking member for the hard work they have done under some very difficult circumstances.

We come here today with a situation in agriculture that is worse than it was a year ago. Farm income stress is only intensifying from last year. To those that are worried about the spending level on agriculture, let me make this point. In 1990, net farm income was $44.7 billion. In 1999 it is projected to be $43.6 billion, which includes all of the $12 billion in subsidies that have been written. At the same time look at what has happened to the Dow Jones average. It has gone up 230 percent. My colleague from Oklahoma that spoke, I want to commend him for his honesty and his forthrightness and his persistence. He voted for the Blue Dog budget. Had the Blue Dog budget passed, we would have been talking about increased funding for agriculture today. We would have been talking about meeting the needs of the cotton step-2 program, meeting the additional needs of research in agriculture, paying the $100 million the WIC program needs in order to meet all of the human need. The gentleman from Oklahoma voted for it of which I deeply appreciate. A majority of my colleagues on this side of the aisle voted for it. If we had only gotten a majority on both sides, we could have been doing a much more adequate job of meeting the true needs of agriculture.

Now, we have got a lot of problems that need to be solved. They should not be attempted to be solved on this bill. It needs to be done in the House Committee on Agriculture. We have got work to do on crop insurance, opening world markets. We are going to get an opportunity to do that. Coordinated policies, working together with USDA in this Congress. We really cannot afford to wait much longer. I hope and expect that this year under the leadership of the gentleman from Texas (Mr. COMBEST), the chairman of the House Committee on Agriculture and those on both sides of the aisle that we will be able to take up in an orderly fashion those things that need to be done in order to make sure that agriculture will continue to be for all of America what it is today.

Mr. Chairman, I submit the following correspondence for printing in the RECORD:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, May 12, 1999.

Hon. DAN GLICKMAN,
Secretary, U.S. Department of Agriculture, Washington, DC.

DEAR MR. SECRETARY: We are writing to urge you to give careful consideration to the development of new programs to enhance the competitiveness of U.S. wheat exports by improving the cleanliness and uniformity of grain delivered to foreign buyers.

Over the past decade, competition in the wheat export trade has intensified. The domestic wheat industry believes that cleaner US wheat will be more competitive in foreign markets. We are writing to urge you to develop a program that would provide assistance to export elevators for the financing of high speed cleaning equipment.

In recent months, we have had some very strong reminders of just how important exports are to US agriculture, along with the recognition that we need to make our products as competitive as possible. We believe that improvement of the domestic cleaning infrastructure is a worthwhile investment that will help US wheat gain market share in the years to come. Capital investments made now will ensure the future competitiveness of the US grain industry.

Thank you for your consideration of this proposal, and we look forward to working with you in developing and implementing a program that will enhance US grain competitiveness in world markets.

Sincerely,

CHARLES W. STENHOLM.
JERRY MORAN.

Ms. KAPTUR. Mr. Chairman, I yield 2½ minutes to the esteemed gentlewoman from Connecticut (Ms. DELAURO) who has spent so many hours and weeks working on this bill.

Ms. DELAURO. Mr. Chairman, let me thank the gentleman from New Mexico (Mr. SKEEN) and the gentlewoman from Ohio (Ms. KAPTUR) for their hard work in what has been a difficult feat to balance the important priorities of this bill given the budget constraints that the subcommittee faces. I am concerned that we could not do more to support vital programs, however, that improve the day-to-day lives of hard-working American families; providing a safety net for farmers in crisis, reducing smoking among young people, ensuring high quality nutrition for parents and their children. These are issues not receiving enough attention. First there is a crisis facing our farmers today. From low grocery store food prices to safe food on the dinner table, the benefits of U.S. agriculture are immeasurable to each and every American family. Farmers across this country are begging Congress to do something and, by God, we must do something.

This bill does not do enough to address the depression level prices our farmers face. A serious issue before this Nation is tobacco use among America's youth. Each day an astounding 3,000 teenagers take up the smoking habit. The loss to America equals 420,000 lives. This year the President requested a $30 million increase to expand the partnership between the FDA and States to enforce the laws prohibiting tobacco sales to minors. The additional funding would have enlarged this successful and business-friendly program that would have been expanded to 50 States. Sadly, this bill does not provide this important investment, made even more essential because States like Connecticut, my own State, are not investing their money from the tobacco settlement into educating the public about the dangers of smoking. I am concerned about the little over $4 billion allocated for the WIC program in that it may not be able to cover all of its participants. WIC guarantees that 7.4 million women and their children receive solid nutrition and health advice, preventing future illness and serious health problems. I am disappointed that funds could not be found to take the first steps toward a study of the benefits and the costs of a universal school breakfast program, a study that has already been authorized by the Goodling Act. Regional studies have linked school breakfast programs with higher test scores, better behavior and improved attendance. But a truly rigorous and a comprehensive study is necessary to nail down and to solidify the proof of that relationship.

This is an unfunded mandate. If the Congress is going to require this study, it must provide the funding. I again applaud my colleagues for facing these restrictions. These issues deserve our highest commitment.

Mr. SKEEN. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. BOYD).

Mr. BOYD. Mr. Chairman, I want to thank the gentleman from New Mexico

(Mr. SKEEN) for yielding me this time and for his leadership in putting this appropriations bill together, and also to the gentlewoman from Ohio (Ms. KAPTUR) for her leadership with the gentleman from New Mexico.

As many of my colleagues know, Mr. Chairman, I have spent all of my productive life in agriculture and have followed these proceedings in Congress for many, many years as related to a national agricultural policy. In 1996, this Congress decided to write a new farm bill which my people back home called Freedom to Fail. Prior to that time, many of us came to Washington and asked the Congress to take a long, hard look before it changed national ag policy. We had a policy in this country that worked. Obviously there was a consolidation of farming over the years like there has been in every industry that weeded out some of the less efficient operators. But certainly if you were efficient and a good operator, under the policy that existed, you could make a living in agriculture. It established and kept a strong agricultural economy for our Nation. I stand today speaking in support of the bill that is brought to this floor by the gentleman from New Mexico and the gentlewoman from Ohio. They are working within the confines of the Balanced Budget Agreement that we put in place in 1997. Actually I think we were treated very well in these allocations, given the confines of the budget that we are working under. As the gentleman from Texas (Mr. STENHOLM) said earlier, had we passed the Blue Dog budget which many of the folks on both sides of the aisle voted for, we would have a few more bucks to play with here. But I think really the debate today is not about whether this appropriations bill is good or bad, because it is absolutely the best that we can do under the circumstances that we have been presented with. But it has to do with a larger picture, and, that is, what is the national agricultural policy of this Nation?

I just want to throw out a couple of things for Members' consideration. Number one is, in 1996 when that farm bill was written, the farmers were promised if they would give up their safety net, they were promised in exchange a loosening of regulations and, secondly, opening of world markets. Well, they gave up the safety net, but in both cases they did not get what they were promised. They did not get a loosening of regulations and they certainly have not gotten an opening of the world markets.

□ 1430

Now many people want to blame the administration. I do not think the administration is to be blamed here. It was the Congress that wrote this piece of legislation, and it is the Congress that ought to go revisit it.

I think, Mr. Chairman, that I would like to strongly encourage the Members to support this piece of legislation, and I want to thank the gentleman from New Mexico (Mr. SKEEN) and the gentlewoman from Ohio (Ms. KAPTUR) for their work.

Ms. KAPTUR. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. BERRY), the hard-working member of the authorizing committee.

Mr. BERRY. Mr. Chairman, I thank the gentlewoman from Ohio (Ms. KAPTUR) for yielding this time to me, and I want to thank the chairman and the ranking member of this committee for the hard work that they have done.

Mr. Chairman, America is the greatest Nation that has ever been today because of our ability to domestically produce safe, affordable and abundant agriculture commodities. The American farmer is the most productive ever anywhere in the world. The American farmer only asks for a chance. If we will just give him a chance, he will do the rest.

A combination of factors have contributed to historically low commodity prices that are being received by our American farmers today. We have got a crisis in rural America, and we need to face that crisis. This bill is a good effort to begin that. It a shame that we do not have more money in this bill for America's farmers, but I know that it is the best that the appropriators could do with what they had to work with.

Congress has an obligation to protect the food and fiber security of America. Current budget restrictions and resulting appropriations for agriculture do not allow for adequate devotion of financial resources to properly address the crisis that American agriculture faces today. We need to commit to America's farmers to protect the food and fiber security that our country has historically provided.

I firmly believe, Mr. Chairman, that the further we get from our rural agrarian roots that Thomas Jefferson envisioned, the more social problems we have, and it is something that is of great concern to me. But this is just another reason why we should do the best we can to fund the Department of Agriculture and support America's farmers.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. LATHAM).

Mr. LATHAM. Mr. Chairman, as a member of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, I rise in support of this bill and, first of all, would like to thank the gentleman from New Mexico (Mr. SKEEN) and the gentlewoman from Ohio (Ms. KAPTUR) for their very hard work. The subcommittee enjoys a bipartisan cooperation, and I have really enjoyed working with all the colleagues to get this bill on the floor today.

This bill feeds our schoolchildren, ensures the safety of prescription drugs and medical devices, protects our environment to water and soil conservation, restores Congress' commitment to agricultural research and rejects the President's desire to cut ongoing science. It helps expand our increasingly important export markets, and most importantly, it protects the taxpayer.

Just as importantly, this bill does not include some of the President's proposals. Probably the most egregious is the fact that in the President's budget he had a $504 million new increase in fees on struggling livestock producers. These are the folks who have undergone some of the worst prices in history, and again, another increase in fee for grain farmers to the tune of $20 million that the President wanted to put on those farmers.

I would like to engage the gentleman from New Mexico in a colloquy, if I may.

Mr. Chairman, my intention is to clarify the committee to provide not less than $27,656,000 for the National Plant Germplasm System for Fiscal Year 2000. With this funding, our best and brightest scientists working throughout the Nation will continue to help farmers provide abundant, safe, nutritious and affordable supplies of food fiber.

Mr. Chairman, is it the committee's intention to name that funding level in the conference report?

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

Mr. LATHAM. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I would like to tell the gentleman that the committee will work hard to meet that funding level.

Mr. LATHAM. I thank the gentleman, Mr. Chairman.

Ms. KAPTUR. Mr. Chairman, I yield 2 minutes to the gentlewoman from North Carolina (Mrs. CLAYTON) from the authorizing committee, who has worked with us every step of the way on this bill.

Mrs. CLAYTON. Mr. Chairman, I thank the gentlewoman from Ohio for the time, and I want to rise in support of this appropriation bill, and I want to commend both the gentleman from New Mexico (Mr. SKEEN) and the ranking member of the subcommittee agriculture appropriations.

I rise in support of the bill because there are many things in this bill that is very much needed in agriculture. It provides obviously the money of more than $60 billion in agriculture programs including moneys for research, including moneys for farm service administration, including moneys for rural housing, including money for WIC and nutrition programs, agricultural research; so many parts of this program are essential for the infrastructure and ongoing agriculture and research program.

However I also raise issues that are deficits. There are still lack of funding of recognition in these program. One in particular I think, the ranking member from agriculture raised the issue about Cotton Step 2. Obviously that is very, very important to my district in terms

of having the opportunity to market in that area. I am sensitive to the cooperative research is $14.2 million below the request, and I know all the land grant schools throughout the United States are indeed in need of those monies, and the conservation program again is underfunded, and yet there are more requirements in requiring them to implement the programs. They do not have the resources to do that, and I just say to our colleagues that if they expect for a full implementation, they have to have the resources.

Again, the whole issue of disadvantaged farmers I know will be addressed, and I am appreciative of that, but I want to say now to both the gentleman from New Mexico (Mr. SKEEN) and to the ranking member I will be glad to support that amendment. There are issues that I think we can still revisit, hopefully, from the amendment process, but I want to commend both of them and say to my colleagues who think that we are spending too much money that I think we have the unique position of being first out of the box and being most conservative so we get to be kind of whipping boy, whipping girl, and I think that is unfair to rural America, I think it is certainly unfair to the farmers that feed us and provide fiber for us.

Mr. SKEEN. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. Mr. Speaker, I thank the gentleman for yielding this time to me, and I want to congratulate him and the ranking member on this subcommittee, a subcommittee on which I am proud to serve, for their good work in trying to craft a bill that stays within the budget caps.

Agriculture has some very difficult challenges this year and next, and what I hope this bill will do is provide adequate resources for our farmers, not only in the area of agriculture research, but in other areas in which we think the free market system has a better chance to work.

One of the things I am disappointed that the bill does not contain, I am going to introduce an amendment later about it, is the issue of sanctions relief. I feel we need to be in a position to open world markets that are currently shut off from our farmers, and this may not be the vehicle, but we have to open those markets.

So open markets, adequate funding of agriculture research, and there will be some challenges to that today, but I think we have to resist those challenges to government-funded research. It is critically important to our farmers.

So, I urge support of this bill. I appreciate the good work of the gentleman from Mexico and the people of our subcommittee, and I urge its passage.

Ms. KAPTUR. Mr. Chairman, may I inquire about my remaining time?

The CHAIRMAN. The gentlewoman from Ohio (Ms. KAPTUR) has 2 minutes remaining, and the gentleman from New Mexico (Mr. SKEEN) has 30 seconds remaining.

Ms. KAPTUR. Mr. Chairman, I yield our remaining time to the distinguished gentleman from Vermont (Mr. SANDERS) who has fought for agriculture not only in Vermont, but throughout our country.

The CHAIRMAN. The gentleman from Vermont is recognized for 2 minutes.

Mr. SANDERS. Mr. Chairman, I thank the gentlewoman for yielding this time to me, and I want to congratulate the chairman and the ranking member for the outstanding work they have done on this bill. I think, however, there is no disagreement that the committee is forced to operate under very severe budget constraints. There is no debate about that, and I would simply want to remind every Member of the U.S. House of Representatives that in this great country, in this country which is wealthier than any other country in the history of the world, today there are millions and millions of Americans who are hungry, who are hungry, and what does it say about our national priorities that we see a proliferation of millionaires and billionaires, that we see a situation when some want to provide over a trillion dollars in tax breaks over the next 15 years, and yet hospital administrators tell us that when senior citizens go to the hospital, they are finding many seniors who are suffering from malnutrition? What does it say about our country when school administrators tell us that when kids get to school in the morning many of these children come from families which do not have enough money to provide them with adequate breakfast or adequate lunches, that these kids are unable to do the school work that they otherwise would be able to do? They fall off the wagon, and they get into trouble.

Is that what America is about? I think not.

Now I understand the limitations that there are in this bill because of the overall budget, but I would hope that every Member of Congress understands that the day has got to come and come soon when this country wipes out the disgrace of having hungry people within our wonderful Nation.

Second of all, Mr. Chairman, within that context we must be aware of the plight that family farmers in rural America are suffering from one end of this country to the other. Other people have made this point, and I want to repeat it. If we do not stand up and protect the small family farmer, we are going to lose that important aspect of what makes this country great.

Mr. SKEEN. Mr. Chairman, I yield 30 seconds, my last one-half minute, to the gentleman from Texas (Mr. BONILLA).

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

Mr. BONILLA. Mr. Chairman, I would like to commend the chairman and ranking member of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies for facing a very difficult task head on and doing the absolute best they could in dealing with our agriculture needs this year. With the falling commodity prices and drought, it was a very difficult task that we faced, and the gentleman from New Mexico has taken care of research activities, conservation funding, distance learning and tele-medicine programs, FSIS programs, and it is amazing actually that we were able to get through this as efficiently as possible and deal with these important problems.

I just hope that every Member of this body understands how important it is to support this bill as it is.

Mr. BEREUTER. Mr. Chairman, this Member rises in support of H.R. 1906, the Agriculture Appropriations bill for fiscal year 2000.

This Member would like to commend the distinguished gentleman from New Mexico (Mr. SKEEN), the Chairman of the Agriculture Appropriations Subcommittee, and the distinguished gentlewoman from Ohio (Ms. KAPTUR), the ranking member of the Subcommittee for their hard work in bringing this bill to the Floor.

Mr. Chairman, this Member certainly recognizes the severe budget constraints under which the full Appropriations Committee and the Agriculture Appropriations Subcommittee operated. In light of these constraints, this Member is grateful and pleased that this legislation includes funding for several important projects of interest to the State of Nebraska.

First, this Member is pleased that H.R. 1906 provides $423,000 for the Midwest Advanced Food Manufacturing Alliance. The Alliance is an association of twelve leading research universities and corporate partners. Its purpose is to develop and facilitate the transfer of new food manufacturing and processing technologies.

The Alliance awards grants for research projects on a peer review basis. These awards must be supported by an industry partner willing to provide matching funds. During its fifth year of competition, the Alliance received 23 proposals requesting $892,374 but it was limited to funding 9 proposals for a total of $350,000. Matching funds from industry partners totaled $475,549 with an additional $82,000 from in-kind contributions. These figures convincingly demonstrate how successful the Alliance has been in leveraging support from the food manufacturing and processing industries.

Mr. Chairman, the future viability and competitiveness of the U.S. agricultural industry depends on its ability to adapt to increasing world-wide demands for U.S. exports of intermediate and consumer good exports. In order to meet these changing world-wide demands, agricultural research must also adapt to provide more emphasis on adding value to our basic farm commodities. The Midwest Advanced Food Manufacturing Alliance can provide the necessary cooperative link between universities and industries for the development of competitive food manufacturing and processing technologies. This will, in turn, ensure

that the United States agricultural industry remains competitive in a increasingly competitive global economy.

This Member is also pleased that this bill includes $200,000 to fund a drought mitigation project at the Agricultural Meteorology Department at the University of Nebraska-Lincoln. This level of funding will greatly assist in the further development of a national drought mitigation center. Such a center is important to Nebraska and all arid and semi-arid states. Although drought is one of the most complex and least understood of all natural disasters, no centralized source of information currently exists on drought assessment, mitigation, response, and planning efforts. A national drought mitigation center would develop a comprehensive program designed to reduce vulnerability to drought by promoting the development and implementation of appropriate mitigation technologies.

Another important project funded by this bill is the Alliance for Food Protection, a joint project between the University of Nebraska and the University of Georgia. The mission of this Alliance is to assist the development and modification of food processing and preservation technologies. This technology will help ensure that Americans continue to receive the safest and highest quality food possible.

This Member is also pleased that the legislation has agreed to fund the following ongoing Cooperative State Research, Education, and Extension Service (CSREES) projects at the University of Nebraska-Lincoln:

Food Processing Center	$42,000
Non-food agricultural products ...	64,000
Sustainable agricultural systems	59,000
Rural Policy Research Institute (RUPRI) (a joint effort with Iowa State University and the University of Missouri)	644,000

Also, this Member is pleased that H.R. 1906 includes $100 million for the Section 538, the rural rental multi-family housing loan guarantee program. The program provides a Federal guarantee on loans made to eligible persons by private lenders. Developers will bring ten percent of the cost of the project to the table, and private lenders will make loans for the balance. The lenders will be given a 100% Federal guarantee on the loans they make. Unlike the current Section 515 direct loan Program, where the full costs are borne by the Federal Government, the only costs to the Federal Government under the 538 Guarantee Program will be for administrative costs and potential defaults.

Mr. Chairman, this Member appreciates the Subcommittee's support for the Department of Agriculture's 502 Unsubsidized Loan Guarantee Program. The program has been very effective in rural communities by guaranteeing loans made by approved lenders to eligible income households in small communities of up to 20,000 residents in non-metropolitan areas and in rural areas. The program provides guarantees for 30-year fixed-rate mortgages for the purchase of an existing home or the construction of a new home.

Mr. Chairman, in conclusion, this Member supports H.R. 1906 and urges his colleagues to approve it.

Mr. UDALL of Colorado. Mr. Chairman, I rise today in support of H.R. 1906, Agriculture Appropriations for FY 2000. In particular, I wish to draw my colleague's attention to the valuable work being done by the Ultraviolet-B (UV–B) Monitoring Program at Colorado State University.

This program provides information on the geographical distribution and temporal trends of UVB radiation in the United States. This information is critical to the assessment of the potential impacts of increasing ultraviolet radiation levels on agricultural crops and forests. Specifically, it provides information to the agricultural community and others about the climatological and geographical distribution of UVB irradiance.

In a broader sense, the monitoring program supports research that increases our understanding of the factors controlling surface UVB irradiance and provides the data necessary for assessing the impact of UVB radiation on human health, ecosystems and materials.

Beginning in 1992, Congress appropriated two million dollars per year in support of this research effort. At that level of funding, the program was able to get underway and to carry forward some money each year. Recently, appropriations have been at $1,000,000 annually, which, with the carry over amounts have been adequate. As of FY 1999, the carry-over funds have been exhausted. The President's budget calls for $1,750,000 to simply continue this program at current funding levels. H.R. 1906 appropriates $1,000,000 for this program, but I remain hopeful that the goal of $1,750,000 can be accommodated during the upcoming conference committee with the other body.

Mr. Chairman, since the discovery of the Antarctic ozone hole in 1985, I have been personally very concerned about the impact of UVB radiation on all of earth's living systems. This program is surely a step toward understanding and monitoring this significant threat to all of our ecosystems.

Mr. BISHOP. Mr. Chairman, after experiencing one weather-related disaster after another, the future of production agriculture and family farming in middle and south Georgia faces a threat of almost unprecedented proportions.

This is not a sudden, overnight crisis. Farmers, bankers, and communities dependent on production agriculture have been in a crisis mode for some time.

Our farmers have faced a threatening situation that has now become even more severe.

I have visited farms to meet with farmers all across the Second District and to see firsthand the destruction that has been wrought by the droughts and other disasters which have struck our area. Indeed, the University of Georgia has estimated farmgate value lost during the past crop year at over $767 million.

The bill contains many of the crucial programs which are needed to restore a vibrant farm economy.

It provides $2.3 billion for direct and guaranteed farm operating loans, $647 million more than the current fiscal year.

It contains $559 million for direct and guaranteed farm ownership loans, $49 million more than the current year.

Research is the backbone of ag production, and it would be irresponsible for the federal government to abdicate its role in this area. This is why we need to leave all this partisan bickering behind and get on with the business of providing the $836 million for the Agricultural Research Service that is in this bill.

For the extension service that is so important to our farmers, this bill has $916 million for Cooperative State Research, Education and Extension Service activities.

There is $71 million for USDA's Risk Management Agency, which manages the federal crop insurance program. How else will the Congress ensure that insurance products that can effectively protect against risk of loss are developed? How will we ever get to the point where farmers can adequately recover their costs of production following a disaster and pay premiums that are affordable?

The bill will fund the $654 million needed for operation of USDA's Natural Resource Conservation Service. This agency helps farmers conserve, improve, and sustain the soil and water on their land for future generations.

This bill includes a $300,000 allocation to expand research into ways to protect the few consumers who are allergic to peanuts, and thereby to prevent misguided efforts to ban or reduce peanut consumption.

Prices for southeast timber are at a record low, and it would be financially damaging to force growers facing thinning-out deadlines to sell their harvested timber on the current market. This is why this good bill includes language giving farmers an extension until January 1, 2003 for thinning out and selling their timber under the Conservation Reserve Program.

I ask my colleagues to let this House do the work expected of us by our farmers.

Mr. BLILEY. Mr. Chairman, I rise to address some language contained in the Committee report on the FY 2000 Agriculture Appropriations bill. The language ''directs'' that the FDA not proceed with a highly controversial rulemaking on ephedrine-containing products. The inclusion of this report language is an attempt to subvert regular order. The proper course for the proponents of the language to address this issue is to contact the Commerce Committee, which exercises primary jurisdiction over FDA matters. I therefore urge the House-Senate conferees to drop the language in conference. Further, I intend to closely monitor the regulatory proceeding at issue to ensure that FDA meets all of its legal obligations.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed $75,000 for employment under 5 U.S.C. 3109, $2,836,000: *Provided*, That not to exceed $11,000 of this amount, along with any unobligated balances of representation funds in the Foreign Agricultural Service, shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary: *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 793(c)(1)(C) of Public Law 104–127: *Provided further*, That none of the funds made available by this Act may be used to enforce section 793(d) of Public Law 104–127.

Mr. MORAN of Kansas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today to commend the chairman and the ranking member for their efforts in appropriations in this appropriation bill related to agriculture. Obviously a Member of Congress who comes from the district I come from is very concerned about the agriculture economy, and the impact of this appropriation bill upon my State is significant, and I commend the committee for its efforts.

□ 1445

I do want to raise a topic that is of great concern to me and to the many small businesses that I represent within the agribusiness community of Kansas. I have an amendment to be offered later today that would allow small meat processors with sales under $2.5 million and less than 10 employees to have an additional year before their compliance with USDA's HACCP, the Hazard Analysis and Critical Control Points Inspection System would take effect and impact them.

This amendment would apply only to the smallest local meat processors and would in no way change the inspection system in our large nationwide plants.

There are significant problems out there. In fact, the U.S. Small Business Administration has concluded in its letter to USDA that something must be done. Their conclusion in their letter to USDA, dated July 5 of 1995, says, ''The Office of Advocacy at the SBA remains deeply troubled by the failure of FSIS to analyze properly the impact of HACCP on small businesses.'' Requires, among other things, that an agency tailor its regulations to impose the least burden on businesses of differing sizes.

There are many alternatives which USDA could pursue which have been either rejected or overlooked by FSIS and which would reduce the compliance burden on our smallest businesses.

This is Sam's Locker across the country in the smallest communities of our Nation, and many of them are going out of business, really on a weekly basis. I pick up the paper and the local locker plant in one of my communities across Kansas is closing its doors because of the cost and burden of compliance with this rule which will take effect January 1 of the year 2000.

The Small Business Administration says that the smallest firms face the greatest burden in both absolute and per-unit costs and suggests that there are a number of alternatives which USDA has not explored. So I intend later today to offer an amendment that would delay the implementation for approximately 9 months of this last phase of HACCP regulations.

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

Mr. MORAN of Kansas. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I thank the gentleman for his concern and his remarks. It is good to know that someone is looking out for the small businessperson.

As it happens, the committee has commissioned a GAO study of the HACCP process, and if possible, I will try to include the gentleman's concern in that study, or work with him during the conference on the issues that he has just raised.

Mr. MORAN of Kansas. Mr. Chairman, reclaiming my time, I appreciate the comments from the gentleman and I look forward to working with the gentleman from New Mexico on this issue. It is a significant one.

Mr. SKEEN. As they say in our country, igualmente, equally.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $5,620,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $25,000 is for employment under 5 U.S.C. 3109, $11,718,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $6,583,000.

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk read as follows:

Amendment offered by Mr. Coburn:

Page 3, line 23, after dollar amount insert ''(reduced by $463,000)''.

Ms. KAPTUR. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentlewoman reserves a point of order.

Ms. KAPTUR. We do not have the amendment on this side and have not seen it.

The CHAIRMAN. The Clerk will distribute copies of the amendment.

Mr. COBURN. Mr. Chairman, the purpose of this amendment is that the $463,000 represents over a 7 percent increase for this department, Office of Budget and Program Analysis. Again, I will restate the obvious.

I believe that the money that we spend on agricultural programs ought to be going to our farmers, and I object to the fact that we are increasing overhead and bureaucratic expense, and that this money is not available to the farmers in my district. This money is not available to put the FSA offices back close to the farmers instead of having it 90 miles away from my farmers.

So what we have done by this increase over the baseline from last year is spend money in Washington and not spend money on our farmers.

The purpose of this amendment is to bring us back to last year.

I again want to go back. Any dollar that is spent that should not be spent is a dollar of Social Security money stolen from our seniors and our grandchildren. The Social Security Administration estimates that in the year 2020 to 2022, to stay even with Social Security, despite no other changes, that we will have an effective FICA tax rate, a Social Security tax rate of somewhere between 22 and 24 percent, somewhere double where we are today. So if we continue to have this kind of spending, which we know, if it is not absolutely necessary, will be taking money from our grandchildren, our grandchildren will repay this money. Any money that is spent in this bill for a service that is not absolutely necessary is a dollar stolen from our Social Security.

What does that mean? That means, number one, that the Social Security surplus is less. Number two, that means the debt, external debt that we hold today will not decrease by that amount, and that is what we have been doing with the excess Social Security money; we have been paying off bankers and foreign governments who own our Treasury notes and Treasury bills and putting an IOU in the Social Security system. So that also is a lost opportunity for savings on external debt.

Number three, it pretends to be a situation that rationalizes that in hard times, like we are in today spending money on a war in Yugoslavia, we can afford to have a 7-plus percent increase in bureaucratic overhead.

It is my feeling that the people in my district are best represented when the money that is spent for agriculture goes to our farmers, not to the bureaucratic administration of that aid to our farmers.

So, therefore, Mr. Chairman, I would make the point again that we are going to have close to $149 billion in excess

Social Security payments in the year 2000, and that this one small area, this one small amount of $463,000 is enough to supply Social Security in the future for several of our grandchildren, especially if it is not spent and compounded and earned.

Mr. Chairman, one of our colleagues, the gentleman from South Carolina (Mr. SANFORD) took 6 years, the years from 1944 to 1950, and took the amount of money that was put into Social Security. Had that money been saved and not spent and invested at a rate of 6 percent return, there would be $3 trillion from those 6 years in Social Security today. So by spending money, rather than saving money as it was initially intended, what we are doing is losing opportunity for our children.

Mr. Chairman, I plan on offering this amendment. I am in hopes that people will support the fact that we do not need to have this much of an increase to be able to accomplish this as the purpose of this budgetary office. It is my hope that we can have an acceptance of this amendment, that the chairman will look favorably on this amendment, knowing that the dollars to pay for this will come not only from the seniors who have trouble getting by today, will come from the commitment that we made not to touch one penny of Social Security.

The CHAIRMAN. Does the gentlewoman insist on her point of order?

Ms. KAPTUR. Mr. Chairman, we have been provided now with copies of this amendment, so I withdraw my point of order.

Mrs. MYRICK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Coburn amendment because I just believe it is time to keep our promise, and this is one place we have to start. We have told the American people that we balanced the budget, and I really believe that now we need to stick to our word, because otherwise we are not being true to them.

I understand and sympathize with the American farmers; I understand the committee's concerns and problems. In fact, we just passed a supplemental bill that added additional dollars for farmers.

But since this year's budget resolution calls for $10 billion in discretionary spending cuts, we have to make the cuts to stick to the balanced budget agreement and protect and preserve Social Security, and the time to start is now.

There is never a good time. That is the difficult thing about this place, because it is always hard not to spend money in a culture that is set up to spend, spend, spend. That is what Washington does and does well.

It is always easy to stick pork in bills to spend more money; it happens every day. I think that is wrong.

Mr. Chairman, we have to stand up for our principles of lowering taxes and protecting 100 percent of Social Security for our children and our grandchildren. They are depending on that. They look to us to be responsible, and as we do our bills, as this whole appropriations process goes forward, we have to be really conscious of that.

It is time to put the good of the country ahead of personal ambition and tighten our belts. Without cuts now, and this is a relatively noncontroversial bill, if we cannot do it here, how in the world are we going to reduce spending in the other 12 appropriations bills?

Mr. Chairman, for years, Congress has raided Social Security and funded pork barrel spending, and I believe it needs to stop; and today is a good time to stop it. I support the Coburn amendment, and I support fiscal responsibility.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COBURN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. COBURN. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

Mr. COBURN. Mr. Chairman, 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 CHAIRMAN. Evidently a quorum is not present.

Pursuant to the provisions of clause 6 of rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the pending question following the quorum call.

PARLIAMENTARY INQUIRY

Mr. COBURN. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN: The gentleman will state it.

Mr. COBURN. Mr. Chairman, is there a planned quorum call at this time? Can the Chair advise as to the planned quorum call?

The CHAIRMAN. There is a quorum call at the point of order request of the gentleman from Oklahoma.

Mr. COBURN. And will that be granted?

The CHAIRMAN. It will be. It has been.

The call was taken by electronic device.

The following members responded to their names:

[Roll No. 151]

ANSWERED ''PRESENT''—399

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Snyder
Souder

Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

☐ 1515

The CHAIRMAN. Three hundred and ninety-nine Members have answered to their name, a quorum is present, and the Committee will resume its business.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from Oklahoma (Mr. COBURN) for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 133, noes 285, not voting 15, as follows:

[Roll No. 152]

AYES—133

Aderholt
Archer
Bachus
Ballenger
Barr
Bartlett
Barton
Bass
Blunt
Boehner
Brady (TX)
Bryant
Burr
Burton
Buyer
Camp
Campbell
Cannon
Castle
Chabot
Chenoweth
Coble
Coburn
Collins
Cox
Crane
Cubin
Deal
DeLay
DeMint
Diaz-Balart
Doggett
Doolittle
Dreier
Duncan
Ehrlich
English
Foley
Fossella
Fowler
Frank (MA)
Franks (NJ)
Ganske
Gibbons
Goode
Goodlatte
Goodling
Goss
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hoekstra
Hostettler
Hunter
Hutchinson
Inslee
Isakson
Istook
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
Lazio
Leach
Linder
Lofgren
Luther
Maloney (CT)
Manzullo
Martinez
McCollum
McInnis
McIntosh
Meehan
Metcalf
Mica
Miller (FL)
Miller, Gary
Myrick
Northup
Norwood
Paul
Pease
Petri
Pitts
Pombo
Portman
Ramstad
Riley
Rogan
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Smith (MI)
Smith (WA)
Souder
Spence
Stearns
Stump
Stupak
Sununu
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Tiahrt
Toomey
Upton
Walden
Wamp
Watts (OK)
Weldon (FL)
Weller

NOES—285

Abercrombie
Ackerman
Allen
Andrews
Armey
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Callahan
Calvert
Canady
Capps
Capuano
Cardin
Carson
Chambliss
Clay
Clayton
Clement
Clyburn
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dickey
Dicks
Dingell
Dixon
Dooley
Doyle
Dunn
Edwards
Ehlers
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Forbes
Ford
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hansen
Hastings (FL)
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hyde
Jackson (IL)
Jefferson
Jenkins
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Napolitano
Neal
Nethercutt
Ney
Nussle
Oberstar
Obey
Olver
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reynolds
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Talent
Tanner
Tauscher
Tauzin
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Weygand
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Baker
Brown (CA)
Graham
Granger
Hinojosa
Jackson-Lee (TX)
Kasich
Largent
Millender-McDonald
Nadler
Ortiz
Reyes
Rothman
Smith (TX)
Whitfield

☐ 1523

Mr. EHRLICH and Mr. SESSIONS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk read as follows:

Amendment offered by Mr. Coburn:

Page 3, line 23, after the dollar amount insert ''(reduced by $231,000)''.

Mr. COBURN. Mr. Chairman, it is obvious that the House did not concur with the last amendment to hold the Office of Budget and Program Analysis at last year's level.

The above-intended amendment is designed to cut the increase in that office in half. Instead of having an almost 8 percent increase, this will offer the employees and administrators in that office a 4 percent increase.

PARLIAMENTARY INQUIRY

Ms. KAPTUR. Mr. Chairman, I have a parliamentary inquiry regarding the amendment of the gentleman from Oklahoma (Mr. COBURN).

The CHAIRMAN. Does the gentleman from Oklahoma yield for an inquiry?

Mr. COBURN. Yes, I am happy to yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, is this a new amendment that the gentleman from Oklahoma is proposing?

Mr. COBURN. Mr. Chairman, this is an amendment under the same section at the same line item to cut the rate of increase in one-half of what the committee has recommended for the Office of Budget and Program Analysis within the Department of Agriculture.

☐ 1530

Ms. KAPTUR. Mr. Chairman, may I ask the gentleman if we have a copy of this amendment?

Mr. COBURN. It is my understanding that this amendment was given to the Chair, and I will be happy to supply the gentlewoman with a copy of it at this time.

The CHAIRMAN. The Clerk will distribute copies of the amendment.

Ms. KAPTUR. I thank the gentleman.

The CHAIRMAN. The gentleman from Oklahoma may proceed.

Mr. COBURN. So the purpose of this amendment, Mr. Chairman, having the House, with 137 Members, I believe, agree that we should freeze this spending, given the fact that the increase in spending is going to be above this last year's fiscal year and will come from Social Security surpluses, the purpose of this amendment is to decrease by one-half the amount of increase in the Department at this level.

I have before me a sample of what most seniors probably think is going on right now, a check from the Social Security Trust Fund for $231,000. This still gives that department in that area an increase two-and-a-half times the rate of inflation. Very few people within our districts and within the private

sector are seeing increases in their operating and overhead or their expense or their salaries going up at two-and-a-half times the rate of inflation.

It is estimated by the Congressional Budget Office and the Office of Management and Budget that the Social Security surplus this year will be $149 billion. On track, the first appropriation bill to meet this House, has an increase over last year. The budget agreement that we agreed to with the President in terms of meeting the targeted spending in 1997, the budget that passed this House, the minority-sponsored budget, all had provisions to protect Social Security 100 percent. The purpose of this amendment is to try to keep us at our word, to protect Social Security dollars. It is my feeling and my conviction that we do that best by, with the first bill, setting an example on how we are going to spend money.

I recently had a Member come up and say that I was a good reason to vote against term limits, because I was offering amendments to decrease the spending in Washington and that I felt we should not spend any money that comes from Social Security. Well, I would portend just the opposite of that. I think that is a good reason to vote for people with term limits.

The fact is that we are spending $260 million more in this appropriation bill than we did last year. The purpose of this amendment is to trim some of that. It is not to inhibit what we do with our farmers, it is to make sure that the money that we put into the Department of Agriculture gets to the very people that we want it to. By having an 8 percent increase in this office, a portion of that money could be saved, could be preserved in Social Security, could be used to lower the FICA taxes that our children and grandchildren are going to have to pay so they will be able to have Social Security.

It is not anything but incumbent on Members of this body to try to spend the taxpayers' money in the way that they believe is in the best interest of the country and in the best interest of the long-term security for this Nation. I want to be measured by how I left our country. I want to be measured when my grandchildren, who are now 3 and 1, look at their income tax statements and look at their payroll slips and know that we were not responsible for raising the FICA payments from 12 percent to 25 percent. And that is the estimate from the Social Security Administration that is going to be required by the year 2022.

We can change what happens in Washington. We do not have to spend more money.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COBURN).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. COBURN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 146, noes 267, not voting 20, as follows:

[Roll No. 153]

AYES—146

Aderholt
Archer
Armey
Bachus
Ballenger
Barr
Bartlett
Barton
Bass
Biggert
Bilirakis
Blunt
Boehner
Brady (TX)
Bryant
Burr
Burton
Buyer
Camp
Campbell
Cannon
Castle
Chabot
Chenoweth
Coble
Coburn
Collins
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Doggett
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Foley
Fossella
Fowler
Frank (MA)
Franks (NJ)
Ganske
Gibbons
Goode
Goodlatte
Goodling
Goss
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Hostettler
Hunter
Hutchinson
Hyde
Istook
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
Klink
Largent
Lazio
Leach
Linder
Lofgren
Luther
Maloney (CT)
Manzullo
McCollum
McInnis
McIntosh
Meehan
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Moran (VA)
Myrick
Northup
Norwood
Ose
Paul
Pease
Petri
Pickering
Pitts
Pombo
Pryce (OH)
Ramstad
Rogan
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Smith (MI)
Smith (WA)
Souder
Spence
Stearns
Stump
Stupak
Sununu
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Thornberry
Tiahrt
Toomey
Upton
Walden
Wamp
Watts (OK)
Weldon (FL)
Weller

NOES—267

Abercrombie
Ackerman
Allen
Andrews
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Callahan
Calvert
Canady
Capps
Capuano
Cardin
Carson
Chambliss
Clay
Clayton
Clement
Clyburn
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dickey
Dicks
Dingell
Dooley
Doyle
Edwards
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Forbes
Ford
Frelinghuysen
Frost
Gallegly
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Green (TX)
Hall (OH)
Hansen
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Inslee
Isakson
Jackson (IL)
Jefferson
Jenkins
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Morella
Murtha
Napolitano
Neal
Nethercutt
Ney
Nussle
Oberstar
Obey
Olver
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickett
Pomeroy
Porter
Price (NC)
Quinn
Radanovich
Rahall
Rangel
Regula
Reynolds
Rivers
Rodriguez
Roemer
Rogers
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Sherman
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Talent
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—20

Brown (CA)
Brown (FL)
Dixon
Fletcher
Gekas
Graham
Gutierrez
Hinojosa
Jackson-Lee (TX)
Kasich
Martinez
Millender-McDonald
Nadler
Ortiz
Portman
Reyes
Riley
Rothman
Smith (TX)
Young (AK)

□ 1558

Mr. COOK and Mr. JOHN changed their vote from ''aye'' to ''no.''

Messrs. GEORGE MILLER of California, MORAN of Virginia, DAVIS of Virginia, and KLINK changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. PORTMAN. Mr. Chairman, because of a previously scheduled commitment, I missed rollcall vote No. 153 during consideration of H.R. 1906, the Fiscal Year Agriculture Appropriations Act.

Had I been present, I would have voted "yea".

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $6,051,000.

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk read as follows:

Amendment offered by Mr. COBURN:

Page 4, line 3, after the dollar amount insert ''(reduced by $500,000)''.

Mr. COBURN. Mr. Chairman, the purpose of this amendment is to address the increase that was given to the Office of the Chief Information Officer. What we have heard through the general debate on this bill is that this is a fairly tight bill, and I agree that it is a fairly tight bill. I also agree that there is also an area where if we spend a certain amount, $61 billion, that we ought to make sure that that money that is allocated, that belongs to the taxpayers, actually gets to the end people that we want it to get to, i.e., the farmers, i.e., the people that are going to be dependent on it.

The Office of the Chief Information Officer under this appropriation request received a 9 percent increase. Now, of that $500,000 increase, what we will see, if we are honest about where the money is going to come, is it is all going to come from Social Security. We are going to take surplus Social Security money and we are going to spend it to give a 9 percent increase. For us to keep the agreement not to spend Social Security money, to keep the agreement that the President and the Congress signed off on in 1997, that we have to cut spending $10 billion, not increase it a quarter of a billion as this bill does, we have to make some trims back in these appropriation bills.

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

Mr. COBURN. I yield to the gentleman from North Dakota.

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

I am informed that the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies has brought this bill to the floor within their 302(b) allocation and therefore am of the opinion that it is funded by general fund revenues and has nothing to do with the Social Security funds the gentleman is speaking to.

Mr. COBURN. Mr. Chairman, reclaiming my time, that is a literal statement that in fact at the end of the day will not be true. Because by saying that this is within the 302(b) means that you also would agree that Labor HHS could be cut $4.9 billion which is also in the 302(b) for Labor HHS. I assure you that neither you nor I would vote for an appropriation bill at that level. So what I would tell the gentleman is that the 302(b)s really are not applicable to the process that we are seeing going on right now because the end game is we are going to spend Social Security money and we are not going to be below the $10 billion. I understand how that works, you understand how that works, and although technically this committee is within the 302(b) allocation, the 302(b) allocations are designed so that in the long run we will spend Social Security money.

Mr. POMEROY. If the gentleman will yield further, this House passed a budget. These are the early appropriation bills coming to the floor under that budget. Much was made by the majority in consideration of the budget that it was protecting Social Security. Here we have the chairman of the Subcommittee on Agriculture bringing his bill up within the allocation he had.

Mr. COBURN. Reclaiming my time, if the gentleman would agree to vote for this bill under its 302(b) and agree to vote for the Labor HHS bill under its 302(b), I will be happy to buy his discussion of this argument. But I would portray that I will not vote for a Labor HHS bill that is cut by $4.9 billion and I would surmise that he probably would not do that under the same argument. The fact is that the 302(b)s are not an accurate reflection of where we are going with the budget process this year. They are in terms of total dollars, and I would agree with the gentleman in terms of total dollars, but what they are is front-end-loaded and at the tail end is the very things that most people are going to need besides our farmers, those that are most dependent on us, the veterans, those that do not have housing, those that are needy in terms of Medicaid, Medicare and the supplemental things that we do to help those people, those dollars are not going to be available. So what we are going to do is we are either going to pass a bill that cuts those severely, which neither of us I would surmise would vote for, or we are going to go into a negotiation again with the President and bust the budget caps and in fact spend Social Security money. So I will stick with my argument that this bill, because it is above last year and is not below last year, will in the end ultimately spend seniors' money.

Mr. POMEROY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want us to look very closely at what is going on here. This is an appropriations bill brought up pursuant to the budget plan passed by this House. The chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies was given a 302(b) allocation and he has brought his bill forward under that allocation. This is not about emergency spending. This is not about extra allocation spending. This is a chairman that has done everything right, operating under the 302(b) allocation the Committee on Appropriations received under the budget plan passed by the majority. So I simply do not believe that it is rooted in fact that we need to look at this for other than it is, spending for agriculture.

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

Mr. POMEROY. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I guess if we were to ask the seniors who are on Social Security in Oklahoma and those from your State if they believe it is appropriate that this office get a 9 percent increase this year and what did they get in terms of their Social Security increase, I think most of them would object to the fact that we cannot be more efficient. That is the point I am making.

Mr. POMEROY. Reclaiming my time, I was respectful to the gentleman in his 5 minutes and I want to make a couple of points. The farmers of this country are in a world of hurt. I have lived all my life in North Dakota and I have never seen it as bad as it is today. We have prices that do not cover the cost of production. This body made a decision that we were not going to protect farmers when prices collapsed and prices have collapsed below the cost of production. As a result, we have got farmers going bankrupt all over the country. We have got auction sales in North Dakota that do not quit. Now, this Congress because we have got a farm bill that is not working has tried to do a lot of things. Members will remember last year, we passed increasing the AMTA payments, we passed accelerating the AMTA payments, more money to farmers to somehow tide them through this situation. We passed a disaster bill that has proven to be the most confusing disaster bill ever passed and the U.S. Department of Agriculture did not even get it all fully available until June of this year. Now, through this all, the farmer understands one thing. He is losing money, and he is about out of time. He does not understand all these relief measures that we are trying to pass because they are confusing, they are haphazard, they have been passed in a happenstance way and in an ad hoc way. The Public Information Office of the U.S. Department of Agriculture has never been more important. And if you think everyone gets it in terms of what is available for them, you just call one of your farmers right this afternoon and ask them. It is chaos out there and confusion. They do not know what is available. The U.S. Department of Agriculture needs to do a better job. Secondly, it needs the resources so that it can do the job we expect them to do. We have changed the farm program. We have ended the price support that has been part of farm policy for four decades. We are now operating under ad hoc, give them some money here, get them some money there, build a program, try to tide us through, and all of that is very confusing. This public information function is vital. When we pass a response to farmers, that just does not mean that money appears in the bank account. You have got to run the program. That means have the people understand it, have them come in, have it administered in the field offices and get the checks out. This is an essential part of that bargain. This is under the absolute legitimate function of the Appropriations Subcommittee on Agriculture operating under their allocation bringing this money to the floor.

I notice that all of the Republican leadership voted for the last Coburn

amendment. Does the Republican leadership not understand the crisis that we have in farm country? We have an absolutely deadly threat to our farmers. We are going to lose family farming as we know it today without responding. And so I do not want this to be a Republican or Democrat majority-minority thing. This is a bill for farmers at a time when they have never ever needed it more. So let us save those arguments about these unrelated matters, make them in special orders, make them another time, but let us today, this afternoon, stand for our farmers. They desperately need the help.

Mr. SALMON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to compliment the gentleman from Oklahoma. While I know that the debate, as we go forward, might get just a little bit convoluted, we might begin that old discussion of apples and oranges, the fact is, the gentleman from Oklahoma recognizes this, that last year we made a solid, ironclad promise to the seniors in this country; and that was that we, as a Congress, would do everything within our power in a bipartisan way, both Republicans and Democrats, to protect the solvency of Social Security.

The fact is, the gentleman from Oklahoma has recognized, I think, as many of us do, that within this total budgetary process, he sees that train wreck coming. The fact is, at the end of the day, after it is all done, if we fund government, if we fund the bureaucracies at the level that all of these proposals are coming in at, we will end up having to rob Social Security to cover up the difference. Frankly, I am not going to be a party to that.

I know the gentleman has risked a lot to put forth, what, close to 100 amendments today because he believes so strongly in the sanctity, the sacredness of making that promise to the seniors in our country, the seniors in this land. Every amendment that he offers, you are going to hear arguments why the bureaucracy that they are defending is more important than the promise and the commitment, the sacred commitment, that we made to our senior citizens. Frankly, I am going to side with the gentleman from Oklahoma on this one.

Mr. NETHERCUTT. Mr. Chairman, I move to strike the requisite number of words.

I have listened to well-meaning people here today. The sponsor of the amendment certainly is, and the last speaker certainly was; my friend from North Dakota certainly is. But let us make sure we understand what we are really talking about here.

All this discussion about senior citizens being hurt by something that we might or might not do relative to emergency spending or busting the budget caps or whatever the spending argument might be is just false. Nobody is going to hurt any senior citizens. Senior citizens are not going to be touched in this debate on Social Security.

It is my generation that is going to be hurt. And the younger people who are baby boomers are going to have to face this Social Security issue. It is not going to affect senior citizens. We are not going to cut Social Security that affects their lives. We are talking about out to 2032, for goodness sakes. So I think that is a false argument as we talk about agriculture.

My friend from North Dakota, as a strong advocate of agriculture and rural agriculture, like I am because I come from a district that depends on it, is mistaken relative to the farm bill of 1996 somehow causing the low prices around the world. That is nonsense in my judgment.

What is happening is, we are in a world market economy that has some price depressions. It is not the farm bill that has caused problems for our farmers; it is the fact that we do not have markets, for crying out loud.

My argument is, we ought to be lifting sanctions on those countries which we have previously traded with that have been good customers of our farmers, in a free market system, not more government control or more government regulation or more command and control farming for the government in our system. This free market system is a good one.

□ 1615

Ask farmers. I have asked them, and they have told me: We like the system, but we have to have freedom to market our products overseas, and we do not have it right now, and we need less regulation at the Federal level, at the USDA level. That is what is going to save and help our farmers.

So I am all in favor of making cuts wherever we can, but as my colleagues know, the chairman here has worked hard within our budget allocation to do what is right for agriculture. Most of this money in this ag budget goes for food stamps, WIC programs, as my colleagues know, food safety and other social sides of spending relative to agriculture. It is not the farmers that are getting some great windfall. The farmers are hurting. So the biggest part of this budget goes to the social spending side of agriculture which is lumped into the ag appropriations bill.

So we are not going to hurt senior citizens in this process where certainly our farmers are needing help, but I think it can be done better in the market economy rather than in more government control. As my colleagues know, more regulations and rules at the Federal level are going to hurt our farmers and restrict them even more.

So, Mr. Chairman, let us make sure we understand what we are talking here, and I understand the motivation of my friend from Oklahoma. He has got good motivation, but this bill is within our budget targets, and we are trying to do all we can for farmers as well as the WIC program and food safety and all the rest that is lumped into this very difficult challenge of trying to make the ag budget work and be balanced.

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

Mr. NETHERCUTT. I do not have much time, but I yield to the gentleman from Indiana.

Mr. MCINTOSH. Mr. Chairman, I appreciate the gentleman's discussion.

One question that the gentleman from North Dakota (Mr. Pomeroy) really refused to answer was whether he would be able to support the later appropriation bills with as much as $3 to $5 billion in reductions so that we could stay within the overall cap and stop using the Social Security surplus. I know the gentleman has worked with us in the past to make sure that we could do that, but I just wanted to ask for the record, would he anticipate being able to support those types of bills with the lower spending in the later part of the process?

Mr. NETHERCUTT. Mr. Chairman, I think that is what we have to do one at a time. I think we have to make that judgment based on what we have before us. I have got an interest, a strong interest, in biomedical research, which is part of the Labor-HHS bill. That is extremely important to me. But I think we have to make tough choices, and so we are trying to make tough choices. The chairman has in this ag bill in staying within our caps, but as my colleagues know, we have got to get them passed, too.

Mr. Chairman, we cannot just not pass something. This, as my colleagues know, we can fight this bill until the cows come home, but we got to get something passed, and that is the chairman's motivation, the chairman of the big committee, the full Committee on Appropriations' motivation, and as my colleagues know, we can look downstream and figure out what we are going to have to face. But let us face it, but let us pass these bills or else we are going to have nothing to pass until the end of the day.

Mr. BOSWELL. Mr. Chairman, I move to strike the requisite number of words.

It has been an interesting discussion going on here, and it does not take really a rocket scientist to figure out what is going on when we see this many amendments on this particular bill, and if we want to do something about Social Security, let us bring it out here and get on with it. But if we are going to talk about agriculture, let us say it like it really is.

Agriculture is in a world of hurt. The last speaker, the previous speaker, and I just met in the Rayburn Room with some of my bankers from rural Iowa, and they are talking about the foreclosures that are starting to take place. It is really happening, it is really happening; reflections for me, having come out of the State legislature,

of what went on in the 1980s, and it is not a very pretty sight and it is not good for our country.

Now we might ought to reflect on this a little bit. As my colleagues know, we are pretty unusual in the world of things at 14, 15 percent, Mr. Chairman, of disposable income spent on food compared to anywhere else in the world, modern countries, wherever, 25 or whatever, to undeveloped countries that take everything, and we have got the most plentiful, safest food and the least expensive. Now we do not feel that way when we go to the grocery store, but the truth of it is it is that way. Now we are messing with our machinery, if my colleagues will, with our factory, if my colleagues will, that produces this food and fiber.

Now some of these things said need to be expanded on a little bit. The secretary told us in our Committee on Agriculture here 3 months ago, something like that, unprecedented, unprecedented worldwide, that we have got overproduction. So when we go somewhere else to make a trade or to want to sell, they say: ''Excuse me. We want to sell to you.''

So, Mr. Chairman, we got a tough situation, and to get the word out and to make sure that, as my colleagues know, those of them that are aware of what is going on in the Farm Service Agency offices and so on, to be able to get the word out as to what is there for them, we need this to be done. We probably need it more than what we are appropriating.

And I want to compliment the chairman, too, and I want to compliment the ranking member for the work they have done within these targets that were established. Pretty tough. I know they have had a tough assignment, but they worked hard and put the hours in, and we thank them for it, and we appreciate it. But we need to pass an ag bill. We need to tell the farmers out there that provide the food and fiber for all of us that we know what is going on and that we want to help them and we want to pass this bill.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take the time first to compliment my friend and colleague from Oklahoma (Mr. COBURN) for speaking out so strongly for those who rely on Social Security, because I have the great privilege of representing more Social Security recipients than almost every Member of this House of Representatives, and so I really appreciate the strong work and the strong message, and I am glad that Congress recognizes that it is important to keep our commitment to those on Social Security. And to do that we did adopt a budget resolution that provided the appropriators with a certain amount of money for discretionary spending.

Now in that amount of money, we suballocated that money based on what we refer to as section 302(b) suballocations. Now this is the first of the 13 regular appropriation bills to come before the House. We have already done two supplemental bills, one conference report on the supplemental bills, and now this is the fourth appropriations vehicle that we have seen for the year. It is within the section 302(b) suballocation, and the section 302(b) suballocations are within the budget numbers set by the budget resolution and also within the budget caps established in 1997.

As a matter of fact, during the work of the full committee there were numerous amendments that were offered to dramatically increase the amount of money in this bill, and the Committee on Appropriations, determined to stay within the suballocation, the budget ceiling number, resisted those amendments.

So, Mr. Chairman, we bring to our colleagues a bill that has been looked at extremely closely by both sides of the House, both parties, and we came to a workable bill that will meet the requirements of America's farmers for this fiscal year, and as has been pointed out, that is important. It is important that America's farmers stay alive and stay well because while we do import some food, 75 percent of our nutrition comes from what the American farmer produces.

So again, Mr. Chairman, to my colleagues I would say this bill is within the section 302(b) suballocations, which are within the budget resolution number, which are within the 1997 budget caps that all of the leaders of both political parties in the House, both political parties in the Senate and the President in the White House have all said we are going to live within. This bill lives within those budget caps and within its section 302(b) suballocation, and I would hope that we could resist these amendments and get on to passing this bill, and get to conference with the other body and get the funding to the agriculture community where it is really needed.

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

Mr. YOUNG of Florida. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I have the utmost respect for the gentleman. I believe his heart is right.

As my colleagues know, when 1997 was agreed to, we did not have a war in Bosnia, we did not have $13 billion that we are going to spend on an action over there. Where are we going to get the money to pay for that? Where did that money come from? That money comes from Social Security.

So the debate really is, is the climate in Washington going to change? Are we going to talk to the President? Are we going to bring things down and say: We are spending this $13 billion because we got to fight a war, and there is probably going to be more where that comes from. We want to plus up defense. I agree with that, but are we going to live within those budget caps as we do that?

Mr. YOUNG of Florida. Mr. Chairman, I would respond to the gentleman that that is a decision that neither he nor I will make. That is a decision that will be made by the leadership of the House and the leadership of the Senate. Then the Congress will work its will and decide if they want to agree or disagree with the decision made by the leadership.

But I would also respond to the gentleman that for the last 4 years I had the privilege of chairing the Subcommittee on Defense of the Committee on Appropriations. Now last year alone, from the time that I submitted the bill to the subcommittee to the time that it came to the floor and to the time it went to conference with the Senate, I had my section 302(b) suballocation, it was section 602(b) back then, but now it is section 302(b), I had my suballocation changed three times during that process.

So it is certainly possible that, as we go through the consideration of the 13 appropriations bills, we will re-look at adjustments under the section 302(b)s. But the section 302(b) suballocations that we have before us today are the best job that we could do based on where we are and what the budget resolution provides for and what moneys are available and identifying those important items that need to be identified.

The CHAIRMAN. The time of the gentleman from Florida (Mr. YOUNG) has expired.

(On request of MR. MCINTOSH, and by unanimous consent, Mr. YOUNG of Florida was allowed to proceed for 2 additional minutes.)

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

Mr. YOUNG of Florida. I yield to the gentleman from Indiana.

Mr. McINTOSH. Mr. Chairman, I want to say I also appreciate the chairman's hard work in this area. It cannot be emphasized enough how difficult the task is.

I think the real question that the gentleman from Oklahoma (Mr. COBURN) was asking and I would be interested in knowing and I think frames this debate is: ''Do you think, as chairman of the committee, when we are finished with all 134 bills we will have met the overall cap, the 132(a), and not have had to go above that?''

Mr. YOUNG of Florida. I would respond to the gentleman that we will probably spend every nickel and every dime that is provided for in that budget resolution because, as the gentleman knows because I have told him this many, many times, if we just froze every account at last year's level we would be $17 billion over those '97 budget caps, and that tragedy that we experienced last year, the end of the year so-called omnibus appropriations bill, if we did everything that that bill committed us to do, we would be $30 billion over those budget caps that the gentleman is talking about.

But let me close out this conversation on this subject because Social Security was Mr. Coburn's original discussion. No one will fail to receive

their Social Security check if this bill passes. No one Social Security check will be late unless the Y2K problem does not get solved, and that is something else that we have to worry about.

And I have heard these arguments in this Congress for many years in an attempt to, whatever the attempt was, and I will not suggest what the attempt was, to frighten people into thinking that if we did not do this or did not do that, their Social Security check would not be coming. That did not happen. The Social Security checks go out, they go on time, they are deposited electronically on time, and this bill's passage is not going to affect the outcome of anyone's Social Security check 1 hour, 1 minute or 1 second or $1.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have had difficulty figuring out where I am today. When I came over here, I thought that I was attending a session of the House of Representatives. I did not know that I was really attending a session of the Republican Caucus.

□ 1630

It has been very interesting. I am not quite sure what to say about it. Let me simply suggest that the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations has, on three occasions, tried to produce legislation which would meet with bipartisan approval in this House. Each time, it is interesting to note that he has run into a roadblock.

That roadblock has not been constructed by members of our party, the minority; that roadblock has been placed in his way by members of the majority party, the Committee on Appropriations chairman's own party.

I think all of us know that the gentleman from Florida (Mr. YOUNG) is trying to do the right thing both for his party and for this institution, and for this country. And I, for one, make no apology, and I do not think he does either, for the level at which this bill is funded.

I know of no group in the country that has suffered a larger erosion of income over the past decade or two decades than have American farmers. I know that we hear a lot about urban poverty, but the fact is, I can take my colleagues into communities where poverty is just as excruciating in rural areas. It is just a little bit more anonymous and it is a little bit further away from the television reporters who are located in the urban centers of this country.

So I think, given that fact and given the fact that American farmers are now being exposed to the crunch of world markets as never before, I do not think we have to apologize for the high funding level in this bill. This bill, if we compare it to what we appropriated last year, out of all spigots including emergency appropriations and the famous Omnibus Appropriations bill, this bill represents a 31 percent cut from last year.

Now, I would simply say this: We have tried on this side of the aisle. I did not vote for the budget 2 years ago. I thought that it was ill-conceived for this Congress to pass it; I thought it was ill-conceived for this President to sign it.

There are a lot of things that this Congress and this President have done that I think are ill-conceived. That was the most spectacular, in my view. But nonetheless, even though I have disagreed with that budget, I tried to cooperate with the committee, because that is our institutional responsibility. But sooner or later, we are going to have to face the fact that we either make some compromises or nothing further will get done this year.

This is, as I say, the third time that we have seen a different play called after the committee brought its legislation, or tried to bring its legislation, out of subcommittee.

On the last vote, I understand virtually all of the Republican leadership voted for the amendment that eliminated the funds contained in the original committee bill. I make no apology for supporting this bill, but I want to say this to those on my side of the aisle. I do not believe that we have any greater obligation to stick to the committee product than does the majority party. And if the leadership of the majority party is going to vote for amendments which are admitted by the author to be part of a tactical filibuster, then I would say the leadership of the House on the Republican side is cooperating in the destruction of its own ability to produce any progress on appropriation bills for the rest of the year.

Now, if they want to do that, that is up to them, but I do not think that is going to be healthy for the House or, in the end, healthy for their record come October.

Mr. GILCHREST. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to tell the gentleman from Wisconsin just my perspective on roadblocks by one member or another member. My perspective is that we do not have roadblocks, we do not have partisan politics. Basically, we have differences of opinions. We come here as Members of Congress to exchange information, for the most part, have a sense of tolerance for somebody else's opinion, and then we vote. And what I see here from the gentleman from Oklahoma and those who support his position, they have a strongly held conviction that we need to reduce various budget items for the purpose of saving Social Security, all of which we would agree with.

I would also say that this is not the Republican Caucus on the House floor right now; this is the Congress, and we are speaking to various issues. I know the gentleman from Massachusetts is going to strike some very humorous comment about that, and I am going to wait around to listen, because I would appreciate it.

What I do want to say, however, is that I strongly disagree with the gentleman from Oklahoma on this issue; and what I would like to do is to read part of the committee bill and then give my opinion on the need to enhance and preserve and save agriculture and not talk about agriculture like it is General Motors and we are producing cars out there, or Westinghouse producing light bulbs.

This is an industry that produces life-needed food for this country, and we are, for the most part, the warehouse for foodstuffs for the world. They are doing this on less and less land.

This is what the committee bill says. This bill ''provides funding for research to strengthen our Nation's food supply to make American exports competitive in world markets, to improve human nutrition, and to help ensure food safety. Funds in this bill make it possible for less than 2 percent of the population to provide a wide variety of safe, nutritious and affordable food for more than 272 million Americans and many more people overseas.''

What we are seeing in agriculture is, we are losing 1 million acres of ag land a year. That is not a million acres of ag land 10 years ago or over the decade, that is every single year we lose 1 million acres or more of agricultural land for a variety of reasons, but we are losing it.

So that means, because the population continues to increase, we need to produce more poultry on less land. We need to produce more milk on less land. We need to produce more vegetables and more agricultural products on less land with fewer farmers, and in order to do that, we need the best technology.

There is all kinds of technology out there, but not all of it is the best, and not all of it is environmentally safe. Not all of it is going to work within the confines of what we understand to be the mechanics of natural processes.

One might be able to create genetically safe corn from the southern boll weevil, but what other forms of life are going to be damaged in the process? This is an intricate, very complex, scientific undertaking that we are doing here today.

Now, I would say that Social Security is safe. This has nothing to do with Social Security. We are going to preserve Social Security not only for seniors today, but for future generations.

This bill is about how we, as people, will understand how we are going to provide food for a growing population on less land; and I would urge my colleagues to vote for the bill of the gentleman from New Mexico (Mr. SKEEN). It is a good one.

Also for the bill of the gentlewoman from Ohio (Ms. KAPTUR).

In conclusion, on the House floor, we have various differences of opinions. We do not see these arguments in Cuba

or North Korea or Iraq. This is the way we do business in this country. We come down here, sometimes in a very volatile atmosphere, but we discuss, debate, argue, disagree. We have a sense of tolerance of someone else's opinion, and then we vote. And that is the final say.

Mrs. CLAYTON. Mr. Chairman, I move to strike the requisite number of words.

That is the hope, Mr. Chairman, that we will have a chance to vote.

Mr. Chairman, I serve on the Committee on the Budget, and as I recall, the Committee on the Budget set certain limits, and my understanding is that agriculture being the first out is under its 302(b) allocation. So the issue about spending more monies than allocated that are out of compliance of the budget resolution is not directed at appropriations of agriculture. It is only directed because it is a convenient model to discuss this issue.

So although this may be a worthy issue to talk about, saving Social Security, not spending it, and I would entertain the gentleman's argument that it is a worthy issue, it is misdirected. It should not be directed here. We should not make agriculture the scapegoat for the gentleman's worthy discussion. I think it is misplaced.

I do not know what the issue is with agriculture. The gentleman says he is from an agriculture community. Oklahoma, the last time I heard, has a lot of issues that are equally as pressing as Social Security. This agriculture bill takes no more from Social Security than if it had not passed. It will take a lot from Oklahoma farmers, however, if it does not pass.

Mr. COBURN. Mr. Chairman, will the gentlewoman yield?

Mrs. CLAYTON. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, we just heard the chairman of the Committee on Appropriations say that if we come through with last year's spending, just if we came through with last year's spending, we would bust the caps from 1997 by $17 billion.

Mrs. CLAYTON. Mr. Chairman, reclaiming my time, that is my point, if we came through the whole process.

We are just starting this process, and the gentleman is attacking the beginning of the process as if we were the culprit in making that happen. We are not. So why not apply this theory to the whole?

It is inappropriate to say, if we go through 13 appropriations bills, the likelihood is that we will bust the caps, that may happen. That is not the case; it is inappropriate.

So I would just urge my colleagues, and I know the gentleman's strategy is indeed to prolong this. If, indeed, he wants to have this discussion, this discussion is an appropriate discussion, but it is ill-placed directed at the agriculture appropriation.

In fact, I would suggest that it may be better when we talk about the lockbox. We are going to have that opportunity. I do not see the gentleman planning to do that.

We are talking about the subject of Social Security. Here the gentleman is applying Social Security safety on an agriculture appropriation as if they are in conflict with each other, and they are not. The gentleman is making the conflict. The gentleman is placing it as if the appropriation for agriculture is breaking the caps. It is not doing that. The whole process may do that, but why make us the scapegoat for what the gentleman thinks may be an eventuality in that process.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I had understood that the leadership on the other side had brought this bill up because this was the easy appropriations bill. I know we are not supposed to address the audience watching this on television, but my guess is that some of them may be eagerly anticipating the fun they will have watching the hard appropriations bills if this is what we do with the easy one. Were it possible to sell tickets to this circus, we could probably do something about the revenues, but of course we cannot.

But what I want to talk about is what I think is, in fact, the real issue here. The real issue is that one of the signal achievements of the Republican Party, the 1997 Balanced Budget Act, is an unmitigated disaster. Now, there are efforts going on to mitigate it. But let us be very clear. That is the unspoken premise of this whole debate.

What a terrible mistake this House made with the acquiescence of the other body and the President in 1997. Everybody gets up and says, oh, those budget caps, what a terrible thing they were, sort of. Some people are saying, we are going to hold you to them, and the suggestion that we are being held to them is considered to be an unfortunate one.

But everybody acts as if the budget caps fell down from the heavens like the rains or the hail. People have forgotten. Those budget caps are not a force of nature. They were the vote of this House, and they were, as I understand it, one of the great achievements of the Republican Party.

I also agree, by the way, that Social Security is not at risk here. What is at risk is Medicare. Because that same wonderful 1997 Balanced Budget Act, which is the greatest orphan in history since it does not appear to have any parent left, that 1997 Budget Act cut Medicare very substantially. It cut home health care, it cut prescription drugs in my State; it has cut hospital reimbursements.

And what do we have now? Surprise, surprise, the 1997 budget caps which said spending would be the same in 2002 as in 1997. People are shocked that it is inadequate.

□ 1645

People are shocked at having voted to cut $115 billion out of Medicare to pay for a capital gains tax cut, and Medicare is suffering. What is all the shock coming from? Were Members in a coma when they voted for the 1997 budget act? Did people not think that voting to keep spending at the exact level 5 years later was going to cause problems? Did people think cutting $115 billion out of Medicare would have meant there would be a shortage of monopoly money the next time they sat down at the game?

Never in the history of humanity have so many people professed surprise at the foreseeable consequences of their own actions. Members ran for office on this budget in 1998. They bragged about it. Now they are acting as if it was some terrible act of God that we have to live with.

Everybody in here is Job; Oh, look what has happened to us, and we will have to live with it.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Oklahoma.

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

Mr. Chairman, I disagree that that is what the issue is. I believe the issue is, did the Congress speak and say something, and are they willing to have the American people believe that they are going to do what they told them they would do.

Mr. FRANK of Massachusetts. Mr. Chairman, reclaiming my time, I will respond to the gentleman, when the gentleman says ''do what they say they were going to do,'' that is what we said we were going to do in 1997, is that correct? The issue is whether we are going to live up to the Act of 1997.

I would ask the gentleman, is that right?

Mr. COBURN. I will answer when I have my own time, because I am not sure I am going to get to answer the way I want to.

Mr. FRANK of Massachusetts. Yes, the gentleman can. I just wanted to make sure I understood it.

Mr. COBURN. Wonderful.

Mr. Chairman, what the American people are looking for from this body is honesty, integrity, and truthfulness about what our situation is. We can have wonderful debates about where our priorities should be, but the fact is that we did have an agreement. I did not happen to vote for the 1997 budget agreement, but we did have an agreement with this President, with the Congress of the United States, that said we are going to live within this agreement.

What the American people are wondering is are we really going to do it, or is Washington going to continue to do what it has done the last 40 years, to say one thing and do something completely other, and at the same time spend their pension money?

Mr. FRANK of Massachusetts. Mr. Chairman, I will take back my time.

I would only make one edit. When the gentleman said ''Washington,'' read

for that, ''The Republican Congress.'' That is what he means by ''Washington,'' because the Republicans control the House and control the Senate.

So my friend, the gentleman from Oklahoma, says the issue is, is this Republican-controlled Congress going to live up to this Republican accomplishment of 1997. And I think the answer is, they are looking for a way not to. He may not like the implications of what he said, but that is what he said.

He said, here is the issue, is this Republican Congress willing to live up to this Republican 1997 budget act. And I think here is the problem with the American people.

The CHAIRMAN. The time of the gentleman from Massachusetts (Mr. FRANK) has expired.

Mr. FRANK of Massachusetts. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

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

Mr. SMITH of Michigan. I object, Mr. Chairman.

Mr. Chairman, I withdraw my objection.

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

There was no objection.

Mr. FRANK of Massachusetts. Mr. Chairman, I have been here too long to be proud. I will accept second chances.

Mr. Chairman, I would just say I think the issue is in fact, and I am not as sure as the gentleman as to what the American people think, but I think the American people may be conflicted.

I think they may have a preference, on the one hand, for a low level of overall spending, and on the other hand, for particular spending programs that add up to more than the overall level. That is, I think the American people may be in a position where they favor a whole that is smaller than the sum of the parts they favor, and that is what we have to grapple with.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Chairman, I would just like to make a comment about the first Republican President, Abraham Lincoln, and this is with regard to the caps, and I say this with all sincerity.

Mr. FRANK of Massachusetts. I knew Lincoln was a pretty smart fellow, but if the guy that was around in 1865 has made a comment about 1997, he was even smarter than I thought. But go ahead.

Mr. GILCHREST. Mr. Chairman, here is what I think he would say, that he would restate his comment that the foolish and the dead alone never change their minds.

Mr. FRANK of Massachusetts. I guess he would say that, but I do not know why.

If the gentleman is saying, ''change your mind,'' okay, but let us be clear what ''change your mind'' means. If it means he admits that this great accomplishment of 1997, this Balanced Budget Act that has been the basis for so much that they have taken credit for, they are really ready to throw it over the side, I do not blame the Members. I never liked it in the first place.

The one thing the Members are not entitled to do is to express surprise at the entirely foreseeable consequences of their action. They are not entitled, having done it in 1997 and taken credit for it in the 1998 election, to throw it over the side and say, what do you guys think this is, term limits, a promise one makes and then forgets about?

Mr. SMITH of Michigan. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, agriculture is very important to me. I am a farmer. Agriculture has been shortchanged. We need to pay attention to agriculture and the survival of the family farm as other countries protect and subsidize their farmers.

But I think that is one reason that this is the first of the appropriation bills where we are faced with the decision of overspending. Are we going to start inching our way into a situation where we have to break our word on keeping our commitment on the caps that we set in 1997.

Just to make it clear, synonymous with sticking to the caps under the current CBO projections is whether or not we spend the social security trust fund surpluses to accommodate that extra spending.

For most every year in the last 40 years, we have used the social security surpluses to mask the deficit; in other words, we have spent the social security surpluses for other government programs. A lot of people here say, well, do not worry about it, somehow social security is going to take care of itself.

I disagree. The easy step, the easiest possible thing that we can do, is say that we are going to stop spending the social security surpluses for other government programs. That is a baby step. That is so easy compared to the program changes that are going to have to be implemented to change social security so it can stay solvent.

So when we are faced with a situation that we inch our way into overspending and using Social Security surpluses on this important Agricultural budget, which is so difficult for so many of us to vote against, we set the pattern. Then the next budget that is also important, we are faced with more overspending. Then a situation at the end is that we cannot possibly stay within our caps and not spend the social security surpluses.

Look, if the spending is so important, have the guts, the fortitude, to say, we are going to increase taxes to accommodate this kind of spending. Do not say, we are simply going to reach under the table, take the social security surpluses that are coming in because current workers are being overtaxed, and use that money, because few will notice the abuse. Nobody is going to see it or realize it until it runs out of money.

We have ground this country into a $5.5 trillion debt. We are increasing that debt on a daily basis. Sometime we are going to have to face up to the fact that we are transferring our shortsighted desire for more overspending to our kids and our grandkids and future generations.

Not only will they be asked to come up with additional income taxes but also social security taxes to pay for our overindulgence. I just give the Members a couple of situations. Germany did not pay attention to this early on, and now they are spending almost 50 percent of their wages in taxes to accommodate their senior retirement program.

I am very concerned that we are going down, if you will, the primrose path of thinking all of these expenditures are necessary and important.

I would just like to encourage my colleagues to face up to the consequences. If spending is so important, let us increase taxes to accommodate that spending. Let us reduce other expenditures to accommodate that spending. But let us keep our promise and not spend social security surpluses.

Ms. KAPTUR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just wanted to remind my colleagues that we are actually debating an amendment. Now, we have heard speeches here on social security, we have gotten into Abraham Lincoln's life, and everything else. But I become increasingly angered as I see the irresponsibility of the majority party inside this institution.

I am a loyal Member of this House, and I am rarely as partisan as some of my colleagues on this side of the aisle. But I am going to get partisan now, because a bill that I have major responsibility for is being held up on this floor because of disarray inside the Republican Party. Who it is hurting is the farmers across this country.

Mr. Chairman, I will not yield until I finish my statement to any Member on the other side of the aisle, since they are the reason for the continuing delay here today.

I have served in this Congress now for 9 terms and I have the highest respect for the chairman of our subcommittee, the gentleman from New Mexico (Mr. SKEEN), who has worked under enormous pressures of various types as we have moved this bill to the floor, the first appropriation bill to arrive on the floor, and rightly so for rural America, because no sector of this country is hurting more than rural America today.

But as I look at the record of the Republican Congress during my tenure over the last several years, last year they could not clear a bill to assist rural America. We had to end up with

that omnibus atrocity at the end of the year where we threw in some help for rural America, because they could not deal with their appropriation bills on time.

And then just last week, 6 months late, they appropriated more money under an emergency basis to try to help rural America, as well as defense and Kosovo and Hurricane Mitch victims and all of the rest. They did not do it under regular order. The only part of the bill that they required to be offset for budget purposes was the agriculture piece, the part that affected citizens of the United States of America who have paid taxes.

Now today I come down here, and what do I see? I see delay by a Member who is not up for reelection, let us put the cards right on the table; who has, according to what we have been told, between 100 and 200 amendments to an agriculture bill which is very important to rural America. So what I see today are delay tactics.

I do not understand what is going on on the Republican side of the aisle. They can check my whole career, I probably have not used the word ''Republican'' in speeches on the floor 10 times in 17 years, but I am sick of it and what they are doing on agriculture. They are holding up our bill.

I would just beg of the leadership, I will say to the leadership of their side of the aisle who voted with the gentleman from Oklahoma (Mr. COBURN), if this is any indication of what is about to happen over the next several days as we string this agony out and they make rural America wait again, I would just say, why do they not go back into their own little caucus and figure out what they are really for, because we have worked very hard for several months to produce this bill, and the people of America, particularly rural America, are waiting, and they are continuing to delay.

I will specifically say to their leadership, the gentleman from Texas (Mr. ARMEY), the gentleman from Texas (Mr. DELAY), those who voted with the gentleman from Oklahoma (Mr. COBURN), why are they doing this? There are over 100 to 200 more amendments yet to come, and they are going to delay this bill?

If these Members want a vote on social security, bring up a social security bill. They are in the majority. They can do anything they want. But why do they continue to take it out of the hide of rural America?

I have a real problem here. I would just beg of the leadership to treat their committee chairs with respect, bring their bills to the floor in regular order, and do not nitpick us to death.

Thank God we are not the other body. We are not supposed to have filibusters here. We are supposed to move the people's business. I am here to do that as a Democrat, and I wish they were here to do that as Republicans.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Members are reminded that their remarks are to be directed to the Chair, not to other persons.

Mr. SHAYS. Mr. Chairman, I move to strike the requisite number of words.

I would like to say that I have tremendous respect for the gentlewoman from Ohio (Ms. KAPTUR) who just spoke. I would like to think that later she will regret some of the intensity that she feels, because this is the first day of a debate on the agriculture appropriations bill.

We have a right, even in the majority, to amend majority bills, just as the minority has a right to offer amendments to these bills. That is what we are doing, and the gentleman from Oklahoma (Mr. COBURN) in my judgment, is showing a lot of courage and integrity.

I was sitting in my office and I was thinking, he is speaking the truth. We all need to have this dialogue, and if Members disagree with it, they disagree with it.

The fact is, when we set the 302(b) allocations, we decided to give more to agriculture; we decided to give a lot more to defense; and, obviously, we decided to give less to Labor and Health and Human Services. These departments are going to receive a $10.7 billion cut. We also decided to give less to HUD. That department is also going to receive a significant cut.

What we are saying is that when we increase agriculture spending, the only way we can do this is by cutting other departments. And we do not want that.

What I am saying is that I will vote for appropriations bills that do not increase spending and that stay within the caps.

□ 1700

I understand that the chairman can say we are staying within the cap, because we could triple the agriculture budget. It is the first budget, and we could spend all the 302(b) allocation on agriculture and still not be above the cap.

But we have to recognize that this budget is going to affect all the other budgets that follow. That is why I am on the floor to say I will vote against this budget, not because I dislike farmers, but because I do not like the bureaucracy in the Agriculture Department.

I have a hard time understanding why we need over 95,000 employees in the Agriculture Department and less than 10,000 in HUD. I have a hard time understanding why we have over 85,000 contract employees working in the Agriculture Department.

I do not think they help farmers as much as some of the other things we do. We have a gigantic department that, in my judgment, makes HUD look efficient.

As a Member of Congress, I think I have a right to come here, speak on the amendment that the gentleman from Oklahoma (Mr. COBURN) has offered, and vote for it with pride.

I would gladly take credit for the balanced budget agreement, but I cannot take credit because a lot of people share in that credit. That agreement is one of the reasons why I think our country is doing as well as it is today.

Our challenge is we have a gigantic surplus, and we simply do not know how to deal with the surplus, so we want to spend it and make government bigger and bigger and bigger.

Mr. Chairman, I yield to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Mr. Chairman, I thank the gentleman from California for yielding to me.

Everybody said what my intention was, but they never asked me exactly what my intention was. The reason for the number of amendments that have been offered is because the real debate is about what we are going to do with all this money that we are spending.

As a Member of this body, I think, and I think the gentlewoman from Ohio (Ms. KAPTUR) will agree, that I was just as obstructive in my desire to not spend wasteful money last year and the year before and the year before and the year before. I have not changed at all. I have been this independent ever since I have been up here, because I believe that we have an obligation to not spend one additional dollar that we do not have to.

What I hear throughout the whole body is that we cannot. We cannot be better. We cannot get better. We cannot be more efficient. That the product of the appropriation process is the best that it can be.

We all have an equal vote in here in terms of what we think and how we get a vote on certain issues. I, quite frankly, think that there are a lot of areas in this appropriation bill that we can trim spending, that will help us have money for Labor-HHS, Commerce, Justice and State, that will not have one effect on our farmers. Do my colleagues know what? Most of my farmers think so, too.

So it is not a matter of just obstructing the process, it is a matter of reestablishing confidence within this body with the American people that we said we were going to hold spending down, that we were not going to waste money, and that in fact it is really true that, if we spend $1 that we do not need to, we are stealing the future from our children.

So the debate is about Social Security because the money that we are going to end up spending is going to come from the Social Security surplus that, guess what, our children are going to have to pay back.

Mr. LARGENT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to, if I could, see if we cannot back out of the trees and look at the forest a little bit. I appreciate the comments earlier by the gentleman from Massachusetts, and I think that he had it exactly right.

One of my favorite movies is ''Indiana Jones.'' In the movie, his father is

killed, and they are drinking from the silver chalice. If Indiana Jones picks the right chalice to drink from, his father will live. If he picks the wrong one, he will die.

In one of the moving lines of the movie, the bad guy says to Indiana Jones, ''Indiana Jones, it is time for you to decide what you believe.''

I think what the gentleman from Oklahoma (Mr. COBURN) is trying to do is to force that question on this party, the Republicans, to decide what we believe. The gentleman from Massachusetts had it exactly right.

I will tell my colleagues that, as one Republican, I am not ashamed of what we did in the 1997 balanced budget agreement. It is the best thing we have done since I have been here, and I am proud of that and will gladly defend it to my dying day. But are we all willing to do that?

What we have really is a logjam of ideals that are coming together in this first appropriation bill. The ideals are saving Social Security and the surplus, balancing the budget, and spending more money.

I would have bet my last dollar that several years ago, had my colleagues asked me a question, if we had a logjam of those three ideals, which one would win, I would have bet my last dollar that Social Security would trump all the others. But what we are finding evident in this process is that is not true. Spending trumps everything else in this body. Big spending trumps everything, including Social Security.

Again, let us back out of the woods and look at the forest. What we have here is the first of 13 bills, checks that the Congress writes to fund all the discretionary spending in the budget, about $600 billion. It may be a little bit more than that. This is the first one.

What the gentleman from Oklahoma (Mr. COBURN) has had the nerve and the courage to do is take the high ground and try to see if we can figure out where the end of this road is going to be.

I will tell my colleagues where the end of the road is. It is a box canyon. It is a dead end. That is where we are headed.

An old Chinese proverb says, ''The longest journey begins with the first step.'' This is the first step, and it is a step in the wrong direction. If we continue down this path, we will end up with another disaster like we had at the end of the last Congress.

So what the gentleman from Oklahoma (Mr. COBURN) is doing, he is not railing against agriculture, he is railing against this process. Sure, my colleagues are right, this is a problem within the Republican conference; and leadership is what is needed.

We need to talk about what is the end game, not agriculture. What is the end game? Where are we going? Are we going to end up with the same disaster that we had last year, where we end up spending billions of dollars above the budget caps, $17 billion if we freeze all spending right now? That is the point that the gentleman from Oklahoma (Mr. COBURN) is trying to make.

I was always taught, say what you mean and mean what you say. Now say what you mean is a communication issue; and I hear that wherever I go, speaking across the country on behalf of the Republican Party: What is the problem with your communication?

One of the problems is we do not say what we mean. We are trying to do a better job of that. Do my colleagues know what we are saying? We are the party that wants to save Social Security first, not 62 percent of the surplus, as the President said from that lectern not long ago, but 100 percent.

Mean what you say is an integrity issue. That is what this issue is about. It is an integrity issue of this party. Because if my colleagues are going to ask me to go around the country and hail the Republican Party and say we are the party that is to save Social Security first, then my colleagues better mean what they say, because I want to mean what I say. If we do not mean what we say, then I am going to quit saying it.

That is the issue, are we going to mean what we say when we say we are going to save Social Security first? This bill is the first test on that issue.

Again, the gentleman from Oklahoma (Mr. COBURN) has had the foresight and the courage to take the high ground and look ahead and say, if we continue down this path, we have a disaster coming in the form of VA–HUD and Labor-HHS that none of my colleagues will vote for under the 302(b) allocations. Not one of my colleagues will vote for a $4 billion cut in VA–HUD and $5 billion cut in Labor-HHS. Not one of my colleagues will vote for it, not one.

So that is the problem. It is a leadership issue. I agree with the gentlewoman from Ohio (Ms. KAPTUR). It is a leadership issue that we need to deal with. I will tell my colleagues that this was our last resort, was to come to the House floor, because we hit dead end after dead end in trying to carry on this family discussion inside our own house.

Mr. ETHERIDGE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I had not planned to come and speak on this bill today. As I was over in my office and watching it, I was thinking I am sure my farmers are out in the field this afternoon, and I hope they are, working, and not seeing what was going on that would have such a dramatic impact on their lives.

We are here in an air conditioned building and, as my friend the gentleman from Oklahoma (Mr. LARGENT) said who just spoke from the majority side, we are in an air-conditioned building, well-lighted and comfortable; and they are out in hot fields, their lives on the line. As he said, and he put it correctly, we are having a family fight.

I am not going to get in the middle of this family fight. I am going to let my colleagues all fight it out. But I hope my colleagues will settle it, because this bill has a significant impact on the farmers in my State and the farmers all across this country.

Yes, there are other bills to come that will affect the children. But this bill does, too, because it affects the quality of family life.

I am proud to be a Member of the United States Congress. I am not proud when we bring our dirty laundry to the floor. There is nothing wrong with offering amendments. I have no problem with that. I will stay here all night and tomorrow morning, all day tomorrow. But we ought to know where we want to get to. It ought to be about getting to a destination. It ought to be about making it better rather than just to stop the process, to make a point. That is not what legislation is all about.

I am only in my second term in Congress. I served 10 years in the General Assembly in my State. I understood stalling tactics, but it ought not to be about that. It ought to be about making it better and providing a better opportunity for people in America and specifically about our family farmers, because they are hurting.

Our small farmers are going out of business. They are going broke. I have had farmers tell me, and I met with bankers, I met with someone earlier today and they said to me, ''If you do not have crop insurance, I will not make a loan. If you do not get a program in place, we are going to quit lending money.''

If that should happen, I pray to God it does not, but if that should happen, it will not happen with my vote. I trust the majority party will come to their senses and make sure it does not happen with their vote either, because we have been fortunate in America, we have been blessed, as no other country in the world, to have a bountiful food supply.

Oh, sure, there are children that do not have as much food as they should have; but over the years we have tried to do a good job. We have not done as much as we should to make sure that they are fed with the child nutrition program and other programs like that.

But, Mr. Chairman, we have a job to do. We are paid to do it. So let us get on and pass this bill and get on to the other appropriations bills and get the people's business done.

Mr. SANFORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wrote down a few different thoughts here that we have all heard. Rome was not built in a day. The first step is the hardest step. The gentleman from Oklahoma (Mr. LARGENT) just mentioned the Chinese proverb, which was the longest journey begins with the first step. Do not do tomorrow what you can do today. To me, this is what the amendment of the gentleman from Oklahoma (Mr. COBURN) is all about.

As has already been stated numerous times on the House floor, we have a train wreck coming unless we go out and basically reroute this little train. So it is a family fight. It is an internal discussion. But it is a conversation that really has to take place now because the gentlewoman from Ohio (Ms. KAPTUR) mentioned the 302(b) numbers. There is no way we are going to cut $3 billion from VA–HUD. There is no way we are going to cut $5 billion from Labor-HHS. If we are going to get ahead of this curve, we have simply got to do it now.

So I would just commend the gentleman from Oklahoma (Mr. COBURN). I would say that farmers that I talk to are the most straightforward people in the world. What we are dealing with, again, goes back to what the gentleman from Oklahoma (Mr. LARGENT) was talking about in terms of the word ''integrity''. What we have is a budget plan that cannot work.

When we talk about this idea of a surplus, last year we borrowed $100 billion from Social Security to give us a surplus of about $70 billion. Most folks I talk to say basically we are still $30 billion in the hole if that is the math.

A family, if one had to go out and borrow against one's retirement reserves to put gas in the car and food on the table, one would say that family was not running a surplus. In the business world, if one borrowed against one's pension fund assets to pay for the current operation of the company, one would go to jail. That is how we are getting to this surplus.

So we are building on very shaky ground. That is what the gentleman from Oklahoma (Mr. COBURN) is trying to get us away from with this particular amendment.

□ 1715

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

Mr. SANFORD. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I want to go back and make a couple of points. This amendment is about cutting a 9 percent increase in an office that is full of computers for an Office of Public Information for the Department of Agriculture. And here we have people saying that we have to have 9 percent when every other aspect of our economy is not seeing any kind of increases near that.

It is sacrosanct because of what has to continue; the way we used to do it, we always have to do it that way in the future. It is a process that needs to be shaken up.

I would love to have been in a room with our Founding Fathers, because while we talk about majority-minority parties, I am sure they did not talk about majority-minority parties. They talked about doing what was best for this country regardless of what an individual's party says.

It should be what is best for our districts, not what is good for our party. The Founding Fathers never once rationalized getting in power and having control so they could stay in power. What they said was, we are going to put this Union together and we are going to make it work because the people are going to have the integrity to do what is best for their constituents and they are going to have the vision to make sure that they do not make a short-run choice that sacrifices the long-run choice.

These amendments are about sacrificing the short run so we secure a future for our children in the long run. It is not about which party controls. It is a matter of living up to our responsibility to secure a future for our children. And, quite frankly, I am not sure this body is up to it, because I think the body is more interested in power politics than principle. I find that evident as we have had the debate today.

So I would yield back to the gentleman and thank him for the additional time, and I would reemphasize that this is a debate about cutting a 9 percent increase out of the Office of Information for the Department of Agriculture, and that will not impact one farmer.

I would rather see this same money moved and go to our farmers.

It is not about not having enough money for our farmers; it is about having way too much bureaucracy and not having the guts to change it.

Mr. STENHOLM. Mr. Chairman, I move to strike the requisite number of words.

First off, I think it is important that we know just exactly what the proposed increased spending is for. And I have great respect for the gentleman from Oklahoma, I do not believe he intends to misspeak, but this is an attempt to do something that many of us have been attempting to do since 1992, and that is bring the USDA into the next century technologically. And that is what these computers are all about. It is to allow our farmers to be served better by less people.

And that is what the cuts that are being proposed are all about, and that is why some of us have opposed these cuts.

But let me make a couple of other observations. If we want to save Social Security, let us bring a Social Security bill to the floor of the House from the Committee on Ways and Means.

Now, the gentleman from Oklahoma (Mr. COBURN) and the gentleman from Washington (Mr. SMITH), on this side of the aisle, the gentleman from Florida (Mr. SHAW) and the gentleman from Texas (Mr. ARCHER) have brought bills and ideals but not to the floor. This is the wrong time for us to be picking on an agricultural bill, particularly making cuts that do just the opposite of what the gentleman from Oklahoma wants to do, in my opinion.

But the gentleman is correct in many of the observations that he makes with his amendments today. We have no appropriations strategy, ''we'' meaning this body, unless those who voted for the majority's budget are prepared to cut $6 billion from the Veterans Administration and HUD, unless they are willing to cut $11 billion in Labor HHS, unless they are willing to cut 8 percent in Commerce, State, Justice, and the energy and water bills, and unless they are willing to cut 20 percent from the Interior and Foreign Operations.

Now, I did not vote for that budget, because I am not willing to make those kinds of cuts in those areas, because I believe it would be counterproductive, and I am perfectly willing to say what I mean. But I did vote for the Blue Dog budget, and the gentleman from Oklahoma (Mr. COBURN) did also, which suggested that in the areas of agriculture, defense, education, health and veterans we might need to spend a little bit more on those areas, subject to the scrutiny of this body, which is perfectly okay for any Member in this body to challenge the Committee on Appropriations at any time on anything we are doing, and I do not begrudge the gentleman for doing that.

We also, in our amendment, saved Social Security, and I would submit we did it really, and the gentleman agrees because he voted for it. We also provided for a 25 percent tax cut, or using 25 percent of the on-budget for cutting taxes. But we also recognized there was going to be a need for additional spending, and we are proving it today. And this is an area in which when I say ''we,'' the leadership of this House needs to look at the train wreck that they are leading us down by the proposed 302(b) allocations.

The gentleman from New Mexico and the gentlewoman from Ohio are doing what they were told to do. They were given a mark in the budget. This budget passed by a majority vote of this body. Therefore, that means a majority must support it.

Well, if it means a majority do not wish to spend that which has been designated for agriculture, vote against it. Cut the agriculture bill. Vote to adopt the amendment of the gentleman from Oklahoma, in which he will cut the very technology that we need in order to make the efficiencies to do more work with less people. That is what this is all about.

I know the gentleman has not looked into it. I have spent since 1992. I was the chairman of the Subcommittee on Department Operations, Oversight, Nutrition, and Forestry that started us down the road of USDA reorganization, and I have been fought every step of the way by the bureaucracy. We have made some substantial improvements and changes, and one of the things that we must do now is provide our people with the technology that they need in order that they might do that which they are criticized every day for doing.

Secretary Glickman has been criticized day after day after day because he has not been able to deliver that which our farmers expect. Part of the reason he has been criticized is we have

not given him the tools to use. So before we start blindly making amendments and trying to make points, let me just say this agricultural function is within the budget that passed by a majority of this House.

It does not meet the criteria of the Blue Dogs. Those who supported us, which was a majority on my side of the aisle and 26 on that side of the aisle, said, no, we cannot do that, we have some other needs, and we are willing to stand up and be counted for those needs in a very responsible way.

But if we truly want to save Social Security, let us bring a Social Security bill to this floor and do it tomorrow. Then we will have an honest debate about how we can best do it, not on an agricultural bill.

Mr. WALSH. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, I will not take the full 5 minutes. I would just like to make two points.

One is that for those who have mentioned in the debate that the farmers are waiting in the fields for us to resolve this issue, I would remind them that this bill does not become law for at least 4 months, regardless of how long this debate goes on. So no one is going to be harmed by this debate except perhaps the patience of the Members who are participating in it or whose constituents are listening to it back home.

So this is not going to cause any breakdown in USDA or in the delivery of services or anything else. This is next year's appropriations bill.

The second thing is, the gentleman from Oklahoma has every right to offer these amendments, but that does not mean we have to debate every one of them. This could go on for a long, long time. Why do we not just agree that he has his right to bring the amendments and let us vote them down?

The committee, the subcommittee, went through the process according to Hoyle. We did the right thing. Let us just vote these amendments down. If we debate every amendment, it could be 4 months before we complete.

Mr. BOYD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not take 5 minutes, but I think it is wonderful that we can be in this position. When I was running for Congress in 1996, the major theme was that the Congress ought to live within its own means, it ought not to spend more money than it takes in. And I am proud of the U.S. Congress for what they have done in the past few years to get us there.

I know the gentleman from Oklahoma played an integral role in that, and I respect his right to bring these amendments. But I want to tell the gentleman that we have to live within these budget caps that we have imposed upon ourselves, or we are going to have a train wreck.

Now, I did not happen to vote for the budget that we are operating under right now. Like the gentleman from Texas, I voted for the Blue Dog budget, as did the gentleman from Oklahoma. And I think the major difference between the two was that we recognized, as Blue Dogs, that we could not do the cuts quite as deeply as were shown in the budget that came out of the majority of this House.

So, obviously, that Blue Dog budget went down, and now we are living within the constraints of the one that we have. And as my colleagues know, the main difference in those was the depth of the tax cuts.

So I just wanted to remind the gentleman from Oklahoma that, as I have listened to this discussion today, much of it has focused on senior citizens and the issue of Social Security. What has not been mentioned today is the fact that much of this bill that we are debating right now is of direct benefit to senior citizens. Actually, only 12 or 13 billion goes directly into the farm programs, the balance goes into WIC and some other programs that are directed at senior citizens.

Our rural housing programs, particularly the multifamily housing and rental assistance programs are heavily oriented towards seniors. We have housing repair loans and grants that help senior citizens fix their homes and rentals and repair handicapped access. Our community facility loans and grants build community centers that are used by all age groups in rural America.

A significant part of our research in this bill has gone for the elderly nutrition. This bill supports several feeding programs for senior citizens in urban and rural areas. This bill also supports people, the computers, the buildings and all other things necessary to make these programs work.

Now, I have spent most of my life in agriculture, and I go in and out of the FSA office regularly; and we have cut the staff in those offices, we have consolidated those offices to the point where we are doing a disservice to our farmers now all across this Nation. And the only way for us to be able to continue to sustain that is with technology. I am embarrassed when I go in and see some of the computers that they are using.

So I strongly urge the defeat of this amendment, and I certainly am thankful to the gentleman from Oklahoma for continuing this debate.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I thought one of the most interesting talks was given by the gentleman from Oklahoma (Mr. LARGENT). This is not about agriculture today, as far as what the gentleman is doing. It is about spending and it is about the future and, in the long run, farmers are going to be better.

I grew up in a little town called Shelbina, Missouri, which had a population of 2,113 folk, and I want to tell my colleagues that most of my friends were farmers, and most of them are having to have second and third jobs just to hang on to their farms. And I understand that. But when I look at this body and the argument, not just with our party, but with the other party as well, on total spending for the future, it is important.

Most of us could live within the budget caps, even national security. We could live under the budget caps set with national security if we did not have the Somalia extension, which cost billions; Haiti cost billions; Bosnia has cost $16 billion so far, and that is not even next year; Kosovo has already cost $15 billion; going to Iraq four times cost billions of dollars.

And all of this money, every penny of this, we could put in farms, we could put in Social Security, and we could do all the other things we want to. But this White House has got us in folly all over this planet, costing billions of dollars. So there is spending there.

I also look at the different things that we fight, and not just agriculture. Take a look at the balanced budget process. If I had my way I would do away with the budget process, and I think the gentleman from Massachusetts (Mr. FRANK) would too, and I would just go with an appropriations bill.

I would get rid of the authorization, and I would reduce the entire size of government so that we do not have to tax farmers so much, so that neither a State nor local nor Federal tax means more than 25 percent. That would help farmers.

□ 1730

Look at the Endangered Species Act. Look at how that hurts farmers. Increased taxes hurt farmers. All of these things that we talk about on this floor on almost all the bills, whether it is defense or environment or other things, affect farmers negatively.

The supplemental we passed, we passed a pretty good bill out of the House. It was clean but it went to the other body and it was a disaster coming back here. And that took money out from the things that we are trying to do in medical research and all the other things.

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

Mr. CUNNINGHAM. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, the gentleman from Texas talked about this office and this amendment. I want to get back to it for a minute.

I just want the American people to know, in 1964 there were 3.2 million farms in this country and there were 108,000 agricultural employees working for the U.S. Government. In 1997 there were 40 percent fewer farms, 1.9 million, and there were 107,000 Department of Agriculture employees plus 82,000 contract employees that did not exist in 1964.

So the question that I am wanting to raise, the philosophical question is why

can we not get the government smaller if we have fewer farmers, they are more efficient, they are doing better, and send more of the money that we have for agriculture to the farmers? How is it that we cannot do that? We can do that. It is that we choose not to do it.

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

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

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentleman for yielding.

I appreciate focusing, as the gentleman did, on the fundamental issue here. And I think we do have a question as to the adequacy of the caps. The gentleman from California said we could live under the cap, even for national security, and he said if it were not for Somalia, Haiti, Bosnia, Kosovo and Iraq.

My point to the gentleman is this: Kosovo came after, but the other military efforts he mentioned all preceded the cap. The cap was 1997. So if the gentleman says we could have lived under the cap except for Haiti, Somalia, Bosnia and Iraq, then he must be saying, seriously, that the cap was too low. Because those four items which he said make it impossible to live under the cap, four of the five predate the cap.

So I ask the gentleman, does he still say the cap was adequate in 1997?

The CHAIRMAN. The time of the gentleman from California (Mr. CUNNINGHAM) has expired.

(By unanimous consent, Mr. CUNNINGHAM was allowed to proceed for 2 additional minutes.)

Mr. CUNNINGHAM. Mr. Chairman, what I would say to the gentleman is this. The Joint Chiefs, for example, in defense said that we need $150 billion, that is an additional $22 billion a year just to pay for defense, and that is because of all of those deployments that have happened.

Mr. FRANK of Massachusetts. Mr. Chairman, if the gentleman would continue, I understand that. But my point to the gentleman is we can differ about that, although I hope we can work together to reduce some of these excessive commitments. But I would say to the gentleman this: Most of those things happened before my colleagues voted for the cap. So I am simply saying it is impossible logically to say both that these interventions make the cap unrealistic and to have voted for the cap, because the cap came after most of those interventions.

Mr. CUNNINGHAM. Mr. Chairman, reclaiming my time, I think the gentleman is missing the point. Even though the cap came afterwards, those other events preceded it and all of those bills were carried on down the line.

Mr. FRANK of Massachusetts. Mr. Chairman, if the gentleman would continue to yield, yes. Then why did my colleague vote for the cap? I agree that because the events preceded it, the cap came after it. That I agree to.

Mr. CUNNINGHAM. Mr. Chairman, reclaiming my time, again it is about spending. And I would say, look at www.dsausa.Org. That is the Democrat Socialists of America. And under that are 58 of the members in this body.

Mr. FRANK of Massachusetts. Mr. Chairman, if the gentleman would continue to yield, would he tell me what that remotely has to do with anything?

Mr. CUNNINGHAM. They want increased spending. They want increased government control. They want increased taxes. They want to cut defense by 50 percent. And every single one of those hurts farmers.

So this is about spending. And they in the minority want to increase spending. They want to increase taxes. They want to increase government control. All of those things hurt farmers.

So this bill and this debate is good, because it is not about agriculture. It is about a principle of spending and taxes and whether Congress is putting us in the hole for future generations or not.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Members are reminded that they are to refrain from characterizing the actions of the other body.

Mr. MINGE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, last Sunday afternoon I spent 3 hours at the Emmanuel American Lutheran Church in rural Fulda in Minnesota. The Fulda Ministerium had organized a service to minister to the anguish of the farm community. The local Catholic priest and several ministers participated.

Farm families are struggling to decide if they can continue to farm. Business families are wondering if their businesses will survive. Churches are wondering if they will survive. Teachers are wondering if their schools will stay open in the small communities in rural America.

As I sat in the service, I looked up at the wall in the front of the sanctuary and I noticed that the Ten Commandments were there. The Seventh Commandment states, ''Thou shalt not steal.'' The Seventh Commandment, which states, ''Thou shalt not steal,'' had a very strange and eerie relevance to the meeting that afternoon.

What is happening is this country has a cheap food policy and we have been stealing from America's farm families for decades. We are driving, by our national cheap food policy, thousands of families from the farms of America every year.

This year we are struggling with the first appropriations bill, Agriculture Appropriations. It is a humble bill. From my reading of the approach that we are taking, there is no real policy in this bill. We are not making progress. And I fear that the American farmers are getting rolled again in fiscal 2000. Their bill comes up first, and there is all this debate about whether their bill is too high.

Well, I can assure my friend from Oklahoma that we are not investing enough in agriculture. It is far from the truth. And the 100,000 employees he is talking about at the U.S. Department of Agriculture, they are not dealing with our agricultural programs. Almost all of them are dealing with nutrition and Forest Service and other programs. It is not agriculture.

Let us quit treating our farmers like dirt. We expect them to farm in the dirt, but they deserve to be treated with dignity. I do not see any progress in this series of amendments. We are squandering hours of floor time on a frivolous debate over these amendments.

What we need to do, Mr. Chairman, we need to recognize the fact that, as we move through this appropriations process, one appropriations bill after another is going to exceed the caps. The Agriculture Appropriations bill is probably the one that is considered easiest to pass without protracted debate over whether we should not be spending more.

Tragically, when the end of the year comes and we have the new CBO budget baseline and the pressure is there for other programs, we will start to find ways to explode the caps. I think all of us know that. But for agriculture, no, there is no new program. There is no crop insurance reform for fiscal year 2000. We are not increasing the loan rates for fiscal 2000. We are not providing additional money for new and beginning farmers in fiscal 2000. We are not investing in our rural communities for fiscal 2000 to a greater degree.

We have a static program. We are regressing for America's rural communities in fiscal 2000. And I think to blame the White House, to blame this and to blame that, is absolutely wrong. It is asinine. We need to look at ourselves and blame ourselves for the fact we are not doing justice to America's farm families.

I urge that we defeat this amendment and that we move on to consider the substance of this bill so that we no longer are insulting rural America.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COBURN).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. COBURN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 239, noes 177, answered ''present'' 3, not voting 14, as follows:

[Roll No. 154]

AYES—239

Aderholt	Barrett (WI)	Bilbray
Andrews	Bartlett	Blagojevich
Archer	Barton	Bliley
Armey	Bass	Blumenauer
Bachus	Becerra	Blunt
Baird	Bentsen	Boehner
Baker	Bereuter	Borski
Baldwin	Berkley	Brady (PA)
Ballenger	Berman	Brady (TX)
Barr	Biggert	Brown (OH)

Bryant
Burr
Burton
Buyer
Calvert
Camp
Campbell
Cannon
Capuano
Cardin
Castle
Chabot
Chenoweth
Clement
Coble
Coburn
Collins
Conyers
Cook
Costello
Cox
Coyne
Crane
Crowley
Cubin
Cunningham
Davis (VA)
Deal
DeFazio
Delahunt
DeLay
DeMint
Deutsch
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Eshoo
Evans
Fattah
Filner
Foley
Fossella
Fowler
Frank (MA)
Franks (NJ)
Gallegly
Ganske
Gejdenson
Gephardt
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoeffel
Hoekstra
Holt
Hostettler
Hutchinson
Inslee
Istook
Jefferson
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
Kennedy
Kind (WI)
Kleczka
Klink
LaHood
Lantos
Largent
Larson
Lazio
Leach
Lee
Levin
Linder
Lipinski
LoBiondo
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Martinez
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McInnis
McIntosh
McNulty
Meehan
Meeks (NY)
Metcalf
Mica
Miller, Gary
Miller, George
Mink
Moakley
Moore
Murtha
Myrick
Neal
Northup
Norwood
Pascrell
Pastor
Paul
Pease
Pelosi
Petri
Phelps
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Rahall
Ramstad
Rangel
Reynolds
Riley
Rivers
Rogan
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanford
Sawyer
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Slaughter
Smith (MI)
Smith (NJ)
Snyder
Souder
Spratt
Stark
Stearns
Stump
Stupak
Sununu
Sweeney
Tancredo
Taylor (MS)
Terry
Thornberry
Thune
Tiahrt
Tierney
Toomey
Towns
Udall (NM)
Upton
Velazquez
Walden
Wamp
Waters
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wise
Woolsey
Wu

NOES—177

Abercrombie
Ackerman
Allen
Baldacci
Barcia
Barrett (NE)
Bateman
Berry
Bilirakis
Bishop
Boehlert
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brown (FL)
Callahan
Canady
Capps
Carson
Chambliss
Clayton
Clyburn
Combest
Condit
Cooksey
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeGette
DeLauro
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Edwards
Emerson
Engel
Etheridge
Everett
Ewing
Farr
Fletcher
Forbes
Ford
Frelinghuysen
Frost
Gekas
Gilchrest
Gilman
Gonzalez
Hansen
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hobson
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Isakson
Jackson (IL)
Jenkins
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kildee
Kilpatrick
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaFalce
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Markey
Mascara
McCarthy (MO)
McCrery
McHugh
McIntyre
McKeon
McKinney
Meek (FL)
Miller (FL)
Minge
Mollohan
Moran (KS)
Moran (VA)
Morella
Napolitano
Nethercutt
Ney
Nussle
Oberstar
Obey
Olver
Ose
Owens
Oxley
Packard
Payne
Peterson (MN)
Peterson (PA)
Pickett
Pomeroy
Porter
Price (NC)
Quinn
Radanovich
Regula
Rodriguez
Roemer
Rogers
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Saxton
Schakowsky
Scott
Serrano
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (WA)
Spence
Stabenow
Stenholm
Strickland
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Traficant
Turner
Udall (CO)
Vento
Visclosky
Walsh
Watkins
Watt (NC)
Wexler
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—3

Kaptur
Kucinich
Menendez

NOT VOTING—14

Brown (CA)
Clay
Graham
Hinojosa
Holden
Jackson-Lee (TX)
Kasich
Millender-McDonald
Nadler
Ortiz
Pallone
Reyes
Rothman
Smith (TX)

□ 1800

Mr. ROEMER and Mr. STRICKLAND changed their vote from ''aye'' to ''no.''

Ms. WOOLSEY, Mr. HOEFFEL, Mr. BAIRD, Ms. SANCHEZ, Ms. VELAZQUEZ and Messrs. MOAKLEY, NEAL of Massachusetts, DEUTSCH and GREEN of Texas changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. GILMAN. Mr. Chairman, I move to strike the last word.

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

Mr. GILMAN. Mr. Chairman, I will not take the 5 minutes.

Mr. Chairman, I had planned on offering an amendment that would have attempted to strike funding for the Office of the Secretary as well as other offices and programs within USDA in an attempt to provide some $40 million for onion and apple farmers in the State of New York that were severely struck by bad weather, a disaster-type of problem that they had last year.

We, our good Committee on Agriculture, adopted a $5.9 billion emergency relief measure. Our farmers still have yet to see one dollar of that, and I wanted to mention as we are considering this major agriculture measure, I wanted to make my colleagues aware of the poor manner in which the United States Department of Agriculture has addressed emergency relief for our farmers at a time when this Congress passed a $5.9 billion emergency relief measure last October, and yet very few of our farmers have received the kind of relief they are entitled to. Moreover, when they go to seek relief, they find that the crop insurance program leaves a lot to be desired.

Again, Mr. Chairman, I want to commend the Chairman of the Committee on Agriculture in the House and the Senate for taking a hard look at revising that program.

So again I just wanted to take this opportunity to remind our colleagues that while the USDA speaks highly of trying to do something for the farmers, their programs leave a lot to be desired.

Mr. Chairman, I had planned on offering an amendment that would have attempted to strike funding for the Office of the Secretary as well as other offices and programs within the USDA in an attempt to provide $40 million for onion and apple farmers from New York.

However, in observance of comity as well as in recognition that such amendment would not pass, I will not offer such an amendment.

Moreover, along with my colleague the gentleman from New York, Mr. WALSH, we attempted to add $30 million to the recently approved emergency supplemental for emergency assistance for our apple and onion producers, but we were denied such relief.

However, the manner in which the Secretary of Agriculture and the USDA has chosen to handle the current crisis which continues to plague our onion producers from my congressional district in Orange County, New York is wholly unsatisfactory.

One year ago this month, a devastating hail storm swept through the Orange County region causing severe damage to vegetable crops and adversely affected the production of our onion crops. When our farmers went to their Federal crop insurance for assistance, they encountered a system that hindered them, rather than helping them.

In the year that has followed since the last disaster, the United States Department of Agriculture has utterly failed to act within their mandate to secure and protect the interests of our nations farmers. Many of our farmers face bankruptcy as a result of multi-year losses and absolutely no assistance from USDA. In Orange County, our farmers began planting for the new season, despite receiving no indemnities on their claims. They could not afford to buy the seed and supplies needed to ensure a bountiful growing season and many are struggling to keep themselves afloat in the midst of the maelstrom that the Department has unleashed upon them. We called upon the Secretary of Agriculture, noting that unless the emergency funds so desperately needed were released immediately, a number of them may not be able to survive.

Despite numerous pleas from a number of us in the Congress, the Department has continued to follow a course of action that puts the best interests of our farmers at risk. This bureaucratic blockade of emergency funding stands in stark contract to the mission of the Department of Agriculture and has succeeded only in prolonging the suffering of our farmers, rather than assuaging it.

Once again, I renew my call to the Secretary to take every appropriate action to ensure that these emergency disaster funds that were appropriated by Congress back in October of last year are promptly disbursed and I urge the Secretary to take whatever steps are necessary to thoroughly revise the Federal

Crop Insurance Program. We should not continue programs that provide no substantive relief to those who look to them for assistance. The time is now for the Secretary to begin such a revision process.

PARLIAMENTARY INQUIRY

Ms. KAPTUR. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentlewoman will state her parliamentary inquiry.

Ms. KAPTUR. Mr. Chairman, I would like to perhaps have the gentleman from Florida on the other side talk about the schedule at this point, or the Chair, whomever knows what the schedule is for this evening. We understand that votes may be being rolled. If someone could clarify it for us, what is happening here now?

The CHAIRMAN. The gentlewoman from Ohio could move to strike the last word and yield to the gentleman from Florida.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word and would yield to the distinguished gentleman from Florida (Mr. YOUNG), chairman of our full committee.

Mr. YOUNG of Florida. Mr. Chairman, the plan is as follows:

The freshmen have a commitment between now and 8 o'clock at the Holocaust Museum, and we will continue the debate, but we will roll the votes that occur between now and 8 o'clock. Then at 8 o'clock we will take the votes that have been postponed, and then after we have completed that, a decision will be made whether to proceed further into the evening and take votes or to proceed further into the evening and roll the votes until tomorrow or to rise.

Mr. Chairman, one of those three options will be announced after the votes at 8 o'clock.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman.

So, there will be no votes between now and approximately 8 p.m., but debate will continue.

Mr. YOUNG of Florida. That is correct.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman for the clarification.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $4,283,000.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded by this Act, $613,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, and for the operation, maintenance, and repair of Agriculture buildings, $140,364,000: *Provided*, That in the event an agency within the Department should require modification of space needs, the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account. In addition, for construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the programs of the Department, where not otherwise provided, $26,000,000, to remain available until expended; making a total appropriation of $166,364,000.

AMENDMENT OFFERED BY MR. SANFORD

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

The Clerk read as follows:

Amendment offered by Mr. Sanford:

Page 4, line 25, after the dollar amount insert ''(reduced by $21,695,000)''.

Mr. SANFORD. Mr. Chairman, this amendment is a very slight and modest change within the whole of the $13-plus billion that will go to agriculture. It deals specifically with the agricultural buildings and facilities rental payments section, and what it does is it deceases by a little over $21 million the specific agricultural buildings and facilities rental payment section.

Now what this really gets at is, there is what they call the space plan within the Department of Agriculture, and there are numerous Department of Agriculture buildings throughout the country, and what we do not have in schools across this country where we have actually students in trailers is this kind of money being spent.

So this is to take out $21 million which seems to me to be a Washington phenomenon, to go simply on planning on where buildings may or may not be, where leases will or will not go next, and so this is a 420 percent increase in this one category of expenditure, and again it is something that we do not see in the private sector. We do not see somebody in the private sector spending $21 million planning on where they are going to lease or sublease next, we do not see $21 billion additional being spent on planning when it could go into real buildings.

One of the choices that we will be having later this year is do we spend this $21 million on planning, or do we put the money, for instance, into education? This could actually buy books for the classroom, it could actual buy computers for the classroom, it could actually take people out of trailers.

In South Carolina we see trailers that actually house students. It could take them out of those facilities and put them in a real facility.

There is, for instance, if the choice right now is between this $21 million and, for instance, VA-HUD, would we rather spend the $21 million on veterans or would we rather spend the money, the $21 million, deciding where we are going to put bureaucrats in and around Washington, D.C.?

That is all this amendment does. It is part of a much greater context, and that is the context of what comes next. If we do not get ahead of the curve on where Washington is spending money, we have a train wreck coming this fall. There is no way this institution will cut $5-plus billion out of Labor-HHS, there is no way this institution will cut $3-plus billion out of VA-HUD, and the simple question before us is:

Can we save this $21 million to go toward planning where bureaucrats will be housed in Washington, or would we rather save that for these greater purposes later on?

Mr. COBURN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I wonder if I might inquire of the gentleman?

My understanding of this is that last year we spent $5 million in this area and that we are increasing it to 21 million 600 and some odd thousand dollars, and I profess to not understand the rationale behind that, and I would like to know where this $16 million, how it is actually going to be spent. Is that a contract with some outside firm to help the Department of Agriculture better utilize its space or to give them a strategic plan? Where is the $16 million going to be spent over this next year, and how is it that we have a 420 percent increase?

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

Mr. COBURN. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I appreciate it.

The gentleman is talking about the wrong section of the bill, because it is not the building account his amendment goes after. His amendment goes after the repairs and the rental accounts. These are contracts that have been made by the Department of Agriculture in renovating some of the older buildings that they own.

Mr. COBURN. Mr. Chairman, I thank the gentleman from New Mexico for that explanation.

I would like to read from the committee print.

The Department's headquarters staff is presently housed in a four-building, government-owned complex in downtown Washington and in leased buildings in the metropolitan Washington area. In 1995, the USDA initiated a plan to improve the delivery of USDA programs to American people, including streamlining the USDA organization. A high priority goal in the Secretary's plan is to improve the operation and effectiveness of the USDA headquarters in Washington.

To implement this goal, a strategy for efficient reallocation of space to house the restructured headquarters agencies in modern and safe facilities has been proposed. This USDA strategic plan will correct serious problems which USDA has faced in its facility program, including inefficiencies of operating out of scattered lease facilities

and serious safety hazards which exist in the huge Agriculture South Building.

During Fiscal 1998, the Beltsville office facility was completed. This facility was constructed with funds appropriated to the departments located on government-owned land in Beltsville, Maryland. Occupancy by USDA agencies began in 1998 and will be completed in 1999.

I guess my point is the same point that the gentleman from South Carolina (Mr. SANFORD) had, is we are going to be trading classrooms for children, we are going to be using Social Security money to facilitate new buildings, new headquarters and new facilities for the USDA, and that does not help farmers one bit that I can figure out. It does help the people who work for the Department of Agriculture, but it does not help the farmers, and it is my hope with this kind of increase that we could take a look at that and perhaps trim that down or eliminate it, or bring it down to something realistic because, in fact, we do have a war that is costing $15 billion thus far, and we are going to have to make some choices.

Mr. Chairman, would the gentleman like to respond to that?

Mr. SKEEN. Mr. Chairman, the gentleman is still in the wrong account. That is an operations and maintenance account that we are talking about for buildings that are in use by the Department of Agriculture, and it is not planning money at all.

Mr. COBURN. Mr. Chairman, I would again thank the gentleman for responding to that. Again, I would stand by what I just read in the committee print, which is how this money was labeled in terms of the strategic space plan, and I guess I will just have to be satisfied.

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

Mr. COBURN. I yield to the gentleman from New Mexico.

Mr. SKEEN. It is still the wrong number. We will be happy to show the gentleman where it is.

Mr. COBURN. Mr. Chairman, I will be happy to wait on the gentleman.

Mr. SKEEN. Mr. Chairman, I thank the gentleman. He should not hold his breath.

Mr. COBURN. Okay, again I would make the point.

The point is this: There is a significant increase in this section of the bill.

□ 1815

It is $21 million in a time when we are spending money on a war, where we have made a commitment not to spend Social Security dollars to run this government, and in an area that offers nothing for our farmers.

Now, there is no question that I want more dollars to go to our farmers. That is why we spent almost $12 billion in emergency supplemental dollars last year for our farmers. That is why we advanced the Freedom to Farm payment of $5 billion last year. That is why the baseline for the agricultural bill was up $5 billion over last year, because what was appropriated in the initial appropriations was $55 billion, almost $56 billion; and when we adjust that for the emergency spending that raises the baseline, we come to $61 billion.

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

Mr. COBURN. I yield to the gentleman from South Carolina.

Mr. SANFORD. Mr. Chairman, I would just ask the gentleman this question.

How would this strategic space plan in fact help a farmer?

Mr. COBURN. Mr. Chairman, that was the question I asked.

Mr. SANFORD. In other words, Mr. Chairman, I think it is a question that goes straight to the heart of the matter of do we really need to spend this additional $21 million.

Mr. SHADEGG. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise reluctantly in support of this amendment. My good friend from New Mexico, I know has worked very hard on this legislation, and I know him to be a talented Member who works very hard. He is from my neighboring State of New Mexico, and I applaud him for his efforts. Indeed, I applaud him for his efforts throughout this legislation because I think he does a good job for the agricultural community, and this is an important piece of legislation which we are considering here today.

I certainly support all of his efforts and all that he has done to support the ag community.

However, I must rise in support of the amendment itself because of the circumstances in which we find ourselves. It seems to me that there is a proper time in the course of events when one can look at, how could we improve the situation at the Department of Agriculture buildings; how can we ensure their proper maintenance, how can we indeed perhaps strategically plan their use of space; and there is a time in the course of events when one can afford to do those kinds of things.

But my belief is that at this particular moment, this particular allocation of $21 million, a little over $21.5 million, comes at a moment in time when we face some very, very difficult challenges, challenges having to do with the confrontation we face in the Balkans, the challenge we face in meeting our commitment to the American people in other spending priorities, and particularly with regard to our overall spending plan.

It seems to me what we have done is, we have placed individual subcommittee chairmen, individual cardinals such as my good friend, the gentleman from New Mexico (Mr. SKEEN) in a difficult position, because right now, what we have done is, we have come to the floor to debate one of the 13 appropriations bills which we need to debate and which I agree we must, in fact, pass as we move forward; and I think we must pass them as expeditiously and as quickly as possible because it is our obligation to fund the government and it is our obligation to do that in a timely fashion.

However, when we engage in that debate, we need to put it in a context in which we look at the entire spending pattern of the government.

I am now beginning to serve my fifth year in the Congress and to look at our spending priorities, and I know that when I look back at how we have handled the appropriations process in the last few years, the commitments we made to the American people when we came here and the way we have on, quite frankly, too many occasions allowed the process to spin out of control and gotten ourselves in a position where late in the game, late in the appropriations process, we cannot come to agreement, and we wind up breaking our commitment as to how much money we should spend to fund the government. We come back and we break our word to the American people about what we are going to do in terms of putting a tax burden on them.

I think we do not engage in this overall debate and have a plan and have each bill come with a measured response that will fit into an overall plan, and what we instead do, as it appears we are doing this year, is we bank on the future, bank on a windfall, bank on extra monies coming in and kind of put off to the side the financial commitments we have made to live within our means or to put off until a later date that debate; and all we do is create problems.

Mr. Chairman, I stood on this floor and watched us year after year get into a confrontation with the President where he demands higher spending and higher spending and higher spending, but we have put ourselves in a crunch at the end of the legislative process where we have, in the end, absolutely no choice but to agree with that. I, for one, am very reluctant to ever again come to this floor, vote for a spending bill which puts us in that position at the end of the year, and then I have to go home and look my constituents in the eye and say, yes, we did not live up to our word.

So I rise in reluctant support of the gentleman's amendment and in reluctant opposition to my good friend from New Mexico on the bill, because I think, on balance, he has done a good job on this bill. But the bill is a part of a larger mosaic, it is a part of a 13-piece puzzle.

Earlier in the day, I raised the question of how does this bill fit into our overall commitment to the American people, because I simply think we cannot break faith with the American people yet one more time, on spending.

Mr. Chairman, we have all kinds of rules back here. We live within these

budget caps and we get to talking about caps and we get to talking about the 1997 Budget Act. Quite frankly, the people back home in my district say that discussion of budget caps is a lot of inside-the-Beltway gobbledegook that they quite frankly do not understand.

However, they understand one thing. They understand fundamental principles and they understand hypocrisy. And we have put out a commitment to the American people that we will not break our word and spend one penny of the Social Security surplus. We have laid that marker down.

Now, that is not some big notion of budget caps, that is not some law dictated by something we did 5 years ago; that is a very clearly enunciated principle that says, we will not this year, once again, raid Social Security. And yet I see us, because we have all 13 pieces of this puzzle put into place, risking that commitment.

So I rise in support of the gentleman's amendment.

The CHAIRMAN. The time of the gentleman from Arizona (Mr. SHADEGG) has expired.

(On request of Mr. COBURN, and by unanimous consent, Mr. SHADEGG was allowed to proceed for 3 additional minutes.)

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

Mr. SHADEGG. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I thank the gentleman for his comments.

Mr. Chairman, I think one of the important things, and I have discovered, thanks to the chairman and his committee staff, that we do in fact have a drafting error on this amendment; and I am going to in a minute ask for unanimous consent for that drafting error to be changed. If it is not agreed to, then I will withdraw the amendment.

But I think the real question is, if we took a poll of farmers out there on whether or not we ought to have a 420 percent increase in this area, what would they say right now? They would not just say no; they would be screaming up and down, saying no, because they know not one penny of this money are they ever going to see, and they know it is going to be spent in Washington.

I mean, that is what the committee print talks about, about space needs and organizing the space for the bureaucracy that is in the Department of Agriculture. So I think it would be an interesting question as to what farmers who are actually out there struggling, what cattlemen would say about a 420 percent increase for this area in the Department of Agriculture.

It would be my hope that we would agree with what the farmers would say. I know what the farmers from my district would say and I know what the ranchers would say.

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

Mr. SHADEGG. I yield to the gentleman from South Carolina.

Mr. SANFORD. Mr. Chairman, on that very point, the back of the envelope, what we are really looking at here, if the gentleman figures he can get a good used tractor for about $20,000, we could just go out and buy 1,000 tractors for farmers across this country rather than spending the $20 million on space needs in Washington, D.C.

Mr. SHADEGG. Mr. Chairman, reclaiming my time, I applaud the gentleman for being willing to withdraw the amendment if he cannot get permission to fix the drafting error.

Again, I want to make my point, and that is the subcommittee chairman, my colleague from New Mexico, my neighboring State, did do a good job of trying to craft this legislation. I think the bigger question is, how does it fit into a larger puzzle. That is the concern I wanted to raise.

I would agree with the gentleman that I think the cattlemen in Arizona and the farmers in Arizona, they are in dire shape and they do need help. The least thing they are concerned about is space planning in the Department of Agriculture, and they are more concerned about the dollars we can get to them that would help them very much.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just wanted to mention in regard to this amendment, which apparently has been withdrawn, it is just another example of misfeasance on the other side of the aisle trying to write legislation on the floor, not carefully thought through, never brought before the committee, account numbers even wrong on the amendment that is proposed.

Now, I think the gentleman in his heart probably is trying to do what is right for the country, but again, the people that suffer from these kinds of ill-advised amendments are the people in rural America; and if the gentleman is not running for office again, that means the gentleman is really not accountable to them for his actions here today. This is just another example where we have been subjected to using our time as we watch the gentleman try to rewrite and correct this amendment on the floor.

At the same time, we have had more bankruptcies today across this country. Some of the people that the gentleman really derides, that the gentleman says work in these buildings, they are the people that administer the programs that are trying to serve the farmers and the ranchers of this country, and I have great respect for them. A lot of them have given their lives over to the service of the American people. They are the finest, most educated, most dedicated employees anywhere in the world.

As I have traveled the world and I have looked at agriculture in other places, and I have seen the faces of hungry people, and I have watched nations unable to take the best information available to humankind and make it available to those in the field, I understand how important these people are to America. We not only feed our own country, we feed the world. That does not happen by accident.

Frankly, I do not want people to have to work in dilapidated circumstances with bad air-conditioning and bad heating systems and bad ventilation. I want the best for America. I want the best for our people to be able to serve the public, which is what we are here to do.

I really think that whoever advised the gentleman on this amendment obviously was not studying the legislation very carefully, and I wish the gentleman had come before our subcommittee. We have a fine chairman. We have never had a better subcommittee of the Committee on Appropriations than the Subcommittee on Agriculture. We would have been open. We would have worked with the gentleman. The gentleman never did that; the gentleman never made an appearance. I do not think he ever sent us a letter.

I just want to put that on the Record.

REQUEST FOR MODIFICATION OFFERED BY MR. COBURN TO THE AMENDMENT OFFERED BY MR. SANFORD

Mr. COBURN. Mr. Chairman, I ask unanimous consent that the Sanford amendment be changed from page 4, line 25, to page 5, line 11.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification offered by Mr. COBURN to the amendment offered by Mr. SANFORD:

Change the page and line numbers from ''Page 4, line 25'' to ''page 5, line 11''.

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

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object, I do so to try to get an indication of how many amendments we might be considering here tonight. I have heard that there might be as many as 130 amendments offered just to filibuster this bill. If that is the case, we are just going to rise and move on to other business.

So I wonder if we can get an idea from any of the Members that are present if we are going to consider 130 amendments tonight, or whether we are going to consider 20. I would like to know where we are, because if we are going to have to go all night long, I am going to object to every opportunity that would slow down the process.

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

Mr. YOUNG of Florida. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, it is my intention, as I stated during the general debate and during the rule, to do everything I can to bring this bill back in line with last year's spending and do it in such a way that will not affect farmers, but will affect the overhead costs that are oftentimes markedly inefficient.

Mr. YOUNG of Florida. Mr. Chairman, reclaiming my time, that does not respond to my question. Is the gentleman going to offer the 135 amendments that he advertised?

Mr. COBURN. Mr. Chairman, if the gentleman will continue to yield, we are $500,000 closer to that after the last amendment that the House agreed to in terms of trimming. That means we only have $249,500,000 to go. Some of those amendments are $60 and $70 million, some of them are $200,000. When we achieve last year's freeze level, then I will stop offering amendments.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I want to thank the gentleman for reserving the right to object, and I wanted to state that to our knowledge, we have been given a minimum of 20 amendments by the Clerk. We have been told there are an additional 80 amendments that have been filed, and there may be more of which we are not aware.

As the gentleman may know, we have been on the floor this afternoon having to consider amendments we have never seen. In fact, on this current amendment, it is unclear to us whether line 12 of page 5 is included in the amendment or not.

So I would support the gentleman in his efforts to try to put some rational process in place here. I realize we are in the minority, but I think our Members have a right to be informed as to what is going on, because they are coming up to me, and I would prefer to have a more orderly process.

□ 1830

Mr. FARR of California. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from California.

Mr. FARR of California. Mr. Chairman, for the other gentleman who was talking about trying to bring us back to last year's budget, as we told him in the initial discussions, there have been $6.4 billion below what we spent in agriculture last year. This bill is way under. In fact, it is 31 percent less than what was spent on agriculture last year.

I think that we met the mark, and these amendments are essentially a filibuster tactic that are frivolous.

Mr. YOUNG of Florida. Mr. Chairman, let me say, I will not object to allowing the gentlemen to correct their error in drafting their amendment. However, I will object to any extensions of time or anything that would delay the process.

Mr. Chairman, I withdraw my reservation of objection.

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

Ms. KAPTUR. Mr. Chairman, reserving the right to object, I just wanted to ask, in the way of a parliamentary inquiry, when the gentleman intends to amend his amendment, does he intend to also amend the $166,364,000 figure in line 12 on page 5? Is that part of his amendment?

Mr. COBURN. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Oklahoma.

Mr. COBURN. That is not part of the amendment. It is intended that the conference could make that adjustment as a technical correction, and we amended exactly what we intended to amend in this change.

Ms. KAPTUR. Then, if I might just state for the RECORD, then the amendment is a frivolous amendment because it does not change the total amount of dollars in the account.

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

Mr. POMEROY. Reserving the right to object, Mr. Chairman, I must say that I am profoundly surprised by what is occurring on the floor. I represent farmers, and these farmers are in a world of hurt.

A bill comes to the floor, the agriculture appropriations bill, prepared and reported out of the committee with a bipartisan vote within the appropriations allocation assigned to that committee, and we begin to see a slew of amendments, amendments that would eviscerate the help my farmers need.

Now we see, with the unanimous consent request before this body, just what haphazard nonsense these amendments are. They have not been printed, they have not been distributed. We have had no notice. They are not even accurate.

Now the Member seeks unanimous consent to correct his amendment on the floor as we meet as a Committee of the Whole, because he did not even go to the preparation of getting it in proper form before bringing it to us. We have also heard in the preceding discussion that we can expect more than 100 similar amendments to be offered from this Member.

Back in North Dakota, just like all across this country, farmers are trying to get their spring financing together. They are trying to get their crop in. They are trying to figure out how they are going to make it another year, in light of the financial trouble they are under.

Here in Congress, we cannot even get an agriculture appropriations bill out of this Chamber without having Members of this body attack this bill in this fashion. It is shameful.

The only thing that is more shameful than the amendments themselves is the fact that they have had the support of the majority leadership, leadership which we are led to believe gave no notice to the subcommittee chairman that his budget was going to come under attack in this fashion.

The gentleman from Texas (Mr. ARMEY), the majority leader, and the gentleman from Texas (Mr. DELAY) owe it to the farmers of this country to stop these amendments and get this bill out.

Mr. Chairman, I object to the Member trying to correct his amendment. If he wanted to have this amendment considered, he should have had it in proper form the first time.

The CHAIRMAN. Objection is heard. The unanimous consent request is not granted.

Mr. WALSH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise, and not on a specific amendment, but on this process that we are following under.

As I said earlier in the debate, I respect the gentleman's right to offer amendments. I respect the principle that he is trying to uphold by reducing the size of this budget. I do not think he is trying to gut the services and the programs that the U.S. Department of Agriculture provides to our constituents.

I would remind my colleagues that this bill does not become law for at least 4 months, so there is nothing wrong with debate. However, there is something wrong with dilatory tactics. That is exactly what this seems to be. But I am going to offer the gentleman from Oklahoma (Mr. COBURN) who is offering these amendments a chance to prove me wrong.

What I would ask him is, if the purpose of this is to reduce the bill to last year's level, or to get to the level that he would like to see us at with this bill, would the gentleman agree to take all these amendments, make them en bloc, and present them as one amendment so that we can deal with this issue right now, and get the work of this bill done?

Would the gentleman take all these amendments and roll them into one, offer them en bloc, $249 million, and give the body the opportunity to vote up or down? If that is the gentleman's point, then I would ask the gentleman to please respect the Congress, respect the House, respect this debate process, respect the chairman, certainly, who has worked endlessly on this, and give us the opportunity to vote on this up or down, one vote.

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

Mr. WALSH. I yield to the gentleman from South Carolina.

Mr. SANFORD. Not speaking for the gentleman from Oklahoma, Mr. Chairman, but it seems to me the problem in that strategy would be well witnessed by the last vote.

The last vote succeeded and saved the taxpayers a number of dollars. There are some things that clearly will work and some that will not, and therefore, the idea of going en bloc might guarantee a defeat of what the gentleman is trying to do, which is save money.

Mr. WALSH. Reclaiming my time, Mr. Chairman, and I would be happy to carry this on, the gentleman has already conceded that they cannot win all of these, so if there are some amendments that the Members think

they can, why do not Members offer those en bloc and not offer the ones that they do not think will pass?

Let us try to be a little bit pragmatic here. If Members want to accomplish their goal, then work within the normal constraints of the body and give us an opportunity to move forward on the bill.

I would like to offer, again, the opportunity to the gentleman who has put these 100-some-odd amendments forward, the opportunity to enter into a colloquy to determine whether or not he is willing to end this what I perceive as a dilatory tactic, offer this en bloc, and give us one vote up or down.

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

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

Mr. COBURN. Mr. Chairman, first of all, the reason I was hesitating responding to the gentleman is I do not think I can respond to the gentleman in the time that is remaining. I am going to ask for unanimous consent for additional time.

This is not about dilatory tactics, in spite of everything the gentleman hears. I do not say things I do not mean, and I mean exactly what I say. That is something different than what this body is known for, unfortunately, over the last 40 years, as we have confiscated and put $5.6 trillion on the books owing by our children.

My purpose is to reduce this and to have a discussion, as is my right in this body, so that the people of this country can hear the people's business.

I want to tell the Members, there are some farmers out there right now talking about the 420 percent increase. They had no idea the money was spent that way. I guarantee a lot of us will hear about it tomorrow in terms of strategic planning.

Mr. WALSH. Reclaiming my time, Mr. Chairman, I would again offer the gentleman the opportunity to, with the help of the Parliamentarian, roll all these amendments into one to accomplish his goal, which is, I think, an honest goal, something he believes in; roll them into one, give us an en bloc amendment, let us vote up or down on this, and then move forward on the really additionally important aspects of this bill, which is the agriculture policies and feeding policies of the Nation.

Mr. SANFORD. Mr. Chairman, if the gentleman will continue to yield, it would seem to me that the problem with that logic would be that that assumes that all things are equal within the Department of Agriculture funding, which I do not think are.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. YOUNG of Florida. I yield to the gentleman from South Carolina.

Mr. SANFORD. Mr. Chairman, it seems to me that the problem with that logic assumes that all things are equal within this category of expenditure. I do not think that to be the case, which is why I would think that the proposal of gentleman from Oklahoma (Mr. COBURN) does make sense, because some things we will like, some things we will not.

By going through the debate process amendment by amendment, we find where the good is and where the bad is.

Mr. YOUNG of Florida. Mr. Chairman, I listened with great interest to the gentleman from New York as he made his comment about dilatory tactics, and the comments that I have made earlier about an apparent filibuster.

I am looking at a Dear Republican Colleague letter here, I guess it was an e-mail, that was forwarded through several people and finally was sent to the Committee on Appropriations staff.

It says, ''I just submitted 115 amendments to the Agriculture Appropriations bill. It is my intent to first oppose the Rule for the Agriculture Appropriations bill and should the rule be adopted, then proceed to filibuster the bill with amendments.'' The signature line is the gentleman from Oklahoma (Mr. COBURN).

So the fact of the matter is he has admitted this is a filibuster. We ought to get to the business of the House. We do not have filibuster rules in the House. They do in the other body. Here, we deal with important legislation that has merit and that has some substance.

The gentleman himself has admitted this is a filibuster. If the Members of the House want to go along with a filibuster, then we will stay here until the wee hours of the morning, but if they really are not pleased with sitting here just spinning our wheels on a filibuster, then we will proceed to vote these down, and we will not extend anybody's time limit.

Mr. SANFORD. Mr. Chairman, if the gentleman will continue to yield, it would seem to me that a lot of those farmers, whether in Oklahoma or Texas or in South Carolina, for that matter, a lot of them did not send in $500,000 worth of taxes. The gentleman's last amendment saved $500,000. I think that is the core of what he is getting at, not filibuster, but $500,000 that they would have had to send to Washington that now they do not.

Mr. YOUNG of Florida. If the gentleman would make substantial amendments to this bill, then I think we might remove the suspicion that this is simply a filibuster.

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

Mr. YOUNG of Florida. I yield to my friend, the gentleman from Oklahoma, with whom I am normally on the same side of the issue.

Mr. COBURN. We are on the same side, we are just maybe talking past each other. Mr. Chairman, $500,000 in Florida, in South Carolina, and Oklahoma is substantial money. This last amendment was $15 million difference, bringing it back down. That is substantial money.

If we do that at $15 million a clip, it is not going to be long until we have the $250-some million that we are trying to get to get back down to last year's level.

Mr. YOUNG of Florida. The way the gentleman is proceeding, an inch at a time, is a filibuster. These amendments could have been put together. They could have been done en bloc. They could have been several major amendments that we could have had a substantial debate, and we have wasted a lot of time here talking about philosophy that should have been discussed on the budget bill, when the budget resolution was here. That is the time these arguments should have been made.

I would say to my friend that this bill and all of the other bills that we will present to this floor are under the freeze and are within the budget caps of 1997, and meet the section 302(b) suballocation as provided for by the budget resolution.

So try to cut the money if the gentleman wants, and believe me, I have been here to vote for a lot of amendments to cut a lot of money out of spending bills, but let us do it in a reasonable, responsible way. Let us combine the amendments so they have some substance to them, and so that we do not spend the next 3 or 4 or 5 days here going over 115 amendments that the introducer admits is a filibuster.

Mr. GUTKNECHT. Mr. Chairman, I move to strike the requisite number of words.

□ 1845

Mr. Chairman, I just want to admonish everybody, first of all, that it is a violation of House rules to question the motives of other Members. I just want to make it clear, whether one agrees with these amendments or one disagrees with the amendments, clearly the gentleman from Oklahoma (Mr. COBURN) has every right to offer these amendments.

Also, I want to say something else. I have been listening to the debate and watching on C–SPAN back in my office. It bothers me a little bit right now. I represent a farm State, and my farmers are hurting, and that is the truth, and all of my colleagues should know that.

But I will tell my colleagues something else, my farmers do not want to steal from the Social Security Trust Fund either. Frankly, they feel a bit abused sometimes when people say things like, well, we have to do this because of the farmers. They do not want this huge bureaucracy that we have here in Washington.

I mean, this amendment, as far as I know, deals with $21 million for new buildings. I will tell my colleagues, on behalf of most of my farmers, if one asks them, ''Do you think we ought to build $21 million worth of new buildings for more bureaucracy in Washington, and at the end of the day be

forced to take that money out of Social Security Trust Funds or to borrow it from our grandchildren for one more generation,'' the answer to that question is no.

I mean, this idea that we have to patronize farmers, farmers are Americans, too, and they care about their future. They care about their kids' future. They care about the future of the Social Security Trust Fund. They care about these things, too. So I care about what is happening to farmers.

But I think the gentleman from Oklahoma (Mr. COBURN) is raising some very, very good points. For too long in this Congress, every year, we did what I call ''manana'' budgeting. We will make the tough decisions ''manana''. We will make the tough decisions next year. Well next year is here and we have got to make some of those tough decisions.

I supported that budget resolution. Frankly, a couple of weeks ago we had that vote on the emergency supplemental. I voted against it because I thought that was the first crack in the wall. We are going to see this happening on every single appropriation bill.

Let me just remind Members, the people of this country did not send us here to do what was easy. This is tough. Balancing this budget is not going to be easy this year. In fact, in some respects it is harder now because we, quote, have a surplus, and everybody, every group that I can imagine has been in my office saying ''We just want a little bit of an increase here. If we could, just squeeze out a little more money for my program.'' Do my colleagues know what happens when we do that? We never balance the budget. We continue to steal from Social Security.

I care about my farmers. Let me tell my colleagues something. My farmers care about this budget. They care about the future of this country. They care about Social Security. I admire the gentleman for bringing this amendment.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. GUTKNECHT. I am happy to yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, the gentleman's objective of trying to deal with the budget is a worthy objective. Can I ask the gentleman, since he is in the majority party and we, as the appropriators, and I particularly in the minority, have had to abide by the budget caps they gave us, and we have done that on this Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, why do my colleagues not go back and redo the budget rather than put our subcommittees through this agony on the floor? I am missing something here.

Mr. GUTKNECHT. Mr. Chairman, reclaiming my time, if my colleagues ask the average American, whether they are a farmer or a machinist, whether they live in Ohio or Minnesota, if my colleagues ask them, ''Do you think the Federal Government can meet the legitimate needs of the people of this country, of the national defense, and of all the people who depend upon the Federal Government, do you believe that the Federal Government can live with spending only $1,700 billion, do my colleagues know what? If they ask that question, whether it is in Ohio or Minnesota or Oklahoma, if my colleagues ask people, ''Do you think we can meet the legitimate needs of the United States of America, spending only $1,700 billion?'' they will say, ''You betcha.'' Seventeen hundred billion dollars is a lot of money.

That is what the spending cap is all about, saying that is all we are going to spend. We are going to have an argument and a fight about how much is going to go to defense, how much is going to go to agriculture, how much is going to go to transportation, all the other departments; but at the end of the day, we ought to live by these spending caps.

I believe in the spending caps. In fact, I have heard leadership on the other side, I have heard leadership in the Senate, I have even heard the President of the United States say we are going to live by the spending caps. Well, this is the first installment to find out if we really mean it.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. GUTKNECHT. I am happy to yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, but did the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies not abide by the caps that were given to us from the Committee on the Budget, the budget under the 302(b) allocation?

Mr. GUTKNECHT. Mr. Chairman, reclaiming my time, it is my understanding that, no, the subcommittee did not. The subcommittee overspent it by the smallest amount. Listen. According to what I have been told by my staff, this bill actually does overspend the budget allocation by two-tenths of 1 percent.

Admittedly, the gentleman from New Mexico (Chairman SKEEN) has done a fabulous job. I am not here to criticize the subcommittee. But when I hear people criticizing the gentleman from Oklahoma (Mr. COBURN) and criticizing his motives in this debate, I think that is wrong, and my colleagues have overstepped their bounds.

Ms. KAPTUR. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. Without objection, the gentlewoman is recognized for 5 minutes.

There was no objection.

PARLIAMENTARY INQUIRY

Mr. COBURN. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman from Oklahoma may state his parliamentary inquiry.

Mr. COBURN. Mr. Chairman, if I am not incorrect, and I will be happy to be corrected on this, we still have the amendment before us that was rejected in terms of it; and if we have spoken, we can not speak again. I am not sure I recall whether the gentlewoman from Ohio (Ms. KAPTUR) has spoken or not.

The CHAIRMAN. As the gentleman will note, the Chair said, without objection, the gentlewoman is recognized for an additional 5 minutes.

Mr. COBURN. I do not object.

The CHAIRMAN. The gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Chairman, in terms of how the Members of our side of the aisle functioned, we accepted the budget numbers that were given us and we acted in good faith on our subcommittee.

We have produced a bill that meets the budget mark that we were given. So, therefore, to rip apart the bill because maybe my colleagues do not like some provision in the bill, they want to do something else with it, well, I think most Members come to the floor but they do not come with 150 or 200 amendments. We operated in good faith here.

I will tell my colleagues it is a little hard to maintain it as the hours go on here today, but the point is, if my colleagues do not like the budget, go back and redo the budget. Do not pick apart every appropriation bill that comes to the floor.

We have lived within our budget. Let our committee function. Frankly, my colleagues really risk great damage to this Republic, because we could end up where we were last year when the majority here rammed that big bill through here at the end of the year because we could not complete our appropriation bills on time and on schedule.

Here we are here in the Committee on Agriculture, because of the crisis in rural America, on time with our bill, within the allocation we are given; and now my colleagues are holding us up again. I fear that the very same mess that was created last year is going to repeat itself this year.

So if my colleagues have a problem with the allocation, go back to their budgeteers; work the problem out there. But when we have subcommittees acting in good faith and doing their job, do not disenfranchise them. I think that is the height of my colleagues' responsibility inside the Chamber.

Mr. LATHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am probably not going to take the full 5 minutes, but I heard the gentleman from Oklahoma (Mr. COBURN) a little while ago saying he did not want to do anything to hurt farmers. Well, I have to tell my colleagues I have the greatest respect for the gentleman, but the last amendment hurt farmers a lot.

When my colleagues look at the services that they are trying to provide to farmers in the FSA offices, NRCS offices, with the computer systems that

today cannot work together, and the whole purpose of that funding is to finally get some coordination at USDA, now this is an area that I have worked in in the last 3 years trying to fix this problem so that we can actually deliver services to our farmers, and cutting this money out of that is wrong.

I did not enter into the debate before because I thought it was silly, but to make a statement like that simply is wrong. The gentleman should be aware that many Members who have voted for some of these amendments have actually come to us and asked for little research projects. Maybe the two-tenths of 1 percent that is overspent in this budget may be some of that that is going to different parts of the country for folk who today are voting to cut in this budget.

I mean, I have heard of rice studies, wild rice, things like that. There are projects that people have asked all over to be included in this bill and now are voting against this bill.

We are in the budget caps. If my colleagues do not think that this is going to hurt farmers, what they are doing, they are wrong. I will tell my colleagues directly, it may be fine to stand up and talk about protecting Social Security. The fact of the matter is we do not know what the budget surplus is going to be at the end of the year. We may in fact have surplus beyond what Social Security is this year. Then my colleagues' argument is not correct. Then we are not taking money out of Social Security.

The fact of the matter is, I agree with my colleagues, we have got to balance the budget, but the fact of the matter is my colleagues are hurting farmers. If this is some filibuster today just to take advantage of an opportunity from very well-meaning people here who have worked their tails off on a bill, trying to accomplish a bill that helps a lot of Members around here with very important research projects that having a lot of them put us over maybe slightly, if in fact that is the case, but to talk about how this is not hurting farmers here is simply wrong.

What we are doing here, it makes this House, it really is not the bright point of the day around here, let me just say that. Because in fact we have done the hard work of staying within the caps. We have done what we have been given as far as staying inside our allotments. But I just take very strong exception to the fact that we are not hurting farmers here today.

Mr. Chairman, I yield to the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Mr. Chairman, I thank the gentleman for yielding to me. I take the gentleman's admonition. But I also would point out that in the last supplemental we gave $47 million to the Department of Agriculture for Y2K, if I would be allowed to continue, for Y2K just upgrades, just for that one segment.

I would point out that, in fact, by taking the whole assumption of the gentleman's argument is that this is the only way we can get there. My objection to being above what we spent last year is that it is not the only way. I am not saying my way is the best way, but I am wanting the people of this country to hear the debate on all of the areas.

Mr. LATHAM. Mr. Chairman, reclaiming my time, I will tell the gentleman we have heard the debate this afternoon. But why does the gentleman not talk to somebody who has been involved in an issue like this for 3 years now, trying to get the chief information officer to straighten out the travesty that is going on at USDA, where we have got 29 agencies down there, smokestacks, which each have their own computer system, cannot talk to each other, they cannot even e-mail from the north building to the south building. We are trying to fix that.

Five hundred thousand dollars, maybe my colleagues do not think that is a big deal, but it is in a nonfunctional agency that is trying to straighten itself out. It will hurt our farmers, and I just want the gentleman from Oklahoma (Mr. COBURN) to know that. That amendment that passed hurts his farmers at home and hurts the services that USDA provides them as far as the FSA offices and NRC offices.

Mr. STENHOLM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to first associate myself with the comments of the gentleman from Iowa (Mr. LATHAM) a moment ago. Indeed, that last amendment did hurt farmers.

If my colleagues had been following, as he has for the last 3 years and I have for the last 6 years, what we are trying to do at USDA, they would understand there was a little wisdom in the money that was proposed to be spent.

Let me speak specifically to the amendment the gentleman proposes to cut now, a $21 million increase, which the gentleman said a 420 percent increase, which sounds like a whole bunch of money, and it is a whole bunch of money, but this is to implement the strategic space plan, which includes the new USDA office facility on Federal land at Beltsville. The construction of the Beltsville office facility started in June 1996, was substantially completed in 1997, and we are completing the occupancy this year in 1999.

The 2 million gross square feet south building is over 60 years old, eligible for listing in the National Register. The required renovation work includes fire protection, abatement of hazardous materials, such as asbestos, PCB light fixtures, and lead paint, replacement of old, inefficient heating, ventilation, and all conducting air conditioning systems for improved energy conservation.

The construction contract for phase one of the modernization was awarded in July of 1998 but has been tied up in a legal suit, and is now being proposed to be funded. The fiscal 1999 appropriation of $5 million included funds necessary to continue the south building modernization.

One of the problems we have got with delivering services to our farmers, we have not kept up with the technology. We are doing it in our offices. Notice what happens when we improve the computer technology here, there is a lot of wires get run. We have to go back and do things. They are very expensive.

When we are trying to do that to our USDA headquarters so that we will be able to coordinate our services, it requires spending of some money. This was a plan that was proposed and is being implemented.

We can cut this money, very easily cut it. But then do not stand up and criticize USDA for not being able to deliver the services to our farmers and ranchers as we have been doing, many have been doing, blaming it all on the Secretary of Agriculture because the disaster payments were not delivered on time.

□ 1900

Part of that we are dealing with in this first few lines of the bill. It is what the gentleman from New Mexico and the gentlewoman from Ohio have been supporting and trying to do.

I know the gentleman's intentions are very honorable. I do not question those at all. And I am certainly one that would never stand up and suggest the gentleman does not have a right to do it. But it would be helpful if the gentleman's staff would spend a little bit of time talking specifically about what the gentleman is doing before he stands up and talks about how he is not doing harm to farmers, because the gentleman from Iowa stated it very, very accurately and succinctly.

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

Mr. STENHOLM. I yield to the gentleman from Oklahoma.

Mr. COBURN. The gentleman makes some good points. However, Mr. Chairman, there is one underlying point that I disagree with, and the underlying assumption with his statement is that the Department of Agriculture is efficient now and that the money used, and just let me finish my point, the money that is going to be appropriated above last year to accomplish these things, that there is no way it could be found anywhere else.

That is my objection. It is not what the gentleman is doing or how he is doing it, it is where the money comes from.

The fact is, we do not have the courage to say the Department of Agriculture has to do this and we are going to write it into the bill and they will find the money there and they will have to make sure it gets done because we will have the oversight to make sure that the Department does do it.

My objection is that this is an inefficient organization. That is not a slam

on the employees, it is a slam on the organizational structure that we have piecemealed together through the last 40 years or so.

Mr. STENHOLM. Reclaiming my time, Mr. Chairman, I doubt any other Member has been more critical of the Department of Agriculture since 1992 in not doing what the gentleman is talking about. But I find it rather ironic that at the moment we are actually beginning to propose to put the money into doing what I have been criticizing them for, we are now going to cut it out and say we want them to do a better job without it. That is my problem.

And again, fundamentally, the chairman of the committee a moment ago stated the absolute fact: This bill is within the caps according to the budget that passed this House, period. So let us not keep talking about we are doing all of this to save Social Security.

If the gentleman wants to save Social Security, bring a Social Security bill to the floor and let us talk about Social Security. If he wants to make points on the agricultural bill, let us debate them. We can stay and debate them until the cows come home, but we will be talking specifically about what the gentleman is doing, and again, the gentleman is hurting farmers in these amendments when he passes them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina (Mr. SANFORD).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SANFORD. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 185, further proceedings on the amendment offered by the gentleman from South Carolina (Mr. SANFORD) will be postponed.

The Clerk will read.

The Clerk read as follows:

HAZARDOUS WASTE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, 42 U.S.C. 6961, $15,700,000, to remain available until expended: *Provided,* That appropriations and funds available herein to the Department for Hazardous Waste Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, $36,117,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109: *Provided,* That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk read as follows:

Amendment offered by Mr. Coburn:

Page 6, line 3, after the dollar amount insert ''(reduced by $3,049,000)''.

Mr. COBURN. Mr. Chairman, the purpose of this amendment is to talk about the 12 percent increase in the Department of Agriculture administration budget. The increase is from the fiscal 1999 level of $32 million, increasing it by $3,949,000.

According to the committee print, departmental administration is comprised of activities that provide staff support to top policy officials and overall direction and coordination within the Department.

These activities include department-wide programs for human resource management, I believe we have talked about that in a couple of the amendments; management improvement, we have talked about that; occupational safety and health management, we have talked about that; real and personal property management, we just talked about that in the previous amendment; procurement, contracting, motor vehicle and aircraft management, supply management, civil rights, equal opportunity and ethics, participation of small and disadvantaged businesses and socially disadvantaged farmers and ranchers in the departmental programs activities, et cetera, et cetera, et cetera.

Again, I would raise the point, I do not have an objection with any member of this committee. I know that they have done good work. I do not disagree that they have met the targeted caps.

What I am saying is, when was the last time an appropriation bill came to the floor that was below the caps? What a novel idea, if we are, in fact, going to not spend money that does not belong to us.

Now, I understand why other Members do not want to talk about the Social Security issue, and I agree with the members of the committee who say we have met our 302(b) allocation. I agree with that. They have. My purpose in offering the amendments is to drive efficiency in the Federal Government, to ask the question, why, when we spend a 12 percent increase in administrative overhead within a department. I would say that if this is truly the people's House, a debate on those issues ought to be heard by one and all.

The other thing that I would object to is the reference to this bill being the committee's bill. This bill is all of ours. It is not just the committee's bill, it is the House's bill. And to say that one of us has more priority over this bill than any others is wrong.

The other thing I want to do is to take a minute and perhaps defend my motives. And I am somewhat discouraged that the gentlewoman from Ohio has not recognized my persistence in the past 5 years. Because three times today she said that my motivation is based on the fact that I am not running for reelection.

I never was running for reelection when I came up here on this this year. And I would ask, if the gentlewoman were to look at my voting record and at my challenges in terms of the appropriations process, she would see that I did this same thing last year and the year before and the year before.

So this does not have anything to do with running for reelection, this has to do with questioning why we would have a 12 percent increase in administrative overhead. And if we have to do that, and that is the only way we can do it, and there is no waste in the other $32 million and it cannot be done better and it cannot be done more efficiently and the American people can be convinced of that and I can be convinced of that, I will be happy to withdraw this amendment.

But as I look at what I read in the committee print, and having been through five of these appropriation bills in the past, I do not believe that that is true. I think they can do better. And I believe that it is wrong for us not to ask the administration within the Department of Agriculture to do better.

Most of the Members of this body would like to see a 12 percent increase in their staff and their capability of running their offices, but the fact is, we are not going to pass that for ourselves, are we? But we are going to say that the Department of Agriculture is underfunded in terms of its administrative capability, does not have the dollars to do what it needs to do and must have a 12 percent increase, when the true cost of living associated with government-run programs in this area, and the area where the vast concentration of these employees are, rose by less than 1.7 percent last year.

So what we did in terms of the computers in the Office of Information was true, and we cannot take it out of this money, or not because it is not that there is not enough money. There is money running all over this bill. And I again would say, ask the farmers.

A $3,949,000 increase from $32 million; that is 12 percent. How many of them are going to see 12 percent handed to them? They are not. And how many of them want to see this money spent up here? They want to see it spent on them, not up here. And they want to make sure that we are supporting them with their ability to continue to feed us and that we give them a constant program.

So I do not object to what the committee has done. I said when we talked about the rule that this was a good bill

and that it was probably going to pass. What I said was that I did not think it was good enough and it needed to get better.

Mrs. CLAYTON. Mr. Chairman, I rise in opposition to the amendment.

When the gentleman said that he really is looking for ways for efficiency, I think if he was an astute politician he would know that merely cutting is not necessarily the way to efficiency. Efficiency includes more than dollar amounts.

Mr. COBURN. Mr. Chairman, will the gentlewoman yield?

Mrs. CLAYTON. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I would say to the gentlewoman that we have not proposed a cut. What we have proposed is leaving it at last year's level.

Mrs. CLAYTON. Reclaiming my time, Mr. Chairman, the assumption is that the gentleman is looking for efficiency, and therefore, if we leave it at that level, meaning less expenditure, then by that definition, we would have more efficiency.

But let me tell the gentleman what these particular funds he proposes that are not needed will be used for: one, for the Office of Civil Rights. And that may not be important to the gentleman from Oklahoma, but I can tell him it is important to a large number of farmers who felt that this USDA, who the gentleman says is inefficient, had also not been fair, and in fact had to file a lawsuit as a result of their discriminatory actions.

This now allows them to more efficiently respond to those complaints rather than have the U.S. Government to pay out a large settlement because of the failure of their accountability and responsibility. $1.6 million of the $3.6 goes to the Office of Civil Rights.

Even more important to socially disadvantaged farmers is the $931 million that affords the opportunity for small farmers, not just necessarily minority farmers, but small, disadvantaged farmers who will have outreach and technical assistance. This may not be big to the gentleman from Oklahoma, but it is efficiency in their way of thinking to have the kinds of services explained to them, to have the technical assistance so they can more efficiently produce their products with the kind of expectation that they will be profitable in their livelihood.

So the $3.9 million which is being offered here already is insufficient to meet all of the needs.

If the gentleman's definition were applied, I think he actually would need to add to this, if the gentleman is truly about putting the money where it is most needed and making sure it is implemented. I would think by the gentleman's definition, and I disagree with the gentleman's premise, it would say this is insufficient.

If the gentleman understood what this is doing, he would say they should have been doing this. They should do it better. There should be more outreach programs, not less. The Office of Civil Rights should have been there before. These farmers should not have had to sue.

Now we are putting a structure there so that there can be the kind of investigation that needs to be there.

So I would think the gentleman would want to be on the side of, not anticivil rights, but the gentleman would want to be on the side of, there should be fairness and there should be a structure there to deal with this. And the gentleman's amendment, in his zeal for his fiscal philosophy denies the very premise of efficiency of this department serving the people who need it most.

So I would urge that this amendment on its merit, not on the philosophy, just on its merit, should be defeated.

Mr. SKEEN. Mr. Chairman, I move to strike the last word.

My colleagues, the Department of Agriculture has been dealing with serious civil rights issues for the last several years. Minority farmers and employees at USDA have filed discrimination litigation, and the increase provided in this account would go a long way towards addressing some of those civil rights issues.

I would like to have that entered in the discussion because I think the gentlewoman from North Carolina had a very pertinent point.

Mr. HASTINGS of Florida. Mr. Chairman, I move to strike the requisite number of words.

My colleague is not on the floor at this time, the maker of the motion, the gentleman from Oklahoma (Mr. COBURN), but I was rising to appeal to him to allow at least some of us who have some expertise in this area to speak to him, as I would if he were discussing medical issues. I really do believe that he knows a lot more about that than I do.

Now he has dipped over into the legal arena, and I think I know a little bit more about that than he does.

With that in mind, I would offer to him that the status quo would create backlogs, and the creating of backlogs is what this particular 12 percent is intended to try to get rid of. When backlogs occur in any structural system, and it does not matter whether or not it is employment discrimination or if it is in the criminal arena or if it is in the civil arena, it impacts the whole process.

It is not just one thing that is impacted, it is not just this particular office of departmental administration, it is all of what they do in trying to clear up the number of cases that they have.

□ 1915

Over the years, there have been a number of legitimate complaints that have been brought and those people have to sit and wait. Let me see if I can get my colleague to understand the analogy.

In South Florida, at one time we had to try nothing but drug cases. By trying drug cases, we forced civil litigants to have to seek redress elsewhere, and people who needed remedies in the Federal court system were unable to get them because we were busying ourselves with one side of the system, which was mandated that we do.

We need to be very, very careful in expecting in every instance that people can do more with less. What they are asking for is 17 staff years, $1.6 million, and 11 staff dollars for 931 in the Office of Outreach which, incidentally, also deals with the National Commission on Small Farms, yet another area totally unrelated to anything having to do with civil rights per se, but an initiative that is important so that small farmers have a chance to survive in this system.

I do not know what it will take in order for us to understand this particular dynamic, but I will take it up with the maker of the motion so as he understands that it is not just going to, if his motion were to pass, impact this one arena, it would impact the whole.

And in this particular instance they have not been able to do the job efficiently and effectively with what they have, and there is no need to expect if they leave them in the status quo that they are going to be able to do more.

Mr. GUTKNECHT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, my colleagues, right over there is a dictionary; and if we look up the word ''efficient,'' here is what it says: ''ability to accomplish a job with a minimum expenditure of time and effort.''

My colleagues, there is a lot of discussion about this amendment, but I think we ought to get back to what it really does. In fact, let us use a little bit of analogy. Let us take a major corporation, and my colleagues fill in the blank. They can say AT&T. They can say Chrysler. They can say IBM, whatever. And let us say this company thinks that they have had a problem with efficiency.

Now, this company has 107,000 employees. They have another 80,000 contract employees. In fact, it works out to about one employee or contract employee for every 10 customers. This is a mythical corporation. And we are the board of directors and we are sitting around saying what can we do to make this thing a little more efficient.

Now, how many of my colleagues think they would raise their hands and say, you know what we ought to do? We ought to increase administration by 12 percent. That is crazy. That would not happen at Chrysler. That would not happen at AT&T. That would not happen at IBM. But, my colleagues, that is what is happening in this bill. We have one employee or contract employee for every 10 farmers in this USDA.

Now, again, I come back, if we ask most farmers do they think that is an appropriate level, they would say that is ridiculous. And so would most voters. And so before we dismiss this

amendment out of hand, this is not an anti-farmer amendment. This is about the board of directors saying we have a terribly inefficient administration right now in the USDA and throwing more money at it is not going to make it more efficient.

Ms. KAPTUR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. First of all, let me say that if the offerors of the amendment want efficiency, then surely the bill that our subcommittee has brought to the floor is efficient.

In fact, the author of the amendment stated in his last comments on the floor that we were in fact within the budget allocation. So we have a very efficient bill, without question.

Now, this particular amendment is one that goes after one particular function at the U.S. Department of Agriculture, and the proponents claim that it is efficient. Let me say that overall, our bill is efficient. But in making decisions in the public realm, one has to not only be efficient, one has to be equitable, and I would oppose the gentleman's amendment on the basis that it is not equitable.

Why? What are these funds dedicated to? They are dedicated to redressing wrongs inside USDA and an inability, because of discrimination in past years, for that department to deal with all of America, all of America's farmers, regardless of color, regardless of creed, regardless of sex, whatever.

The funding that is provided, and even the Wall Street Journal has done front page stories on this, my colleagues do not have to listen to this Member, they just need to call it up on their web site, is to redress past wrongs.

The inability of this department in past years to serve all of America's farmers, to make sure that the credit programs were open to all farmers, to make sure that when people worked hard, just because they might have had low equity did not mean that their work did not have a value, and that in fact they perhaps should not have been ignored for decades and in fact perhaps for a century and a half.

And so I would say to those who offer this amendment, I would hope they would withdraw this. I think to try to cut funds, for example, for the Office of Outreach, and again our bill is within the budget allocation, means that they will continue the historic discrimination that has characterized so much of the behavior of our Government and our people in this century and the last.

This is the first time we have had a chance to do what is both efficient and equitable. And I would ask my colleagues and those who are offering this amendment to really seriously consider what they are about to do. I really do not think they want to do this. I think they want to do what is right for America, right for all of its people, and right for the future.

I would encourage my colleagues to vote a strong ''no'' on this Coburn amendment.

Mr. DICKEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I understand the concern of the gentleman from Oklahoma (Mr. COBURN). I think it is a concern for this bill as well as the other appropriations bill, and I join in that concern. And I know he had a concern about the supplemental, and I did too, about it running wild, about us missing the point as far as what ''emergency'' was and what ''emergency'' was not.

But I serve on this subcommittee, this Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations, and I know the balance that we have to give, so I stand here sort of split and yet not split on this particular issue.

To bring this within the caps, I think the chairman from New Mexico (Mr. SKEEN) did a wonderful job. It has been easy over the years when we could just borrow money and say, well, the heck with it. We do not care about this or that. But we gave our word and we kept our word.

Now, what the problem is, is that I think that the position of the gentleman from Oklahoma (Mr. COBURN) is lessened somewhat about this accusation of filibuster. And I hope he can hear me and he will come and talk about it. But I know that we have had this before in past years. I would like for the gentleman from Oklahoma (Mr. COBURN), if he can, to come and defend that position of filibustering because I think it was his words, from what I understand, and it is going to undermine those elements, that we need to push down the expenses that we have in the appropriations bill.

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

Mr. DICKEY. I yield to the gentleman from South Carolina.

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

Mr. Chairman, I want to go to this notion that the gentleman from Oklahoma (Mr. COBURN) is somehow filibustering. Because just on the back of the envelope, I grabbed my calculator, and if my colleagues look at the amount of money that this particular amendment would save, it would save $3,900,000. Now, if we take people earning average income, it would take 1,974 taxpayers earning a whole year's worth of income to pay the taxes on $3,900,000.

So what we are really talking about is, again, 1,900 people paying taxes for a year. That seems to me to be anything but a filibuster but something very real, because what we are talking about are people's lives and where are they sending money.

Mr. DICKEY. Mr. Chairman, reclaiming my time, one thing I want to add is this applies to almost all the bills, the same type of thing. And what I would like to ask is for us to have a better way, and I am frustrated too, I would say to the gentleman from Oklahoma, a better way for us to express our frustration and to hope to bring constructive change than this way of doing things.

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

Mr. DICKEY. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I would disagree. I think that the American people benefit from seeing the debates on how we spend money; and the closer that we put the magnifying glass to it, the better we are as a country.

And I understand the pride of ownership of the Committee on Appropriations as they work hard to bring these bills up. And I am going to remind my colleagues again, when we talked about the rule, I said when we talked on the general debate hour that this was a good bill. I want to try to make it better, and I also want us to not be in a position where we are going to spend the first dollar of Social Security surplus.

Mr. DICKEY. Mr. Chairman, reclaiming my time, here is another question: Are we going to do this on each one of the appropriation bills? If we are, we are going to lessen the effect of the conservative concerns of my colleague about spending outside the caps.

Mr. COBURN. Mr. Chairman, if the gentleman would continue to yield, I have no intentions to do it on anything other than what I think will not lead us to the commitment that we have made to the American people.

The minority offered a budget and it had some good things in there, but the one common thing it had is they were going to take some of the money and make sure we did not spend any money of Social Security on anything except Social Security and Medicare.

The Blue Dogs had a budget. Same thing. The Republicans had a budget that ultimately passed the House. Everybody agrees, with the exception of two Members of this House who voted for President Clinton's budget which said I am going to spend 38 percent of Social Security money. At least he admitted it.

We either need to say we do not have the courage to trim the spending in the Federal Government and that we are going to take 38 percent, the seniors' money, or we need to say, the President was wrong, we do have the courage to spend less money up here.

I want to make the point again. The 302(b) allocations that my colleagues all have met, they have met the requirement of the budget numbers and the number that was given to them. I am not objecting to that. What I am objecting to is, number one, the 302(b)'s this year are not an adequate representation of what is going to happen. And there is not a person in this body that does not know that. And that is a sham to the American public to say this is one 302(b) but the rest of them are not.

The CHAIRMAN. The time of the gentleman from Arkansas (Mr. DICKEY) has expired.

Mr. COBURN. Mr. Chairman, I ask unanimous consent that the gentleman from Arkansas be given 3 additional minutes.

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

Mr. YOUNG of Florida. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. MANZULLO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Oklahoma (Mr. COBURN).

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

To take the 302(b) allocations that we all know on the four big bills are not an accurate reflection of what is going to happen, and their claim to use that as a designation for why we should not trim this bill additionally is not fair to the American people.

I have no fight to pick with the appropriators on this committee, and I have no desire to harm farmers. I say that they can do it better. What we hear in this body all the time is it cannot be done, we cannot do it. Well, I come from a group of people that says we can do it. We can do better. We cannot spend all the money allocated to us. We can get efficiencies without adding money to the Department of Agriculture. We can demand innovation, insight, and new ideas. We can promote efficiency.

The VA Regional Office in Muskogee, Oklahoma, is a great example of that where they cut their costs like crazy and they did not spend any additional money. So if they can do it, why cannot the Department of Agriculture do it? Why cannot the administration and the Department of Agriculture do it? They can do it, but they are never going to do it until we make them do it. We have to demand that they do it.

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

Mr. MANZULLO. I yield to the gentleman from Arkansas.

Mr. DICKEY. Mr. Chairman, I ask the gentleman from Oklahoma, are we doing the right thing by doing it by filibustering? That is my question.

It seems to me that he has got a better argument than to use something that is indirect.

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

Mr. MANZULLO. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, ''filibuster'' is not my word. My word is let us bring it back to the freeze level of where we were last year and ask for efficiency, and I am willing to do that. And I have said here on this floor, as soon as we are back to the level in terms of cuts, I am through.

I am looking for dollars. The term to ''filibuster,'' it is a filibuster in terms of taking time, but that is not my intention. My intention is to get us back down to where we were last year. My colleagues will see me walk right out of here as soon as we have done it. But to resist calls for efficiency, to resist debate on issues is not fair to the American public.

And to impugn my motivations. I want to tell my colleagues something. My motivations are pure. I think about my grandkids and I think about the grandkids of all of those patients that I take care of. Every baby, three babies this weekend, I spank the bottom of. I delivered three new babies into this world. Every one of them owes $21,000, and it is growing at $500 a year, what they owe.

□ 1930

They will never see the first penny of Social Security unless we have the courage to step up to the plate and demand change in Washington and demand it of ourselves. I am not talking about not having the right priorities. I do not want to punish our farmers. But I want us to create an environment of change that says we are not going to spend more, we can do better, we can spend less.

Mr. FARR of California. Mr. Chairman, will the gentleman yield?

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

Mr. FARR of California. I would just like to ask the gentleman, did he charge for delivering those babies?

Mr. COBURN. I am a Member of Congress. I can make no money as a doctor.

Mr. FARR of California. I am glad to hear that.

I want to ask one question of the gentleman. I sit on the Committee on Appropriations. I have not sat on the Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies before.

We had dozens and dozens of hearings. We asked Members to come before the committee. We debated these items because that is the way you put together a budget. To my recollection, the gentleman never came to one of the committee hearings. He never suggested in a letter to the committee that we cut any of these programs. This is the first instance of his litany of cuts that we are faced with.

Mr. MANZULLO. Mr. Chairman, I reclaim my time and yield to the gentleman from Oklahoma.

Mr. COBURN. The gentleman makes the point that I was not before his committee on the cuts. That is a valid criticism, but that does not deny me the right to raise the issue on this floor and to say that I do not have the right to raise the issue on this floor because I was not before his committee. Simply because of the way the House operates, as the gentleman well knows, you cannot be at all those at one time and fulfill the rest of your duties.

The point is, do you agree or do you not agree that we should trim some of the administrative overhead out of this budget? If you do not agree, then, fine, that is what our debate is all about. We are in the Committee of the Whole. That is what this is. That is why we are doing it in the Committee.

Mr. FARR of California. If the gentleman will yield further, there is a process here, and I think what is disturbing the House is that we try to honor that process. I do not think by bringing 114, as you have stated, amendments to the floor is a process that we use very often, if ever, and certainly I have been here a short while and I have never seen it used before.

Mr. MANZULLO. Reclaiming my time, one of the Coburn amendments saves the taxpayers $500,000.

Mr. HOSTETTLER. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. HOSTETTLER. Mr. Chairman, discussion has taken place with regard to the motives and the application of the process. I would just like to remind the Members and talk very briefly about an incident that happened on the floor just a couple of hours ago.

That was, I opposed the rule for the consideration of this bill because the bill spends more money than it did last year. The discretionary amount is more than what we passed out of this House last year.

I was asked why I would oppose an open rule, and I think that was a good question. I think that was a good question because the Committee on Rules, I believe, relinquishes a great deal of power whenever they decide to give an open rule, and it was a good question. The reason was not because we had the freedom of an open rule, but merely because the rule allowed for the deliberation on this floor of a bill that spent more money last year, the very first bill in the appropriations process that we deal with is going to spend more money than we spent on this bill before.

And so the reason that the gentleman is offering so many amendments is not for the sake of a filibuster, but for the simple fact that we have an open rule.

I was led to believe that an open rule would allow for free debate. Now we hear that the debate should in fact be reduced, should be cut off by the gentleman from Oklahoma. I think in fact if we are going to have an open rule and a gentleman will go to the hardship of having many of these amendments preprinted in the RECORD and offering them himself, we should at least recognize the Rules of the House.

Secondly, with regard to hurting America's farmers, I do not know, maybe southwest Indiana farmers are different from other farmers, but whenever I ask farmers in southwest Indiana what they would like to see coming from the Federal Government, the first thing they always tell me is tax relief. I tell them we can cut taxes, but if we continue to increase spending

across the board, even in the Agriculture Department, somebody is going to have to pay for that.

And so when I say we can either give you tax relief or we can take more of your tax dollars to allow the various bureaucracies to spend that money in order to help you, they realize in fact that Washington, D.C. is probably not the best source of their help.

Secondly, they ask for regulatory relief. If individuals really want to help farmers, they will indeed support regulatory relief, and for a little bit of commercial activity, I will merely tout the virtues of H.R. 1578, my Protect American Agricultural Lands Act of 1999, which will allow for that land which has been in production 5 of the last 10 years to be exempt from clean water permitting, because in fact it has been used for farming.

Thirdly, the agriculture community wants open markets, places where they can sell their product. But they do not want open market agreements for the sake of merely signing an agreement. They want agreements that can be enforced, enforced by this administration which they see dreadfully lacking.

Finally, I will simply say that this is the opportunity that many of us that do not necessarily serve on the House Committee on Appropriations have to offer amendments in this fashion. When we look at all the various constituencies of all of these provisions, we realize that in fact there is the potential in the future to not cut $5 billion from the Labor, Health and Human Services and Education Department. There will not be the opportunity to cut almost $4 billion from the Veterans' Administration and the Housing and Urban Development bill that is going to come up later, that in fact if we are not diligent from the very outset of this whole appropriations process, that in fact it will whirl out of control; and when we get to the end of the appropriations season later this year, that we will in fact be busting the caps and having to reduce our commitment to cutting taxes, our commitment to stopping the raids on the Social Security trust fund; and we will in fact tell America that indeed Washington D.C. knows best, and if you simply give us more of your money, we will prove it to you.

Mr. Chairman, I rise in strong support of the gentleman's amendment and ask that the Committee do likewise.

Mr. STENHOLM. Mr. Chairman, I move to strike the requisite number of words.

Again, I think it is important that we focus on the process which we are discussing today. Again, I quarrel not with the motives of the gentleman from Oklahoma. He has every right, as others have said, to bring the amendments before this body that he has brought today; and I have opposed them because I disagree with them.

I think it is important, though, for everyone to understand the real quarrel apparently is with the leadership on the other side of the aisle. That is where the quarrel is. Because we are disagreeing with the numbers that have been given to the Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies. That was given as a leadership decision.

I happen to have supported a budget that protected Social Security, that paid off $88 billion more debt over the next 5 years than the budget we are talking about, provided a reasonable tax cut and improved the funding of five priority areas, one of which was agriculture of which I am prepared to say we are $450 million under what we need to be spending for American agriculture.

Why do I say that? Because I am proud of our American agricultural system, from our farmers on up and down. We have the most abundant food supply in this Nation, we have the best quality of food, we have the safest food supply to our consumers of any country in the world, and we do it at the lowest cost, including all of this, quote, ''wasteful spending'' we are talking about today.

Now, do I make this argument in saying that we cannot do better? Obviously we could do better. But we have ways of doing it better. It is called the House Committee on Agriculture and it is called the House Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that spend the hours looking at these details and making those decisions. I put my trust in them, on the first part because I am one, but I do not quarrel at all with the gentleman who chooses to say that we have not done our jobs properly.

Let me read this letter:

> The American Farm Bureau Federation is aware of a long list of amendments to be offered to H.R. 1906. In addition to the letter sent this morning, we are deeply concerned about these amendments and the approach being taken against general agriculture programs.
>
> Specifically, we are opposed to amendments that would prohibit funding to promote the sale or export of tobacco, decrease spending for the APHIS Boll Weevil Program and effectively eliminate the Boll Weevil Eradication Program. We oppose any cut in funding for agricultural research programs for wool, cotton, shrimp aquaculture, blueberries, specialty crops or precision agriculture. We oppose any attempts to decrease funding for agriculture market analysis, promotion and rural development.
>
> Further, we oppose cuts in funding for conservation programs, the peanut price support loan rate and any reductions in research or other cuts to peanut support programs. We also oppose any attempts to effectively eliminate any international or domestic marketing programs.
>
> Farm Bureau has worked closely with the Agriculture Appropriations Subcommittee and supports the bill as reported by the committee.

This is our largest farm organization that has looked at the work of the gentlewoman and the gentleman and others in saying, in their judgment, we cannot make these cuts without doing harm. Again, I specifically have objected to the previous two amendments and to this amendment for the reasons that were specified before, in pointing out that if we are going to be critical of inefficient operation in USDA, if we are going to be critical of those ''who have not been able to do their job,'' quote-unquote, then how do we justify coming in and saying we are going to deny them the tools to bring them into the modern century of technology which is what the committee suggested be done?

That is the simple question. It deserves a simple ''no'' vote on the amendment.

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

Mr. STENHOLM. I yield to the gentleman from Oklahoma.

Mr. COBURN. Again, I want to be clear about what we are doing. We are cutting nothing. What we are saying is we are holding to last year's level.

I understand the Farm Bureau. I have worked with them a great amount. A large number of the people who supported me to come here are from that organization.

But I would also say that there probably would not be anything that they would probably say was a good idea to cut out of this bill, because that is not what they are set up to do. They are set up to make sure that their members are protected in this bill.

I just wanted to state, and I thank the gentleman for being so kind as to yield to me, there is not a cut in the bill. It is the old Medicare scam cut, hold spending or cut. What we are saying is, let us not increase the administrative overhead that has been proposed in the bill.

Mr. SANFORD. Mr. Chairman, I move to strike the requisite number of words.

I would follow up on the remarks of the gentleman from Texas, specifically the letter, because it seems to me, as the gentleman from Oklahoma just suggested, that naturally they are in the business of protecting the status quo.

What the gentleman from Oklahoma is trying to do is anything but the status quo, and that is, on a line-by-line basis, to walk through money, where it is going, where it is being spent and asking, is the taxpayer getting the best bang for his buck.

I would disagree with the letter on a whole number of fronts. I mean, for instance, the gentleman from Oklahoma's amendments, for instance, do not touch the sugar subsidy program. That letter has basically said the sugar subsidy is right.

I know we would disagree on this, but I have problems with any system wherein you have got the Fanjul family out of Palm Beach who are worth over $400 million, who get $60 million a year as a result of a program that is part of this bill. That is not even being challenged by what the gentleman

from Oklahoma is doing. So I think I would have a number of objections to that letter.

But I want to go back to the original content of what he is getting at, which is, line by line, looking at where the money is being spent and simply asking, is the taxpayer getting a good return on his investment. I would say no, because going back to, I guess the comments of the gentleman from Minnesota (Mr. GUTKNECHT), if you had any corporation out there in America that had 100,000 employees, had 80,000 contract employees and said, how can we make it better, their solution would not be to increase administration by 12 percent. Yet that is what this does.

All this amendment would do would be to knock out that increase. That is worth doing, it seems to me, for a couple of reasons. If you took out this $3.9 million that we are talking about at $20,000 a pop, that would buy tractors for 200 farmers. I would rather put the money into tractors.

It would pay taxes for 2,600 farmers if you figured the taxes on a small farm were $1,500. It would take 1,900 farmers earning an average income to pay the money for this increase; or turned around a different way, it would take one farmer 1,900 years to pay for the increase that this amendment gets at.

□ 1945

It is a sensible amendment. It gets at where is the money going.

Most farmers I talk to, talk to somebody down at the stockyard or talk to somebody at FTX, these are reasonable, commonsense folks, and the idea of plussing up the administration, and in fact I saw one thing here in the administration portion, and I would have a question for the staff on this, talking about aircraft management.

I mean how many aircraft does the Department of Agriculture own?

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

Mr. SANFORD. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I just want to ask the gentleman one simple question.

He mentioned that there is nothing wrong with going over this line by line, dollar by dollar, and that is not bad.

Would the gentleman move now to abolish the committee system of the United States House of Representatives?

Why are we wasting our time with 13 committees?

They hold hearings, and they have all these experts coming together, and let me finish.

Mr. SANFORD. No. Reclaiming my time, of all people, the gentleman from Vermont has been consistently independent in the way he votes. To suggest that he takes anything lock-step from the committee as it comes, I mean the gentleman would be the furthest person from that. He is the one independent that is here.

Mr. SANDERS. True. But I have never offered 125 amendments, and as independent as I am, I think the committee process is a reasonable process. We have got 435 people. In all fairness, in all fairness, the gentleman does not think he knows all aspects of that bill.

The gentleman never sat on the committee, nor have I, and I think it is totally reasonable.

I have two amendments that I am offering. The gentleman may have some amendments. But basically really what he is saying is, ''If you're supporting the concept of bringing 125 amendments up,'' what the gentleman is saying is, ''Let's junk the committee.''

Mr. SANFORD. Absolutely. Reclaiming my time, this is part of a much larger conversation, as the gentleman from Oklahoma has already suggested, and that is, as we all know, if we wait until the end when we run into Labor-HHS, when we run into VA-HUD, we are running into a train wreck, and so I mean unless we address this larger issue; which is, as my colleagues know, we can cherry pick the easy bills, supposedly ag was going to be one of those; do those first, and then wait for the really difficult bills later on. If so, we are in real trouble, and it means we will be taking the money from Social Security, which is why I go back to the simple point: would we rather spend money on this, as my colleague knows, administration here within the Department of Ag, or would we rather save it for Social Security?

I would rather save it for Social Security.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COBURN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. COBURN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 185, further proceedings on the amendment offered by the gentleman from Oklahoma (Mr. COBURN) will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, $3,668,000: *Provided,* That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations: *Provided further,* That not less than $2,241,000 shall be transferred to agencies funded by this Act to maintain personnel at the agency level.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry on services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, $8,138,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed $2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, $65,128,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, including not to exceed $50,000 for employment under 5 U.S.C. 3109; and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $29,194,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, $940,000.

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk read as follows:

Amendment offered by Mr. COBURN:

Page 9, line 3, after the dollar amount insert ''(reduced by $400,000)''.

Mr. COBURN. Mr. Chairman, this again is an area that has a 75 percent increase, and the first thing I would like to do with my time, if I may, is inquire of the committee the thinking behind this increase of 75 percent in this account so that we can have an understanding of it, and actually I would, if the gentleman from Texas knows the reason for that, I would even respond if he could give us the answer for that.

The fact is, this is a significant increase for just the Office of the Under Secretary. We are not talking about research, we are talking about the Office of the Under Secretary for Research, by increasing it by $400,000, and I just would like an explanation.

Mr. Chairman, it was $140,000, and it is going to be $540,000, and I believe that people would like to know why we are increasing that spending, and we ought to have a good explanation of why we are expending. If there is a great one and we should not be trimming this money out, then I will be happy to defer to the chairman, but to me it seems this 75 percent increase, from $400,000 to $540,000, is a significant increase.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COBURN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. COBURN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 185, further proceedings on the amendment offered by the gentleman from Oklahoma (Mr. COBURN) will be postponed.

The Clerk will read.

The Clerk read as follows:

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $70,266,000: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7. U.S.C. 2225).

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk read as follows:

Amendment offered by Mr. COBURN:

Page 9, line 8, after the dollar amount insert ''(reduced by $4,509,000)''.

Mr. COBURN. Mr. Chairman, again this is an increase of $4,509,000 on a budget. Last year was at $65,000. What we are seeing is a 6.8 percent increase, and the question that I would ask again is if we are going to increase this $4,509,000, and ultimately when it is all said and done the money is going to come out of the Social Security surplus, that we ought to have a great explanation.

If my colleagues read the committee print on this, and I will take the time to read it, there is not a valid explanation of what we are doing here, and again I would query the members of the committee. Maybe we are supposed to be doing this just to give us a good answer, and I will try to withdraw this amendment. But the fact is that we have silence on the issue.

Let me read what the committee print says.

''For the Economic Research Service the committee provides an appropriation of $70 million, an increase of $4,509,000 above 1999 and an increase of $14 million above the budget we have. The committee has provided $17,495,000, an increase of 300 above the budget request, for studies and evaluations of work under the Food and Nutrition Service.''

Now I am for our elderly food nutrition programs, I am for our WIC programs, but I want to know how we are going to spend this money, and I want to know why we are spending it in the direction and the increase, if, in fact, the committee expects ERS to consult and work with the staff of the Food and Nutrition Service as well as other agencies to assure that all the studies and evaluations are meeting the needs of the department. Is there an area where we are not supplying that need with the $65 million that we had last year? Is there money that could go to our farmers that are out there starving? Could some of this $4,509,000 go directly to farmers?

As my colleagues know, we say we want to help farmers, and some gentlemen have said today that some of our amendments have hurt farmers. Well, if they have, help us take this and change this and move it to the farmers instead of spending it on bureaucracies.

Again, we are going to have a process by which at the end of the appropriation day this $4,509,000, whether we want to hear it or not, is going to be taken from the Social Security surplus. Most people in this room know that. It is apparent that that is what is going to happen, regardless of whether we have another omni-terrible bill or not. The money on increased spending is going to be taken from the Social Security surplus, and I believe that it is the honorable thing for us to do to stand up and admit that, and then say I believe we ought to take from the Social Security surplus an additional $4,509,000 to run this branch of the Department of Agriculture.

Mr. SKEEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I oppose this amendment, and we have been hearing talk of efficiency, and this is one area where the committee strongly believes that we have been very efficient.

The funding in this account is made up of two parts. One is the base economic research program for USDA, and the other is in the studies and evaluation for the feeding programs in this bill. By consolidating the studies and evaluations funding in this account, we have found that the program can be managed more efficiently.

The increase to this account is made up by corresponding increases in the child nutrition, food stamp and WIC accounts, and if we cut this account there will be no way of determining whether or not the $36 billion that we are spending on feeding programs in this bill are meeting their goals.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Oklahoma, and I just wish to state for the record that the Food and Nutrition Service, which is in another account, was conducting some of its own evaluations for a number of years, and the committee felt that a more objective set of evaluations could be done through the Economic Research Service. That is the reason that these funds are in this account, because essentially we have transferred responsibilities from the Food and Nutrition Service to the Economic Research Service.

This is a new function, in a sense, for the Economic Research Service, but we believe with their objectivity they could do a good job of evaluating the two-thirds to three-quarters, actually three-quarters of this budget that is in the mandatory programs, including our major food and nutrition programs.

So I think the gentleman expressed some concern that there were funds in here providing for research, but the point is they are not being provided in the Food and Nutrition Service any more. These responsibilities have been shifted to the Economic Research Service.

So I wanted to state that for the record and to state that we hope that the Economic Research Service will do their job well. We certainly have had waste, fraud and abuse in many of the food and nutrition programs, and we have been going after that through the Inspector General, I think who is doing a tremendous job at USDA in particular, and I would hope that the evaluations that would be done would continue to show progress.

So I would not support the gentleman's amendment because I think it is a rather arbitrary and ill-advised cut.

Mr. COBURN. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, so I understand what the gentlewoman has said, last year for these programs there was no money for ERS under Food and Nutrition, and all of the increase, this $4,509,000, all of that increase is only for this area?

Ms. KAPTUR. For the Economic Research Service, yes.

Mr. COBURN. Or associated with Food and Nutrition Services.

Ms. KAPTUR. That is correct.

Mr. COBURN. And the money that was being spent in the Food and Nutrition Services has been reduced by that amount and transferred to this committee.

Ms. KAPTUR. The Food and Nutrition Service will no longer be doing its own evaluations; that is correct.

Mr. COBURN. But that is different than the amount of money that they were spending on it being reduced from their budget and transferred to the ERS.

Ms. KAPTUR. The Food and Nutrition Service will no longer perform their own evaluative research; that is correct.

Mr. COBURN. But they will still have the money that they were using to do that, and those structures will be in place.

Ms. KAPTUR. They will not be doing research in this evaluative research. We changed it because we thought that perhaps they had too much of a vested interest in continuing programs the way they were, and the monitoring might not have been as objective as it should have been.

This may not work under ERS. We are not sure it will work, but we think it is a way of being more objective.

Mr. COBURN. Mr. Chairman, I ask unanimous consent to withdraw this amendment.

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

There was no objection.

The CHAIRMAN. The amendment of the gentleman from Oklahoma (Mr. COBURN) is withdrawn.

The Clerk will read.

The Clerk read as follows:

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting

statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by 7 U.S.C. 1621–1627, Public Law 105–113, and other laws, $100,559,000, of which up to $16,490,000 shall be available until expended for the Census of Agriculture: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109.

AGRICULTURAL RESEARCH SERVICE

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $836,381,000: *Provided,* That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $115,000 shall be available for employment under 5 U.S.C. 3109: *Provided further,* That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further,* That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $250,000, except for headhouses or greenhouses which shall each be limited to $1,000,000, and except for ten buildings to be constructed or improved at a cost not to exceed $500,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $250,000, whichever is greater: *Provided further,* That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further,* That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center, including an easement to the University of Maryland to construct the Transgenic Animal Facility which upon completion shall be accepted by the Secretary as a gift: *Provided further,* That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further,* That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

AMENDMENT OFFERED BY MR. SANDERS

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

The Clerk read as follows:

Amendment offered by Mr. SANDERS:

Page 10, line 14 (relating to the Agricultural Research Service), insert after the dollar amount the following: ''(reduced by $13,000,000)''.

Page 50, line 9 (relating to the commodity assistance program), insert after the dollar amount the following: ''(increased by $10,000,000)''.

□ 2000

Mr. SANDERS. Mr. Chairman, I want to assure my colleagues that I do not have 150 amendments, not even 50, only 2, and I believe the majority is going to accept one later. So this is it for me, and I would appreciate support for this amendment.

This amendment is cosponsored by the gentleman from Ohio (Mr. NEY), the gentlewoman from Georgia (Ms. MCKINNEY), the gentlewoman from California (Ms. LEE), and the gentleman from Ohio (Mr. HALL). This is a very similar amendment to the one that the gentleman from New Jersey (Mr. LOBIONDO) and I introduced last year, which won in the House by a strong vote. Unfortunately, the conference committee did not support the effort that we had made in the House.

The purpose of this amendment is to increase funding for a nutrition program of extreme importance to many low-income senior citizens, small children and pregnant women, and that program is the Commodity Supplemental Food Program.

This year, the President requested $155 million for the Commodity Assistance Program, which contains the Commodity Supplemental Food Program. However, the program was funded at $14 million less than the President's request. We are attempting now to add $10 million to the program, which would still be $4 million less than what the President had requested.

Mr. Chairman, it is no secret that malnutrition and hunger among senior citizens is a serious and tragic problem in the United States. Throughout our country, food shelters see more and more use, and hospital administrators tell us that thousands of senior citizens who enter hospitals in this country are suffering from malnutrition. We know that programs like Meals on Wheels have long waiting lists and that large numbers of seniors throughout this country are simply not getting the nutrition that they need.

The Commodity Supplemental Food Program is currently operating in 20 States. Other States are on the waiting list and still more are in the process of applying for the program. We have been told by the USDA that unless additional funds are given to this program, there simply cannot be an expansion, which would be a real tragedy not only for seniors, but for pregnant women and young children who also utilize this important program.

Mr. Chairman, the amendment is offset by cutting $13 million from the Agricultural Research Service. At a time of very, very tight and unreasonable, in my opinion, budget caps, this particular program received a $50 million increase this year, which brings the program up to just over $830 million.

I am not an opponent of the Agricultural Research Service. I think they do a lot of good. I come from an agricultural State, and they do important work. But it seems to me that we have to put our priorities in a little bit better place.

At a time of significant and growing hunger in the United States, it is frankly more important to be funding nutrition programs than adding $50 million to ag research in such programs as funding a geneticist plant breeder for lettuce to develop red snapper agriculture, aquaculture, to conduct golden nematode worm research and rainbow trout research.

I do not mean to make fun of those programs. I am sure that they make sense and are useful. But I think in terms of our priorities, when we have seniors who are hungry and small kids who are not getting the nutrition that they need, I think we should do better; and we can do better by supporting this nutrition program.

I want to thank the cosponsors of this amendment, one of whom is the gentleman from Ohio (Mr. NEY), and the schedule has been so thrown off today that I do not know if they are going to come and speak to this right now. But the gentlewoman from Georgia (Ms. MCKINNEY), the gentlewoman from California (Ms. LEE), the gentlewoman from California (Ms. WOOLSEY) are also cosponsors of this amendment, and I would ask for its passage.

Mr. SKEEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I hate to do this, but I rise in opposition to this amendment. All programs within the bill were put on the table as we began to make funding decisions under the tight allocation that we had received. No one can deny the importance of commodity assistance programs, but to use as an offset funds from the Agricultural Research Service to find ways to help farmers, who are less than 2 percent of the Nation's population, to feed this country and much of the world, is not acceptable.

In addition, Mr. Chairman, we provided about $6 million more in this account than the President requested for the Commodity Supplemental Food Program for fiscal year 2000 and maintained TFAP administrative funds at $45 million. These are the only two programs within the Commodity Assistance account.

Mr. Chairman, I oppose the amendment.

Ms. KAPTUR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Sanders amendment, and this may be the only disagreement that the chairman of the subcommittee and I have on this bill.

I compliment the gentleman from Vermont (Mr. SANDERS) for bringing this amendment to us to get the full body's view on this when we vote very shortly, and I support the amendment for several reasons.

One is, around this country, the feeding kitchens of America are empty. We

have an enormous need for additional food. Just the last two weekends ago the letter carriers across our country did a food drive and tried to replenish the supplies in these food banks, because this is not close to Christmas and they have been drawn down, and with all of the changes that have been made in welfare reform, for example, we do have lots of people who are hungry in America tonight, most of them women and children.

So I would say that there is great merit in the gentleman's proposal.

In addition to that, in this bill, we were unable to fund so many worthy programs that would bring food to people, including the Senior Nutrition Program where there had been a proposal to provide a small subsidy so that seniors would not have to pay so much for lunches when they go into some of their lunch programs. We were not able to include that in this bill.

Finally, I will support in this bill and in any subsequent bills any effort that would lift commodities off this market in order to try to help get prices up for our farmers. This bill itself, in the body of this bill, we were not able to provide the kind of surplus commodity assistance that we would have hoped for. We have done some, but we just have not done enough.

I would say to the author of the amendment, it is difficult for me to take money from the Agricultural Research Service. I would hope that as we move toward conference we might be able to find other ways to fund this very worthy proposal. I will vote for the gentleman's amendment when the time comes for all of the reasons that I have listed, but I would hope that we might be able to find other offsets, because truly we know that the future of American agriculture rests in research, and our bounty is directly related to the investments we make in so many crops.

Mr. SANDERS. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I hope the gentleman from New Mexico (Mr. SKEEN) understands, I am not against ag research. I know that the gentleman has had a difficult time trying to fit in all of the needs. I do not disagree with the gentleman, and I do not disagree with the gentlewoman from Ohio (Ms. KAPTUR). I just think that when we have senior citizens going into the hospitals suffering from malnutrition, that is an issue that cannot be ignored.

I would raise that to a higher level and ask for the support of the body in the passage of this amendment.

Mr. KUCINICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Sanders amendment. I think that a $10 million increase for the Commodity Supplemental Food Program is warranted.

I represent a district in Cleveland, Ohio, and in my district there are many seniors who depend on programs like this for their sustenance.

There are those of us who have a prayer that we say that includes the words, ''Give us this day our daily bread.'' This is a very humble and simple request that people have. In America, where there are so many people hungry, where there are so many people who hunger amidst so much plenty, what would it matter to give a mere $10 million to help our senior citizens have improved nutrition, to reduce the waiting lists for Meals on Wheels, to make it possible for those millions of Americans who rely on emergency food assistance to be able to get some help.

We in this country have a moral obligation to provide for those who are without. It is a work of mercy to feed the hungry, and we should with regard to the great power of this government, with the billions of dollars that are spent on so many things that are questionable, that we have an opportunity here to take $10 million and feed some people, give them an opportunity to be better fed so that they do not end up in the hospital from malnutrition.

I think the gentleman from Vermont (Mr. SANDERS) has come up with a wonderful amendment, and while I have the greatest respect for the committee which has created this bill, I have to say that the bill can be improved and it can be improved with the help of the gentleman's amendment.

Mr. Chairman, I would be happy to yield to the gentleman from Vermont, Mr. SANDERS, so that he can have a few more minutes to explain the importance of this amendment.

Mr. SANDERS. Mr. Chairman, I thank the gentleman from Ohio for his strong support. I think the essence of the problem that we have as serious legislators is that we are confronting a budget which in many ways prevents us from doing the things that we have to do, and that is not the chairman's fault and it is not the ranking member's fault. But I think when we talk about priorities in the United States, in this great country, in this wealthy country, how can we not address the reality that there are senior citizens who are going to the hospital and the administrators and doctors there are telling us they are malnourished? We are wasting huge sums of money spending dollars on hospital care that could have been prevented if we would provide adequate nutrition to our senior citizens.

The same thing is true with low-income pregnant women who are giving birth to low-weight babies.

So again, I would not argue about ag research. That is important. But I think what we are asking for is taking $13 million out of an increase of $50 million to use $10 million for the expansion of this commodities program.

Mr. KUCINICH. Mr. Chairman, the Master said, ''Feed my sheep.'' This is our challenge.

Mr. NEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to stand tonight in support of this amendment. This year the President requested $155 million for the Commodity Assistance Program which contains the Commodity Supplemental Food Program. However, this program was funded at $14 million less than the President's request.

The Commodity Supplemental Food Program is currently operating in 20 States. Also, four States are on the waiting list, as are others, such as the State of Ohio; and we believe that all people should be able to participate in this. Too many seniors are suffering already because they live on such tiny incomes they cannot afford to buy food or else they are forced to choose between the life-saving prescription drugs they need and groceries.

The Commodity Supplemental Food Program is often a life-saving source of food for elderly constituents. The source of the money this is coming from is coming from a program that is receiving ample support, and I come from a State that has agriculture, and I do support obviously where the money is going. But the amount of money that is going to go into this program for the Sanders amendment is not going to hurt the existing appropriation, it is going to do an awful lot, really, to help our seniors. So I think it is a good amendment.

It is a senior program that makes good fiscal sense. Studies have shown that malnourished seniors stay in the hospital nearly twice as long as well-nourished seniors, costing thousands of dollars more per stay. So I think it is cost-effective.

It is a good amendment, it should receive good bipartisan support. I think it is the right thing to do, and I urge the support of my colleagues for this amendment.

Mr. WALSH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise, regrettably, in opposition to the gentleman's amendment, because I think he is attempting to do something that is proper and good, but I would point out to the gentleman that all of these funds are very competitive with each other. We have done our level best to fully fund the nutrition programs which make up the majority of this bill.

As the gentleman knows, and we have worked together on funding the Emergency Food Assistance Program, it is a very important program. We have raised the funding for that program, the mandatory programs, food stamps and WIC, and we have done our level best to fund those as close to full funding as we can.

The Commodity Supplemental Food Program, the program the gentleman wants to add an additional $10 million to, is funded above the President's budget request level.

So we have gone out of our way to try to find the discretionary funds to meet the needs of these programs. We

just do not have enough money to meet everybody's priorities.

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

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

Mr. SANDERS. Mr. Chairman, the gentleman from New York (Mr. WALSH) and I have worked together on a number of issues, and I appreciate where he is coming from, and we all understand the difficulty of coming up with the money.

However, I think the gentleman is not accurate in saying that we have funded the program higher than the President's request. I believe it is $14 million below the President's request, to the best of my knowledge.

Mr. WALSH. Mr. Chairman, reclaiming my time, I will check to verify which one of us is accurate here, but the fact of the matter is, these nonmandatory funds are heavily in demand by all of these programs.

□ 2015

To take the funds from the agriculture research budget and put them into nutrition programs may be penny wise and pound foolish, because the agriculture research, which again, is underfunded, we cannot do enough for the research that needs to be done, but that research, Mr. Chairman, has increased by multiples, geometric progression increases in our yields of crops.

If we neglect our agriculture research on things like the green revolution varieties of wheat and corn and rice that are now feeding the entire world, the disease resistance that we are breeding into our crops, the new varieties of fruits and vegetables that our agriculture research institutions produce for the consumption not only of our citizens but of the whole world, if we continue to neglect our research, we are not going to have nearly enough food to feed ourselves and the rest of the world.

I understand the gentleman's desires here. Perhaps at the end of the process, if there is a way to provide additional funds, we will try to do that. But for the sake of this amendment, I do urge that it be rejected and that we keep the funds in agriculture research where they belong.

Mr. HALL of Ohio. Mr. Speaker, I rise today in support of Mr. SANDERS' amendment, which will add needed resources for food banks. As you know, growing numbers of Americans are turning up at our nation's food banks—and too many of them are senior citizens.

The food banks from around the United States that I've surveyed during the past two years report many reasons for the increase—from the deep cuts in food stamp funding, to low-wage jobs, to an economy that is leaving too many of our fellow citizens behind. Since last year, 22 percent more people are turning up in their lines, the food banks say—and many of them are going home empty-handed.

The prospect of hunger in our rich nation is troubling no matter who it affects. Children who are poor often and rightly grab our attention, because hunger in the growing years scars them physically and mentally. Working people who are doing all they can to feed their families also disturb us. And hungry senior citizens, who have given so much for their entire lives to their families and our nation, are nothing short of an outrage.

I saw senior citizens at Ohio food banks last year, many of them too weak to stand and wait in long lines; all of them suffering the indignity of being unable to feed themselves; and a surprising number of them there because our healthy system has left them no choice other than to pay for their medicine, or their food.

The Commodity Supplemental Food Program operates in only 18 states (plus one reservation). The WIC program we know so well grew out of this program, which now focuses on poor Americans aged 60 and older. It was cut by $10 million in FY '99; this amendment restores this funding and should enable the program to reach senior citizens in more states. My own state of Ohio is eager to participate, and will do so as soon as the needed funding is available.

No American should have to turn to food banks in the first place; and no one who has no other choice should be turned away empty-handed. This amendment will add needed funding for food banks that serve senior citizens. I commend Mr. SANDERS and Mr. NEY for their strong stand in support of hungry seniors, and urge my colleagues to support it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SANFORD

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. SANFORD) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 15-minute vote, followed by two five-minute votes.

The vote was taken by electronic device, and there were—ayes 143, noes 274, not voting 16, as follows:

[Roll No. 155]

AYES—143

Aderholt
Andrews
Archer
Armey
Bachus
Baird
Ballenger
Barr
Barrett (WI)
Bartlett
Barton
Bass
Biggert
Bilirakis
Blagojevich
Blunt
Brown (OH)
Burr
Burton
Buyer
Campbell
Cannon
Capuano
Castle
Chabot
Chenoweth
Coble
Coburn
Collins
Cox
Crane
Cunningham
Deal
DeFazio
DeLay
DeMint
Doggett
Doolittle
Duncan
Dunn
Ehrlich
Eshoo
Fossella
Fowler
Frank (MA)
Franks (NJ)
Gibbons
Goode
Goodlatte
Gordon
Goss
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hoekstra
Hostettler
Hunter
Hutchinson
Istook
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kelly
Largent
Larson
Lazio
Linder
LoBiondo
Lofgren
Luther
Maloney (NY)
Manzullo
Markey
McCarthy (MO)
McCollum
McDermott
McInnis
McIntosh
McKinney
McNulty
Meehan
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Mink
Moore
Moran (VA)
Myrick
Napolitano
Northup
Norwood
Paul
Pease
Petri
Phelps
Pitts
Pombo
Portman
Pryce (OH)
Ramstad
Riley
Rivers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Salmon
Sanford
Scarborough
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shows
Smith (MI)
Smith (WA)
Spence
Stearns
Stump
Sununu
Tancredo
Tauscher
Taylor (MS)
Taylor (NC)
Tiahrt
Toomey
Upton
Wamp
Watts (OK)
Weldon (FL)
Weller

NOES—274

Abercrombie
Ackerman
Allen
Baker
Baldacci
Baldwin
Barcia
Barrett (NE)
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Bishop
Bliley
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Bryant
Callahan
Calvert
Camp
Canady
Capps
Cardin
Carson
Chambliss
Clay
Clayton
Clement
Clyburn
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crowley
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doyle
Dreier
Edwards
Ehlers
Emerson
Engel
English
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gutierrez
Hall (OH)
Hansen
Hastings (FL)
Hayes
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Martinez
Mascara
Matsui
McCarthy (NY)
McCrery
McGovern
McHugh
McIntyre
McKeon
Meek (FL)
Meeks (NY)
Menendez
Minge
Moakley
Mollohan
Moran (KS)
Murtha
Nadler
Neal
Nethercutt
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pomeroy
Porter
Price (NC)
Quinn
Radanovich
Rahall
Rangel
Regula
Reynolds

Rodriguez
Roemer
Rogan
Rogers
Roybal-Allard
Rush
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Serrano
Sherman
Shimkus
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Snyder
Souder
Spratt
Stabenow
Stenholm
Strickland
Stupak
Sweeney
Talent
Tanner
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Walden
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weiner
Weldon (PA)
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—16

Brady (TX)
Brown (CA)
Graham
Granger
Hinojosa
Jackson-Lee (TX)
Kasich
Kleczka
Millender-McDonald
Morella
Oxley
Pallone
Reyes
Rothman
Smith (TX)
Stark

□ 2039

Messrs. LIPINSKI, GUTIERREZ, REYNOLDS, TIERNEY, RYUN of Kansas, TRAFICANT, and BECERRA and Mrs. JOHNSON of Connecticut changed their vote from ''aye'' to ''no.''

Messrs. MCNULTY, MARKEY, SHAW, DEFAZIO, and LARSON and Mrs. TAUSCHER and Ms. ESHOO changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. BRADY of Texas. Mr. Chairman, on roll-call No. 155, I was inadvertently detained and missed the vote. Had I been present, I would have voted ''yes''.

AMENDMENT OFFERED BY MR. COBURN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oklahoma (Mr. COBURN) on which further proceeding were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 129, noes 289, not voting 15, as follows:

[Roll No. 156]

AYES—129

Aderholt
Andrews
Archer
Armey
Ballenger
Barr
Bartlett
Barton
Bass
Biggert
Boehner
Bryant
Burr
Burton
Buyer
Camp
Campbell
Cannon
Castle
Chabot
Chenoweth
Coble
Coburn
Collins
Condit
Cook
Cox
Crane
Cubin
Cunningham
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehrlich
English
Foley
Fossella
Fowler
Franks (NJ)
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Goss
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hastings (WA)
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Hostettler
Hunter
Istook
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
Largent
Lazio
Linder
LoBiondo
Luther
Manzullo
McCollum
McInnis
McIntosh
Mica
Miller (FL)
Miller, Gary
Myrick
Nadler
Northup
Paul
Pease
Petri
Pitts
Pombo
Portman
Pryce (OH)
Ramstad
Regula
Riley
Rogan
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Smith (MI)
Smith (WA)
Souder
Stearns
Stump
Sununu
Tancredo
Taylor (MS)
Taylor (NC)
Thornberry
Tiahrt
Toomey
Upton
Walden
Wamp
Watts (OK)
Weldon (FL)
Weller

NOES—289

Abercrombie
Ackerman
Allen
Bachus
Baird
Baker
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Callahan
Calvert
Canady
Capps
Capuano
Cardin
Carson
Chambliss
Clay
Clayton
Clement
Clyburn
Combest
Conyers
Cooksey
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Forbes
Ford
Frank (MA)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hansen
Hastings (FL)
Hayes
Hill (IN)
Hilliard
Hinchey
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jefferson
Jenkins
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Napolitano
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pomeroy
Porter
Price (NC)
Quinn
Radanovich
Rahall
Rangel
Reynolds
Rivers
Rodriguez
Roemer
Rogers
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Sherman
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Snyder
Spence
Spratt
Stabenow
Stenholm
Strickland
Stupak
Sweeney
Talent
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Blunt
Brown (CA)
Graham
Hinojosa
Jackson-Lee (TX)
Kasich
Millender-McDonald
Morella
Oxley
Pallone
Reyes
Rothman
Smith (TX)
Stark
Weldon (PA)

□ 2049

Messrs. KLECZKA, COOKSEY and MALONEY of Connecticut changed their vote from ''aye'' to ''no.''

Mr. COOK changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. COBURN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oklahoma (Mr. COBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 139, noes 278, not voting 16, as follows:

[Roll No. 157]

AYES—139

Andrews
Archer
Armey
Baird
Ballenger
Barr
Barrett (WI)
Bartlett
Barton
Bass
Biggert
Boehner
Brady (TX)
Brown (OH)
Burr
Burton
Buyer
Campbell
Cannon
Capuano
Castle
Chabot
Chenoweth
Coble
Coburn
Collins
Conyers
Cook
Crane
Cunningham
Deal
DeFazio
Delahunt
DeLay
DeMint
Diaz-Balart
Doggett
Doolittle
Duncan
Dunn
Ehrlich
English
Eshoo
Foley
Fossella

Fowler
Frank (MA)
Franks (NJ)
Gibbons
Goode
Goodlatte
Gordon
Goss
Granger
Green (TX)
Greenwood
Gutknecht
Hall (TX)
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hoekstra
Hostettler
Hunter
Inslee
Istook
Johnson (CT)
Johnson, Sam
Jones (NC)
Kelly
Kleczka
Lazio
Linder
LoBiondo
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
McDermott
McInnis
McIntosh
McKinney
McNulty
Meehan
Metcalf
Mica
Miller, Gary
Miller, George
Mink
Myrick
Northup
Paul
Petri
Pitts
Pombo
Portman
Ramstad
Riley
Rivers
Rogan
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanford
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shays
Shows
Smith (MI)
Smith (NJ)
Smith (WA)
Souder
Stearns
Stump
Sununu
Tancredo
Tauscher
Taylor (MS)
Taylor (NC)
Tiahrt
Tierney
Toomey
Upton
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wu

NOES—278

Abercrombie
Ackerman
Aderholt
Allen
Bachus
Baker
Baldacci
Baldwin
Barcia
Barrett (NE)
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Bryant
Callahan
Calvert
Camp
Canady
Capps
Cardin
Carson
Chambliss
Clay
Clayton
Clement
Clyburn
Combest
Condit
Cooksey
Costello
Coyne
Cramer
Crowley
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeGette
DeLauro
Deutsch
Dickey
Dingell
Dixon
Dooley
Doyle
Dreier
Edwards
Ehlers
Emerson
Engel
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Forbes
Ford
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Green (WI)
Gutierrez
Hall (OH)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hill (IN)
Hilliard
Hinchey
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Hyde
Isakson
Jackson (IL)
Jefferson
Jenkins
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Larson
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McIntyre
McKeon
Meek (FL)
Meeks (NY)
Menendez
Miller (FL)
Minge
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Packard
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reynolds
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Serrano
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Snyder
Spence
Spratt
Stabenow
Stenholm
Strickland
Stupak
Sweeney
Talent
Tanner
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Walden
Walsh
Waters
Watkins
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—16

Brown (CA)
Cox
Dicks
Graham
Hinojosa
Jackson-Lee (TX)
Kasich
Largent
McCollum
Millender-McDonald
Oxley
Pallone
Reyes
Rothman
Smith (TX)
Stark

□ 2058

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. SKEEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHERWOOD) having assumed the chair, Mr. Pease, 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. 1906) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 150, EDUCATION LAND GRANT ACT

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 106–164) on the resolution (H. Res. 189) providing for consideration of the bill (H.R. 150) to amend the Act popularly known as the Recreation and Public Purposes Act to authorize disposal of certain public lands or national forest lands to local education agencies for use for elementary or secondary schools, including public charter schools, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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 gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the 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 Colorado (Mr. SCHAFFER) is recognized for 5 minutes.

(Mr. SCHAFFER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. DIAZ-BALART) is recognized for 5 minutes.

(Mr. DIAZ-BALART addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam (Mr. UNDERWOOD) is recognized for 5 minutes.

(Mr. UNDERWOOD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Indiana (Ms. CARSON) is recognized for 5 minutes.

(Ms. CARSON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

PERSONAL EXPLANATION

Mr. BERRY. Mr. Speaker, unfortunately, I missed rollcall votes number 147 and 148 on Monday, May 24, 1999, because I was attending a funeral of a dear friend.

Had I been present, I would have voted ''yea'' on both of these votes.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1905, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2000

Mr. DREIER (during special order of Mr. GREEN of Wisconsin), from the Committee on Rules, submitted a privileged report (Rept. No. 106–165) on the resolution (H. Res. 190) providing for the consideration of the bill (H.R. 1905) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

DAIRY PRICING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Wisconsin (Mr. GREEN) is recognized for 60 minutes as the designee of the majority leader.

Mr. GREEN of Wisconsin. Mr. Speaker, I am here tonight to talk about an important issue of fairness, fairness to farmers, fairness to consumers, and fairness to taxpayers. I know that ''fairness'' is an overused term. But quite frankly, Mr. Speaker, it has never been more important or more true than it is on the issue that I want to talk about tonight, and that is the issue of dairy pricing.

For the last six decades, we have had a Government mandated system of dairy price supports. It began in the late 1930s because dairy producers had a difficult time getting their goods to consumers in a timely way. They had a difficult time because of technology in meeting consumption needs. We did not, quite frankly, have effective infrastructure or enough technology to transport our surplus to States that had deficit in production.

Those days are over, however. We have the refrigeration, we have the infrastructure to transport dairy products from States like Wisconsin anywhere in America overnight. As a result, the outdated dairy price system, the Federal order system, no longer makes sense.

Wisconsin dairy farmers and Wisconsin communities are being ravaged, they are being destroyed by the current Federal order system. In the last 8 years, Wisconsin has lost over 10,000 dairy farms. Wisconsin has lost 2,000 dairy farms in each of the last 2 years. We have lost more dairy farms in the last 8 years than most States ever have.

Now, I am here tonight to speak to my colleagues, quite frankly, not on behalf of dairy farmers. Dairy farmers are not looking for our sympathy. They are a tough bunch. This is a tough life-style. They know that. They have been fighting uphill all of their lives. They are not looking for sympathy. They are looking for fairness.

More importantly, quite frankly, I would think to the Members of this body is the fact that this unfair system not only hurts our dairy farmers, my family farmers in Wisconsin, of which there are 22,000 remaining, but it is also unfair to consumers.

Mr. Speaker, it is important to realize, it is important to know that the outdated Federal order system artificially inflates the price of milk. And as more farmers go out of business, and as I just said, we are losing farmers each and every year, the more farmers who go out of business, the higher that price will be.

The Citizens Against Government Waste, Americans for Tax Reform, a number of taxpayer groups, groups that do not necessarily have a natural stake in the fight over a dairy policy, they have reached an interesting conclusion. After looking at the Federal order system, they have concluded that the Federal order system that we have had in this country for six decades is little more than a tax on milk. It is a milk tax that consumers are paying all across this land. It is a milk tax to the tune of about $1 billion each and every year.

Now, the reason I come forward today is because of a battle that I believe is going to be on this floor tomorrow and, quite frankly and unfortunately, probably on this floor for weeks and months to come.

Some weeks ago, Secretary Dan Glickman proposed a final order on the Federal order system for dairies. And in that Federal order, Secretary Glickman proposed a very minor change to the Federal order system, a very minor, modest change. And it is true, it will benefit Wisconsin farmers, dairy farmers, but again in a very modest way.

□ 2115

Now, it may be ironic to some of you that I come here today to support a proposal from a Democrat administration. But I come forward because this issue of the Federal order system of the milk tax is not about Republican versus Democrat, it is not about conservative versus liberal. It is about doing the right thing. And I come here tonight to argue that we need to support Secretary Glickman's plan. Modest as it is, it is a step in the right direction.

Now, the Federal order system for dairy is one of the most complicated systems that you can possibly imagine. It is full of acronyms, it is full of terminology that the average person cannot understand, let alone a Member of Congress who may serve on the Committee on Agriculture or who comes from a dairy State. If you tried to explain to your constituents that this system that we have in place creates a price on milk based not upon productivity, based not upon quality, based not upon efficiency, but instead based merely on the distance that a producer is from the city of Eau Claire, Wisconsin, your constituents would not believe you. They would think that you were making it up. The sad reality is that that is the truth.

We have a dairy system in this Nation for which government mandates prices for fluid milk again based merely upon geography. That is wrong. It is unfair to farmers, it is unfair to consumers, it inflates the price of milk and, quite frank,ly it is un-American because it is contrary to our free enterprise system.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. GUTKNECHT). I know that he shares many of the concerns that I bring forward tonight.

Mr. GUTKNECHT. I would like to thank the gentleman for yielding and especially thank him for requesting time for this special order tonight. I suspect there are an awful lot of Americans who may tune us in and certainly most of our colleagues who will be watching in their offices or are still here on the House floor who really do not understand this whole milk marketing order system. Frankly, having studied it now for about 5 years, I honestly cannot say that I completely understand it, either.

But I would correct the gentleman on one fact, and that is, he said it is priced purely on how far you are from Eau Claire, Wisconsin. That is partially right. It is the only commodity I think in the United States, maybe in the world, that is priced not only based on where it comes from, it is also priced on what it will go into. Milk that goes into cheese is of lower value than milk that goes into a bottling plant and is sold for fluid milk for drinking.

There are actually four classes of milk. Class one is milk that goes into liquid dairy products that are drinkable. Class two are spoonable; that would be things like yogurt. Class three is cheese, and class four is dry powdered milk. So we have four classes, and it is all priced based upon where it comes from. And the farther you are from Eau Claire, Wisconsin, the more the dairy farmer gets for their milk. The closer you are to Eau Claire, Wisconsin, the less you get.

And then if you are at an area that has cheese plants and most of the milk goes into cheese, you get a lower price still.

In my opinion, it is the most indefensible thing that the Federal Government ever created. It may have made sense back in 1934. In my opinion, it makes no economic sense today.

Let me just show in this chart that I have next to me, and it sort of illustrates the differentials we are talking about. These are the producer class one blended price benefits per hundred weight. That is the way milk is priced. Milk to dairy farmers, and we have got a former dairy farmer sitting here in the second row and maybe he can talk a little bit about it, maybe he does not even understand how his cream checks were calculated.

But if you lived, for example, in the northeastern part of the United States, your differential came to about $1.40. If you lived in the Appalachian region, that average price was $2.34. If you lived down in Florida, that worked out to $3.32. But if you live in the area that the gentleman from Wisconsin and myself come from, in the upper Midwest, you can see that over here it is only 27 cents. That is what we are talking about, ultimately.

We are not asking for special privilege, for special benefits; we are not even asking to receive equal pay for equal milk; but we would like to equalize it much more than it is today.

The second chart that I have I think illustrates it more geographically and what we are talking about. The country is divided up into all of these milk marketing order regions. For example, these are the average blended prices for current Federal milk marketing order areas. In the Pacific Northwest, that average price last month I believe was $14.75. If you are in the upper Midwest, that is, basically Wisconsin, Minnesota, parts of the Dakotas, you are talking $13.57.

Now, on the other hand, if you lived in eastern Colorado and produced milk, your average blended price last month was $15.16. And if you lived down here in Florida, that price is $16.82. If you look at this, at one time it may have made some sense because the area around Eau Claire, Wisconsin, was considered the dairy capital of the United States and in many respects the dairy capital of the world, and we are still privileged that in this region we produce about 30 percent of the milk in the United States.

But as I say, it may have made some sense back in 1934; that was before the days of refrigeration, that was before the days of the kind of transportation, the interstate highway system that we have, but today we can move milk 1,200 miles in 24 hours. So the whole idea that we need this regional balkanization of the United States as it relates to dairy production is just crazy.

Again, back to the point that my colleague from Wisconsin made about the basic unfairness of this: How can you say to dairy farmers in Glenville, Minnesota, that you are only entitled to $13.57 for your milk, but the same quality, the exact same quality of milk in the Southeast is worth $16.13. That is a difference of over $2. When you are talking about hundreds of thousands of pounds of milk per month, you are starting to talk real differences.

I see the chairman of the Committee on Rules is approaching the microphone and perhaps we should yield to him for a moment.

Mr. DREIER. I thank my very good friends for yielding.

Mr. Speaker, I would like to congratulate my friends for their very, very hard work and wish them well in their proceedings here.

Mr. GUTKNECHT. We would like to thank the chairman and we hope that he will drink more milk. June is Dairy Month, so enjoy as much as you can.

Mr. DREIER. I will tell my friend that I am a huge dairy consumer. Ice cream is my favorite.

Mr. GUTKNECHT. I would like to thank the chairman.

As I mentioned earlier, we have been pushing now for 60 years to get this whole milk marketing order system reformed. Finally, under the leadership of former Congressman Gunderson from Wisconsin, we finally got included in the ag bill a couple of years ago a requirement that the Secretary of Agriculture, Secretary Glickman, was forced to come up with a new plan to begin to bring some equity to this whole milk marketing order system. To his credit, he did come up with a plan that frankly some of us are not completely happy with.

I want to point out these colors if I could. I promise not to take too much time here, but this essentially reflects some of the changes that would occur under the plan that Secretary Glickman came out with. If you look at this, actually Minnesota and Wisconsin lose under the Glickman proposal.

And so we are not asking for completely equal pay for equal milk, but we are asking to level the playing field. The net practical effect of the Glickman plan is, it does eliminate some of the differences. Relative to some of the other areas of the State, if you just go by winners and losers, we lose less than some of the other States, but that is because they already are getting more than we are getting.

So we are prepared to accept what Secretary Glickman has proposed in a spirit of compromise, because at least in general it moves to a leveling of the way that the milk marketing orders are set up.

Before I yield back to my colleague from Wisconsin, I want to play a little visualization game with some of my colleagues. If you could, just close your eyes and think of all of the products that the pricing is based upon some geographic location. Just think about that. Well, the answer is, there is only one. Only milk.

I think we have got a cartoon from, I believe it is from the St. Paul Pioneer Press. Maybe the gentleman from Wisconsin wants to talk a little bit about it. Maybe it is easier for me to talk about it because I have got it right here.

But could we imagine a system where all computers would be price adjusted according to their distance from Seattle? We could not imagine that, could we? Could we imagine a system where all country music should be price adjusted according to how far it is away from Nashville, Tennessee? Where all oranges should be price adjusted according to their distance from Florida?

But we do have a system where all milk is priced based on how far away it is from Eau Claire, Wisconsin.

Now, the question at the bottom is, which of these is actual Federal policy. It is amazing when you stop to think about it. It is the only product where the price is based on some arbitrary geographic location.

Secondly, it is based on what that product is going to go into. In fact, up in northern Minnesota where we produce an awful lot of iron ore, they produce taconite pellets. These taconite pellets, no one could imagine that some Federal bureaucrat would sit up there in front of an iron mine and say, well, these taconite pellets are going to go into automobiles so they will be priced at this level, and these taconite pellets are going to go into steel lockers and therefore the price will be something else. That would be a crazy, absurd idea. But the truth of the matter is that is exactly what happens to milk. It is all done by bureaucrats here in Washington, D.C.

Once again, we are here on the floor of the House tonight arguing this case because farmers in the upper Midwest have been dealing with this antiquated, in fact Justice Anton Scalia has referred to this system as ''Byzantine.''

We have dealt with this Byzantine system for 60 years. Finally, Secretary Glickman has come out with a plan which is not perfect, actually in some respects it still punishes dairy farmers in the upper Midwest, but at least it levels the playing field, at least it is fairer for dairy farmers regardless of where they are than the system we have today. I congratulate him for it.

I am willing, in a spirit of bipartisanship, to move forward with the plan that the Secretary came up with.

I will yield back to the gentleman from Wisconsin and maybe we can talk a little more about this cartoon. As I say, it would be a whole lot funnier if it was not true.

Mr. GREEN of Wisconsin. I thank my friend and colleague from Minnesota. I think he has pointed out again just the absurdity of the system and that cartoon does show it.

Think about this. We are entering the year 2000, the next millennium, yet we have a system for the production and consumption and distribution of milk that is based upon economic realities around World War II. Think about how much technology has changed since then.

Beyond that, we are at a time in our history in which Members of this body

from both sides of the aisle are emphasizing the need to open up borders, to break down barriers for trade all across this world. Yet here in America, in supposedly the bastion of entrepreneurial capitalism, we have a system that creates barriers, that blocks the flow, creates disincentives for the flow of dairy products across State lines and across regional lines. This is counter to everything that we stand for in America today.

Again, I want to come back and emphasize the point, this system is terrible for the dairy farmers in States like Minnesota and Wisconsin. Again, over the last 8 years, we have lost more dairy farmers than most States ever had.

But beyond that, this is bad for consumers. Under this system, we are driving up the price of milk. We are also encouraging large corporate farms, which are buying up the small family farmer.

□ 2130

If that trend continues, we are going to see dairy production in the hands of only a few, and then we will have a true monopoly on the supply of milk. Then we will see milk prices rise, and then milk will no longer be the cheap and wonderful fluid that it is, available to all today.

This is also, this system is bad for taxpayers. It drives up the cost on programs like the school meal program, it drives up the costs for families on food stamps, reduces the value of food stamps. This system, almost any way to look at it, is absurd, it is un-American, and it is wrong.

Now we are not going to change things overnight, we are not going to change things here tonight, but we do want to make our case to the American people. It is a long uphill battle, but it is certainly no longer and no more uphill than our dairy farmers are facing.

We want to start the process tonight, and as has been stated before, it is a long battle that we have ahead.

I yield my friend from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. I thank the gentleman from Wisconsin for yielding, and again I thank him for having this special order.

As my colleagues know, if this regional differentiation was not bad enough, and if the fact that we price milk to the producer based on not only how far they are from Eau Claire, Wisconsin, but what ultimately that milk is going to go into, if that were not bad enough, we have one other little wrinkle that has made things worse. It is called regional compacts.

Now this is the only area, again, that I can think of where we have allowed States literally to go together and hold out imports of dairy products from other parts of the country. In other words, they have created their own little fiefdoms.

As my colleagues know, at the very time, as was mentioned by the gentleman from Wisconsin, at the very time we are saying to Europe and we are saying to Asia and we are saying to our trading partners all around the world it is time to bring down those trade barriers, we need open markets and open trade, we have problems trading even with certain regions of the country.

Right now there is a Northeast Dairy Compact, and unfortunately some of our colleagues, even as we speak, are trying to work out new compacts to try and create even worse regional differentiations between the regions and to keep out imports from other parts of the country.

As my colleagues know, this seems, and the gentleman mentioned the word ''un-American''. At the very time that we are trying to break down trade barriers to China and to Asia, we are constructing trade barriers right here in the United States, and in my opinion it is just an outrage, and so the only thing we can do is come to the House floor, offer amendments, talk about this, talk about the fairness, and hopefully in the long light of history sooner or later these trade barriers are going to be knocked down. We are going to see open trade not only with Europe, but with the Northeast as well.

The problem with compacts in my opinion is they do violate, if not the letter, certainly the spirit of the Commerce Clause in the Constitution, and frankly, had they not been legislatively approved, there is a very good chance that the Supreme Court would have thrown them out. That debate is going to get very heated because, as I say, not only does the Northeast want to expand its dairy compact, they are talking about a regional compact in the Southeast, perhaps extending as far west as into Kansas.

And we joked with some of the supporters of those compacts. We would be happy to allow those compacts, if they would just allow the upper Midwest in. I mean, if we could be getting the same price, for example, that they are already getting in New York and New Jersey, and you see by this chart $13.57 for us, $15.40 in New York and New Jersey. The New England Compact States are getting $15.61. Now our dairy farmers would love to be in that compact if that meant that they got $15.61 for their milk.

That is the difference. Again, it is unfair, and if the system is already convoluted and complicated, the terrible tragedy is there are people here in the Congress today, well-intentioned Members, but they are trying to make the situation even worse, even more complicated, even more unfair.

Mr. GREEN of Wisconsin. Mr. Speaker, what my colleague, the gentleman from Minnesota (Mr. GUTKNECHT), points out is something important, and that is that there are really two different elements to this overall fight that we have on the dairy front.

There is, first of all, the problem of the Federal order system, which is what we began talking about tonight, and that is the differential system that does base the price of milk largely on the proximity to Eau Claire.

In fact, it was interesting. That is a fight that my predecessor has been fighting and so many men and women over the years have been fighting. The Agriculture Commissioner from your State, in Minnesota, pointed out that dairy farmers in Minnesota have become so frustrated with their inability to change that system that they actually think it might be easier to physically relocate the City of Eau Claire to the West Coast than actually making a reform to it. That is the Federal order system.

But the second part of this, and it is a problem, as you rightly pointed out, which is equally bad, it is the problem of the compacts because the compacts do serve to create trade barriers between States and between regions, and Citizens Against Government Waste have calculated that the compacts are a major tax on milk that will drive up the cost of milk for so many consumers in this country.

As my colleagues know, we are the most effective dairy producing region in the whole world in the upper Midwest, and yet because of the combination of the compacts, because of the combination of the compacts with the Federal order system, we are being punished for that very productivity which we have.

And as the gentleman pointed out also, the dairy farmers in Minnesota and Wisconsin are not asking for any favors. They do not want favors. They do not want sympathy. They just want the chance to compete. They know that if they are given that equal chance to compete, they will succeed. They will succeed vis-a-vis farmers in America, but also farmers all across the world.

That is all they are looking for, and in this land of opportunity it seems to be the least that we can do.

Mr. GUTKNECHT. Mr. Speaker, if the gentleman will yield, talking about what this really ultimately costs to consumers as well, the estimate that we have of the cost of the compact to New England consumers has been $47 million.

Now some people will say that milk is not a price-sensitive item and that, as my colleagues know, people, consumers will continue to drink about the same amount of milk regardless of the price. I am not sure I really believe that, and in fact I have had some of my friends at the Dairy Association try to tell me that. It seems to me that if you over-price milk in certain regions of the country, the net practical effect is you are going to drive down consumption, and what we desperately, and one of the real problems with what I call the Balkanization, and we are having this war going on in the Balkans right now where that term came from, but basically what we have is Balkanization of the United States as it relates to milk.

The real tragedy is the biggest war that is going on right now for the milk industry is this competition with the soft drink industry, and the soft drink industry is out there, and they are marketing and they are competing, and they are vicious on price and they are vicious on advertising, and they are constantly taking a bigger and bigger share of the beverage market, if my colleagues will, and at the very time, it seems to me, that the milk industry ought to be speaking with one voice and ought to be working together and figuring out how they can get a bigger market share relative to the soft drink industry, at that very time they should be working together. Unfortunately, we have all of these regions working against each other, and the net practical effect, of course, is that we continue to lose market share relative to CocaCola, Pepsi Cola, Mountain Dew and all of those other soft drinks that are out there competing particularly for the younger people's market.

And so there are so many things that need to be said positively about the milk industry, the dairy industry, and unfortunately we spend so much of our time here in Washington fighting with each other over this regionalization of the way pricing is structured. It is a terrible mistake, and it has cost the consumers.

Let me also add that, as my colleagues know, a lot of the argument for this system and even for the regional compacts has been that it will save small dairy farmers. Well, over the last 10 years we have lost something like 10,000 dairy farmers. As my colleagues know, if that is the definition of success, we cannot afford much more of that.

What we really ultimately need to do is work together to find fairness, to find common ground, to work together to expand markets for our dairy products, and we are not just talking about fluid milk either. I think there is a tremendous market worldwide for cheese products and other dairy products which we can produce so well, so efficiently, with great quality here in the United States. But unfortunately, as I say, we spend too much of our time from a national perspective not looking for additional markets for our dairy farmers both here in the United States and around the world, but fighting amongst ourselves over this antiquated, Byzantine, unfair milk marketing order system.

Mr. GREEN of Wisconsin. Mr. Speaker, I would like to pick up on 2 points that the gentleman made.

It is ironic that at this point in our history where as Americans we are so health conscious, we keep talking about dietary changes and the things that we should be doing especially for young people in trying to encourage good health practices, at that very time when we should be encouraging the free flow of milk all around the Nation and keeping milk prices low, we are actually reinforcing a system that does just the opposite. We are making milk a healthy, wonderful product. We are making milk more expensive than its counterparts. We are actually encouraging people to shy away from milk and to go towards such products as soda, and no one is going to say that soda rivals milk for health value. That is a great irony.

Secondly, I know a lot of people out there listening tonight are saying to themselves, well, if the price of milk is going to go up, that is okay if it goes to help the family farm. Well, perhaps the greatest irony of all is that the compact system, the Federal order system, hurts the small farmer to the advantage of the corporate farmer. Every analysis I have seen shows that the lion's share of the value of any increase in the price of milk does not go to that small family farmer. Instead, it goes to the large corporate farm.

Nothing against the corporate farms, but they are pushing the small farmer out, and again, as we put more and more of the means of production for dairy products in the hands of those large corporate farmers, we are losing control, and then one day when we only have milk being produced by a few, then we will truly see milk prices go up. We will have a true monopoly.

So for those out there who are saying, ''I am willing to pay more if it helps the family farm in Minnesota or in Wisconsin,'' the sad reality is it does not. Instead it pushes them out of business. We lost 2,000 dairy farms in Wisconsin last year, 2,000 dairy farms in Wisconsin the year before. We have lost 10,000 over the last 8 years. We have lost 50 percent of all dairy farms lost in the Nation over the last decade were lost in the upper Midwest in States like the gentleman's and mine.

So, people may be thinking that they are helping out dairy farmers with these higher prices. The sad reality is they are not. They are not. If anything, they are accelerating the decline of the family farm, and that is a great tragedy.

Mr. GUTKNECHT. Mr. Speaker, if the gentleman would yield, if you look at this purple section here, we are losing an average of three dairy farm families every single day, and as my colleagues know, as I said earlier, if the definition, if this program was designed to protect the small dairy farm, I mean by its very definition it has been an abysmal failure. We cannot afford to continue this policy much longer.

And the gentleman is also exactly right that ultimately, unfortunately, unless we have some real reform of this system and at least have some fairness, and we cannot guarantee that some of these smaller dairy farmers are not going to go out of business. And I will be honest, some of them go out of business just because of quality of life.

I mean there is nobody who works harder than that dairy farmer who gets up every morning at 5 o'clock to milk 60 cows and then has to repeat the process that afternoon. I mean it is one of the hardest lives that anybody can take on, but it should not be made unfair by a Federal milk marketing order system which penalizes someone just because they happen to be from the upper Midwest.

Now in this great debate, and my colleague is going to learn the longer he is here in this business and in this city, when you talk about, and I do not even particularly like the term leveling the playing field. Actually I just like to talk about fairness. All we want is fairness. But many people will use the term ''leveling the playing field.'' The truth of the matter is, in any debate about leveling the playing field there is at least half of the people in that debate who do not want to level the playing field because they have an advantage, and they want to keep the status quo.

But even in some of those areas where they currently have a huge advantage, like the Southeast and down in Florida, even into Texas and over into New Mexico, the further away you get from Eau Claire, Wisconsin, I think even those people have to acknowledge that at the end of the day milk ought to be treated like almost everything else, and it ought to be priced more or less based on what the market will yield.

Now I am fully in favor of putting some kind of a minimum price under the floor of milk. In fact, I have introduced a bill this year to put a floor of at least 10.35.

□ 2145

I think there is a need to create some kind of a job absorber in case there are market aberrations which would drive the price of milk too low, but at the other end of the spectrum, part of the thing that happens with this also is in some respects, it keeps milk from going up. If one cannot expand markets, if one limits oneself in their ability to get into Asian markets with cheese and other dairy exports, ultimately one limits their ability to increase net farm income, and particularly farm income as it relates to dairy producers.

So this is a bad system, a bad system for dairy producers. It is bad because it causes conflict among the regions when we ought to be working together. It is a bad system because it ultimately costs consumers in some areas more than they should have to spend for the milk that they buy, and it really has done almost nothing to protect the small dairy farmer.

So from every perspective I think this has been an abysmal failure. The time has come, even though, as I said earlier, the plan that Secretary Glickman came up with is certainly not perfect; and frankly, on a net basis, we still lose under this plan, but we lose less than we are losing today.

So those of us in the upper Midwest, from Wisconsin, Minnesota, parts of the Dakotas, we are prepared to accept the Secretary's plan. We think it

should be allowed to go into effect, and frankly, we think we should do what the Congress said 2 years ago and then again repeated last year, and that is to allow the compacts to expire.

They were designed originally only as an experiment which would last a year, and part of that experiment was to find out if they could curb the number of small dairy farms that were going out of business. The evidence is in, the evidence is clear; they have not done that. They have cost consumers more money. They have increased the number of corporate farms on every front; in my opinion, the compacts have been an abysmal failure.

We should allow them to do what the agreement originally was, which is just keep all ends of the bargain, move ahead with the dairy reform that Secretary Glickman has come out with, and end these crazy compacts and do not expand them to other States.

Mr. GREEN of Wisconsin. Mr. Speaker, I thank the gentleman. The gentleman has been fighting this fight a lot longer than I have, and I applaud his efforts.

I guess, just to wrap up and summarize, as the gentleman has pointed out, Secretary Glickman's order is not perfect; and for those of us in Minnesota and Wisconsin, we would argue it is far from it, and it is a very small, modest step. But at least it is a step in the right direction.

It recognizes that the long-standing system, standing since 1937, of Federal orders and compacts is bad for farmers, driving our family farms out of business; it is bad for consumers because it inflates the costs of milk, it adds a milk tax in so many ways; and finally, it is counter to free enterprise, free enterprise not just in the manufacturing sector, not just in the service sector, but even in the agricultural sector. It is the only agricultural product treated like this.

So it is bad on all counts. It is time to make a larger change, but at least to support Secretary Glickman's proposal, let that come on line, make a small but positive step and offer some hope to our farmers.

PROGRAMS THAT WORK FOR EDUCATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from North Carolina (Mr. ETHERIDGE) is recognized for 60 minutes as the designee of the minority leader.

Mr. ETHERIDGE. Mr. Speaker, this evening I want to spend some time with my colleagues talking about an issue that is important not only to me and my colleagues on the minority side, but I think to all Members of this Congress and certainly to the people of America.

The topic is education, an issue that we talk an awful lot about, but I want to talk this evening and share with my colleagues some examples of not only programs that work, but also people that are doing outstanding things for our children, certainly in my district and in my State.

I want to talk a little bit about an innovative program that I visited a couple of weeks ago in Greensboro. It was a program called Reading Together. One of the things that I learned before I came to Congress, and I think we have all known it for a long time, but certainly it was pointed out to me very vividly while I was superintendent of schools, if one can teach a child to read by the time they are in the third grade, one has accomplished a great deal as to what we need to do to help a child learn and do well, and certainly make it in school and in the world.

The Reading Together program is a program that is being piloted in a number of areas; I think it is in Pennsylvania, but also in Greensboro. What that program does is takes mentor students from the upper grades, and in this case they were fifth graders, and on a regular basis they are trained, they work with a trained teacher, and they come down and work with children who have difficulty reading in the earlier grades, normally in the first and second grade, and they become not only mentors, but they become tutors.

I watched them for over an hour, and in this process, as those children worked and worked with young people, they had been trained; and when they finished the reading, they debriefed the young person they were working with, and then when the second graders went back to their classes, the fifth graders met with their teacher. They then were debriefed, talked about what had happened, how each child had done, made notes, kept a journal.

These are things that very few adults do, and here we have young people doing them. I hear so many times people talk about our young people. They need to get out in the schools and see what is happening, the good things that they are doing, the outstanding jobs our teachers are doing. So I thought this was a good time to talk about these good things, as we are now all across America beginning to close down the school year.

In my State, some of the schools were out last Friday and others will finish up this Friday, and many Members like myself will be speaking at commencement exercises. I did last week and will again this week.

But I would like to share a program that really is working and making a difference. It is a pilot program that had been started really before I came to Congress, and it is working with some money through the U.S. Department of Education on a direct grant, and it is making a difference. The reading scores have improved dramatically.

Students really work their way out of these classes and into the regular class. So that is what it is all about. We give a child some help, and then they can help themselves.

Mr. Chairman, my friend from Maryland (Mr. (CUMMINGS) has been out in his schools working, and is a great leader for education and a leader in this Congress. He has some excellent examples, and I would like to yield to him so he may share those with us.

Mr. CUMMINGS. Mr. Speaker, I want to thank the gentleman for yielding and thank him for his leadership in the Congress in reminding all of us how important education is.

Mr. Speaker, I am a great believer in Dr. James Comer. Dr. Comer has a philosophy which I truly believe in, and he talks about the fact that a child can have the will, a child can have the genetic ability, but if a child does not have the opportunity, then that child is in trouble, he is going to have problems.

I look at my own life. I started it off in special education. I was told I would never be able to read or write. But because of opportunity, because there were teachers who stood by me and told me what I could be instead of telling me what I could not be, because of my parents who were involved, and I know we are going to be talking about parents tonight and how important that is; but I can remember, I say to the gentleman, that when my father, who worked at Davidson Chemical Company, he would come to our PTA meetings. And he used to work in the evenings and his boss would let him come to the PTA meetings in his overalls, all greasy, but he would come in there and talk to the teachers and participate in the PTA meetings, and he played a significant role in our lives, and the teachers expected him to be there.

But just going back to some of the things that the gentleman was saying a little while earlier, I too have been involved in these commencements and I have seen so many of our children who go through so much difficulty to get through high school and they make it, and it just makes one feel good to see those young people marching down that aisle and to know that they have truly accomplished something.

I think it is important for us as Members of Congress to do what the gentleman said that he does and I do and I am sure many of our other Members do, and that is to celebrate our children's lives, to celebrate their victories.

I think I was telling the gentleman a little bit earlier about a wonderful contest that we had in our State whereby our Department of Children, Youth and Family, the Governor's Department of Children, Youth and Family, sponsored a contest for the school that read the most books. Out of our 24 counties, I am very pleased to say, and out of our eight congressional districts, there was a school in my district that read the most books, an elementary school. The school is not located in the most affluent area, but these children made a decision that they were going to work hard; and they read these books and they had a way of making sure that they examined them, and they had to do little reports and whatever.

But I say to the gentleman, I am going to go by there when they have the awards to celebrate with them, to say, hey, you did a good job. I think that those are the kinds of things that are so important.

Again, I emphasize that I want to thank the gentleman, because as we watch the gentleman on this floor and all of the things that he does behind the scenes, his coming to this Congress has been very significant in that he has lighted the way we view education; and the gentleman has put it definitely out on the front burner and has made it something that is extremely significant, reminding us that if we support our children and work with them, we can make a difference.

So I am going to yield back to the gentleman, but I will be here for a while, so I look forward to just listening him.

Mr. ETHERIDGE. Mr. Speaker, the gentleman mentioned the reading program, and I want to share one with him, if I may. It was something that we started maybe 2 years ago, and I shared this with the gentleman earlier.

First, though, I want to tell a little story. We gave out an award we call the Golden Key Award for parent involvement, for the parents who got involved in the PTA, because I think this is the key to improving the quality of our schools and helping the teachers get the parents back in the schools.

So that led to the issue of how do we engage the parents with students and really help the reading, because I believe that is important.

When I came to Congress and was no longer superintendent, I wanted to keep that going. So we started what we call a Congressional Reading Program, for lack of a better word; I could not think of a better one. So what we do is, I have encouraged the students to read. I told them last year, if they would read 100 books, I would personally come and deliver a certificate.

Well, I figured there would be a few books read, and I had just an outstanding principal in Anderson Creek. We had a number of others involved. We had probably a half a dozen schools in our pilot, but we only do it for kindergarten, first and second graders. We did not want to go much higher than that, realizing how many it would be. So we kept about six schools involved. They did an outstanding job.

The reason I mention Anderson Creek is because they were one of our first pilots. They did it again last year. They must have had 300, and some children read 100 books, at least 100. Some of them read as many as 200 and 300. The significant thing was that when I went to give those awards a year ago, there were probably 400 parents, grandparents, aunts and uncles that filled up the gym.

So I will go back this year to give the awards again. This year, there were 481 children who read at least 100 books. Several of the children had read more than 500 books. I mean, we are talking about children reading two and three books a day. They were not very big. We did not tell them how thick the books had to be. But the interesting thing was the number of kindergartners in this school, a lot of them, they received an award.

Well, it is quite obvious to me that kindergartners, very few can read when they start, they do not read. But guess who read the books? The parents or the grandparents or the aunts or uncles, whoever. But what we do is, we get a significant adult involved with that child early and then we get the linkage to the school.

So this year I delivered 481 certificates. We had more parents in the gym than it would hold. They were standing outside. They stood in line, a lot of them stood up, because they did not have seats, for almost 2 hours because I stood up for 2 hours and handed out the certificates and shook the hand of every child in that school.

Mr. Speaker, I only tell that story because I think every Member can do something like that.

We ought to honor and encourage our children. It is not enough to stand on the floor of the House and point out the problems; there are plenty of problems in the world. But I think we need to go and honor and reward the good things that are happening.

I have always believed that if one rewards successes, one will get more. If you let people know you encourage good things, more good things will happen.

I was so pleased because I left there that day, and of course my back was sore from having to bend over to shake hands. When one is 6 feet, 6 inches and shaking hands with little folks, one gets sore, but I felt so good. I was late for the next school; I had to deliver more certificates.

We are now going to expand it.

But these are the kinds of things all of us can do. It is not very creative, and the cost of a little certificate is not much, but for some of those children it was so important. We could tell in talking with the children and watching their parents who came up to take the photographs.

The neat thing was the principal, a lady by the name of Alice Cobb, who is just an outstanding leader and a great educator, she was smart enough to understand how important it was to her children.

□ 2200

So she had a video camera going, digital video camera, through all of it so she could photograph every child in the video. Of course, as we know, one can print that out on paper. She sent me a whole stack of stuff she had done.

I know the type of person she was, that she had given every child a photograph when they got their certificate. There are some things that we do not think about sometimes. Those of us who are in public office appreciate being acknowledged. Just think what we will do for a plaque or certificate. So a child will do good things, and schools understand that.

I hear people sometimes belittle some of the good things teachers do and call it woman fusses. If you are a child and you need someone to say you look good today when you do not feel good, when you are not real sure you look good, someone to tell you you are a nice child or they love you when nobody at home may be telling you that, it may make the difference in that child's life. All of us can talk about things like that to make a difference.

We have to require the academics of every child, make them achieve the most they can do. We do that in North Carolina. We require it. We assess each child. We have a tough curriculum. But at the same time, all of us need to be loved, and every child needs that. If you do that, you encourage, you give them love and you give them tough love when you have to, you can get a lot.

That is what the gentleman is talking about with the program he was just sharing in his district. We can do a lot of those things.

Mr. CUMMINGS. Mr. Speaker, if the gentleman will yield, I agree with him. As the gentleman was talking, I was thinking to myself that we spend a lot of time on this floor and we spend a lot of time in committee, but the kind of things that the gentleman is talking about costs very little.

We are always worried about how much money we are spending, spending. We just allocated quite a bit of money for the war in Kosovo. But the fact is, is that taking some time, just taking some time and celebrating, that is what we are doing. First of all, we are encouraging our children to read. Then when they have done that, we take time to celebrate their victories.

I have often said to parents in my district that there is nothing greater that we can do as adults, nothing greater than creating positive memories in the minds of children.

One of the things that I have to always remind myself of is that children think differently than we do. Those certificates will last those children until they die. They will go with them. That is something that they can look back on and say that ''I was recognized by one of 435 Members of the House of Representatives.'' Not a lot of children in our country can say that. That is very significant.

I have given certificates to children, and then parents will let me know, grandmothers let me know, ''You know what? You presented a certificate to my child 7 years ago, and it is still up there on my child's wall. It is up there on that wall to remind my child that she was recognized or he was recognized at an early age.''

That leads me to another point. I would like to really have the gentleman's comments on this. I had an opportunity to visit a school not very long ago where a teacher, the principal

said ''We really want you to see our best teacher.'' We had gone through several classrooms. My staff and I had gone through several classrooms.

When we got to this last classroom, it was a second grade class, and this was on a Monday. So the principal said, ''Well, Ms. Jones, what are you teaching today?'' She said, ''Well, I am teaching the material that we tested on Friday, this past Friday.'' So the principal said, ''Well, why are you doing that? I mean you already had the test.''

The teacher said something that will stick in the DNA of every cell of my brain forever. She said, ''Every child in my class should have an A, and not everybody got an A.'' That really touched me, because I mean she got it. She understood. She wanted all of her children to rise. She did not want some As, some Bs, some Cs and some Ds. She made it clear that ''I am going to make sure that all of my children rise so that they can move on to the next level.''

I think sometimes what happens is we are so busy trying to categorize our children that maybe, just maybe we do a disservice. One of the things that research has shown over and over again is that a lot of our children, the children that we talk about, the little kindergartners and the first graders, they have so much enthusiasm and they are so anxious to learn. Even when they are in that little 0 to 3, 2 and 3-year-old range, they are like little sponges and they are just grabbing information, and they are excited and jumping up and down.

But research has shown, as they get a little bit older, get to that fourth and fifth grade, a lot of times that enthusiasm for some reason goes down. I mean the gentleman from North Carolina having been an educator and the head of education for his State, I would just like to have his comments on that.

Mr. ETHERIDGE. Mr. Speaker, I think the gentleman from Maryland is absolutely correct. I have often said that children come to public schools across this country, and certainly in my State, from a number of backgrounds; and they do not all come.

This is where I get frustrated. I used to get frustrated at the State level, and I get frustrated here with some of my colleagues when they want to talk about and start criticizing the schools, because when they start doing that, they are criticizing our children.

My colleagues have to be careful because schools are children and the professionals that are trying to help them. They come from a variety of backgrounds, from a variety of experiences. But all of them do not come in top dollar for the same level of knowledge and experiences when they come to school. So they come, as the gentleman says, at different levels. That teacher understood it.

What the educators are talking about, when they say ''I want them to all have As,'' they are talking about mastery, so they are mastering the subject. There is a difference in learning and mastering. Most of us can get a bit of knowledge on the computer. If we get training here, all of us have computers in our office, and we have staffs to have mastery. A lot of us just have cursory understanding so we can turn it on and retrieve a little bit of information. If we want to get a little bit further, we have to call and get help.

What those teachers were saying to the principal and to the gentleman, I want all my children to be able to have mastery on this computer. I want them to be able to use it, not just turn it on and call for help. They want to be able to go and get all the data that it has in it.

I have often said that not all of us learn at the same speed. We forget that sometimes. It takes longer for others, and they still get it. If one watches students, if one ever notices, there will be some who we say they are slow. The truth is they are not as interested in school as others. They may not bloom until they get to be sophomores or juniors in high school sometimes. Sometimes it happens even after they leave high school.

There are stories, and I am sure there are Members right here on the floor of this House who would say that they went into the military or went somewhere else and came back. Many times, those who came out of the military, they had 2 or 3 years to adjust. All of a sudden, they came home and realized, ''I did not apply myself when I was in school. I really need to settle down and get focused.''

Today with a lot of young people who go into youth service corps or something else and leave school, and all of a sudden they say, gosh, ''I did not apply myself. I wish somebody would give me a quick kick in the slacks to understand what I needed.'' That is at that level.

But at the early years, where those youngsters are such sponges, and they really do want to learn. They come with bright eyes. If you watch those little ones, they all have bright eyes. They are ready to learn. They are ready to go.

There is something that we are learning more every day about the brain and how much children can learn and their capacities, and we are doing away with a lot of the myths we used to have, because all children can learn. Let me repeat that again. All children. It makes no difference what their economic, their ethnic, where they come from, or where they are going, all children can learn. They can learn at very high levels. They may have different learning styles.

Dr. Comer has a great program. We used him a number of times in North Carolina. We had a number of his projects in our State. I think he does just a wonderful job in showing that we need to bring the family nurturing the youngsters. Because if a youngster comes in in less than a nurturing background or comes to school hungry, and if someone tells us the child does not come, I can assure my colleagues they can go any place, most places in this country where they will see a child come in on Monday morning, and I am going to break the stereotype here because a lot of folks think when we are talking about youngsters, we are talking about children from economically deprived backgrounds. It may be children who just have not had a chance to eat, and it may be upper middle class neighborhoods many times, parents who have the resources. They do not take time to eat, and they grab something from school.

Certainly there are those who, after Friday afternoon, who get a regular meal during the week, and Friday is the last really regular warm meal they get until they show back up on Monday morning.

My wife works in the child nutrition program in my home county and has for a number of years. She said one can really tell it when school is out for the summer. A lot of the children are reluctant to leave because they know something is going to be missing. School is a safe haven for them, but it also provides for them a real nurturing environment.

We have had some problems recently in some of our schools. But, by and large, they are loving, caring, nurturing places for people who really make a difference.

We had a program, and I will come back to the question the gentleman raised again in a minute, that we started really in 1992, called Character Education. It was not unique with us. There is nothing really new under the sun. We borrowed a lot of things. We borrowed this from a professor at Vanderbilt and from a number of other folks. But Character Education is about teaching those things that we can all agree on that children ought to know. Rather than add it on as an add-on in the classroom, one really teaches it as an integrated part of the curriculum.

So in 1995 we got a grant, wrote a project, got a grant from the U.S. Department of Education, and it started in Wake, Cumberland and Mecklenburg Counties, our three larger counties. A lot of other counties, Nash County, Johnston County, Harnett and others picked it up.

But what we do in that process is the community goes through a meeting with parents, and the community says here is some of the basic issues; in this case, this two, four, six, eight, nine issues that they agreed on in Nash County. I think Wake is about the same. Trustworthiness. Most folks will not disagree with that. Respect, responsibility, caring, fairness, citizenship, perseverance, courage, self-discipline.

They teach this every single day in some part of the curriculum in every single school. My colleagues say, well, why is that important? When we get bogged down in arguments of whether

or not we ought to have prayer in school and all these other issues, that tends to be divisive. This is not divisive. We can agree on these, on all those issues.

If we look at those issues, those really are the kinds of issues that build communities, that build respect, that make a school what it ought to be.

In the process of putting this in, what we have found in some of our schools, I visited a school down in Johnston County, in Selma. I went in and talked with a principal. He said, ''Oh, yeah, it is working.'' He said, ''Our dropouts went down like 48 percent. The number of suspensions were down, in half.'' But he said, ''The significant thing was children have more respect for one another, for their teachers. And what we saw was our academic scores went up.''

So why would that happen? Very simply. We look at those issues. We are building trustworthiness. Pretty soon we have respect one for another. Children get to talk about those things in the classroom as a part of math, as a part of algebra or science or whatever they are doing.

So all of those things start to fit. Pretty soon, we find out that we are back to some of the things we used to do years ago in our schools, that we sort of bumped out, and now it is catching on in other places.

But we will be talking about some of these and having an opportunity, as my colleagues well know, in the weeks to come we will talk about the education budget that will come up. There will be those that say we do not need the Department of Education. We do not need those monies over there.

I am here to tell my colleagues, having been a former superintendent of school at the State level, that was a grant, and every penny of the money went to local schools, and it made a difference.

Now after we have been a pilot, we are putting it in in all of our schools, and it will now be used across the country, and the Department has become a clearinghouse.

Those are the kind of things that really make a difference. We take those sponges and start feeding them good stuff like this, along with a rich curriculum, and encourage them and reward them, pretty soon we start seeing the pressure that used to build that is not there, but the learning environment goes up. But it takes a long time to make a change.

Some people want to, the gentleman from Maryland (Mr. CUMMINGS) and I understand this, that many times we want to pass legislation and have instant results. Last time I checked, about the only thing that is instant we can get is coffee and tea and those things we buy that are instant.

Children take a while to grow and to really make major changes in education. It really takes 8 to 10 years because it takes a child about 12 to 13 years to get through school.

□ 2215

Mr. CUMMINGS. I want to thank the gentleman for what he just talked about. When the gentleman presented that list, those are also the things that build character. That is what character is all about, when we look at that list, trustworthiness and respect.

But that leads me to something else also. We have, certainly in the last few weeks, this Congress and our Nation have become very, very upset about what happened in Littleton, Colorado, and what happened in Conyers, Georgia; and I think all of us have been searching for answers, as parents first and legislators second, trying to search our souls to try to figure out how can we bring a peace and a needed tranquility to our schools so that our children can learn and feel safe in school.

And one of the things that I guess has truly impressed me is a school in my district called Walbrook Senior High School. Walbrook is an inner city school and had had quite a few problems. They brought in a principal, a fellow named Andrey Bundley, Dr. Andrey Bundley; he is about 38 years old. And while other schools were putting up metal detectors, he was taking them down, and he did it with the very kind of things the gentleman just talked about.

What he said was, look, young people, let us create an environment of safety. This is before all of these events just happened or came about. But he said, I want to create an environment of safety, and he talked about the very things that the gentleman has there. He just said, we are going to be responsible for each other, we are going to respect each other, we are going to trust each other. He said, there is no such thing as a snitch because what we want to do is create an environment where we all feel safe.

So what I have done, taking a note from the gentleman's own notebook, I have created what I call the U-Turn Award. This is an award that we are presenting to schools that have been able to turn their schools around. And we are going to be presenting it on June 1 to Walbrook and to their principal, Dr. Bundley.

When I walk through that school, and the gentleman and I talked about this a little earlier, a person can walk through a school and in 30 seconds to a minute they can tell a lot about the principal. And when I walk through that school now, all the children are in their classes or they are moving peacefully through the halls. They are very respectful of each other.

Dr. Bundley, on my last visit, just stopped some students in the hall and he said, what kind of school do we have here, and they said we have a school where we respect each other. As Pollyanna-ish as it may sound, the fact is that is what it should be all about, reminding our young people.

And these kids are a little older now, because we are talking about high school, but reminding them that, as he says, if we all want a safe school, then we are all going to make sure we create an environment of safety and we are all part of that environment. The students have as much say as the principal has to say.

And then what he found was that a lot of these children, while their homes may not have been like that, when they got these lessons, acquired these lessons at school, he found them taking them into their homes. Because the parents would say, I am surprised, Johnny always talks about this trustworthiness and this responsibility.

What they discovered was that once they began to do that and they took down the metal detectors, they discovered that by having that type of responsibility, that trustworthiness, that looking out for each other, that that is sort of valuing the family, the family of the school, and it felt good. It felt good that they could sit in that classroom.

And the next thing that happened was, other people were recognizing it. And that is one of the most important things about this recognition that the gentleman talked about.

When I was in school, we felt so proud of our school. And one of the reasons we felt so proud was we always had people coming in, the Mayor would come in sometimes, the Congressmen would come in and would recognize what we did. So that creates a certain pride, and that is why when the gentleman talks about the awards that he gives, I think that is so special and so important. Because by coming in there and saying, look, gang, you are really doing a great job and I recognize you; and even tonight, the gentleman mentioning the schools that he has mentioned, and my mentioning the schools that I have mentioned, that word will get out. And I guarantee that somebody will be on a P.A. system tomorrow morning saying, guess what, in the Congress of the United States of America our school was mentioned or our school was highlighted.

But something else will happen, too, and that is that there will be other schools that will say, ''Well, the next time I see Congressman ETHERIDGE standing up, I'm hoping that he will talk about what we did.''

And something else will happen through this dialogue, and that is, other Members of Congress and other State and local officials will look at this and say, well, hey, maybe we can do some of these same things.

Because truly we all have to work together to make our schools work. So I take this moment to congratulate Walbrook Senior High School for what they have done. And, again, it is just so interesting that when the gentleman mentioned that list of items just a moment ago, it is the same list, almost identical to the very things that Dr. Bundley at Walbrook talked about.

I yield back to the gentleman.

Mr. ETHERIDGE. I thank the gentleman. And the truth is, like I said

earlier, there is nothing really new. You sort of borrow ideas and you redo them, but this came from people that had worked somewhere else, so we put it in, expanded it and made it work.

The gentleman talked about his schools, and I talked about Anderson Creek, I have been to, and Broadway, and the other schools in Lee County and up in Wake, but we are going to get a chance in this Congress in the next few weeks to show what kind of mettle we are made of, too. Because as the gentleman knows, we introduced a bill last week to create 30,000 more counselors to put in our schools across this country, that are badly needed, and 10,000 more resource officers to be out there to assist and help these young people in these areas where it is needed.

Because certainly in our middle and high schools there are not enough counselors to meet with them and counsel and help them with all the assessments. The others that are out there are doing all the paperwork. That is just one little piece; it will not solve all the problems, but it will sure help.

I trust before this Congress adjourns that we will also have a chance to deal with the issue all across America that we are all facing, in rural and inner cities and certainly in our growing communities, and that is this issue of school construction, an issue we can do something about it. I have a bill on it, the gentleman from New York (Mr. Rangel) does, a number of others do, and I trust we will pass something on that.

There are great needs. There is no question about it. And as an example, in Wake County, one of the counties I represent, they have grown 29.9 percent since 1990. And every county that touches it has grown in double digits. A small rural county, 29.7, adjacent to it. They cannot run fast enough to keep up. They are passing bond issues and they still cannot keep up. And I think it is time, if we really believe what we say up here and we really believe education is important, I happen to believe it is one of the most important things beyond our national defense that we have to put out, we are going to have to step up to the plate and take care of that issue.

We can do it on a one-time basis through the tax code to really help these States and localities meet the needs. Because as the gentleman well knows, over the next 10 years we will see some of the fastest growth at our high school levels in the history of this country, because we are going to see the ''baby boom echo,'' as they are calling it. The baby boomers are having children, and that growth is going to come, and we have an obligation, I think, to help meet that need.

I would yield to the gentleman.

Mr. CUMMINGS. As the gentleman was talking about school construction, one of the things that we recently did in my district, we had to get new computers, and so we decided to take our old computers and give them to one of our public schools. And the amazing thing about this situation is, when we gave those computers, we did not know how bad off that school was.

The school had 1,600 students and they had 260 kindergartners. And the interesting thing, out of that 260 kindergarten children, they had one computer. One computer. And what the principal and the teachers would do, they were very innovative and they were able to rotate those 260 kids around one computer.

Now, what we did in our district is, just last week, we gave nine computers. And we were able to clean them up and get them to these kindergartners and these first graders. But I wish the gentleman could have seen how excited they were about those computers. And one of the things that we said during our press conference was that we were encouraging other businesses and other government agencies, before they just toss those computers away, to look at our schools.

When a school has a total of 1,600 kids and one computer in this day and age, that is not very good. I look at my office, and we do not even hire folks unless they are pretty efficient and effective with regard to using a computer. And I mention that only because I thought about the fact that my office had gotten EPA a few months ago to give some computers, but the school was so ill-equipped and so old that they did not even have the proper electrical circuits to use the computers.

So that goes back to what the gentleman was saying, and I yield back to the gentleman.

Mr. ETHERIDGE. That is absolutely true. And that is why when we talk about school construction and renovation, and I should have added renovation to it, and someone says, well, the building I went to was fine, they are not even being honest with themselves when they say that, because the truth is, if there is a building and it is not wired for computers, it has to be done.

Now, there is a program that we did in North Carolina, and a lot of States have done it, where the community actually goes in and helps rewire the buildings. And that is all well and good, but those computers need to be networked. They need stations in the classroom. And if we do not allow children that access, it makes no difference where they come from, whether the inner cities or rural areas, that becomes, in my mind, one of the real problems we have in this country.

There might be those who would say to that, we do not really need the computers, we need to teach them to read and write. Well, give students a computer, and they will learn to write. People tell me, we do not have computers; we cannot write. Today, with computers and sending e-mail, people are doing more writing today than they have ever done in their lives. There are fewer clerical positions and more managers are using that.

So my point is that for children, when we put the computers in a kindergarten classroom, the students just start to shine. They absolutely shine. And the point the gentleman made about donating his computers, I gave mine, we gave some of ours out of our office a couple of weeks ago, and I would encourage other Members of Congress to do so. All they have to do is get permission. They can do it when they buy new ones.

There are a lot of them out there. But I would hope they would turn them over pretty quickly so they can get good equipment and not get worn-out equipment. Because the last thing schools need is old, worn-out equipment. They all upgrade them.

I will share this story with the gentleman, because there is a program going on, and actually this Congress helped fund it last time, though I was not aware of it, but we have a couple of schools that actually take the computers, they get the internal parts from one of the, I am not sure which computer firm they get it from, and they actually rebuild the computers so they are up to date with the new standards and all the speed of the new computers. And they are letting the young people do it in school as part of their vocational classes.

So when that youngster comes out of school, not only can they operate a computer, they can help build one. And they have a job as a technician available to them just like that, and they make good money.

So there are things we can do to help if we will be creative and innovative.

And there is no question that if we have just one computer to even 25 children, that is not enough. We tried to put them in North Carolina, 1 to 50, and we realized that would not work. Then we upped it to 1 in 25. But really they should have five in a classroom, where there are no more than 25 students. Then when they start working in stations, there is tremendous results. The teacher can work in other areas while that child is working on computers.

The gentleman has been in classrooms, as I have, I am sure; and especially if there are enough computers, they are over there just working at it, going to it, just doing all those things. And the neat thing about a computer is, what the child is doing can be instantly assessed. They get instant feedback, and that is so important.

Mr. CUMMINGS. And they love it. They actually love it.

I assume we are beginning to run out of time here.

Mr. Speaker, how much time do we have remaining?

The SPEAKER pro tempore (Mr. TANCREDO). The gentleman has 18 minutes remaining.

Mr. CUMMINGS. As I was listening to the gentleman, I was thinking about how great this country is and how blessed we are to be here, and I could not help but think about all the things

that the gentleman and I have talked about tonight. And the gentleman said something to me earlier that just really touched me.

□ 2230

My colleague said that what we need to do is make sure we talk about the positives. So often I think what happens is that we hear the negative stories and we do not hear the positives.

Right now probably tonight all over this country and for the next two or three weeks young people are going to be marching down aisles of auditoriums and some of them will have graduation in churches. And these young people have achieved a lot.

I look at some of the students in my district, the graduation I just attended. A young man had cancer throughout his last 3 years of high school, and he is graduating with honors. Then I think of a young lady whose mother had died of AIDS, and she took care of her brothers and sisters for 2 or 3 years and now is graduating with a very, very high average, over 92 average. I really think that, and that is why I say my colleague is absolutely right, we have to look at all the wonderful things that our children are doing.

As I have said to many audiences in my district, these are the children that come from our womb. They are the children that have our blood running through their veins. And if we do not lift up our children, who are we going to lift up, I mean if we really think about it? I think that we, as a Congress, have to continue to find innovative ways to lift our children up so that they can be the best that they can be.

Every time I see a group of children come here to the Capitol, and I saw my colleague talking to a group just in the last week or so, I look at those children and I ask myself, Where will they be 5 years from now? Where will they be 10 years from now? Will they be sitting in the Congress? Will they be teachers? Will they be lawyers? Will they be doctors? Or will they have dropped out?

And I know that we as adults have a tremendous responsibility to do everything in our power to make their lives the very best that they can be. Because when we really think about it, if it were not for adults that gave us the guidance, we would not be standing here right now. If it were not for the teachers that taught us to read and write and do arithmetic, we would not be here right now.

So I think we have to continue to say to ourselves, look, it is not enough to talk, but to go out there and do the kinds of things that my colleague and I have talked about this evening. And again, I applaud my colleague for all the wonderful things that he has done and I thank him for sharing this evening with me and sharing these ideas. Because I am going to take a lot of the ideas that my colleague just talked about now, and I have got to tell him, I might not give him the credit for them when I take them, but I am going to use them. But I want to thank him for his leadership.

Mr. ETHERIDGE. Mr. Speaker, I want to thank the gentleman for his help and for being here this evening.

Let me close and say to my colleagues that this thing of education is no one has a lock on all that needs to be done. We have thousands of teachers across this country who every day go into those classrooms and fight the battle of ignorance day after day. They do it without a great deal of pay, but they deserve forever our gratitude and our thanks.

The children who will soon be following us as doctors and lawyers and teachers and preachers and, as I told a group that graduated the other night, if they slip up, they might become politicians and become congressmen and governors, but the truth is they are great youngsters and we have an obligation to be better role models. We really do.

Because most of them, most of them, are great youngsters. We hear about those problems. And I think we have an obligation to make sure that we honor those who do well and encourage those who want to do better and challenge those that slip up. And I think if we will do that, they will do better, we will be prouder of them. And that means that we have an obligation here to make sure that we shepherd the resources we have, that we do fund the education budget to the extent that we can and stretch it a little bit when we have to. Because there are a lot of places in this country where, as my colleague has pointed out, there are not enough computers. We can help.

The school buildings are not as safe as they ought to be, 50- and 60-year-old buildings that are not air-conditioned, that are not wired well. We can do better. In our Nation, in having the boom time we are having today, if we cannot fix them today and provide those resources for a good environment for children to learn, if we tell a child school is important and then he rides by a $40- or $50-million prison to go to a $3-million school, he has already figured out what is important in that community.

We can do something about that. We can make that school an attractive, inviting place to go if it is well-lighted. And lighting is important if we are talking about learning.

So let me thank my colleague for joining me this evening in this special order.

DRUG CRISIS IN AMERICA

The SPEAKER pro tempore (Mr. TANCREDO). Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. MICA) is recognized for 60 minutes.

Mr. MICA. Mr. Speaker and my colleagues, again tonight I come to the floor to discuss this serious situation in our Nation relating to the problem of illegal narcotics.

I was pleased in January to assume responsibility to chair the House Subcommittee on Criminal Justice, Drug Policy, and Human Resources, which deals with formulating our national drug policy.

I know that on the front pages of tomorrow's newspapers the stories of China sabotage and I know that illegally obtained intelligence, the fundraising scandals, money that poured into our country through illegal foreign contributions, sabotage of our intelligence, information relating to missile technology are serious problems and will be splashed across the headlines tomorrow.

I know what the headlines have been for the past several weeks since Columbine and Atlanta that the Nation's attention, the Congress' attention, has been riveted on the question of school violence. And we all are saddened by these great tragedies.

But let me say tonight, and I have said it before, that for every instance of school violence, if we took all the instances of school violence and death in Paducah, Kentucky; Jonesboro, Arkansas; and Columbine and we added up all of those tragic deaths the last several years, we would still have a small figure of 30 or 40 individuals maybe maximum; and, unfortunately, I hate to use this analogy, but unfortunately, we have a Columbine times three or four every single day in the United States as a result of the use of illegal narcotics.

The effects of illegal narcotics on our society are dramatic and costly. They are indeed costly to over 1.8 million Americans, almost 2 million Americans who are behind bars. Estimates are that some 60 to 70 percent of those incarcerated in our prisons and jails and penitentiaries are there because of a drug-related offense.

I might say they are not there for casual use of drugs. They are there because they have committed a crime while under the influence of illegal narcotics, they are there because they have committed a felony, robbery, they have been trafficking and selling illegal narcotics. And they are the victims of illegal narcotics. But we have nearly 2 million Americans behind bars.

The cost that this Congress will be considering in a few more weeks to fund the anti-narcotics effort is probably in the range of $18 billion. That is the direct cost that we will look at funding because of, again, the problems created by illegal drugs.

That is only the tip of the iceberg. We spend somewhere in the neighborhood of a quarter of a trillion dollars a year in the tremendous cost of social, economic, welfare support, judicial systems, incarceration, all these costs to our society because of the illegal narcotics problem.

Again, the tragedy is just immense. And again, we have the equivalent of a Columbine times three or four every single day. The sad part about all this is that many of these tragic deaths are

our young people. The sad part about this is that last year over 14,000 Americans lost their lives to drug-related deaths.

The tragedy is that, in the past 6 years, under the Clinton administration, going on 7, we in fact have lost almost a 100,000 people. That is the number of Americans killed in some of our wars and conflicts. That is the size of entire populations of cities. It is an incredible tragedy.

And somehow tomorrow in the newspapers it will not be publicized along with the China sabotage or the Columbine problem. But what will be publicized is back in the obituaries or on the local page or the State page is a list of human tragedies. And those tragedies will be recounted in heroin overdose deaths. They will be recounted if someone would have died at the hands of someone under the influence of narcotics, someone who is committing a felony, another murder, under the influence of illegal drugs. Those are the sad statistics of this tragedy that we are facing as a Nation.

I come again tonight to talk about this, Mr. Speaker, because I think it is the most important and critical social problem facing our Nation, long ignored, not talked about.

As chair of that subcommittee, human resources is one of our topics, in addition to criminal justice and drug policy. We conducted a hearing this past week of over 6 hours, hearing from various school officials and law enforcement officials, some district attorneys, and other people involved with schools, psychiatrists, psychologists. And they repeatedly told our panel that, in fact, illegal narcotics and drug use are at the root of most of our school violence problems.

Of course, we only see splashed across the front pages of our newspapers and on our television nightly screens one incident with a large number of casualties at one time. This is a slow and tragic death, again, thousands of them across the Nation, and an effect on our young people that is dramatic. Most of the victims of this tragedy are prime youth and are young people.

Let me also talk tonight about the history of the problem. And I try not to be partisan in nature, but I do want to be factual and state that part of the reason that we have this epidemic particularly of hard narcotics, heroin, cocaine, methamphetamines, in the United States and other dramatic increases in usage of illegal drugs is really the result of the policy of the Clinton administration.

If we look at the charts, and I have said this before, back in the 1980s we had an explosion of cocaine back in the Reagan administration. But we saw that the policies of President Reagan brought the statistics down, the usage down, of illegal narcotics and the deaths down from hard drugs.

□ 2245

That continued into the Bush administration, with tough policies, tough eradication at the source, tough interdiction, use of the military, the Coast Guard, every possible resource of the United States to bring down illegal narcotics trafficking and the supply of hard drugs into this country.

Unfortunately the new President in 1993 as one of his first policies adopted cuts in the Drug Czar's office, began the elimination of many of the personnel in the Drug Czar's office, and then adopted a policy which I think we are still seeing the results of today. That is cuts in the interdiction forces; that is, trying to stop drugs at their source. Cuts and elimination of the source country eradication programs; that is, stopping the growth and production of illegal narcotics at their source. Again the two most cost-effective ways of stopping illegal narcotics. And then we saw the cuts of the military, dramatic cuts of use of the United States military in the interdiction of drugs, a Federal responsibility of stopping the flow of illegal drugs before they came to the borders of the United States. And then we also saw dramatic cuts, almost 50 percent cut in some of the Coast Guard budgets that protected some of our areas and coastal regions, particularly around Puerto Rico, where we had a good barrier to stop illegal narcotics coming into the United States through Puerto Rico.

Then, to top off these cuts, the President appointed a Surgeon General and that Surgeon General sent a mixed message. Joycelyn Elders did probably as much damage as any public official in the history of the United States as far as bad health policy. She sent a mixed message that even our young people repeat today, of ''Just say maybe'' to casual drug use.

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

Mr. MICA. I yield to the gentleman from Georgia.

Mr. KINGSTON. As a Member of the Republican task force who served with the gentleman last year, I want to first say I commend his leadership on this because not only is he down here night after night speaking about the need for Congress to act quickly but he is doing that in committee and he is a consistent national leader on this. I am here also because I am a father of a 16-year-old, a 14-year-old and a 10 and an 8-year-old and much to my shock these children are already able to get drugs at their school, as almost all kids across America are able to get it in the school yard. The fact that he is saying, ''Let's attack the source of these drugs, let's enforce the law when you are caught with it, and let's work with treatment,'' I think that is very important. I too as a parent when the President's appointee said the statement, you know, ''Let's legalize marijuana,'' I was shocked and very concerned about that.

Mr. MICA. Our President sets the tone. I think that as a role model, as an individual who young people look up to, when you have the President appoint a Surgeon General that sends a mixed message, our young people pick that up. When you have a President that has said, ''If I had it to do over again, I would inhale,'' our young people pick that up.

Now, the gentleman told me that he had teenagers. Could he tell me the ages of them again?

Mr. KINGSTON. Sixteen, 14, and one 10 turning 11.

Mr. MICA. The gentleman from Georgia, Mr. Speaker, might be interested in this National Household Survey on Drug Abuse, Substance Abuse and Mental Health Administration report dated August 21, 1998. I did not know the gentleman from Georgia was coming tonight to mention the ages of at least two of his children, but this is the report. For kids 12 to 17, first-time heroin use surged a whopping 875 percent from 1992 to 1996. That is an 875 percent increase in heroin use among our teenagers. So I believe that a policy has consequences, and the consequences of a bad policy of sending a mixed message and also of not having a policy in place that stops drugs at their source in a cost-effective manner results in an increased supply, a lowering of price, a tremendous availability of illegal narcotics at these sources and into the United States.

In my central Florida area, a banner headline in the Orlando Sentinel shouted out recently that in fact drug deaths exceeded homicides in central Florida. So this is the type of result we are seeing from a policy that was enacted some 6 years ago and again through repeated failures of this administration.

Mr. KINGSTON. If the gentleman will yield further, I want to make sure that in a nutshell what he is saying, as the usage has actually gone up, the number of arrests and enforcement has gone down?

Mr. MICA. The number of arrests, I believe, have gone up. The enforcement prosecution did go down with this administration. Now, we have hammered them some and there has been more prosecution. However, those statistics are dramatically impacted by New York City and several other tough Republican mayors. The statistics in New York City are so dramatic where you have had tough enforcement by Mayor Guiliani. For example, they had approximately 2,000 murders, 1,980 we will say, in the year he took office. Tough enforcement has resulted in a 70 percent drop, somewhere in the range of 600 murders in the entire population of New York City. So that type of tough enforcement, tough prosecution has actually skewed some of the national figures.

But if we look at the Department of Justice under this administration, they failed to go after drug dealers and hard core drug offenders in the numbers that they should have.

I also wanted to point out to my colleagues that according to the Drug Abuse Warning Network, which is called DAWN, the annual number of

heroin-related emergency room admissions and incidents increased from 42,000 in 1989 to 76,000 in 1995, an 80 percent increase. This is from the National Narcotics Intelligence Consumer Committee report in November of 1998. The number of Americans who used heroin in the past month has increased steadily since 1992. The number of Americans who used heroin in the past month increased from 68,000 in 1993, the year this President took office, that was 68,000, to 325,000 in 1997. This is also according to the National Household Survey on Drug Abuse. This is the most recent data we have from 1997. Heroin users are becoming younger, they are becoming more diverse. And because the heroin that we are seeing come into the United States today has much higher purity levels, we are seeing dramatic increases in deaths, particularly among first-time users, particularly among young people who mix heroin with some other substance, alcohol, other drugs and do not know that the purity levels are absolutely deadly. So that is why we are seeing so many young people dropping like flies in Florida and in other areas of the United States.

Mr. KINGSTON. Where does the heroin primarily come from? Is this also Colombia?

Mr. MICA. I am glad the gentleman asked.

Mr. KINGSTON. The gentleman just happens to have a chart.

Mr. MICA. I brought back tonight one of my charts to show the flow of illegal narcotics. This is a pretty simple pattern. Before the President took office in 1993, Colombia was really more of a transit country and drug processing country. Now, since we have had such good results with President Fujimori of Peru who has also had a tough enforcement program and President Hugo Banzer in Bolivia, the production of cocaine and coca is down dramatically in those countries. In the past 2 years, the Republican majority has helped those two countries in stopping drugs at the source, cutting drug production through eradication policies and alternative crop policies.

Now, would you not know it, but in 1993, again there was almost no coca produced in Colombia. It was almost all produced in Bolivia and Peru. But this administration through its policy managed to make Colombia the largest producer of cocaine in the world. In 1993, there was almost no heroin produced in Colombia. Most of our heroin came in from Asia or through Afghanistan and Balkan routes. This administration managed through its policy of stopping aid and assistance to Colombia to make Colombia the source of 75 percent of the heroin. It is the largest heroin producer in the world today. They managed to do all this since 1993. The way this heroin and cocaine is now coming up, the Colombians have formed cartels with the Mexicans, and then some is coming up through and past Puerto Rico and into the United States through these routes. So the very direct policy, despite letters, despite pleas by the chairman of our Committee on International Relations, by the chairman of the Committee on Government Reform, by numerous Members of Congress to get helicopters, to get ammunition, to get assistance and resources to Colombia to stop this production and trafficking, Colombia now is the major producing area.

I will say that with some of those individuals I mentioned, the gentleman from New York (Mr. GILMAN), the gentleman from Indiana (Mr. BURTON), we participated in a dedication and contract signing of six helicopters which are on their way to Colombia, these are Black Hawk helicopters, to start in an eradication program.

Now, our other problem area, and this is Mexico, and despite this administration giving NAFTA approval, underwriting the finances of Mexico, Mexico is the largest source of illegal narcotics coming into the United States through these routes. Again, despite being a good ally, a good friend, Mexico has turned almost into a narcoterrorist state as a result of the amount of trafficking.

So this is the pattern of illegal narcotics. Heroin, cocaine and methamphetamine coming into the United States today. What is disturbing about this pattern is that in spite of all of the assistance this Congress and this administration has given to Mexico, Mexico has really slapped the United States in the face.

When both of my colleagues who are on the floor were with me 2 years ago in March, the House of Representatives passed a resolution asking Mexico to help in about five different areas. First of all, we asked Mexico to extradite a major drug trafficker or major drug traffickers, assist us in extraditing those who have been indicted in the United States, Mexican nationals, and send them to the United States. And what did we get in return? This past week, the New York Times, ''Setback for Mexico in 2 Big Drug Cases.'' Major producer, again we have helped Mexico, we are a good friend and ally of Mexico. What did they do? Let me read this:

''Mexico City, May 19. Efforts to prosecute the Amezcua Contreras brothers whom the American authorities say rank among the world's largest producers of illegal methamphetamines appear to be collapsing.''

They have in fact let these brothers who were part of this methamphetamine operation off the hook, dropped the charges against them. Two of them, I understand, are still held in detention. One has been set free. Even the Mexicans, who are corrupt from the bottom to the very top, and I can prove what I am saying with those remarks, are chagrined that even their judicial system has collapsed, even their judicial system is corrupt, and these decisions go as high as their Supreme Court in Mexico.

□ 2300

So, it is a very sad day when we have not one major Mexican drug dealer extradited to date. We have had one Mexican national, and that is only one, and that was a minor player, but not one major Mexican drug dealer has been extradited to the United States, and again, this is in spite of the assistance that this Congress has given that country, in spite of financial aid, NAFTA trade and other benefits that we have bestowed on Mexico.

And part of it is because of the failed policy of this administration. They made a charade out of the certification process, rather than decertifying Mexico and giving them a national interest waiver and holding them under the microscope of our law which says that we must certify whether a country is fully cooperating.

Now I ask you: Is Mexico fully cooperating when they let drug traffickers out? Is Mexico fully cooperating when last year these statistics were provided us?

Mexican drug seizures were down in 1998. Opium was down, the seizure of opium in Mexico, 56 percent. The seizure of cocaine was down in Mexico by 35 percent. The seizure of vehicles and vessels involved in narcotic trafficking was down.

To top it off, we held a hearing in our subcommittee to find out what was going on in Mexico, and I talked about corruption. This is a March 16 article from the New York Times. This should absolutely frighten every Member of Congress, every member and parliamentarian in any civilized legislative body, to know that one country could be so corrupt from the bottom to the top, and particularly one that is a close ally of the United States.

This article by Tim Golden details how our Customs agents penetrated Mexican military and other Mexican high officials' offices and discovered that the Mexicans, in this case a general and maybe as high as the Minister of Defense, were attempting to launder $1.15 billion. That is one individual was trying to launder $1.15 billion. That is how high the corruption has grown in this country, and that is how serious this problem is. And think about that. That is over a billion dollars that one individual was trying to launder in that country.

Mr. KINGSTON. If the gentleman will yield, what is the benefit to a country being certified, and why do we decertify it, and why has it become so political, because it does appear by the bipartisan findings of the gentleman's committee that Mexico is not cooperating in giving us the statistics that we need to fight drugs, but it seems to get politicized once the issue gets to the floor of the House.

Mr. MICA. Well, only in this administration has it so politicized. The law is a simple law. The law was passed in 1986. President Reagan and the Republican Senate passed the law that just tied foreign aid and foreign assistance

to cooperation in eradicating drugs and trafficking, stopping trafficking in their drugs.

So the law is simple. It says that if a country is cooperating with the United States to stop illegal narcotics, then they get our finance benefits, they get our trade benefits, they get our foreign aid.

Now Mexico does not get a lot in the way of foreign aid, as some Third World countries may get from the United States, but what it gets is tremendous trade benefits, a trade benefit and now we have an incredible imbalance, that many more cheap Mexican goods are pouring into the United States. We have lost tens of thousands of jobs to Mexico.

We have provided most of the financing and underwriting for Mexico, including a bailout which basically saved their financial system. So in turn we ask for very little. We have asked for cooperation in going after these corrupt officials, we have asked for extradition.

This is what Tom Constantine, our DEA administrator, said on February 24, 1999. He said: In spite of existing United States warrants, government of Mexico indictments and actionable investigative leads provided to Mexico by U.S. enforcement, limited enforcement action has taken place within the last year.

This is Tom Constantine, and I might say that one of the saddest bits of news that I bring to the floor tonight is that Tom Constantine, who has been a shining light in this scandal-ridden administration, who has been a tough spokesperson in restarting the War on Drugs, there was no War on Drugs under this administration except for what Tom Constantine has done, Tom Constantine has unfortunately announced that he will be leaving this summer, a tremendous blow to our efforts. He is the only one who has been speaking out, the only one who has repeatedly said that we have to restore the eradication programs, the interdiction programs, the use of the military, the Coast Guard, and that tough law enforcement does work, and he has proved it time and time again before our committee with statistics, with facts. So, it is a great loss to the Congress, it is a great loss to the American people, it is a tremendous loss to the war on drugs which we have restarted under this Republican Congress, and his departure is a sad note for us this evening.

I wanted to also talk tonight a little bit about some of the other things that Mexico was requested to do and has not done.

First, I mentioned extradition. Then I mentioned going after these corrupt officials in enforcing their laws, and they did not enforce their laws.

Even worse is we had an operation, another Customs operation in Mexico dealing with money laundering, and we found in this operation, which was called Operation Casablanca, that hundreds of millions of dollars were being money laundered, and when we discovered this, we informed the Mexicans. We know the Mexicans knew about this operation.

What did the Mexicans do rather than cooperate with the United States? They threatened to indict and go after our Customs officials. So, did we have cooperation? The answer has to be no based on, again, the extradition requests, based on the failure to go after these corrupt officials, based on their coming after our agents and threatening them.

So these are several areas, and I yield to the gentleman.

Mr. HAYWORTH. I thank my friend from Florida, and representing a border State, as I do in Arizona, I share my colleague's concern, Mr. Speaker, because as my friend from Florida has capably laid out for us this evening, the time has come for a reasonable, sober reassessment of our relationship with our ally, Mexico. That is something I do not say lightly, given the fact that the history of Arizona, indeed the history of this Congress of the United States has been one of cooperation with our neighbor to the south.

But part of being a good neighbor entails a reasonable interchange and expression and ability to achieve common goals. As my friend has pointed out, sadly Mexico has devolved into a leading distributor and source of illegal drugs in our society, and because of that we must have this reassessment.

It is especially vexing to a State like Arizona with a vast border area, with many problems that entail this situation in terms of border security, and let us not forget that it is our constitutional charge to protect the borders of the United States.

□ 2310

As compelling as the facts and figures are, I think both my friends from Florida and Georgia, Mr. Speaker, and indeed everyone in the House, knows there is a very real human equation at work that these threats come to Americans, and while this is not warfare in the traditional sense, still, it is an assault and an attack on the very fiber of our society. We talk about increasing drug usage. We talk about a cavalier attitude expressed, sadly, by this President in an appearance on MTV when asked by one of the young people in the audience, if you had it to do all over again, would you inhale, and the President said, yes, I would. To use that cavalier notion toward drug usage sets a pattern that is very difficult to break.

Now our friend tells us of the soon-to-be expected departure of Mr. Constantine from his role and indeed, one who has observed this administration and tried to work on common goals, those of us in the Congress cannot help but note that it is incredibly ironic that many of the capable, effective people in a variety of different posts leave, and those who should bear the responsibility for a number of misadventures and maladroit steps insist on staying on the job in a variety of different areas.

Indeed, I think we are not far afield at all when we point out that this is a threat to our families, to our citizenry; indeed, this is a threat to our national security. As much as we want to be a good neighbor, and I have participated in the U.S.-Mexico Interparliamentary Conference in the past, the State of Arizona has a very strong relationship with the Mexican State of Sonora first established by a former Governor of Arizona much earlier, now almost 30, maybe in excess of 30 years ago when we look at the panorama and the march of time, and yet the words of my colleague from Florida are compelling, because they insist that this House and this government reassess the relationship with Mexico, reassess our relationship with these States that export narcoterrorism, and that is something we do not say lightly. Because, as my colleague has pointed out, in the past Mexico has been a strong ally of the United States. As my colleagues have also pointed out, Mr. Speaker, the United States has been a good friend to Mexico.

I can recall in the first days when I arrived when the now departing Treasury Secretary, Robert Rubin, came to new Members of the 104th Congress, asked us to step up to the plate and essentially bail out the Mexican economy, prop up the currency there, and of course the President found almost what could be called an executive end run to provide those loan guarantees because they knew it would be very rough going in the Congress of the United States.

So I share my friend's concern. I salute his determination and his dedication to bringing this issue to light, and more than just bringing the issue to light, Mr. Speaker, my colleague from Florida, in his committee jurisdiction, has also worked, as we did in the 105th Congress on the Drug Task Force, to find credible solutions. For that, I salute him, and from a border State like Arizona, and indeed across the whole phalanx of the Southwestern border of the United States, this becomes a major concern.

Make no mistake, Mr. Speaker. Just as we see threats from around the world, threats as relevant as tomorrow's headlines in view of bipartisan work in other areas, so too do we confront a threat to our families, to our children and, sadly, directly in our hemisphere, and it is a threat that has gone unabated. It is a threat that has increased, and this House is compelled, I think, by the work of our colleague from Florida, to take a closer look to deal with the security of our homes, the security of our families; indeed, our national security in this very important area of rising drug abuse and a cavalier attitude that has been expressed.

Mr. MICA. Mr. Speaker, I thank the gentleman from Arizona for his leadership and coming out tonight to talk about this topic that is so important to American society.

I just want to continue along the line that I had been talking about, and that is the problems with Mexico. We have not had one major drug dealer extradited. Despite over 200 requests for extradition and requests specifically for over 40 major drug dealers, not one Mexican national has been extradited today as far as a major drug dealer.

In addition to that, we talked about the enforcement, lack of enforcement, the corruption at the highest level, not enforcing the laws that they have on the books. In addition, this Congress asked two years ago that the Mexicans install radar to the south. It is a simple request. If we look at where the drugs are coming in, they are coming in from the south. We asked that they install radar to the south, and still no radar to the south that was promised, and again when our President met with President Zedillo in the Yucatan Peninsula earlier this year. To date, still no maritime agreement signed; there is no agreement to go after drug traffickers in these waters, particularly Mexican nationals.

Finally, we had asked for protection of our drug DEA agents, our drug enforcement agents. We have a small number in that country. We had one of our agents just horribly tortured and murdered in the 1980s. We do not want to see that repeated. We want our agents to be able to defend themselves, and still we have been denied that ability for our law enforcement agents that are working in Mexico.

So Mexico, what do we get? This administration ruined the certification process, made a joke of it and still continues to certify a country as fully cooperating. They are not by any measure.

I might say tonight that we will have before this House in the not-too-distant future several measures that will deal with this that the gentleman from New York (Mr. GILMAN), the chairman of the Committee on International Relations; the gentleman from Indiana (Mr. BURTON), the chairman of the Committee on Government Reform; the gentleman from Florida (Mr. GOSS), our chairman of the Select Committee on Intelligence; and the gentleman from Florida (Mr. MCCOLLUM), our chairman of the Subcommittee on Criminal Justice of the Committee on the Judiciary, have been working on with the Members of Congress. So there still will be responsibility to the country of Mexico for their involvement in illegal narcotics. This new Congress will hold their feet to the fire.

I just want to talk again about another failed policy, international policy, and it is our responsibility to deal with these issues of where the drugs are coming from. It is tougher as these drugs get to the streets, but if we can stop them at their source, their transiting before they get here, it is much more cost-effective.

One of the stories we will not read on the front page of the paper tomorrow is about the bungled negotiations of this administration in Panama. Now, why is Panama important? Again, I can hold this up and if we look and see Colombia through Panama up to Mexico, that is where these narcotics transit. But Panama has been the center of all of our narcotics operations, all forward surveillance operations for the United States and the Caribbean area, the south and Central America. Of course we see where drugs are coming from, which is primarily from Colombia, one of the major sources that this administration has helped make a major source. And as of May 1, 1999, just a few weeks ago, we were basically kicked out of Panama. We had 15,000 flights from Panama last year, and there were zero as of May 1. This administration bungled the negotiations, and we were told months and months ago that negotiations were going forward. When we found out earlier this year that the State Department had dropped the ball, we asked what was going to be done. The administration has scurried the last few months and signed interim agreements with Curacao, Aruba, the Netherlands and also with Ecuador for temporary bases there.

We were told that on May 1 we would be ready to go. We were told on May 1 we would have flights continuing.

□ 2320

We were told that, at the very worst, maybe we would have a 50 percent reduction in flights after May 1 in testimony before our subcommittee. What have we found out that has taken place? From Ecuador, there are zero. There have been zero flights from Ecuador, zero flights. From Aruba and Curacao, just a few limited flights.

So basically this administration bungled the negotiations with Panama. We are turning over 5,600 buildings, $10 billion in assets. Already we have seen, in addition to closing down Howard Air Force Base, another scandal that should be on the front pages of the newspaper, that our two ports in Panama that we had operated out of had been given through corrupt vendors, and these are the words of our administration officials, through corrupt vendors to foreign countries; and one of them happens to be the Chinese.

In both instances, I believe the Chinese Liberation army owns or has a controlling interest in the stock and ownership of those activities. So we basically turned over the Panama Canal and one of the ports to the Red Chinese Army. The other one, again also through a corrupt vendor and through a Taiwan-Hong Kong front, that second port is gone.

Our major drug operation in that entire region we have been kicked out of as of May 1. The interim agreements are not signed. I believe the agreement in Ecuador is only for a few months. At the last hearing our subcommittee held, we were presented a bill for another $40 plus million for improvements in addition to $73 million which the Drug Czar put in the budget for relocating the forward surveillance operations of the United States.

So basically we are wide open for the hard drugs to come into this United States. Panama is a wide open area. Again we have lost our shirt and basically been kicked out. The $73 million originally requested plus the supplemental, $43 million, which has not been given yet, is only the tip of the iceberg. I am told we may be at a half a billion dollars to replace these operating facilities. We do not have a single permanent agreement in place.

I do not know how an administration can possibly bungle anything in a more inept manner than they have done with this Panama situation and basically closing down all of our forward drug surveillance operations.

These surveillance operations affect the operations, for example, in Peru, where we have gotten the cooperation of the Peruvian government to go in and eradicate narcotics fields, coca fields. Basically, that information stops because we do not have the operation going forward to identify those locations.

So these are some of the incredible problems that I wanted to detail tonight, both with the Mexico, with Colombia failed policy, stopping again the equipment from getting into Colombia.

I do not want to leave on a note that we are only here to criticize the administration. I must say that I am very proud of this new majority and what they have done. First of all, under the leadership of the gentleman from Illinois (Mr. HASTERT) who is now the Speaker of the House of Representatives, he came in several years ago and chaired the Subcommittee on National Security, International Affairs and Criminal Justice on which I serve. In that capacity, he helped put together the war on drugs.

We have to remember, from the day this President got elected, they dismantled the war on drugs. I have heard people say we do not have a war on drugs. Yes, Mr. Speaker, we have not had a war on drugs. It was dismantled in January of 1993 by this President.

From 1993, this President dismantled the war on drugs. The Congress, which was controlled by the Democrats in the House and the other body, by wide margins, dismantled systematically all of the programs that the Reagan and the Bush administration had put into placement and years and years of work.

Some of that was bipartisan. The gentleman from New York (Mr. RANGEL) and other Members on both sides of the aisle put together effective drug strategy. That was dismantled. There was no war on illegal drugs from 1993 to 1995.

In 1996, the Republicans, who gained control, did damage assessment and

started restoring some of the funds for eradication programs for interdiction, restoring the military in this effort, and for also putting back the Coast Guard on watch and active in this antinarcotics effort. So that is some of what we have done.

We have, through the leadership of those that I have mentioned, again, including the current Speaker of the House, put back last year almost $1 billion in additional funding to support these efforts.

In addition to the programs that I have talked about, enforcement, interdiction, eradication, we also put $195 million in education, which is the first time that anything has been done on that scale, to start educating our young people.

If it has to be a paid message, if it is not a high message setting a role model from the office of the President of the United States, then we will pay for it. That $195 million is matched by donations, at least equal to that sum.

So hopefully we will, again, in restarting all of these efforts, and particularly in education, we can get out the message. The First Lady under President Reagan, Mrs. Reagan, had a simple message: ''Just say no.'' It was repeated over and over and effective, and our young people heard that message.

But there has been a gap in this administration. No word, a mixed message, a mixed signal, no role model for young people to look up to. We have seen the results, and I described them here tonight. There is an 875 percent increase in heroin usage by our teenagers 12 to 17, dramatic figures that should shock every American and every Member of Congress.

So we have, again, put these programs back together that work. We are overseeing those programs. We will see if they are cost effective, if they are working, and will continue to expand them.

In the next few weeks when we return, we will be conducting a hearing on the question of legalization and decriminalization. I know the gentleman from Arizona (Mr. HAYWORTH) and his State has taken action on this issue. We do not know if they are headed in the right direction or the wrong direction. We do know that tough enforcement works.

The Guiliani in New York City method works. It cuts crime. It cuts murders. It cuts drug deaths. It cuts violence in our streets when one of our largest cities is one of our safest cities.

We see the alternative. Baltimore, which Tom Constantine, our DEA director, who is leaving, pointed out to us just a few years ago, Baltimore had 900,000 people and less than 1,000 heroin addicts. Through a liberal policy and a permissive policy Baltimore now has a population of 600,000. It has dropped 300,000 people. It has 39,000 heroin addicts.

The gentleman from Maryland (Mr. CUMMINGS), who is my former ranking member on the Subcommittee on Civil Service and on this subcommittee has told me privately that the estimate is probably in excess of 50,000 heroin addicts in Baltimore.

Mr. KINGSTON. Mr. Speaker, if the gentleman will yield, is it not true that Baltimore also had a very aggressive, privately funded by very liberal philanthropists, a needle exchange program where addicts could have quick and easily available access to free needles? That was one of the misguided policies that led to such a dramatic increase in the number of addicts.

Mr. MICA. Mr. Speaker, it is true that Baltimore has had one of the most liberal policies and has now been devastated. When any city in this Nation has 39,000 heroin addicts, we have a major, major problem.

□ 2330

And the crime, the social disruption, the human tragedy that that has caused in a liberal policy is very serious.

So I intend, as chair of the Subcommittee on Criminal Justice, Drug Policy and Human Resources of the Committee on Government Reform to conduct hearings beginning in June, when we return, on this question. We will examine what is going on in Baltimore, what is going on in New York, in other countries.

And we hope to also look at Arizona, which has had a decriminalization program that they have touted. And we will see whether that is successful and whether it is something we should look at as a model; whether it is something that should have the support of this Congress or whether they are headed in the wrong direction and we should not support those efforts.

So I am pleased tonight to come and provide the House, Mr. Speaker, with an update on some of our activities in our subcommittee, some of my efforts to try to bring to light what I consider is the biggest social problem facing this Nation, I know in my lifetime, I know in a generation, and that is the problem of illegal narcotics.

Again, over 14,000 Americans lost their lives last year. Over 100,000 have died from illegal narcotics since this President took office.

It is a human tragedy that extends far beyond Columbine or Jonesboro or any of the other tragedies we have seen in this Nation. And as I said, it is repeated day after day in community after community, and we can read it in the obituaries.

I am not here just to complain about the cost to the Federal Government. I am here to complain about the loss in productive lives. Even in this city, which is our Nation's Capital, of which we should all be proud, each year that I have come here in the last 10 years they have lost between 400 and 500 young people, mostly black African-American males who have been slaughtered on the streets, most in tragedies, some by guns, some by knives, some by other violent death, but almost all related to illegal narcotics trafficking.

And that is the root of some of the problems in the streets of Washington, D.C., and across our country, when we have 60 to 70 percent of those behind bars there because of felonies committed under the influence of illegal narcotics or trafficking in illegal narcotics or committing felonies under the influence of illegal narcotics.

So we have a serious social problem. It is ignored by this administration, it has been ignored by this President, but it is not going to be ignored by this new majority. And if I only serve the remainder of this term in Congress, every week I will be here talking about this problem and its effects on the American people and what we intend to do as far as positive programs to resolve that. And we will do that. We will succeed.

I yield to the gentleman from Arizona.

Mr. HAYWORTH. I thank my friend from Florida again for his leadership and for bringing this problem to the floor.

And again I would say that this is a question of security, personal security and the security of our families and our communities. Because, as my colleague pointed out very graphically and very tragically, the cost in human lives, with the incredible violence that accompanies illicit drug distribution and use, is ultimately a question of our national security and the security of our borders.

And, indeed, on the geopolitical stage, the consequence of those who would or who have traditionally been our friends is now sadly changing, if not to foes, then certainly not aiding us in the traditional sense as allies have in the past. And again, from the State of Arizona, from my constituents in the Sixth District, and indeed all across America, because this is a problem that transcends our borders, that transcends State lines, that sadly goes virtually into every community in the United States, it is a question we must address.

This is one of many vexing questions that now have come into our purview and that have gained the prominence and attention necessary, and again the gentleman is to be saluted for offering a clarion call to this House, to this government and, more importantly, to our people in terms of the tough choices that loom ahead for this House and for this Nation.

Mr. MICA. I thank the gentleman and yield finally to the gentleman from Georgia.

Mr. KINGSTON. Let me again say to the gentleman from Florida that we appreciate everything he is doing, the diligence that he is showing in taking this on. I wish him the best and thank him. And I want him to know that he has the support of the gentleman from Arizona (Mr. HAYWORTH) and myself, and we will be following up with the gentleman and working with him.

Mr. MICA. I thank the gentleman.

CHINESE ESPIONAGE

The SPEAKER pro tempore (Mr. TANCREDO). Under the Speaker's announced policy of January 6, 1999, the gentleman from Georgia (Mr. KINGSTON) is recognized until midnight.

Mr. KINGSTON. Mr. Speaker, I welcome the gentleman from Arizona (Mr. HAYWORTH), and also invite the gentleman from Florida (Mr. MICA) to join us. He is welcome to do so.

Mr. Speaker, the biggest and the scariest espionage in the history of our country has taken place, and many of the details were revealed today in the Cox report. Now, the Cox report was a bipartisan congressional investigation, and it raised many pertinent questions.

The Communist Chinese now have in their possession our top nuclear secrets. They have cut in half, certainly more than half, the years of research that it took the United States to construct such weapons. They stole this information. They saved many, many years and they saved millions, if not billions, of dollars.

And while this has gone on under a lot of different administrations and over a long period of time, it is obviously clear that the Clinton administration, the National Security Adviser Sandy Berger, knew about this at least in April of 1996. He briefed the President of the United States in July of 1997, again in November of 1998, and since January of 1999, the White House has been sitting on the completed Cox report.

And yet only in March of this year did they take steps to fire one potential suspected spy, Wen Ho Lee. Only then. And, actually, he is not arrested at this point. He is still only on administrative leave, I think. I do not know exactly what the term is.

But the two questions here are: How big is this thing; how much information do they have on our nuclear weapons in China? And why did the administration react the way it did?

I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. I thank my colleague from Georgia.

Mr. Speaker, our colleague from Florida amply pointed out just one threat to our national security. Mr. Speaker, I would go further in the realm of Chinese espionage to say to this House and to the American people that we face a clear and present danger.

Mr. Speaker, the report released today, available on the Internet, and I am sure many responsible publications across the United States will carry it in detail tomorrow, outlines a traumatic, devastating loss to this Nation in terms of national security, and that is why I describe it as a clear and present danger.

My colleague from Georgia pointed out the fact that this bipartisan report was drafted and really completed in January of this year, and only now, some 5, almost 6 months later, has this report at long last been released to the American people.

It has been a strength of our society that once we as a people recognize a threat, we deal with that threat in a responsible manner. And yet, Mr. Speaker, it is difficult to do so at this juncture in our history because of what has been called, in common parlance, ''spin''; what some used to call in the past ''smoke and mirrors.'' And while my colleague pointed out that espionage is nothing new, that different countries observe and conduct surveillance on one another, the fact is that the disturbing information is something that this House and this Nation must deal with and should deal with immediately.

□ 2340

A point that should be addressed is the inevitable spin echoes from sympathetic pundits and indeed from the spin machine at the other end of Pennsylvania Avenue that, oh, this has happened before and previous Presidents are to blame.

Let me offer this simple analogy: Mr. Speaker, suppose you contemplate a vacation and you take reasonable precautions in your house. You will lock your doors. You lock your windows. If you have an alarm device, you activate it. And yet thieves are aware that you have left your home. They disable the alarm system. They gain entrance to your home. And they begin to take your property. Your belongings.

Now, that is one thing. But contrast it. If someone is sitting at home in the easy chair and these same thieves pull up and the person in the home says, ''Well, come on in. And you might want to look in this area. And by the way, let me offer to show you where my wife keeps her jewelry. And here are our stocks and bonds. And let me help you take these and load up your van. And listen, we will just keep this between us because it would be very embarrassing to me if I allowed this information to get out, if I chose to stop this. So I will take minimum action to stop what has gone on.'' That analogy, however imperfect, essentially sums up what has transpired.

It is important to note, as my colleague from Georgia capably points out, that, sadly, our national security advisor, with the responsibility that that title in fact describes, has aided our national insecurity, compounding that, the curious actions of the Justice Department and our current attorney general.

My colleague from Georgia mentioned Wen Ho Lee, the suspected spy at one of our national labs, still not arrested. And indeed the Justice Department asked for wiretap authority when there was a preponderance of evidence and more than reasonable suspicion that it should be checked.

Mr. KINGSTON. Mr. Speaker, reclaiming my time, actually it was the FBI that asked the Justice Department.

Mr. HAYWORTH. Mr. Speaker, I thank my colleague for correcting the record. I misspoke. The FBI asked the Justice Department for the ability to wiretap this individual because of the threat to our national security. And in all the wiretaps issued following our constitutional procedures, this particular wiretap was denied. This special surveillance was denied.

Couple that with the curious case of a Chinese arms merchant suddenly gaining clearance for the import into this country of 100,000 weapons to be used on the streets of our inner cities where again the agency in charge looked the other way. Couple that with the disturbing reality of the fact that the communist Chinese through their business operations controlled by their so-called People's Liberation Army actually contributed to the Clinton-Gore effort in 1996 and, sadly, to the Democratic National Committee in that same year, and we have a compelling devastating case that should cause concern for every American.

Before I yield back to my friend from Georgia, just so we can clear this up, this is not a matter of partisanship. It is a question of patriotism. Because we confront a clear and present danger, we must avoid the temptation of engaging in personalities and instead deal with policies and change those policies.

But regrettably, to this date, this administration has been more interested in spin and preening and posturing and offering the clever retort or the by now familiar rejoinder that ''everyone does it.''

Mr. Speaker, I am here to tell my colleagues again that not everyone does it, but sadly all too many people within this administration have not fulfilled their responsibilities to the citizens of this country to maintain vigilance and to take actions against those who would steal our secrets.

Mr. Speaker, it is worth noting that the findings are chilling. In the overview, just to repeat from the Cox summary, China has stolen design information on the United States' most advanced thermonuclear weapons. The Select Committee on Intelligence, the bipartisan committee, judges that China's next generation of thermonuclear weapons currently under development will exploit elements of stolen U.S. design information and China's penetration of our national weapons laboratories spans at least the past several decades and almost certainly continues today.

Mr. KINGSTON. Mr. Speaker, if I can reclaim my time, I want to stop at that point for a minute. Because what is interesting is we hear these incessant defenders of this administration, regardless of what the administration does, they are automatically with them but forget the facts. They keep saying, well, it still does not matter because China has x number of nuclear warheads and America has x-number-plus nuclear warheads.

But they miss the whole point. This is not about our number of nuclear warheads versus their numbers. It is about the technology. And we have now given China the know-how to catch up should they choose to. And they also have these so-called legacy codes, which are the ones that actually predict what a nuclear explosion will do; and that seems to be the reason why they signed a nuclear test ban treaty because they had stolen information and the know-how from America. They did not have to test their weapons anymore.

My colleague went quickly, though, on the subject of Wen Ho Lee. Wen Ho Lee, the suspected spy at Los Alamos Lab, the weapons lab, when the FBI suspected him of spying, they went to the Justice Department to get a wiretap and they were turned down, which my colleague has pointed out.

What was not pointed out was there was 700 wiretaps that year and all but two were approved by the same Justice Department. So you have to ask yourself, was this Justice Department purposely protecting an international spy? We know this was the Justice Department who turned down a special prosecutor of the Chinese money scandal, even though the FBI recommended one.

But let us say, I want to give the Justice Department the benefit of the doubt and say, okay, out of the two that they turned down, 700 were approved, two were turned down, and one of them had to be the biggest spy in the history of the United States of America. Okay, you did it nobly. Well, then is it just plain old incompetence? How did you miss that one? What was it more that the FBI could have said?

And maybe it is not just the Justice Department's fault. Maybe it is the FBI did not describe the situation well enough to the Justice Department. I worry about what other decisions are being made or have been made along the way.

Mr. HAYWORTH. Mr. Speaker, I would point out and I would challenge my former colleagues in television at the various networks and the 24-hour cable news services to show the American people the videotapes of the communist Chinese business people in the Oval Office with the President of the United States now knowing in the fullness of time that those same communist Chinese business people contributed massive amounts of cash to a reelection effort.

There is a disturbing tendency in this country to succumb to the cult of celebrity. And if one has a clever enough rejoinder or simply returns to the school yard taunt that everybody does it and it is unfair to criticize one party or one administration for their actions, to do so is to willingly be blinded to what is staring us in the face.

Mr. Speaker, I made the comment to some of my constituents over the weekend that Washington today is wrapped up in what is an Alan Drury novel come to life. It is so mind boggling, it is so far afield to ever think that an administration would out of incompetence or blissful ignorance or for political advantage allow the transfer of technology, allow espionage from a foreign power to jeopardize the security of the United States of America.

□ 2350

Mr. Speaker, the President of the United States came to this podium in one of his recent State of the Union messages and boasted that no longer were United States cities and citizens targeted by Russia. Well, of course, technically that was true, although the missiles could be reprogrammed in a matter of minutes.

But now we face a situation where the Chinese have the technology, they have made a quantum leap because of the stolen information, because of the aforementioned legacy codes and computer models. Because of their ill-gotten gains in terms of hundreds of supercomputers that can provide the simulations of nuclear explosions, now the Chinese have the same technology that we have.

Indeed in some areas, for example, the neutron bomb, often maligned and lampooned by late night comedians and pundits in this town as the weapon that kills people, but does not destroy property, the United States never went into production of a neutron bomb, and yet the Chinese are moving full tilt ahead.

They have acquired that technology, they have expounded upon the technological advancements of this society and our constitutional Republic, and our leaders of the time decided not to pursue that particular weapon, but the Chinese have it. And soon they will have small, more accurate thermonuclear warheads.

And make no mistake, Mr. Speaker, those warheads will be targeted at the United States. We say this not to inspire fear but instead, Mr. Speaker, to encourage the American people to check the facts available on the Internet.

Mr. KINGSTON. If the gentleman will go back to the great ad that Ronald Reagan had and a philosophical question that he asked the American people about, ally sometimes and enemy sometimes. The evil empire itself, Russia. In that ad he said, ''There is a bear in the woods, but some Americans believe there's not a bear in the woods. Wouldn't it be nice to know that if there was a bear in the woods, that you would be protected from the bear?''

Now we are at the situation with China, we have a lot of people saying, oh, no, China they're our friend, everything's fine.

Well, let us go back. China, I hope, is our friend, but if they are not our friend, would it not be nice to know that in a country of 1.4 billion people, that we, with 260 million, are at least protected against aggression on their part? Would it not be nice to know that should they choose to become an aggressive adversary, that we are protected? Of course it would be nice to know that. Yet, thanks to this espionage, we are not.

The gentleman has pointed out, it has gone on a lot longer than the current administration. I hope that any previous administration that had knowledge of it reacted strongly. But we do know for a fact that when this particular spy in this particular scandal first came to light by the National Security Adviser in April 1996, that it was apparently ignored.

We also know, and the gentleman has not pointed this out, that when the Deputy Director of Intelligence, Notra Trulock, at the Department of Energy, 3 years ago said, there's spying going on, we know that he was ignored and he was later demoted from his job. Let us hope that is coincidence, but I would have a hard time believing it.

Mr. HAYWORTH. Fact is stranger than fiction as my colleague from Georgia is pointing out.

Another oddity, the aforementioned National Security Adviser, one Sandy Berger, when informed of the breach of security at Los Alamos National Laboratory by Notra Trulock, in that same month, the Vice President of the United States went to California for what was first described by his staff and by him personally, if I am not mistaken, as a community outreach event. Subsequently, it has been discovered that this was a fund-raiser where substantial amounts of foreign cash from China were pumped into the Clinton-Gore reelection effort.

Mr. Speaker, it is fair to ask the American people, what price victory? We take an oath of office here to uphold and defend the Constitution of the United States. It is this same Constitution that says in its remarkable preamble that one of the missions of our Federal Government as we the people have formed this union is to provide for the common defense. Yet Vice President Gore in meeting the press offered an endless chorus of justification for contribution irregularities. He said, now in an infamous line, ''My legal counsel informs me there is no controlling legal authority.''

How sad, how cynical, and ultimately how dangerous that those in whom the American people have placed their trust, in those who have taken the oath of office to uphold and defend the Constitution, of one who aspires to become our Commander in Chief would so callously disregard the safety of our constitutional republic, the national security of every family, every child, every citizen of this Nation, to win political advantage. Or to soft-pedal, to silence because of political implications. The design is there.

It is said that one of the criticisms of our society is that we have become cynical. Mr. Speaker, how could we not grow even more cynical with the revelations that have appeared, some that have come out in dribs and drabs with

the delay of the release of this report, despite the fact that there are national security concerns, we do have our own counterintelligence efforts, it appears that in this city, politics is preeminent.

Again let me state this. I take no joy in this. It is mind-boggling, it is disturbing, but every American should ask themselves this question: Have our leaders in the administration been good custodians of the Constitution? Have they provided for the common defense; or, in boastful claims of reinventing government, claiming drawdown, a reduction in government employees, eviscerated our military to the tune of a quarter million personnel, put American lives at risk, and brought us to this? A question not of personal conduct in terms of relationships but of actions taken that jeopardize and threaten the security of every American. That is the juncture at which we find ourselves now.

No one takes joy in this but the strength of the American people is in understanding once a problem has been confronted through our constitutional processes, through the fact that we must all stand at the bar of public opinion and let the public render a judgment, that we can rectify the problem.

Jefferson spoke of it, that the vitality of this country would eventually overcome those who would follow mistaken policies, for whatever reason, and that is the challenge that we confront, not as Democrats or Republicans but as Americans, because nothing less than our national security and our national vitality in the next century is at stake. This is the stark reality that we confront.

That is why all of us who serve in this Chamber, Mr. Speaker, as constitutional officers to provide for the common defense, to provide for our national security, must have answers to these hard questions. And that is why, Mr. Speaker, the Attorney General of the United States should tender her resignation immediately, the National Security Adviser should tender his resignation immediately, and those who are elected officials will have the verdict of history decide but that history and history's judgment will not be a century away, it will be forthcoming and in short order.

Mr. KINGSTON. Let me just say this. I think the gentleman from Arizona is absolutely right, as certainly Jefferson was, about the vitality of the American people and may they use that strength quickly and decisively on this particular scandal. But we have got to protect our Nation and our national security interest.

That is one reason why this Congress is going to move ahead to make recommendations to get rid of the spies at Los Alamos and anywhere else. But one thing I want to emphasize is that this is a bipartisan effort. That report, the Cox report, passed unanimously from a bipartisan committee. This is not about getting onto the White House. This is about national security. I think that it is very important that we all keep in mind that the Democrats and Republicans on this one are scared to death.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON-LEE of Texas (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. REYES (at the request of Mr. GEPHARDT) for today on account of official business.

Ms. MILLENDER-MCDONALD (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. MCCOLLUM (at the request of Mr. ARMEY) for today after 8:00 p.m. and May 26 until 3:00 p.m. on account of family business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. UDALL of New Mexico) to revise and extend their remarks and include extraneous material:

Ms. NORTON, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Ms. CARSON, for 5 minutes, today.

The following Members (at the request of Mr. SESSIONS) to revise and extend their remarks and include extraneous material:

Mr. DIAZ-BALART, for 5 minutes each day, today and on May 26.

Mr. FLETCHER, for 5 minutes, on May 27.

Mr. JONES of North Carolina, for 5 minutes, today.

ADJOURNMENT

Mr. HAYWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 59 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 26, 1999, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2314. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Cranberries Grown in the States of Massachusetts, et al.; Temporary Suspension of a Provision on Producer Continuance Referenda Under the Cranberry Marketing Order [Docket No. FV99–929–1 IFR] received May 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2315. A letter from the the Director, the Office of Management and Budget, transmitting cumulative report on rescissions and deferrals, pursuant to 2 U.S.C. 685(e); (H. Doc. No. 106–71); to the Committee on Appropriations and ordered to be printed.

2316. A communication from the President of the United States, transmitting a request of transfers from the Information Technology Systems and Related Expenses account; (H. Doc. No. 106–70); to the Committee on Appropriations and ordered to be printed.

2317. A letter from the Assistant General Counsel for Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting the Department's final rule—Section 8 Tenant-Based Assistance; Statutory Merger of Section 8 Certificate and Voucher Programs [Docket No. FR–4428–1–01] (RIN: 2577–AB91) received May 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2318. A letter from the Assistant General Counsel for Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting the Department's final rule—Revised Restrictions on Assistance to Noncitizens [Docket No. FR–4154–F–03] (RIN: 2501–AC36) received May 18, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2319. A letter from the President and Chairman, Export-Import Bank, transmitting a statement with respect to a transaction involving U.S. exports to Saudi Arabia; to the Committee on Banking and Financial Services.

2320. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's semiannual report on the activities and efforts relating to utilization of the private sector, pursuant to 12 U.S.C. 1827; to the Committee on Banking and Financial Services.

2321. A letter from the Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Service's final rule—Secondary Direct Food Additives Permitted in Food for Human Consumption [Docket No. 98F–0342] received May 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2322. A letter from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting the Department's final rule—Passenger Automobile Average Fuel Economy Standards [Docket No. NHTSA–98–4853] (RIN: 2127–AG95) received May 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2323. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Land Disposal Restrictions Phase IV: Treatment Standards for Wood Preserving Wastes, Final Rule; and Land Disposal Restrictions Phase IV: Treatment Standards for Metal Wastes, Final Rule; and Zinc Micronutrient Fertilizers, Final Rule; and Carbamate Treatment Standards, Final Rule; and K088 Treatment Standards, Final Rule [FRL–6335–7] (RIN: 2050–AE05) received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2324. A letter from the Legal Advisor, Cable Services Bureau, Federal Communications Commission, transmitting the Commisssion's final rule—Implementation of Section 304 of the Telecommunications Act of 1996; Commercial Availability of Navigation Devices [CS Docket No. 97–80] received May 21,1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2325. A letter from the Special Assistant 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 (East Brewton, Alabama and Navarre, Florida) [MM Docket No. 97–233 RM–9162] received May 14,1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2326. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Consolidated Guidance about Materials Licenses: Program-Specific Guidance about 10 CFR Part 36 Irradiator Licenses, dated January 1999—received May 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2327. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Rulemaking for EDGAR System [Release Nos. 33–7684; 34–41410; IC–23843; File No. S7–9–99] (RIN: 3235–AH70) received May 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2328. A communication from the President of the United States, transmitting a report on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the U.N. Security Council, pursuant to Public Law 102–1, section 3 (105 Stat. 4); (H. Doc. No. 106–69); to the Committee on International Relations and ordered to be printed.

2329. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to United Kingdom for defense articles and services (Transmittal No. 99–15), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2330. A letter from the Chairman, International Fund for Ireland, transmitting the Fund's 1998 Annual Report; to the Committee on International Relations.

2331. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–64, ''Solid Waste Facility Permit Amendment Act of 1999'' received May 19, 1999, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2332. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–58, ''Insurance Demutualization Amendment Act of 1999'' received May 19, 1999, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2333. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–65, ''Closing of Public Alleys in Square 51, S.O. 98–145, Act of 1999'' received May 19, 1999, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2334. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–66, ''Chief Technology Officer Year 2000 Remediation Procurement Authority Temporary Amendment Act of 1999'' received May 19, 1999, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2335. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 13–59, ''Petition Circulation Requirements Temporary Amendment Act of 1999'' received May 19, 1999, pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

2336. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Thelypodium howellii ssp. spectabilis (Howell's spectacular thelypody) (RIN: 1018–AE52) received May 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2337. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Threatened Status for Johnson's Seagrass (RIN: 1018–AF62) received May 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2338. A letter from the Acting 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; Species in the Rock sole/Flathead sole/ ''Other flatfish'' Fishery Category by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area [Docket No. 990304063–9063–01; I.D. 042799B] received May 5, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2339. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Economic Exclusive Zone Off Alaska; Groundfish Fisheries by Vessels Using Hook-and-Line Gear in the Gulf of Alaska [Docket No. 990304062–9062–01; I.D. 051299E] received May 20,1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2340. A letter from the Chief, Regs and Admin Law, USCG, Department of Transportation, transmitting the Department's final rule—Rules of Practice, Procedure, and Evidence for Administrative Proceedings of the Coast Guard [USCG–1998–3472] (RIN: 2115–AF59) received May 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2341. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: 4th of July Celebration Fireworks Display, Great South Bay, Sayville, New York [CGD01–99–040] (RIN: 2115–AA97) received May 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2342. A letter from the Chief, Regs and Admin Law, USGC, Department of Transportation, transmitting the Department's final rule—Safety Zone: Groton Long Point Yacht Club fireworks display, Main Beach, Groton Long Point, CT [CGD01–99–039] (RIN: 2115–AA97) received May 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2343. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations: Hudson Valley Triathlon, Hudson River, Kingston, New York [CGD01–98–155] (RIN: 2115–AE46) received May 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2344. A letter from the Chief, Regs and Admin Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Lake Pontchartrain, LA [CGD08–99–032] (RIN: 2115–AE47) received May 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2345. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; River Rouge (Short-Cut Canal), Michigan [CGD09–98–055] (RIN: 2115–AE47) received May 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2346. A letter from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Helicopter Systems (MDHS) Model 369E, 369FF, 500N, and 600N Helicopters [Docket No. 99–SW–11–AD; Amendment 39–11113; AD 99–08–07] (RIN: 2120–AA64) received May 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2347. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations: Fleet's Albany Riverfest, Hudson River, New York [CGD01–98–163] (RIN: 2115–AE46) received May 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2348. A letter from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Corporation Beech Models 65–90, 65–A90, 65–A90–1, 65–A90–2, 65–A90–3, 65–A90–4, B90, C90, C90A, E90, H90, and F90 Airplanes [Docket No. 90–CE–18–AD; Amendment 39–11171; AD 99–10–07] (RIN: 2120–AA64) received May 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2349. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Uniform National Discharge Standards for Vessels of the Armed Forces [FRL–6335–5] (RIN: 2040–AC96) received April 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2350. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a draft of proposed legislation that would make changes to the Atomic Energy Act of 1954 and the Energy Reorganization Act of 1974; jointly to the Committees on Commerce and Transportation and Infrastructure.

2351. A letter from the Deputy Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, transmitting an announcement concerning the Request for Proposals for the Ecology and Oceanography of Harmful Algal Blooms Project; jointly to the Committees on Resources, Commerce, Science, and Armed Services.

2352. A letter from the Secretary of Energy, transmitting a draft of proposed legislation which would provide a more competitive electric power industry; jointly to the Committees on Ways and Means, Commerce, Agriculture, Transportation and Infrastructure, Resources, and the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Florida: Committee on Appropriations. Report on Suballocation of Budget Allocations for Fiscal Year 2000 (Rept. 106–163). Referred to the Committee of the Whole House on the State of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 189. Resolution providing for consideration of the bill (H.R. 150) to amend the Act popularly known as the Recreation and Public Purposes Act to authorize disposal of certain public lands or national forest lands to local education agencies for use for elementary or secondary schools, including public charter schools,

and for other purposes (Rept. 106–164). Referred to the House Calendar.

Mr. DREIER: Committee on Rules. House Resolution 190. Resolution providing for the consideration of the bill (H.R. 1905) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000, and for other purposes (Rept. 106–165). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. LAZIO (for himself, Mr. KING, Mr. LAMPSON, Mr. CRAMER, Mr. FOLEY, Mr. LANTOS, Mr. CLEMENT, Mr. FARR of California, Mr. HASTINGS of Florida, Mr. CUNNINGHAM, Mr. ETHERIDGE, Mrs. MINK of Hawaii, Mr. ENGLISH, Mr. LUTHER, Ms. WOOLSEY, Mr. SWEENEY, Mr. RAMSTAD, Mr. ARMEY, and Mr. DELAY):

H.R. 1915. A bill to provide grants to the States to improve the reporting of unidentified and missing persons; to the Committee on the Judiciary.

By Mr. TURNER (for himself, Mr. FROST, Mr. PRICE of North Carolina, Mr. POMBO, Mr. PICKERING, Mr. SESSIONS, and Mr. SANDLIN):

H.R. 1916. A bill to amend the Internal Revenue Code of 1986 to reduce to 36 months the amortization period for reforestation expenditures and to increase to $25,000 the maximum annual amount of such expenditures which may be amortized; to the Committee on Ways and Means.

By Mr. MCGOVERN (for himself, Mr. COBURN, Mr. WEYGAND, Mr. BARTON of Texas, Mr. MCINTOSH, Mr. RAHALL, Mr. HILLEARY, Ms. HOOLEY of Oregon, Mr. WAMP, and Mr. ACKERMAN):

H.R. 1917. A bill to direct the Secretary of Health and Human Services to make additional payments under the Medicare Program to certain home health agencies with high-cost patients, to provide for an interest-free grace period for the repayment of overpayments made by the Secretary to home health agencies, and for other purposes; 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. HERGER (for himself, Mr. CLEMENT, Mr. CRANE, Mr. RAMSTAD, Ms. DUNN, Mr. WATKINS, Mr. HAYWORTH, Mr. WELLER, Mr. FOLEY, and Mr. TANNER):

H.R. 1918. A bill to provide for implementation of prohibitions against payment of Social Security benefits to prisoners, and for other purposes; to the Committee on Ways and Means.

By Mr. HERGER (for himself, Mr. CLEMENT, Mr. CRANE, Mr. RAMSTAD, Ms. DUNN, Mr. WATKINS, Mr. HAYWORTH, Mr. WELLER, and Mr. FOLEY):

H.R. 1919. A bill to require the Commissioner of Soical Security to provide prisoner information obtained from the States to Federal and federally assisted benefit programs as a means of preventing the erroneous provision of benefits to prisoners; to the Committee on Ways and Means.

By Mr. BARRETT of Wisconsin (for himself and Mr. OBEY):

H.R. 1920. A bill to establish a program to provide grants to expand the availability of public health dentistry programs in medically underserved areas, health professional shortage areas, and other Federally-defined areas that lack primary dental services; to the Committee on Commerce.

By Mr. BILBRAY (for himself, Mr. MCKEON, Mr. CAMPBELL, Mr. COX, and Mr. EHRLICH):

H.R. 1921. A bill to provide that the provision of the Fair Labor Standards Act of 1938 on the accounting of tips in determining the wage of tipped employees shall preempt any State or local provision precluding a tip credit or requiring a tip credit less than the tip credit provided under such Act and to amend the Internal Revenue Code of 1986 to provide that tips received for certain services shall not be subject to income or employment taxes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOOLITTLE (for himself, Mr. DELAY, Mrs. CUBIN, Mr. SHADEGG, Mr. MCINTOSH, Mr. SAM JOHNSON of Texas, Mr. DICKEY, Mr. PAUL, Mrs. CHENOWETH, Mr. LARGENT, Mr. TANCREDO, Mr. TAYLOR of North Carolina, Mr. PETERSON of Pennsylvania, Mr. KNOLLENBERG, Mr. TIAHRT, Mr. SKEEN, Mr. BARR of Georgia, Mr. HANSEN, Mr. CRANE, Mr. ARMEY, Mr. CALVERT, Mr. CANNON, Mr. NETHERCUTT, Mr. LEWIS of California, Mr. MCINNIS, Mr. YOUNG of Alaska, Mr. LINDER, Mr. SPENCE, Mr. DREIER, Ms. PRYCE of Ohio, Mr. POMBO, Mr. RADANOVICH, Mr. LEWIS of Kentucky, Mr. TRAFICANT, Mrs. FOWLER, Mr. WICKER, Mr. CAMP, Mr. MCKEON, Mr. COLLINS, Mr. CUNNINGHAM, Mr. BAKER, Mr. SESSIONS, Mr. BURTON of Indiana, Mr. COOK, Ms. DUNN, Mr. HUNTER, Mr. KING, Mr. NORWOOD, Mr. PACKARD, Mr. ROHRABACHER, Mr. TAUZIN, Mr. WHITFIELD, Mr. GARY MILLER of California, Mr. MCCRERY, Mr. MILLER of Florida, Mr. JONES of North Carolina, Mr. HALL of Texas, Mr. COBLE, Mr. BLILEY, Mr. SALMON, Mr. BALLENGER, Mr. MICA, Mr. WELDON of Florida, Mr. SWEENEY, Mr. ROGAN, Mr. SIMPSON, Mr. HAYES, Mr. HOEKSTRA, Mr. CALLAHAN, Mr. EVERETT, and Mr. HERGER):

H.R. 1922. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office; to the Committee on House Administration, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANK of Massachusetts (for himself, Mr. FROST, Ms. SANCHEZ, and Mrs. THURMAN):

H.R. 1923. A bill to amend the Internal Revenue Code of 1986 to restore the exclusion from gross income for damage awards for emotional distress; to the Committee on Ways and Means.

By Mr. GEKAS:

H.R. 1924. A bill to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescence in, and relitigation of, precedents established in the Federal judicial courts; to the Committee on the Judiciary.

By Mr. GREEN of Wisconsin:

H.R. 1925. A bill to amend title 18, United States Code, to prohibit sex offenders from entering National Parks; to the Committee on the Judiciary.

By Mr. HEFLEY (for himself, Mr. ROHRABACHER, Mrs. MCCARTHY of New York, Mr. SHOWS, Mr. HOLDEN, Mr. DIAZ-BALART, Mr. MCHUGH, Mr. ORTIZ, Mr. SCHAFFER, Mr. FOSSELLA, Mr. ENGLISH, Mr. GREEN of Texas, Mr. WHITFIELD, Ms. GRANGER, Mr. BURTON of Indiana, Mrs. KELLY, Mr. GUTIERREZ, Mr. DAVIS of Virginia, Mr. FLETCHER, Mr. FORBES, Mr. CUNNINGHAM, Mr. SHAYS, Mr. FILNER, Mr. MCCOLLUM, Mr. HILLEARY, Mr. LUCAS of Kentucky, Mr. MCGOVERN, Mr. KING, Mr. LEWIS of Kentucky, Mr. HUNTER, and Mr. HOSTETTLER):

H.R. 1926. A bill to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive; to the Committee on the Judiciary, and in addition to the Committee on International Relations, 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. HOLT (for himself, Mr. LUCAS of Kentucky, and Mr. MOORE):

H.R. 1927. A bill to amend the Congressional Budget Act of 1974 to preserve all budget surpluses until legislation is enacted significantly extending the solvency of the Social Security and Medicare trust funds; to the Committee on the Budget, 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. HOUGHTON (for himself, Mrs. JOHNSON of Connecticut, and Mr. ENGLISH):

H.R. 1928. A bill to simplify certain provisions of the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. INSLEE (for himself, Mr. CAPUANO, Mr. FILNER, Mr. HINCHEY, Mr. HOEFFEL, Mr. KANJORSKI, Ms. LEE, Mr. MCDERMOTT, Ms. RIVERS, Mr. SANDERS, Ms. SCHAKOWSKY, and Mr. STARK):

H.R. 1929. A bill to amend the Federal Deposit Insurance Act to control the disclosure by financial institutions of personal financial information of customers of the institutions, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. LOBIONDO:

H.R. 1930. A bill to amend the Communications Act of 1934 to require the operator of a World Wide Web site that offers to provide communication with any prisoner to disclose on the site the crime for which the prisoner is incarcerated and the release date for the prisoner; to the Committee on Commerce.

By Mr. MCCOLLUM (for himself, Mr. ROYCE, Mr. BACHUS, and Mrs. ROUKEMA):

H.R. 1931. A bill to require agreements entered into between depository institutions and private parties relating to the Community Reinvestment Act of 1977 to be made available to the public and the appropriate Federal banking agency, to require each party to the agreement to regular report to such agency any amount received from other parties, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. ROEMER (for himself, Mr. KING, Mr. LEWIS of Georgia, Mr. VISCLOSKY, Mr. SOUDER, Mrs. NORTHUP, Mr. BLILEY, Mr. BOEHLERT, Mr. CLAY, Mr. CUMMINGS, Ms. DANNER, Mr. DELAY, Mr. FROST, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HOLDEN, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK, Mr. LAFALCE,

Mr. LAHOOD, Mr. MARTINEZ, Mr. MCINNIS, Mr. MEEKS of New York, Mr. NEAL of Massachusetts, Mr. PASTOR, Mr. ROMERO-BARCELO, Ms. ROYBAL-ALLARD, Mr. QUINN, Mr. SANDLIN, Mr. SHIMKUS, Mr. THOMPSON of Mississippi, Mr. UNDERWOOD, Mr. TRAFICANT, Mr. WALSH, Mr. WAXMAN, Mr. HASTINGS of Florida, Mr. DAVIS of Virginia, Mr. PICKERING, Mr. KIND, Mr. FOSSELLA, Mr. ISAKSON, Mr. WAMP, Mr. GORDON, Mr. CUNNINGHAM, Ms. WOOLSEY, Mr. HILL of Indiana, Mr. WYNN, Mr. MOORE, Mr. INSLEE, Mr. POMEROY, Mr. DEFAZIO, Mr. DOOLEY of California, Mrs. THURMAN, Mr. CRAMER, Mr. TANNER, Mr. COSTELLO, Mr. GREEN of Texas, Ms. HOOLEY of Oregon, Mr. BONIOR, Mr. SNYDER, Mr. WU, Mr. BARRETT of Wisconsin, Mr. LARSON, Mr. MALONEY of Connecticut, Mrs. TAUSCHER, Mr. ALLEN, Mr. TURNER, Mr. SCOTT, Mrs. CLAYTON, Mr. HILLIARD, Mr. MORAN of Virginia, Mr. ABERCROMBIE, Mr. HOYER, Mr. SISISKY, Mr. SKELTON, Mr. STUPAK, Mr. DOYLE, Mrs. CAPPS, Ms. LOFGREN, Mr. ENGEL, Mr. KUCINICH, Mr. FRANK of Massachusetts, Mr. CHAMBLISS, Mrs. MCCARTHY of New York, Mr. GILMAN, and Mr. MASCARA):

H.R. 1932. A bill to authorize the President to award a gold medal on behalf of the Congress to Father Theodore M. Hesburgh, in recognition of his outstanding and enduring contributions to civil rights, higher education, the Catholic Church, the Nation, and the global community; to the Committee on Banking and Financial Services.

By Mr. SALMON (for himself and Mr. TANCREDO):

H.R. 1933. A bill to amend the Elementary and Secondary Education Act of 1965 to provide for parental notification and consent prior to enrollment of a child in a bilingual education program or a special alternative instructional program for limited English proficient students; to the Committee on Education and the Workforce.

By Mr. SAXTON (for himself, Mr. FALEOMAVAEGA, and Mr. LOBIONDO):

H.R. 1934. A bill to amend the Marine Mammal Protection Act of 1972 to establish the John H. Prescott Marine Mammal Rescue Assistance Grant Program; to the Committee on Resources.

By Mr. STARK (for himself, Mr. MCGOVERN, and Mr. STRICKLAND):

H.R. 1935. A bill to amend title 10, United States Code, to strengthen the limitations on participation by the Armed Forces in overseas airshows and trade exhibitions involving military equipment; to the Committee on Armed Services.

By Mr. STARK:

H.R. 1936. A bill to amend title XVIII of the Social Security Act to prevent overpayment for hospital discharges to post-acute care services by eliminating the limitation on the number of diagnosis-related groups (DRGs) subject to the special transfer policy; 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. TANCREDO:

H.R. 1937. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974, and the Safe and Drug-Free Schools and Communities Act of 1994, to allow grants received under such Act to be used to establish and maintain school violence hotlines; to the Committee on Education and the Workforce.

By Mr. WEXLER:

H.R. 1938. A bill to amend title XVIII of the Social Security Act to require appropriate training and certification for suppliers of certain listed items of orthotics or prosthetics; 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. WEYGAND (for himself, Mr. STARK, Ms. NORTON, Mr. GILCHREST, Mr. FRANK of Massachusetts, Mr. ALLEN, Mr. FROST, Mr. WEINER, Mr. RAMSTAD, Mr. SPRATT, Mr. COSTELLO, Mr. ENGLISH, Mr. SHOWS, Mr. FOLEY, Mr. MCNULTY, Mr. WOLF, Mr. HILLIARD, Mrs. KELLY, Ms. KILPATRICK, Mr. PHELPS, Mrs. EMERSON, Mr. ROEMER, Mr. SNYDER, Mr. GOODE, Mrs. MYRICK, Mr. WATT of North Carolina, Mr. SISISKY, Mr. LEWIS of Georgia, Mr. LAHOOD, Mr. JENKINS, Mr. BERMAN, Mr. MOLLOHAN, Mr. SANDLIN, Ms. HOOLEY of Oregon, Mr. DAVIS of Florida, Mr. BILIRAKIS, Ms. DANNER, Mr. HOLDEN, Mrs. CAPPS, Mr. KUYKENDALL, Mr. MARKEY, and Mr. SMITH of New Jersey):

H.R. 1939. A bill to amend title 39, United States Code, to allow postal patrons to contribute to funding for Alzheimer's disease research through the voluntary purchase of certain specially issued United States postage stamps; to the Committee on Government Reform.

By Mr. YOUNG of Alaska:

H.R. 1940. A bill to amend the Internal Revenue Code of 1986 to clarify the tax treatment of Settlement Trusts established pursuant to the Alaska Native Claims Settlement Act; to the Committee on Ways and Means.

By Mr. CONDIT (for himself, Mr. WAXMAN, Mr. MARKEY, Mr. DINGELL, Mr. BROWN of Ohio, Mr. TURNER, Mr. LANTOS, Mr. CRAMER, Mr. WISE, Mr. OWENS, Mrs. TAUSCHER, Mr. TOWNS, Mr. SHOWS, Mr. KANJORSKI, Mrs. MINK of Hawaii, Mr. SANDERS, Mrs. MALONEY of New York, Ms. NORTON, Mr. FATTAH, Mr. CUMMINGS, Mr. KUCINICH, Mr. BLAGOJEVICH, Mr. DAVIS of Illinois, Mr. TIERNEY, Mr. ALLEN, Mr. FORD, Ms. SCHAKOWSKY, Mr. ROMERO-BARCELO, and Mr. STUPAK):

H.R. 1941. A bill to protect the privacy of personally identifiable health information; to the Committee on Commerce, 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. KUYKENDALL (for himself, Mr. ABERCROMBIE, Mr. BATEMAN, Mr. CHAMBLISS, Mrs. FOWLER, Mr. HORN, Mr. SCARBOROUGH, and Mr. TAYLOR of Mississippi):

H. Con. Res. 112. A concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued in honor of the S.S. LANE VICTORY; to the Committee on Government Reform.

By Mr. BERRY (for himself, Mr. POMEROY, Mr. FORD, and Mr. MINGE):

H. Con. Res. 113. A concurrent resolution expressing the commitment of Congress to address the emergency that currently exists in American agriculture; to the Committee on Agriculture.

By Mr. BOEHLERT:

H. Con. Res. 114. A concurrent resolution expressing the sense of the Congress that a postage stamp should be issued as a testimonial to the Nation's tireless commitment to reuniting America's missing children with their families, and to honor the memories of those children who were victims of abduction and murder; to the Committee on Government Reform.

By Mr. FORBES:

H. Con. Res. 115. A concurrent resolution expressing the support of the Congress for activities to increase public awareness of the dangers of pediatric cancer; to the Committee on Commerce.

By Mr. FORD (for himself, Mr. GEORGE MILLER of California, and Mr. MATSUI):

H. Con. Res. 116. A concurrent resolution expressing congressional support for the International Labor Organization's Declaration on Fundamental Principles and Rights at Work; to the Committee on International Relations.

By Mr. ROTHMAN:

H. Con. Res. 117. A concurrent resolution concerning United Nations General Assembly Resolution ES–10/6; to the Committee on International Relations.

By Mr. SMITH of New Jersey (for himself, Mr. PASCRELL, Mr. GILMAN, Mr. PORTER, Mr. HOYER, Mr. FORBES, Mr. CARDIN, Mr. GREENWOOD, Ms. SLAUGHTER, Mr. KING, Mr. ENGEL, Mrs. KELLY, Mr. MCGOVERN, Mr. HEFLEY, Mrs. MALONEY of New York, and Mr. OLVER):

H. Con. Res. 118. A concurrent resolution expressing the sense of the Congress regarding the culpability of Slobodan Milosevic for war crimes, crimes against humanity, and genocide in the former Yugoslavia, and for other purposes; to the Committee on International Relations.

By Mrs. MALONEY of New York (for herself and Mr. ROHRABACHER):

H. Res. 187. A resolution expressing the sense of the House of Representatives that the United States should seek to prevent any Talibanled government in Afghanistan from obtaining a seat in the United Nations, and should refuse to recognize any Afghan government, while gross violations of human rights persist against women and girls there; to the Committee on International Relations.

By Mr. FROST:

H. Res. 188. A resolution designating minority membership on certain standing committees of the House; considered and agreed to

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Mr. BERMAN.

H.R. 85: Ms. NORTON and Mrs. MALONEY of New York.

H.R. 111: Mr. ENGEL Ms. LEE, and Mr. BROWN of California.

H.R. 151: Mr. MCINTOSH.

H.R. 165: Ms. WATERS and Mr. JEFFERSON.

H.R. 206: Mrs. TAUSCHER.

H.R. 218: Mrs. FOWLER, Mr. MASCARA, Mr. CRANE, Mr. BAKER, and Mr. ADERHOLT.

H.R. 263: Mr. WATKINS and Mr. JEFFERSON.

H.R. 264: Mr. YOUNG of Florida.

H.R. 274: Mrs. THURMAN, Mr. HORN, and Mr. WAXMAN.

H.R. 306: Mr. SHAYS and Mr. MCINTOSH.

H.R. 315: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WU, Mrs. NAPOLITANO, Ms. VELAZQUEZ, and Mr. SERRANO.

H.R. 347: Mr. JONES of North Carolina and Mr. SHOWS.

H.R. 353: Mr. RAMSTAD, Mr. GREENWOOD, Mr. COOK, Mr. HALL of Ohio, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DAVIS of Florida, Mr. COSTELLO, Ms. NORTON, and Ms. SANCHEZ.

H.R. 354: Mr. BARRETT of Nebraska, Mr. PASTOR, Mr. LUTHER, and Mr. PEASE.

H.R. 355: Mr. JEFFERSON.
H.R. 358: Mr. KIND.
H.R. 363: Mr. BONILLA and Ms. HOOLEY of Oregon.
H.R. 382: Mr. BARRETT of Wisconsin.
H.R. 405: Mr. FRELINGHUYSEN and Mr. BOYD.
H.R. 424: Mr. CALVERT and Mr. MOLLOHAN.
H.R. 445: Mr. LUTHER.
H.R. 483: Mr. GOODLATTE.
H.R. 500: Mr. JEFFERSON and Mr. LUCAS of Kentucky.
H.R. 531: Mr. TIAHRT.
H.R. 544: Mr. JEFFERSON.
H.R. 583: Mr. HILLEARY and Mr. WISE.
H.R. 595: Mr. HOLDEN and Mr. HOEFFEL.
H.R. 599: Mr. TIERNEY, Mr. OLVER, and Ms. JACKSON-LEE of Texas.
H.R. 611: Mr. LUCAS of Oklahoma.
H.R. 612: Mrs. CLAYTON, Mr. HINCHEY, Mr. DOYLE, Mrs. MEEK of Florida, Mr. BLAGOJEVICH, Ms. DANNER, and Mr. CUMMINGS.
H.R. 700: Mr. FRANK of Massachusetts and Mr. LEWIS of Georgia.
H.R. 721: Mr. CALLAHAN and Mr. LATHAM.
H.R. 728: Mr. MOLLOHAN, Mr. ADERHOLT, Mr. RILEY, Mr. SHERWOOD, and Mr. POMBO.
H.R. 731: Mr. MOAKLEY and Ms. KILPATRICK.
H.R. 776: Mr. GREEN of Texas.
H.R. 777: Ms. KILPATRICK, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. JEFFERSON.
H.R. 804: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 815: Mr. TRAFICANT.
H.R. 828: Mr. MATSUI.
H.R. 844: Mr. HULSHOF, Mr. MORAN of Virginia, Mr. CRANE, Mr. MALONEY of Connecticut, Mr. SHERMAN, Mr. MATSUI, Mr. BAKER, Mr. HERGER, Mr. SOUDER, Mr. HALL of Ohio, Mr. GUTKNECHT, Mr. BLUMENAUER, and Mr. DOYLE.
H.R. 845: Mr. PASTOR and Mr. FAFALCE.
H.R. 846: Ms. HOOLEY of Oregon and Mr. HINCHEY.
H.R. 850: Mr. TALENT.
H.R. 853: Mr. ROYCE and Mr. HALL of Texas.
H.R. 859: Mr. CRANE and Mr. MCCRERY.
H.R. 860: Ms. RIVERS.
H.R. 865: Mrs. THURMAN, Mrs. WILSON, and Mr. MORAN of Virginia.
H.R. 896: Mr. WICKER.
H.R. 902: Ms. LEE, Ms. NORTON, and Mr. ENGEL.
H.R. 915: Mr. KASICH, Mr. BLILEY, and Mr. FORD.
H.R. 919: Mr. OLVER, Mr. KUCINICH, and Mr. MCDERMOTT.
H.R. 959: Mr. JEFFERSON.
H.R. 1000: Mr. PICKETT, Mr. CLAY, and Ms. LEE.
H.R. 1020: Mr. QUINN, Mr. RAHALL, Mr. OLVER, Mr. KUCINICH, and Ms. RIVERS.
H.R. 1055: Mr. HILLEARY and Mr. ARMEY.
H.R. 1057: Mr. HINCHEY, Ms. NORTON, Mr. WATT of North Carolina, Mr. BLAGOJEVICH, and Mr. TIERNEY.
H.R. 1063: Mr. GEORGE MILLER of California.
H.R. 1070: Mr. GILLMOR, Mr. NUSSLE, Mr. LIPINSKI, Mr. DEAL of Georgia, Mr. UDALL of Colorado, and Mr. WICKER.
H.R. 1071: Mr. LUCAS of Kentucky and Mrs. MCCARTHY of New York.
H.R. 1081: Mr. MORAN of Virginia.
H.R. 1168: Mr. HINCHEY, Mr. MARKEY, and Mr. EVANS.
H.R. 1172: Mr. SMITH of Texas, Mr. HILLIARD, Mr. KLINK, Mr. LUCAS of Kentucky, Ms. CARSON, Mr. WATKINS, Mr. KENNEDY of Rhode Island, Mr. REGULA, Ms. PELOSI, Mr. JACKSON of Illinois, Mr. WAMP, Mrs. CLAYTON, Mr. BURR of North Carolina, Ms. ROYBAL-ALLARD, Mr. MILLER of Florida, Mr. SOUDER, Mr. UDALL of Colorado, Ms. ROS-LEHTINEN, Mr. ENGLISH, and Mr. THOMPSON of Mississippi.
H.R. 1180: Mr. LUCAS of Kentucky, Mrs. LOWEY, Mr. TIERNEY, Mr. SPENCE, Mrs. CHRISTENSEN, and Mr. SHOWS.
H.R. 1193: Mr. BONILLA and Mr. COOKSEY.
H.R. 1194: Mr. MANZULLO.
H.R. 1208: Mr. ABERCROMBIE.
H.R. 2309: Mr. ABERCROMBIE.
H.R. 1248: Mrs. NORTHUP.
H.R. 1259: Mr. CONDIT, Mr. TAYLOR of Mississippi, Mr. PETERSON of Minnesota, Mr. HALL of Texas, Mr. CRAMER, Mr. THOMPSON of California, Mr. SHOWS, Mr. SENSENBRENNER, and Mr. MCINTOSH.
H.R. 1273: Mr. COX, Mr. BURR of North Carolina, Mr. SHIMKUS, Mr. LARGENT, Mr. FOSSELLA, Mr. STEARNS, Mrs. CUBIN, Mr. BARTON of Texas, Mr. ROGAN, Mr. NORWOOD, and Mr. WHITFIELD.
H.R. 1275: Mr. TIERNEY, Mr. DEFAZIO, Mr. PRICE of North Carolina, Mr. DAVIS of Illinois, Mr. BASS, Mr. BALDACCI, Mr. DOYLE, Mr. EWING, Mr. LEWIS of California, and Mr. COOK.
H.R. 1300: Mr. SHERMAN, Mr. PITTS, Mr. WISE, and Mr. GOODLING.
H.R. 1304: Mr. FORBES, Mr. OWENS, Mr. SMITH of New Jersey, Mr. BOEHLERT, Mr. COOK, Mr. MCNULTY, Ms. RIVERS, Mr. PETERSON of Minnesota, Mr. INSLEE, Mr. OSE, and Mr. GRAHAM.
H.R. 1317: Mr. DUNCAN and Mr. BISHOP.
H.R. 1330: Mr. SCHAFFER.
H.R. 1344: Mr. WHITFIELD.
H.R. 1354: Mr. HEFLEY, Mr. COOK, and Mr. NETHERCUTT.
H.R. 1434: Mr. MCKEON.
H.R. 1436: Mr. MCKEON.
H.R. 1437: Mr. MCKEON.
H.R. 1438: Mr. MCKEON.
H.R. 1439: Mr. MCKEON.
H.R. 1443: Ms. PELOSI.
H.R. 1448: Mrs. KELLY and Mr. FOSSELLA.
H.R. 1484: Mr. GUTIERREZ.
H.R. 1495: Mr. BARCIA, Mr. HINOJOSA, Mr. BONIOR, Mr. MCNULTY, Mr. CROWLEY, and Ms. LEE.
H.R. 1525: Mr. THOMPSON of Mississippi, Ms. KAPTUR, Ms. KILPATRICK, Mr. BLAGOJEVICH, and Mr. VENTO.
H.R. 1545: Mr. STRICKLAND, Ms. DEGETTE, Mr. BLUMENAUER, and Mr. GONZALEZ.
H.R. 1546: Mr. WHITFIELD, Mr. TALENT, Mr. WICKER, Mr. SAM JOHNSON of Texas, and Mrs. BONO.
H.R. 1578: Mr. LEWIS of Kentucky, Mr. BAKER, Mr. HAYWORTH, Mr. SOUDER, and Mr. HILLEARY.
H.R. 1590: Mr. FATTAH.
H.R. 1604: Mr. HILLIARD, Mr. ADERHOLT, Mr. GONZALEZ, Mr. WAMP, Mr. ROGERS, Mr. CARDIN, Mr. CUMMINGS, and Mr. FRELINGHUYSEN.
H.R. 1622: Mr. WU and Mr. COOK.
H.R. 1627: Mr. MCGOVERN.
H.R. 1634: Mr. OXLEY, Mr. BRYANT, and Mr. TAYLOR of North Carolina.
H.R. 1648: Mr. DAVIS of Illinois, Mr. HINCHEY, Ms. WATERS, Mr. JEFFERSON, and Mr. SISISKY.
H.R. 1673: Mr. GREEN of Texas.
H.R. 1689: Mrs. KELLY and Mr. FRANKS of New Jersey.
H.R. 1702: Mr. TOWNS and Mr. OWENS.
H.R. 1707: Mr. HEFLEY.
H.R. 1713: Mr. TALENT, Mr. GARY MILLER of California, and Mr. WATKINS.
H.R. 1717: Ms. NORTON.
H.R. 1748: Mr. STUPAK.
H.R. 1750: Mr. ALLEN, Mr. SHERMAN, Mr. BERMAN, and Mr. SANDERS.
H.R. 1768: Mr. FORD and Mr. LANTOS.
H.R. 1791: Mrs. MORELLA and Mr. BLUMENAUER.
H.R. 1794: Mr. GILMAN, Mr. DEUTSCH, Mr. ROHRABACHER, and Mr. WU.
H.R. 1795: Mr. GREENWOOD, Mr. BENTSEN, Mr. MCNULTY,and Mr. FROST.
H.R. 1841: Mr. PASTOR.
H.R. 1850: Mr. KASICH, Mr. GOODLING, Mr. PITTS, Mr. BARRETT of Wisconsin, and Mr. ALLEN.
H.R. 1857: Mr. BENTSEN.
H.R. 1861: Mr. HAYWORTH.
H.R. 1862: Mr. SHOWS and Mr. HASTINGS of Florida.
H.R. 1863: Mr. WATKINS and Mr. THOMPSON of California.
H.R. 1882: Mr. PASCRELL and Mr. HILL of Montana.
H.J. Res. 33: Mr. BARTON of Texas and Mr. BLAGOJEVICH.
H.J. Res. 389: Mr. SHAYS.
H.J. Res. 46: Mr. HYDE and Ms. ROS-LEHTINEN.
H.J. Res. 47: Ms. DANNER.
H.J. Res. 55: Mr. SESSIONS.
H. Con. Res. 77: Mr. LUCAS of Kentucky and Mrs. MINK of Hawaii.
H. Con. Res. 107: Mr. BARRETT of Nebraska, Mr. LATHAM, Mr. HOEKSTRA, Mr. GARY MILLER of California, Mr. ADERHOLT, and Mr. GUTKNECHT.
H. Con. Res. 109: Mr. LAFALCE, Mr. FOSSELLA, and Mr. RANGEL.
H. Res. 34: Mr. WU.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1259

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 2: Add at the end the following new section:

SEC. 6. BUDGETARY TREATMENT OF THE OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM AND THE HOSPITAL INSURANCE PROGRAM.

It is the sense of the Congress that—

(1) the moneys of the United States held for purposes of the old-age, survivors, and disability insurance program and the hospital insurance program maintained under the Social Security Act and related laws of the United States should always be held in separate and independent trust funds and should always be segregated from all other moneys of the United States,

(2) the receipts and disbursements of such programs (including revenues dedicated to such programs) should never be included in any budget totals set forth in the budget of the United States Government as prepared by the President or any budget prepared by the Congress,

(3) the Congress should never make any law authorizing the use of such trust funds for any purpose other than for providing for the prompt and effective payment of benefits, payment of administrative expenses, and payment of such amounts as may be necessary and appropriate to correct prior incorrect payments, and no agency or instrumentality of the United States, or any officer or employee thereof, should ever be authorized to use, or to authorize the use of, such trust funds for any such other purpose, and

(4) as soon as practicable after the date of the enactment of this Act, the Congress should consider for adoption a constitutional amendment which would establish the policies described in this section as the permanent law of the United States.

H.R. 1401

OFFERED BY: MR. BEREUTER

AMENDMENT NO. 3: At the end of title X (page 305, after line 5), insert the following new section:

SEC. 1040. ASIA-PACIFIC CENTER FOR SECURITY STUDIES.

(a) WAIVER OF CHARGES.—(1) The Secretary of Defense may waive reimbursement of the

costs of conferences, seminars, courses of instruction, or similar educational activities of the Asia-Pacific Center for military officers and civilian officials of foreign nations of the Asia-Pacific region if the Secretary determines that attendance by such persons without reimbursement is in the national security interest of the United States.

(2) In this section, the term ''Asia-Pacific Center'' means the Department of Defense organization within the United States Pacific Command known as the Asia-Pacific Center for Security Studies.

(b) AUTHORITY TO ACCEPT FOREIGN GIFTS AND DONATIONS.—(1) Subject to paragraph (2), the Secretary of Defense may accept, on behalf of the Asia-Pacific Center, foreign gifts or donations in order to defray the costs of, or enhance the operation of, the Asia-Pacific Center.

(2) The Secretary may not accept a gift or donation under paragraph (1) if the acceptance of the gift or donation would compromise or appear to compromise—

(A) the ability of the Department of Defense, any employee of the Department, or members of the Armed Forces to carry out any responsibility or duty of the Department in a fair and objective manner; or

(B) the integrity of any program of the Department of Defense or of any person involved in such a program.

(3) The Secretary shall prescribe written guidance setting forth the criteria to be used in determining whether the acceptance of a foreign gift or donation would have a result described in paragraph (2).

(4) Funds accepted by the Secretary under paragraph (1) shall be credited to appropriations available to the Department of Defense for the Asia-Pacific Center. Funds so credited shall be merged with the appropriations to which credited and shall be available to the Asia-Pacific Center for the same purposes and same period as the appropriations with which merged.

(5) If the total amount of funds accepted under paragraph (1) in any fiscal year exceeds $2,000,000, the Secretary shall notify Congress of the amount of those donations for that fiscal year. Any such notice shall list each of the contributors of such amounts and the amount of each contribution in that fiscal year.

(6) For purposes of this subsection, a foreign gift or donation is a gift or donation of funds, materials (including research materials), property, or services (including lecture services and faculty services) from a foreign government, a foundation or other charitable organization in a foreign country, or an individual in a foreign country.

H.R. 1401

OFFERED BY: MR. BEREUTER

AMENDMENT NO. 4: At the end of title X (page 305, after line 5), insert the following new section:

SEC. ___. REPORT ON EFFECT OF CONTINUED BALKAN OPERATIONS ON ABILITY OF UNITED STATES TO SUCCESSFULLY MEET OTHER REGIONAL CONTINGENCIES.

(a) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report describing the effect of continued operations by the Armed Forces in the Balkans region on the ability of the United States, through the period covered by the current Future-Years Defense Plan of the Department of Defense, to prosecute to a successful conclusion a major contingency in the Asia-Pacific region or to prosecute to a successful conclusion two nearly simultaneous major theater wars, in accordance with the most recent Quadrennial Defense Review.

(b) MATTERS TO BE INCLUDED.—The report under subsection (a) shall set forth the following:

(1) In light of continued Balkan operations, the capabilities and limitations of United States combat, combat support, and combat service support forces (at national, operational, and tactical levels and operating in a joint and coalition environment) to expeditiously respond to, prosecute, and achieve United States strategic objectives in the event of—

(A) a contingency on the Korean peninsula; or

(B) two nearly simultaneous major theater wars.

(2) The confidence level of the Secretary of Defense in United States military capabilities to successfully prosecute a Pacific contingency, and to successfully prosecute two nearly simultaneous major theater wars, while remaining engaged at current or greater force levels in the Balkans, together with the rationale and justification for each such confidence level.

(3) Identification of high-value platforms, systems, capabilities, and skills that—

(A) during a Pacific contingency, would be stressed or broken and at what point such stressing or breaking would occur; and

(B) during two nearly simultaneous major theater wars, would be stressed or broken and at what point such stressing or breaking would occur.

(4) During continued military operations in the Balkans, the effect on the ''operations tempo'', and on the ''personnel tempo'', of the Armed Forces—

(A) of a Pacific contingency; and

(B) of two nearly simultaneous major theater wars.

(5) During continued military operations in the Balkans, the required type and quantity of high-value platforms, systems, capabilities, and skills to prosecute successfully—

(A) a Pacific contingency; and

(B) two nearly simultaneous major theater wars.

(c) CONSULTATION.—In preparing the report under this section, the Secretary of Defense shall use the resources and expertise of the unified commands, the military departments, the combat support agencies, and the defense components of the intelligence community and shall consult with non-Department elements of the intelligence community, as required, and other such entities within the Department of Defense as the Secretary considers necessary.

H.R. 1401

OFFERED BY: MR. METCALF

AMENDMENT NO. 5: At the end of title VII (page 238, after line 22), insert the following new section:

SEC. ___. REVIEW OF RESULTS OF INDEPENDENT RESEARCH REGARDING GULF WAR ILLNESSES AND RESEARCH TO REPLICATE OR DISPUTE THE RESULTS.

(a) REQUIREMENT TO CONDUCT REVIEW.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall review the independent research conducted regarding the presence and detection of squalene antibodies in the blood of veterans of the Persian Gulf War, as described in the report of the General Accounting Office numbered GAO/NSIAD–99–5, and the possible relationship between the presence of squalene antibodies and the complex of illnesses and symptoms known as Gulf War syndrome.

(b) REQUIREMENT TO CONDUCT ADDITIONAL RESEARCH.—The Secretary shall conduct research on the presence and detection of squalene antibodies in the blood of veterans of the Persian Gulf War designed to replicate or dispute the results of the independent research reviewed under subsection (a).

(c) COMPTROLLER GENERAL REVIEW.—The Comptroller General shall review the results of the Secretary's review and research and submit to Congress a report evaluating the merits of the Secretary's review and research.

H.R. 1401

OFFERED BY: MR. ROEMER

AMENDMENT NO. 6: At the end of title XXXI (page 453, after line 15), insert the following new section:

SEC. 31___. REPORT ON COUNTERINTELLIGENCE AND SECURITY PRACTICES AT NATIONAL LABORATORIES.

(a) IN GENERAL.—Not later than March 1 of each year, the Secretary of Energy shall submit to the Congress a report for the preceding year on counterintelligence and security practices at the facilities of the national laboratories (whether or not classified activities are carried out at the facility).

(b) CONTENT OF REPORT.—The report shall include, with respect to each national laboratory, the following:

(1) The number of full-time counterintelligence and security professionals employed.

(2) A description of the counterintelligence and security training courses conducted and, for each such course, any requirement that employees successfully complete that course.

(3) A description of each contract awarded that provides an incentive for the effective performance of counterintelligence or security activities.

(4) A description of the services provided by the employee assistance programs.

(5) A description of any requirement that an employee report the foreign travel of that employee (whether or not the travel was for official business).

(6) A description of any visit by the Secretary or by the Deputy Secretary of Energy, a purpose of which was to emphasize to employees the need for effective counterintelligence and security practices.

H.R. 1906

OFFERED BY: MR. CHABOT

AMENDMENT NO. 17: Insert before the short title the following new section:

SEC. __. (a) LIMITATION.—None of the funds appropriated or otherwise made available by this Act may be used to award any new allocations under the market access program or to pay the salaries of personnel to award such allocations.

H.R. 1906

OFFERED BY: MS. KAPTUR

AMENDMENT NO. 18: In the third paragraph under the headings ''RURAL HOUSING SERVICE'' and ''RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT (INCLUDING TRANSFERS OF FUNDS)'', strike the period at the end of the paragraph and insert the following: '': *Provided,* That of this amount the Secretary of Agriculture may transfer up to $7,000,000 to the appropriation for 'Outreach for Socially Disadvantaged Farmers'.''.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, TUESDAY, MAY 25, 1999 No. 76

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable GEORGE V. VOINOVICH, a Senator from the State of Ohio.

The PRESIDING OFFICER. This morning we are privileged to have with us a guest Chaplain, Dr. Ronnie W. Floyd, of the First Baptist Church, Springdale, AR.

Pastor Floyd.

PRAYER

The guest Chaplain, Dr. Ronnie W. Floyd, First Baptist Church, Springdale, AR, offered the following prayer:

Let us pray together.

Holy God, I thank You that Your Word says in Romans 13:1, ''For there is no authority except from God, and those which exist are established by God.'' I am thankful the authority granted to these Senators today has not been granted simply by their constituencies but, most of all, that authority is given by You.

Therefore, O God, the responsibility is so great upon these men and women today. Every decision that is made has such a great impact all across the world.

So Lord, I ask for the Holy Spirit of God to empower these leaders in their decisionmaking today. May the Word of God be their source of authority. May the Lord Jesus Christ be the only One they desire to please. May the people they represent in this country, whether rich or poor, male or female, or whatever race they may represent, be the beneficiaries of godly, holy, decisionmaking today.

O Father, America needs spiritual revival, reformation, and awakening. So God, in the name of Your son, Jesus Christ, we close this prayer, asking You and believing in You to send a spiritual revival to our Nation that would change lives, renew churches, restore and refresh family relationships, provide hope to every American and, most of all, give You glory. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. THURMOND].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 25, 1999.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable GEORGE V. VOINOVICH, a Senator from the State of Ohio, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. VOINOVICH thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mr. SMITH of New Hampshire. Mr. President, I yield to the distinguished Senator from Arkansas.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

Mr. HUTCHINSON. Mr. President, I thank the Senator for yielding.

DR. RONNIE W. FLOYD, GUEST CHAPLAIN

Mr. HUTCHINSON. Mr. President, I take a moment to express my appreciation to our guest Chaplain, Pastor Ronnie Floyd, Pastor of the First Baptist Church, Springdale, AR, who led the Senate in our opening prayer today. Chaplain Ogilvie was gracious enough to allow Pastor Floyd to lead us in prayer.

Pastor Floyd has been a dear friend of mine for many years; he has had a tremendous impact upon my family and my children. I have a son and daughter-in-law who today still worship in his church and have been greatly impacted by his ministry. Pastor Floyd has a national television ministry and has touched lives all across this country. It is a great privilege today to have him in our Nation's Capitol ministering to us in the Senate.

I thank the Chair. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

SCHEDULE

Mr. SMITH of New Hampshire. Mr. President, the leader has asked me to make a couple of announcements this morning.

The Senate, of course, will resume consideration of the defense authorization bill, and under the previous order the Senate will debate several amendments with the votes on those amendments occurring in a stacked sequence beginning at 2:15 today. Therefore, Senators can expect at least three votes occurring at 2:15 this afternoon. It is the intention of the majority leader to complete action on this bill as early as possible this week, and therefore Senators can expect busy sessions each day and evening.

I thank my colleagues for their attention to this matter.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of S. 1059, which the clerk will report.

The legislative assistant read as follows:

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

A bill (S. 1059) to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Pending:

Roberts/Warner amendment No. 377, to express the sense of the Senate regarding the legal effect of the new Strategic Concept of NATO (the document approved by the Heads of State and Government participating in the meeting of the North Atlantic Council in Washington, D.C., on April 23 and 24, 1999).

Warner amendment No. 378 (to Amendment No. 377), to require the President to submit to the Senate a report containing an analysis of the potential threats facing NATO in the first decade of the next millennium, with particular reference to those threats facing a member nation or several member nations where the commitment of NATO forces will be ''out of area'', or beyond the borders of NATO member nations.

Wellstone amendment No. 380, to expand the list of diseases presumed to be service-connected for radiation-exposed veterans.

Wellstone amendment No. 381, to require the Secretary of Defense to provide information and technical guidance to certain foreign nations regarding environmental contamination at United States military installations closed or being closed in such nations.

Wellstone amendment No. 382, to require the Secretary of Health and Human Services to provide Congress with information to evaluate the outcome of welfare reform.

Specter amendment No. 383, to direct the President, pursuant to the United States Constitution and the War Powers Resolution, to seek approval from Congress prior to the introduction of ground troops from the United States Armed Forces in connection with the present operations against the Federal Republic of Yugoslavia or funding for that operation will not be authorized.

Roth amendment No. 388, to request the President to advance the late Rear Adm. (retired) Husband E. Kimmel on the retired list of the Navy to the highest grade held as Commander in Chief, United States Fleet, during World War II, and to advance the late Maj. Gen. (retired) Walter C. Short on the retired list of the Army to the highest grade held as Commanding General, Hawaiian Department, during World War II, as was done under the Officer Personnel Act of 1947 for all other senior officers who served in positions of command during World War II.

PRIVILEGE OF THE FLOOR

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that Maj. Clint Crosier, an Air Force fellow in my office, be granted floor privileges throughout the proceedings on the fiscal year 2000 authorization and appropriations bills.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. SMITH of New Hampshire pertaining to the submission of S.J. Res. 25 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

AMENDMENT NO. 388

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 30 minutes of debate, equally divided, with an additional 10 minutes under the control of the Senator from Texas, Senator GRAMM, relative to the Roth amendment No. 388.

Mr. ROTH. I yield 5 minutes to the distinguished Senator from Massachusetts.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I strongly support this amendment, which will at long last restore the reputations of two distinguished military officers who were unfairly scapegoated for the surprise attack on Pearl Harbor by Japan at the beginning of World War II—Admiral Husband E. Kimmel of the United States Navy and General Walter C. Short of the United States Army.

This amendment gives us an opportunity to correct a serious wrong in the history of that war. Admiral Kimmel and General Short were the Navy and Army commanders at Pearl Harbor during the attack on December 7, 1941. Despite their loyal and distinguished service, Admiral Kimmel and General Short were unfairly singled out for blame for the nation's lack of preparation for that attack and the catastrophe that took place.

Justice for these men is long overdue. Wartime investigations of the attack on Pearl Harbor concluded that our fleet in Hawaii under the command of Admiral Kimmel and our land forces under the command of General Short had been properly positioned, given the information they had received, and that their superior officers had not given them vital intelligence that could have made a difference, perhaps all the difference, in America's preparedness for the attack. These conclusions of the wartime investigations were kept secret, in order to protect the war effort. Clearly, there is no longer any justification for ignoring these facts.

I first became interested in this issue when I received a letter last fall from a good friend in Boston who for many years has been one of the pre-eminent lawyers in America, Edward B. Hanify. As a young Navy lawyer and Lieutenant J.G. in 1944, Mr. Hanify was assigned as counsel to Admiral Kimmel.

As Mr. Hanify told me, he is probably one of the few surviving people that heard Kimmel's testimony before the Naval Court of Inquiry. He accompanied Admiral Kimmel when he testified before the Army Board of Investigation, and he later heard substantially all the testimony in the lengthy Congressional investigation of Pearl Harbor that followed by the Roberts Commission. In the 50 years since then, Mr. Hanify has carefully followed all subsequent developments on the Pearl Harbor catastrophe and the allocation of responsibility for that disaster.

I would like to quote a few brief paragraphs from Mr. Hanify's letter of last September, because it eloquently summarizes the overwhelming case for long undue justice for Admiral Kimmel. Mr Hanify writes:

> The odious charge of ''dereliction of duty'' made by the Roberts Commission was the cause of almost irreparable damage to the reputation of Admiral Kimmel, despite the fact that the finding was later repudiated and found groundless.
>
> I am satisfied that Admiral Kimmel was subject to callous and cruel treatment by his superiors who were attempting to deflect the blame ultimately ascribed to them, particularly on account of their strange behavior on the evening of December 6th and morning of December 7th in failing to warn the Pacific Fleet and the Hawaiian Army Department that a Japanese attack on the United States was scheduled for December 7th, and that intercepted intelligence indicated that Pearl Harbor was a most probable point of attack. Washington had this intelligence and knew that the Navy and Army in Hawaii did not have it, or any means of obtaining it.
>
> Subsequent investigation by both services repudiated the ''dereliction of duty'' charge. In the case of Admiral Kimmel, the Naval Court of Inquiry found that his plans and dispositions were adequate and competent in light of the information which he had from Washington—adequate and competent in the light of the information he had from Washington.

Mr. Hanify concludes:

> The proposed legislation provides some measure of remedial Justice to a conscientious officer who for years unjustly bore the odium and disgrace associated with the Pearl Harbor catastrophe.

I have also heard from the surviving son of Admiral Kimmel. He and others in his family have fought for over half a century to restore their father's honor and reputation. As Edward Kimmel wrote:

> Justice for my father and Major General Short is long overdue. It has been a long hard struggle by the Kimmel and Short families to get to this point.

No public action can ever fully atone for the injustice suffered by these two officers. But the Senate can do its part by acting now to correct the historical record, and restore the distinguished reputations of Admiral Kimmel and General Short.

I commend Senator BIDEN and Senator ROTH for their leadership on this amendment, and I urge the Senate to support it, and I ask unanimous consent that Mr. Hanify's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Hon. EDWARD M. KENNEDY,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR KENNEDY: I am advised that a Resolution known as the Roth/Biden Resolution has been introduced in the Senate and

that it has presently the support of the following Senators: Roth; Biden; Helms; Thurmond; Inouye; Stevens; Specter; Hollings; Faircloth; Cochran and McCain. The substance of the Resolution is to request the President to advance the late Rear Admiral Husband E. Kimmel to the grade of Admiral on the retired list of the Navy and to advance the late Major General Walter C. Short to the grade of Lieutenant General on the retired list of the Army.

Admiral Kimmel at the time of Pearl Harbor was Commander in Chief of the Pacific Fleet then based in Pearl Harbor and General Short was the Commanding General of the Hawaiian Department of the Army.

The reason for my interest in this Resolution is as follows: In early 1944 when I was a Lieutenant j.g. (U.S.N.R.) the Navy Department gave me orders which assigned me as one of counsel to the defense of Admiral Kimmel in the event of his promised court martial. As a consequence, I am probably one of the few living persons who heard the testimony before the Naval Court of Inquiry, accompanied Admiral Kimmel when he testified before the Army Board of Investigation and later heard substantially all the testimony before the members of Congress who carried on the lengthy Congressional investigation of Pearl Harbor. In the intervening fifty years I have followed very carefully all subsequent developments dealing with the Pearl Harbor catastrophe and the allocation of responsibility for that disaster.

On the basis of this experience and further studies over a fifty year period I feel strongly:

(1) That the odious charge of ''dereliction of duty'' made by the Roberts Commission was the cause of almost irreparable damage to the reputation of Admiral Kimmel despite the fact that the finding was later repudiated and found groundless;

(2) I am satisfied that Admiral Kimmel was subject to callous and cruel treatment by his superiors who were attempting to deflect the blame ultimately ascribed to them, particularly on account of their strange behavior on the evening of December 6th and morning of December 7th in failing to warn the Pacific Fleet and the Hawaiian Army Department that a Japanese attack on the United States was scheduled for December 7th at 1:00 p.m. Washington time (dawn at Pearl Harbor) and that intercepted intelligence indicated that Pearl Harbor was a most probable point of attack; (Washington had this intelligence and knew that the Navy and Army in Hawaii did not have it or any means of obtaining it).

(3) Subsequent investigations by both services repudiated the ''dereliction of duty'' charge and in the case of Admiral Kimmel the Naval Court of Inquiry found that his plans and dispositions were adequate and competent in light of the information which he had from Washington.

The proposed legislation provides some measure of remedial Justice to a conscientious officer who for years unjustly bore the odium and disgrace associated with the Pearl Harbor catastrophe. You may be interested to know that a Senator from Massachusetts, Honorable David I. Walsh then Chairman of the Naval Affairs Committee, was most effective in securing legislation by Congress which ordered the Army and Navy Departments to investigate the Pearl harbor disaster—an investigation conducted with all the ''due process'' safeguards for all interested parties not observed in other investigations or inquiries.

I sincerely hope that you will support the Roth/Biden Resolution.

Sincerely,

EDWARD B. HANIFY.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. LEVIN addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

Mr. LEVIN. Mr. President, I yield myself 5 minutes.

On December 7, 1941, when Pearl Harbor was attacked by Japan, the commanders on the ground were Rear Admiral Kimmel and Major General Short. Rear Admiral Kimmel was serving in the grade of admiral as commander in chief of the U.S. Fleet and commander in chief, U.S. Pacific Fleet. Major General Short was serving in the grade of lieutenant general as commander of the U.S. Army Hawaiian Department. Based on their performance at Pearl Harbor, both officers were relieved of their commands and were returned to their permanent ranks of rear admiral and major general on December 16, 1941.

The duty performance of Rear Admiral Kimmel and Major General Short has been the subject of numerous military, governmental, and congressional inquiries since that time. The most recent examination was by Under Secretary of Defense Edwin Dorn in 1995.

The Defense Department, after reviewing all of these inquiries, has concluded that posthumous advancement in rank is not appropriate. In short, in this 1995 review, the Department of Defense concluded that Admiral Kimmel and General Short, as commanders on the scene, were responsible and accountable for the actions of their commands. Accountability as commanders is a core value in our Armed Forces.

Rear Admiral Kimmel's and Major General Short's superiors at the time determined that their service was not satisfactory and relieved them of their commands and returned them to their permanent grades. We should not, in my judgment, some 57 years later, substitute the judgment of a political body—the Congress—for what was essentially a military decision by the appropriate chain of command at the time.

Those who were in the best position to characterize their service have done so. Their superiors concluded that Rear Admiral Kimmel and Major General Short did not demonstrate the judgment required of people who serve at the three- and four-star level. I do not believe that this political body should now attempt to reverse that decision made by the chains of command in our military service. So I join the chairman of the Armed Services Committee in opposing this amendment.

I also note the letter from the Secretary of Defense to the then chairman of our committee, STROM THURMOND, saying the following:

While Under Secretary of Defense for Personnel and Readiness, Mr. Edwin Dorn, conducted a thorough review of this issue in 1995. He carefully considered the information contained in nine previous formal investigations, visited Pearl Harbor and personally met with the Kimmel and Short families. His conclusion was that responsibility for the Pearl Harbor disaster must be broadly shared, but that the record does not show that advancement of Admiral Kimmel and General Short on the retired list is warranted.

I appreciate the fact that the overwhelming consensus of the organizations and personnel mentioned in your letter recommend exoneration of Admiral Kimmel and General Short. Absent significant new information, however, I do not believe it appropriate to order another review of this matter.

Ed Dorn and I both agree that responsibility for this tragic event in American history must be broadly shared, yet I remain confident in the findings that Admiral Kimmel and General Short remain accountable in their positions as leaders.

To highlight very briefly the findings of the Under Secretary of Defense in the Dorn report, referred to by the Secretary of Defense, I will quote three or four of the findings.

Finding 1:

Responsibility for the Pearl Harbor disaster should not fall solely on the shoulders of Admiral Kimmel and General Short; it should be broadly shared.

Finding 2:

To say that responsibility is broadly shared is not to absolve Admiral Kimmel and General Short of accountability.

Military command is unique. A commander has plenary responsibility for the welfare of the people under his or her command, and is directly accountable for everything the unit does or fails to do. . . . Command at the three- and four-star level involves daunting responsibilities. Military officers at that level operate with a great deal of independence. They must have extraordinary skill, foresight and judgment, and a willingness to be accountable for things about which they could not possibly have personal knowledge. . . .

It was appropriate that Admiral Kimmel and General Short be relieved.

Then he goes into the information that he had.

I yield myself just 1 additional minute.

The PRESIDING OFFICER (Mr. ALLARD). The Senator may continue.

Mr. LEVIN. Mr. President, finally in finding 3, the Dorn report says:

The official treatment of Admiral Kimmel and General Short was substantively temperate and procedurally proper.

Then finally:

There is not a compelling basis for advancing either officer to a higher grade.

Their superiors concluded that Admiral Kimmel and General Short did not demonstrate the judgment required of people who serve at the three- and four-star level.

* * * * *

In sum, I cannot conclude that Admiral Kimmel and General Short were victims of unfair official actions and thus I cannot conclude that the official remedy of advancement on the retired list [is] in order.

Mr. President, I ask unanimous consent that portions of the Dorn report and the Secretary of Defense letter in opposition to the advancement of these two gentlemen be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Memorandum for the Deputy Secretary of Defense]

ADVANCEMENT OF REAR ADMIRAL KIMMEL AND MAJOR GENERAL SHORT

1. Responsibility for the Pearl Harbor disaster should not fall solely on the shoulders of Admiral Kimmel and General Short; it should be broadly shared.

2. To say that responsibility is broadly shared is not to absolve Admiral Kimmel and General Short of accountability.

3. The official treatment of Admiral Kimmel and General Short was substantively temperate and procedurally proper.

There is not a compelling basis for advancing either officer to a higher grade.

His nomination is subject to the advice and consent of the Senate. A nominee's errors and indiscretions must be reported to the Senate as adverse information.

In sum, I cannot conclude that Admiral Kimmel and General Short were victims of unfair official actions and thus I cannot conclude that the official remedy of advancement to the retired list in order. Admiral Kimmel and General Short did not have all the resources they felt necessary. Had they been provided more intelligence and clearer guidance, they might have understood their situation more clearly and behaved differently. Thus, responsibility for the magnitude of the Pearl Harbor disaster must be shared. But this is not a basis for contradicting the conclusion, drawn consistently over several investigations, that Admiral Kimmel and General Short committed errors of judgment. As commanders, they were accountable.

THE SECRETARY OF DEFENSE,
Washington, DC, November 18, 1997.

Hon. STROM THURMOND,
Chairman, Committee on Armed Services,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your interest in exonerating the names of Admiral Kimmel and General Short. In the years since the fateful events at Pearl Harbor there have been numerous formal investigations of the events leading up to the attack, including sharp debate over our state of readiness at the time.

While Under Secretary of Defense for Personnel and Readiness, Mr. Edwin Dorn conducted a thorough review of this issue in 1995. He carefully considered the information contained in nine previous formal investigations, visited Pearl Harbor and personally met with the Kimmel and Short families. His conclusion was that responsibility for the Pearl Harbor disaster must be broadly shared, but that the record does not show that advancement of Admiral Kimmel and General Short on the retired list is warranted.

I appreciate the fact that the overwhelming consensus of the organizations and personnel mentioned in your letter recommend exoneration of Admiral Kimmel and General Short. Absent significant new information, however, I do not believe it appropriate to order another review of this matter.

Ed Dorn and I both agree that responsibility for this tragic event in American history must be broadly shared, yet I remain confident in the findings that Admiral Kimmel and General Short remain accountable in their positions as leaders.

Sincerely,

BILL COHEN.

Mr. ROTH. Mr. President, I yield myself 4 minutes.

I rise to address the Kimmel-Short resolution which I and Senators BIDEN, THURMOND, and KENNEDY introduced to redress a grave injustice that haunts us from World War II.

That injustice was the scapegoating of Admiral Kimmel and General Short for the success of the disastrous Pearl Harbor attack. This unjust scapegoating was given unjust permanence when these two officers were not advanced on the retirement list to their highest ranks of wartime command, an honor that was given to every other senior commander who served in wartime positions above his regular grade.

Our amendment is almost an exact rewrite of Senate Joint Resolution 19, that benefits from the support of 23 cosponsors. It calls for the advancement on the retirement lists of Kimmel and Short to the grades of their highest wartime commands—as was done for every other officer eligible under the Officer Personnel Act of 1947.

Such a statement by the Senate would do much to remove the stigma of blame that so unfairly burdens the reputation of these two officers. It is a correction consistent with our military tradition of honor.

Allow me to review some key facts about this issue.

First, it is a fact that Kimmel and Short were the only two World War II officers eligible under the Officer Personnel Act of 1947 for advancement on the retired list who were not granted such advancement. No other officer or official paid a price for their role in the Pearl Harbor disaster. That fact alone unfairly perpetuates the scapegoating they endured for the remainder of their lives.

Second, there have been no less than nine official investigations on this matter over the last five decades. They include the 1944 Naval Court of Inquiry which completely exonerated Admiral Kimmel and the 1944 Army Pearl Harbor Board who found considerable fault in the War Department—General Short's superiors. These investigations include that conducted by a 1991 Board for the Correction of Military Records which recommended General Short's advancement on the retired list.

I can think of few issues of this nature that have been as extensively investigated and studied as the Pearl Harbor matter. Nor can I think of a series of studies conducted over five decades where conclusions have been so remarkably consistent.

They include, first, the Hawaiian commanders were not provided vital intelligence they needed and that was available in Washington prior to the attack on Pearl Harbor.

Second, the disposition of forces in Hawaii were proper and consistent with the information made available to Admiral Kimmel and General Short.

Third, these investigations found that the handling of intelligence and command responsibilities in Washington were characterized by ineptitude, limited coordination, ambiguous language, and lack of clarification followup.

Fourth, these investigations found that these failures and shortcomings of the senior authorities in Washington contributed significantly, if not predominantly, to the success of the surprise attack on Pearl Harbor.

The PRESIDING OFFICER. The 4 minutes have expired.

Mr. ROTH. Mr. President, I yield the floor.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I understand under the previous order I have 10 minutes.

The PRESIDING OFFICER. The Senator is correct.

Mr. GRAMM. Mr. President, I have the highest regard for Senator ROTH, our distinguished chairman of the Finance Committee. One can tell by looking at all the books on his desk that he has done considerable research in this area. I have not done similar research in this area. But this is an issue that I have followed for my period of service in Congress, and I have followed it in part because of an interest in it, and in part because of my interest in the efforts of Dr. Samuel Mudd to exonerate his name from the role that he is alleged to have played and in fact was convicted of playing in the post-assassination activities related to President Lincoln.

But I have come to the floor today to oppose this amendment because I strongly object to Congress getting into the business of rewriting history.

This is an old issue. There has been a lot of talk over the years about Admiral Kimmel and about General Short, and about the facts in the wake of the greatest military disaster in American history at Pearl Harbor. And there is no question about the fact that we were asleep on December 7th of 1941. There is no question about the fact that Kimmel and Short had a great shortcoming in that they did not talk to each other and put together the information they had. But there is probably no question about the fact that in the wake of that disaster, there was an effort to put the blame on someone. It is also true that subsequent studies have concluded there was broad culpability.

But here is the point I want to make. We have a Board for the Correction of Military Records. We have an on-going process within the Department of Defense to reevaluate decisions that have been made. This decision about Kimmel and Short bubbled all the way up to President Bush, who as you know, was the youngest naval aviator in American history in World War II.

President Bush decided to let contemporaries be the judge of historical events, and so he made the decision not to override the decision of military leaders at the time of Pearl Harbor.

We had another review that ended on December 15th of 1995. That review was headed by Under Secretary of Defense for Personnel and Readiness, Edwin S.

Dorn. Dorn concluded that, while it was clear that there was broad culpability, there was not sufficient evidence available now to override the previous decision, which did not include court-martial of these two military leaders; it simply included retiring them at their permanent rank rather than their temporary rank.

Some of you will remember this issue because we went through it with a four-star admiral when there were questions about the abuse of women on his watch in the Navy. Some of you will remember that we actually had to cast a vote in that case. The issue was whether he should retire at his permanent rank, which was a two-star admiral, or as a four-star admiral. We had a very close vote on the decision to allow him to retire with his four-star rank, which he held on the day he left the military.

It is true that normally, military flag officers are allowed to retire above their permanent rank to the higher temporary rank held on the day they are severed from the military. But that is not always the case, and it is normally done as an indication that they have provided excellent service.

It was not an extraordinary thing in the wake of Pearl Harbor to, No. 1, retire the two officers in charge and, No. 2, retire them at their permanent rank rather than elevating their rank upon retirement.

I urge my colleagues, with all due respect to Senator ROTH, to let history be the judge of what happened at Pearl Harbor. We have a process within the Defense Department where recommendations can be made, where facts can be gathered on an objective basis, where the review can come up to the level of the Secretary of Defense and then come to the President, if necessary, to make a final decision. President Bush refused to override the judgment of history. The Clinton administration, through Under Secretary Dorn, has refused to override the judgment of history.

Now, there is no doubt about the fact that Senator ROTH believes he is sufficiently knowledgeable about this case to override the judgment of history here. But I ask the other 99 Members of the Senate, are we sufficiently informed? Do we want to set a precedent here or build on precedents, bad precedents in my opinion, that have been set in the past, of trying to write history on the floor of the Senate? I think we need to leave it to the official process. We need to leave it to historians to make these judgments.

I have been personally involved now for several years with the Dr. Mudd case. What has happened in that case is that Dr. Mudd has many influential heirs and they have set a goal of exonerating him. We now have gone through this extraordinary process where we literally are on the verge of making a decision, where the Federal courts have gotten involved, not on the issue of whether Dr. Mudd was guilty. Having met John Wilkes Booth three times, being a physician whose job it was to recognize traits in people, he supposedly treated John Wilkes Booth and never recognized him. Contemporaries at the time said no. As a result, they sent him to prison. He was later pardoned due to some of the good work he did in prison. Never again in his lifetime did he challenge the judgment. But yet now we are on the verge of having, because of the political influence of that family, a decision in the Defense Department to override history.

I think we make a mistake by doing that. In this case, we have had a judgment by President Bush, a naval aviator, a hero of the very war where this decision was made, who decided not to rewrite history.

I think we should not decide to rewrite history here today. I think this amendment is well intended and based on tremendous research and on a great deal of fact. The point is, we are not the body that should be making this judgment. There is a process underway. That process has come to the level of the President once; it has come to the level of the Under Secretary of Defense once; and in both cases, they have said they would allow the judgment of history to stand.

It is not as if these two military leaders were court-martialed. They were simply retired, something that happens every day in the military. And they were retired at their permanent rank, which is not ordinary but it is certainly not extraordinary.

What should be extraordinary is that retirement at temporary rank ought to be a reward for conspicuous service. And while each of us can make our judgment about history that occurred in 1941, almost 58 years ago, I do not believe we have the ability, nor do I believe we have the moral authority as a political body, to go back and rewrite history. I ask my colleagues to oppose this amendment.

I yield back the remainder of my time.

Mr. ROTH. Mr. President, I yield myself 2 minutes.

We are not rewriting history. We are merely correcting the record. Just let me point out that the Dorn report, which has been mentioned time and again by those in opposition, specifically concluded that responsibility for the Pearl Harbor disaster should not fall solely on the shoulders of Admiral Kimmel and General Short; it should be broadly shared. Let me emphasize that: It should be broadly shared. In other words, there were others responsible, primarily in Washington. To place the blame on these two gentlemen, who had distinguished military careers, is wrong and is unfair. I believe we have a responsibility, a duty, to recommend to the President action that corrects this unfortunate misdeed.

In making this decision, let me point out that a number of endorsements of my resolution have been received from senior retired officers of the highest rank. For example, Arleigh Burke sent a letter in which he concluded that:

> It is my considered judgment that when all the circumstances are considered that you should approve this posthumous promotion and recommend it to the President.
>
> The record is clear that important information, available to the Chief of Naval Operations in Washington, was never made available to Admiral Kimmel in Hawaii.
>
> Lastly, the Naval Court of Inquiry, which exonerated Admiral Kimmel, concluded that his military decisions were proper based on the information available to him.

Let me now refer to a letter we received from several distinguished members of the Navy: Thomas Moorer, Admiral, U.S. Navy; former Chairman, Joint Chiefs of Staff, William J. Crowe, Admiral, U.S. Navy; J.L. Holloway, Admiral, U.S. Navy; Elmo Zumwalt, Admiral, U.S. Navy. They wrote:

> We ask that the honor and reputations of two fine officers who dedicated themselves to the service of their country be restored. Admiral Husband Kimmel and General Walter Short were singularly scapegoated as responsible for the success of the Japanese attack on Pearl Harbor December 7, 1941. The time is long overdue to reverse this inequity and treat Admiral Kimmel and [G]eneral Short fairly and justly. The appropriate vehicle for that is the current Roth-Biden Resolution.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, last night the distinguished Senator ROTH and I had an extensive debate on this issue, and we are basically covering much of the same ground this morning. I repeat, I just got off the phone with the Secretary of Defense Bill Cohen, his predecessor, Bill Perry.

The Dorn report went through this whole case very carefully.

I recited the list of some nine tribunals, including the Congress of the United States, that reviewed this matter, and certainly did not reach any conclusion that the action to which my good friend and colleague, the Senator from Delaware, asks the Senate to do today.

I associate myself with the remarks of our colleague from Texas.

But it is interesting. This is very extensive research performed by our colleague. I took the liberty of taking the book last night and going home to read it, which is a summary of the congressional hearings. What I find interesting is that the Congress absolutely put forward some of the most distinguished Members of the House and the Senate to form the Joint Committee on the Investigation of the Pearl Harbor Attack: Alben Barkley, Senator from Kentucky was the chairman; Jere Cooper, Representative from Tennessee, was the Vice Chairman. On the Senate side, just look at the names of the individuals. Based on my own not personal knowledge but study of their careers in the Senate, they certainly were viewed as among the giants of the Senate during that critical period in history of

World War II: Walter F. George, Senator from Georgia; Scott Lucas, Senator from Illinois; Owen Brewster, Senator from Maine; Homer Ferguson, Senator from Michigan. They were the elderly statesmen, the leaders of the Senate.

In their report, this is what the Committee on the Investigation of the Pearl Harbor Attack found. I refer to page 252. It says:

''Specifically, the Hawaiian commands failed'' to do the following. By ''the Hawaiian commands,'' of course, they are referring to the Naval command under Admiral Kimmel and the Army command under General Short:

(a) To discharge their responsibilities in the light of the warnings received from Washington, other information possessed by them, and the principle of command by mutual cooperation.

The record astonishingly shows that these two senior officers, located on the principal islands of Hawaii, just did not collaborate together and share information and ideas as to how best to plan for the defense of the men and women of the Armed Forces, our interest in the islands at that time, and the critical assets; namely, Naval ships and aircraft that were located at that forward deployed area.

(b) To integrate and coordinate the facilities for defense and to alert properly the Army and Navy establishments in Hawaii, particularly in the light of the warnings and intelligence available to them during the period November 27 to December 7, 1941.

(c) To effect liaison on a basis designed to acquaint each of them with the operations of the other, which was necessary to their joint security, and to exchange fully all significant intelligence.

I am going to repeat that—failure to exchange between the two of them and with their subordinant significant intelligence.

(d) To maintain a more effective reconnaissance within the limits of their equipment.

(e) To effect a state of readiness throughout the Army and Navy establishments designed to meet all possible attacks.

(f) To employ the facilities, materiel, and personnel at their command, which were adequate at least to have greatly minimized the effects of the attack, in repelling the Japanese raiders.

(g) To appreciate the significance of intelligence and other information available to them.

In fairness, I will read another finding, and that is:

The errors made by the Hawaiian commands were errors of judgment and not derelictions of duty.

Had there been dereliction of duty, these two men would have been court-martialed. But that was the decision made by the President of the United States, two successive Presidents—Roosevelt and Truman—not to do that. But they found them guilty of errors of judgment.

What we are asked to do is to put this body on notice that we are reversing the findings of the distinguished bipartisan panel of Senators and Members of the House of Representatives after taking all of this factual evidence into consideration. Look at the voluminous factual situation.

I asked my good friend last night: Are there any new facts on which the Senate could have as a predicate the changing of this decision of the joint congressional committee? And, quite candidly, my colleague from Delaware said no.

Just to bring to the attention of the Senate one other part in this report, it states on page 556:

The commanding officers in Hawaii had a particular responsibility for the defense of the Pacific Fleet and the Hawaiian coastal frontier. This responsibility they failed to discharge.

I repeat, Mr. President, ''This responsibility they failed to discharge.''

The failure of the Washington authorities to perform their responsibility provides extenuating circumstances for the failures of these commanders in the field.

This committee took into consideration that there were other failures but there were extenuating circumstances to bring the judgment of this panel to the conclusion that a court-martial was not to be held. But they were to be retired in the grades which they were in at permanent rank.

In this record is a request by these two officers to be retired, and the decision was made not to advance them at the time of retirement to the higher grade. That decision was made by individuals who had fresh of mind the facts of this case.

For us at this date and time to try to reverse that, in my judgment, would be to say to all of the tribunals that looked at this case—I will recite them again—the Knox investigation of December 1941; the Roberts Commission of January 1941; the Hart investigation of June 1944; Army Pearl Harbor Board, October of 1944; Navy Court of Inquiry, October of 1944; Clark investigation, September of 1944; Hewitt inquiry, July of 1945——

The PRESIDING OFFICER (Mr. SANTORUM). The time of the Senator from Virginia has expired.

Mr. WARNER. Mr. President, I ask unanimous consent that the Senator from Virginia be given an additional 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. The Clausen investigation, September 12, 1945; and, the joint congressional committee of May of 1945. It is the joint congressional committee record—to now, after these many 50-plus years, go back and reverse the decisions of all of this work done by individuals, as the Senator from Texas pointed out, with the authority to render such judgments would be to say to them: All of you are in error for not having done what the Senator from Delaware requested the Senate do these 50-plus years later.

I just think that is a very unwise decision. I think the Senator from Delaware has put an awful lot of hard work into this. I respect him for it. But I simply cannot support the Senator, nor can the current Secretary of Defense, and, indeed, the previous Secretary of Defense, and others who have looked at this set of documents previously.

I yield the floor.

Mr. ROTH. Mr. President, I yield 4 minutes to the distinguished senior Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 4 minutes.

Mr. BIDEN. Mr. President, let me begin by thanking my senior colleague, Senator ROTH, for carrying the load on this.

As we look forward to Memorial Day observances this weekend, most of us will take time to reflect on the honorable and noble traditions of our military. The amendment sponsored by myself and my good friends Senator ROTH, THURMOND, and KENNEDY is an effort to make sure Congress does its part to uphold those noble traditions.

Just to highlight two or three points: First of all, my friend from Virginia talks about the historical record. The historical record was made at that time when history was least likely to be served in the immediate aftermath of a national tragedy, and a need for an explanation that the country yearned and desired. I am not suggesting those who conducted the original investigation had any benevolent intent. I am suggesting that history is best viewed with a little bit of distance. There was not any distance. I just ask everyone to think about what would happen if something, God forbid, similarly happened today and this Senate, this body, and the administration decided they needed to investigate something immediately. My overwhelming instinct tells me there would be a need to find specific individuals who were responsible in order to satisfy our collective need for an answer.

I respectfully suggest that that is what happened here, and I respectfully suggest, as well, that we should not be fearful of the truth and we should not be fearful of going back in this open society of ours and not rewriting history, but setting the facts straight.

Ultimately, it is the President who must take action, but it is important that we in the Senate send the message that the historical truth matters and that it is never too late to acknowledge that the government did not treat the two commanding officers at Pearl Harbor on December 7, 1941, fairly.

Here's how I see it. Admiral Husband E. Kimmel and General Walter Short were publicly vilified and never given a chance to clear their names.

If we lived in a closed society, fearful of the truth, then there would be no need for the President to take action. But we don't. We live in an open society. Eventually, we are able to declassify documents and evaluate our past based on at least a good portion of the whole story. I believe sincerely that one of our greatest strengths as a nation comes from our ability to honor truth and learn the lessons from our past.

If we perpetuate the myth that Admiral Kimmel and General Short bear all of the blame for Pearl Harbor then we miss the real story. We fail to look at the readiness shortfalls they were facing—the lack of adequate reconnaissance planes, pilots, spare parts, and maintenance crews. We fail to look at the flawed intelligence model that was used—the disconnect between what was obtained and what got to the commanders in the field.

I mention these things in particular because there are some striking parallels to the problems facing today's military. Today's problems are of a different scope and scale, but it is important to see the parallels so that we can accurately judge our progress and our endemic problems.

The historic record is not flattering to our government in the case of the two commanding officers at Pearl Harbor and that is why it is our government's responsibility to acknowledge its mistake. I want to emphasize that point, because it is important.

In last night's debate over this amendment, both those for and against it agreed on most of the facts. Where there was disagreement, it seems to me, was in what to do about the facts. I believe we should urge the President to take action, because government action in the past shrouded the truth and scapegoated Kimmel and Short.

I know Senator ROTH and Senator THURMOND discussed some of the history last night, so I will just briefly review some of the critical parts.

In 1941, after lifetimes of honorable service defending this nation and its values, Admiral Kimmel and General Short were denied the most basic form of justice—a hearing by their peers. Instead of a proper court-martial, their ordeal began on December 18th with the Roberts Commission. A mere 11 days after the devastating attack at Pearl Harbor, this Commission was established to determine the facts.

In this highly charged atmosphere, the Commission conducted a speedy investigation, lasting little over a month. In the process, they denied both commanders counsel and assured both that they would not be passing judgement on their performance. That assurance was worthless. Instead, the Commission delivered highly judgmental findings and then immediately publicized those findings. The Roberts Commission is the only investigative body to find these two officers derelict in their duty and it was this government that decided to publicize that false conclusion. As one might expect, the two commanders were vilified by a nation at war.

Every succeeding investigation was clear in finding that there was no dereliction of duty. The first of these were the 1944 Army Board and Navy Court reviews. Again, it was government action that prevented a truthful record from reaching the public—a decision by the President. The findings of both of these bodies that placed blame on others than Kimmel and Short were sequestered and classified.

Fifty-seven years later, such falsehoods and treatment can no longer be justified by the necessities of war. Rear Admiral Husband E. Kimmel and Major General Walter Short were not singularly to blame for the disastrous events of Pearl Harbor in 1941. In fact, every investigation of Admiral Kimmel and General Short's conduct highlights significant failings by their superiors.

This amendment does not involve any costs, nor does it seek any special honor or award for these two officers. It does not even seek to exonerate them from all responsibility. Instead, it seeks simple fairness and their equal treatment. They are the only two eligible officers from World War II denied advancement on the retirement lists to their highest held wartime ranks.

I know my colleague from Virginia is concerned that there may be a long list of junior officers who can make similar claims. It is my understanding that there was a list of officers from World War II eligible for advancement under the Officer Personnel Act of 1947. Admiral Kimmel and General Short were the only officers on that list that were denied advancement on the retirement list.

I want to stress again for all my colleagues that this amendment simply sets the record straight—responsibility for Pearl Harbor must be broadly shared. It cannot be broadly shared if we fail to acknowledge the government's historic role in clouding the truth, nor if we continue to perpetuate the myth that Kimmel and Short bear singular responsibility for the tragic losses at Pearl Harbor.

These two officers were unjustly stigmatized by our nation's failure to treat them in the same manner with which we treated their peers. To reverse this wrong would be consistent with this nation's sense of military honor and basic fairness.

As we honor those who have given their lives to preserve American ideals and national interests this coming Memorial Day, we must not forget two brave officers whose true story remains shrouded and singularly tarnished by official neglect of the truth.

We introduced this amendment as S.J. Res. 19 earlier this year and it now has 23 co-sponsors. As I know Senator ROTH indicated last night, it has the support of numerous veterans organizations and retired Navy flag officers. These knowledgeable people and about a quarter of the Senate have already spoken up on behalf of justice and fairness.

I urge the rest of my colleagues to join us and support this amendment.

Mr. WARNER addressed the Chair

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I cannot accept the basic premise on which the distinguished Senator from Delaware addresses his case; that is, that there was a disposition among good and honest men not to accord fairness, equity, and justice to these two individuals. They were the subject of repeated inquiries. As a matter of fact, the Roberts Commission was headed by a Supreme Court Justice. Throughout the whole judicial history, in the common law of England, which we incorporated in our judicial history, speedy trial is the essence of our justice. The appellate procedure has to thereafter proceed with some expedition. You cannot wait 50-some-plus years to address an issue such as this. What do you say to the congressional committee? Do you dispute the findings of this committee?

Mr. BIDEN. Yes.

Mr. WARNER. We gave the names of some of the most revered elder statesmen of this body who presided, such as Alben Barkley. And, indeed, President Truman had to address, in 1947, as Senator ROTH and I covered last night, the tombstone promotions, which were given to officers of this category, and deny them. Truman himself had to make that decision. So I say to my good friend, many fair-minded individuals have reviewed this case and have come up with the determination that they were not the only ones who had culpability, but certainly, as I read it, this commission of the Congress of the United States found a serious basis for holding the action and making the decision that they did.

Mr. LEVIN. Mr. President, will the Senator yield a minute?

Mr. WARNER. I yield such time as the Senator from Michigan needs.

Mr. LEVIN. Mr. President, let me just add to what the Senator from Virginia just said in response to our good friend from Delaware. What I really fear, perhaps the most, is the substitution of the judgment of a political body for the judgment and findings of the appropriate chain of command. We are a political body. The chain of command at the time, which has been reviewed by the Defense Department, repeatedly made findings and held these two officers accountable. For us now to substitute our judgment more than five decades later for that of the chain of command, it seems to me, is a very, very bad precedent in terms of holding officers accountable for events.

Mr. President, the Department of Defense recently reviewed this entire matter—the so-called Dorn report—and I have quoted these findings before, but I will pick out two of them, which seems to me go to the heart of the matter.

This is a quote:

> To say that responsibility is broadly shared is not to absolve Admiral Kimmel and General Short of accountability.

Of course, accountability should be broadly shared, and maybe it wasn't as broadly shared as it should have been, but the issue is whether or not this accountability, 57 years ago, is going to be set aside by a political body 57 years later.

Mr. BIDEN. Will the Senator yield?

Mr. LEVIN. My time is over, but I will be happy to yield.

Mr. BIDEN. Mr. President, I ask unanimous consent for 1 minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BIDEN. Mr. President, this is a rhetorical question. The report suggested that Generals Marshall and Stark were also partially responsible. My point is that the idea that the entirety of the blame, that the children and the children of the children of these two men will live forever thinking that they were the only two people responsible for this, is a historical inaccuracy, unfair, and a blemish that is not warranted to be carried by the two proud families whose names are associated with them. It is as simple as that.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. I ask unanimous consent for 2 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ROTH. Mr. President, what we are talking about today is a matter of justice and fairness, a matter that goes to the core of our military tradition and our Nation's sense of military honor. Just let me point out once again the Dorn report says:

> Responsibility for the Pearl Harbor disaster should not fall solely on the shoulders of Admiral Kimmel and General Short. It should be broadly shared.

Unfortunately, it was not broadly shared. The only two people who were singled out for punishment, or not to be promoted to their wartime rank, were Admiral Kimmel and General Short. They were held singularly responsible for what happened in Pearl Harbor. That is not fair. That is not just. Just let me point out that we have had the essence of the tremendous number of endorsements we have received from senior retired officers of the highest rank. Once again, I point out that admiral after admiral—Burke, Zumwalt, Moorer and Crowe—have asked that this be corrected. All we seek today is justice and fairness to two officers who served their Nation with excellence.

The PRESIDING OFFICER. All time has expired.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I ask for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Virginia.

Mr. WARNER. Mr. President, the admirals the Senator enumerated were ones I had the pleasure of knowing, serving with several, and for whom I have a great deal of respect. But I note the absence of any similar number of Army generals coming forward on behalf of General Short. Perhaps the Senator has something in the RECORD. But I think that silence speaks to authenticate the position that this Senator and others have taken.

To the very strong, forceful statement of my colleague who said it is implicit that all responsibility for this tragedy is assigned to these two individuals, that is not correct. The Dorn report said it is to be shared. In fact, General Marshall stepped forward with courage and accepted publicly, at the very time this was being examined, his share of responsibility.

So I say others, indeed, General Marshall and others, stepped forward.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. ROTH. May I just make a 15-second statement?

Mr. WARNER. The Chair has ordered the yeas and nays?

The PRESIDING OFFICER. Yes.

Mr. WARNER. I say, as a courtesy to my good friend and others who have sponsored this, we will not, of course, move to table.

Mr. ROTH. I point out the Army Board for Correction of Military Records, in 1991, recommended that General Short be restored to his full wartime rank.

AMENDMENT NO. 377

The PRESIDING OFFICER. All time has expired. The question now is on the Roberts amendment. There is an hour equally divided.

Mr. ROBERTS. Mr. President, I have had the privilege this year to serve as the first chairman of the Senate Armed Services Committee's Subcommittee on Emerging Threats and Capabilities. I would like to recognize Senator WARNER, the chairman of the Armed Services Committee, for his vision and foresight in creating this subcommittee to deal with the nontraditional threats to U.S. national security.

The Subcommittee on Emerging Threats and Capabilities was established to provide oversight for the Department of Defense's efforts to counter new and emerging challenges to vital United States interests. Through a series of hearings and detailed oversight of budget accounts, the subcommittee highlighted: the proliferation of weapons of mass destruction; terrorism directed at U.S. targets both at home and abroad; information warfare and the protection of our defense information infrastructure; and trafficking of illegal drugs. The subcommittee sought to identify the technology, operational concepts and capabilities we need to deter—and, if necessary—combat these perils.

I would like to briefly highlight the initiatives included in this bill to address the emerging threats to our national security:

Protection of our homeland and our critical information infrastructure are two of the most serious challenges facing our Nation today. In the area of counterterrorism, the bill before the Senate includes full funding for the five Rapid Assessment and Initial Detection (RAID) teams requested by the administration, and an increase of $107 million to provide a total of 17 additional RAID teams in fiscal year 2000. We have further required the Department to establish a central transfer account for the Department's programs to combat terrorism to provide better visibility and accounting for this important effort.

We have included an Information Assurance Initiative to strengthen the Department's critical information infrastructure, enhance oversight and improve organizational structure. As a part of this initiative, we added $120 million above the President's budget request for programs to enhance our ability to combat cyber-attacks. In addition, this initiative will provide for a test to plan and conduct simulations, exercises and experiments against information warfare threats, and allow the Department to interact with civil and commmercial organizations in this important effort. The provision encourages the Secretary of Defense to strike an appropriate balance in addressing threats to the defense information infrastructure while at the same time recognizing that Department of Defense has a role to play in helping to protect critical infrastructure outside the DOD.

We have included a legislative package to strengthen the science and technology program. This legislation will ensure that since the science and technology program is threat-based and that investments are tied to future warfighting needs. The legislation is also aimed at promoting innovation in laboratories and improving the efficiency of RDT&E operations. The bill also includes a $170 million increase to the science and technology budget request.

And finally, in the area of nonproliferation, we have authorized over $718 million for programs to assist Russia and other states of the former Soviet Union destroy or control their weapons of mass destruction. However, it is important to note, this is an increase of $29.6 million over the fiscal year 1999 funding level. I would like to take a moment to share my thoughts on this issue.

I am very concerned about the findings of the recently released GAO report that the U.S. cost of funding the nuclear material storage facility in Mayak, Russia has increased from an original estimate of $275 million to $413 million. This Cooperative Threat Reduction (CTR) project may eventually have a price tag of $1 billion. These increased costs to the U.S. have occurred because Russia has failed to fund its share of the costs of this project. I also understand that the chemical weapons destruction facility will not be open until 2006, in part due to Russia's failure to provide the needed information about the chemical weapons to be destroyed.

The CTR program is becoming more and more one-sided. This program is also in the interest of the Russians. Matter of fact, much of the destruction of the Russian inventory, funded by the CTR program, enables Russia to meet its obligations under existing arms control treaties.

In addition, I am concerned with the daily press reports that the Russians are enhancing their military capabilities. For example:

Earlier this month, President Yeltsin reportedly ordered the Russian military to draw up plans for the development and use of tactical nuclear forces.

On May 4, The Russian Defense Minister threatened to reconsider Russian support for the revision of the Conventional Forces in Europe (CFE) Treaty.

On April 16, the Duma unanimously adopted a resolution calling for increased defense budgets.

Although I have serious concerns about this program, we included an authorization for CTR at the budget request of $475.5 million, an increase of $35 million over the FY 99 level. However, before FY 2000 funds may be obligated we require the President to recertify that the Russians are foregoing any military modernization that exceeds legitimate defense requirements and are complying with relevant arms control agreements. The most recent certification by the Administration was completed before these numerous statements by Yeltsi and other Russian officials.

I am also concerned with the deficiencies in the management and oversight of the DOE programs in Russia—in particular, the Initiative for Proliferation Prevention (IPP) and the Nuclear Cities Initiative (NCI). If these programs are to succeed, we need to get past the implementation problems pointed out in the GAO report, in press reports, by our House colleagues, and by the Russians. In addition, the Russian economic crisis and lack of infrastructure are making these programs more difficult to manage. I am afraid if we do not exercise strong oversight now we are in danger of losing these programs.

I have proposed a number of initiatives that I believe will go a long way towards correcting the deficiencies in the management of the IPP program, establishing a framework for effective implementation and oversight of both programs, and ensuring that sufficient accountability exists. Further, I believe the U.S. nonproliferation goals and U.S. national security will be better served by these improvements.

Finally, I believe DoE should spend FY 2000 tightening up the implementation of IPP and NCI rather than broadening the program. Therefore, the committee authorized the IPP and NCI below the administration's request of $30 million for each program. The bill includes an authorization of $15 million for NCI and an authorization of $25 million for IPP, an increase of $2.5 million for each program over FY 99 levels. These are the only programs in the entire DoE nonproliferation budget that the committee authorized below the budget request. Overall, we authorized $266.8 million for DoE nonproliferation programs in the former Soviet Union countries—an increase of $13.4 million over FY 99.

I believe the bill before you takes significant steps to focus the Department of Defense's efforts to counter new and emerging threats to vital national security interests. I urge my colleagues to support this bill.

Once again, Mr. President, I am asking the support of my colleagues for a simple sense of the Senate that calls also for complete transparency on the part of the President and Senate consideration regarding the de facto editing of the original North Atlantic Treaty.

My sense of the Senate asks the President to certify whether the new Strategic Concept of NATO, the one adopted at the 50th anniversary of NATO in Washington about a month ago—this formalization of new and complicated United States responsibilities in Europe, as evidenced by the war in Kosovo and the possibility of future Kosovos around the world—is in fact a document that obligates the United States in any way, shape, or form.

If so, my sense of the Senate affirms that this body be given the opportunity to debate, to accept or to reject, the new blueprint for future NATO operations, these actions which will undoubtedly include substantial components of our own Armed Forces engaged completely outside the province of the original treaty.

Yesterday the distinguished Senator from Michigan, my colleague and my friend, Senator LEVIN, asked where the Congress was in 1990, in regard to the last Strategic Concept adoption. The Senator has rightly pointed out there were changes made in the Concept at that particular time. Without question, that should have been an alarm bell of things to come. But there are key differences, I tell my friend, in the world today as opposed to the world in 1990.

Second, and just as important, there are significant differences regarding the Strategic Concept adopted in April of 1999, just a month ago, which is the document that I hope is still on the desk of all Senators, and the Concept that was adopted in 1990 as referenced by the Senator.

First of all, Bosnia had not occurred and, more especially, Kosovo was not the proof of the direction that NATO intended to go. That direction is an offensive direction. That is not meant to be a pun.

The crafting of language in the new Strategic Concept was carefully done. Look, my colleagues, if you will, at the removal of the following wording of paragraph 35 of the 1991 Concept. I will repeat it:

> The alliance is purely defensive in purpose. None of its weapons will ever be used except in self defense.

That was removed. That removal was not an oversight. The current Strategic Concept sets in motion a new NATO that is inconsistent with article 1 of the 1990 treaty or concept. The North Atlantic Treaty, article 1:

> The parties undertake as set forth in the Charter of the United Nations to settle any international dispute which they may be involved in by peaceful means, in such a manner that international peace and security and justice are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purpose of the United Nations.

That was in 1990, the reference to the United Nations, to settle any international dispute by peaceful means, not by military means.

The original wording and intent of article 4 of the North Atlantic Treaty is straightforward. The North Atlantic Treaty, article 4:

> The parties will consult together when in the opinion of any of them the territorial integrity—

All the debate about whether we are conducting a military campaign and crossing borders of a sovereign state, I say it again:

> The parties will consult together when in the opinion of any of them the territorial integrity or political independence or the security of any of the parties is threatened.

However, paragraph 24 of the new Concept significantly alters article 4 of the NATO treaty in the following way:

> Arrangements exist within the alliance for consultation among the allies under article 4 of the Washington Treaty—

My colleagues, pay attention to this—

> and, where appropriate, the coordination of their efforts including the responses to such risks.

The portion that includes ''the coordination of their efforts including their responses to such risk,'' it is new, and strongly suggests offensive action, i.e., Kosovo. It is a possible response to a threat, and that is a radical shift for NATO—not from 1949 but also from 1990.

The new Concept has significantly expanded the global coverage of NATO. For example, paragraphs 20, 21, and 22 clearly indicate a global reach for NATO.

Paragraph 20 states:

> The resulting tensions could lead to crises affecting Euro-Atlantic stability, to human suffering and to armed conflicts. Such conflicts could affect the security of the conference by spilling over to neighboring countries including NATO countries or in other ways, and could also affect the security of neighboring states.

The point is that NATO justifies action well beyond the original boundaries of NATO and now includes threats to member states anywhere in the world. Is that what we want the NATO of the future to be?

I say to my friend from Michigan, he is right that Congress was asleep at the switch when the Strategic Concept of 1990 was adopted. But there is no reason for Congress to remain asleep in

1999. In fairness to my colleagues, no one envisioned that in less than 9 years the purely defensive alliance of NATO would have conducted offensive action out of area, against a sovereign nation, albeit a terribly oppressive nation, in an action that was not in our vital national interests.

Let me share some comments I have gleaned from the Foreign Media Reaction Daily Digest which all Members receive from the U.S. Information Agency. This is from the leading press around the world, as they view, in terms of their commentary, what this Strategic Concept means to them.

I know some critics, myself included, will say their views, some of the views, are unimportant or biased or that they are from state-run presses. I know that. But I think they are a valuable tool to understand how we and NATO are being perceived by non-NATO members—and some NATO members as well. Here is the summary—early May:

The Alliance's adoption of a ''new strategic concept''. . . has swung to the negative [in regard to the comments by the foreign press]. Criticism of the Alliance's vision of a ''new world order''. . . . many underscored the problems with NATO's expanded purview and questioned the feasibility of trying to promote and impose—beyond European borders and ''by force if necessary''—a ''consistent'' standard on human rights. The vast majority of media outside of Europe remained harshly critical of NATO's [read the U.S.'s] new blueprint, with most reiterating their concerns that NATO is ''transforming itself into a global police force, ignoring the role of the U.N.'' . . . NATO is being enlarged—both spatially and doctrinally—in order to ensure U.S. military and political dominance over Europe, Russia and the rest of the world.

I don't buy that, but it is important to understand that other countries certainly think that.

It goes on to say:

The idea that a part of the world, formed by the most ''civilized'' nations, can be responsible for the respect of human rights in the whole world—resorting, if necessary, to the use of force . . . is neither viable nor fair.

They are asking:

. . . whether Kosovo is an exception or a rule in NATO's new strategy, and whether the Allies will be equally firm, but also consistent, when its comes to the Kurds . . . Tibetans, Palestinians, Tutsis, Hutus [or] Native Americans. Ethnic cleansing in Chechnya, Turkey, Colombia, Indonesia show that NATO is now punishing randomly, that is only enemies and only those countries that don't have any nuclear weapons.

Mr. President, several headlines—and I do not agree with all of these headlines—in May should be brought to the attention of my colleagues.

The newspaper Reforma in Mexico:

What is the reason for the desire to impose a solution in defense of the Albanians in Yugoslavia while at the same time three ethnic groups that hate each other are forced to co-exist in Bosnia? What could happen in Mexico in the future? Within several months, NATO members [have now agreed] to intervene anywhere they see fit without the need to consult with the U.N. and to run the risk of a veto from Russia or China. This will be a two century jump backwards.

That is from Mexico. I am not saying it speaks for the entire country of Mexico, although President Zedillo said much the same thing.

Ethnos, a paper in Greece:

What occurred in Washington was the U.N.'s complete weakening. It is now a mere onlooker of NATO's decisions and initiatives. What has taken place is the complete overthrow of the legal system.

A newspaper called Folha de S. Paulo in Brazil:

NATO celebrates its 50th anniversary and in practice formalizes the end of the U.N. As it has become clear this past month, the world's power is, in fact, in NATO, meaning in the hands of the United States. And, almost no Government dares to protest against it.

The Economist in Great Britain, a respected newspaper:

Limping home from Kosovo would certainly oblige NATO to rethink its post-Cold War aims of intervention, not just for member's defense, but also for broader interest in humanitarian and international order. NATO might go into terminal decline. The Alliance needs to persist in explaining to other countries the principles that guided NATO's decision to intervene in Kosovo. This necessity is not so much to prove that this was a just cause but to reassure a suspicious world that NATO has not given itself the right to attack sovereign nations at whim.

Il Sole 24–Ore. of Italy:

We cannot say what emerged from the weird birthday-summit war council in Washington is a strategic concept. Indeed, NATO should have been more precise about its future. The war in Kosovo forces us to revise international law as we have known it.

This is from a newspaper in a country that is a NATO ally:

The concept suggests laying the foundation of an ''ethical foreign policy.'' A democratic West which tolerates ethnic and religious diversities, which is stable and economically free, can even fight to give these values to other people. It is a very nice picture, but to impose freedom is a contradiction in terms.

Another headline: Al-Dustur in Jordan, the new King of which just paid a visit to this country:

The Anglo-American alliance imposed on NATO during the summit in Washington is a new orientation marked by imperialist arrogance and disregard for the rest of the world.

Those are pretty strong words.

This is a serious danger that faces the world, and to overcome it all non-NATO countries should cooperate and seek to develop weapons of mass destruction.

Is that what the new Strategic Concept is leading to in the minds of some of the critics in foreign countries?

Al Watan in Kuwait, the country we freed in regard to Desert Storm:

NATO does not have a strategy for the next 50 years, except America will remain the master, Europe the subordinate, Russia a marginalized state and the rest of the world secondary actors.

That is pretty tough criticism.

Asahi newspaper in Japan:

One such lesson is that members of an alliance often resort to their own military activities, paying scant attention to the trend of the U.N. Security Council, or international opinion. Another lesson is that the United States, the only superpower, often acts in accordance with its own logic or interests rather than acting as supporter for its allies.

This newspaper sums it up:

This has relevance to the U.S.-Japanese military alliance.

The newspaper Hankyoreh Shinmun of South Korea, an ally:

The summit decision to give the Alliance an enlarged role in the future is a dangerous one in that it may serve in the long term to merely prop up America's hegemonic endeavors. The talk of NATO's expanded role confuses everyone and even threatens global peace. NATO's new role could unify countries like Russia and China that oppose U.S. dominance, provoking a new global conflagration between them and the West.

In Taiwan, The China Times:

NATO's new order requires different agents to act on the U.S.'s behalf in different regions and to share the peace-keeping responsibility for the peace of greater America. In the Kosovo crisis, NATO on one hand tries to stop the Yugoslav government's slaughter. On the other hand, to show respect for Yugoslav sovereignty it also opposes Kosovar independence. This means that a country cannot justify human rights violations by claiming national sovereignty. By the same token, calls for independence in a high tension area are forbidden since they would naturally lead to war. These two principles have now become the pillars of the NATO strategic concept. Both sides of the Taiwan Strait have also repeatedly received similar signals: Beijing should not use force against Taiwan, and Taiwan should not declare independence.

There is a parallel.

Finally, in India, the newspaper Telegraph:

NATO will definitely try to make things difficult for nations like India which are planning to join the nuclear league. Though Russia, and now China, are seeking India's cooperation and active participation to build a multi-polar world order against the United States, Deli appears to be reluctant to play. This reluctance stems from the fear that the West, with help from Pakistan, might turn Kashmir into another Kosovo, highlighting human rights violations in the valley and Kashmir then might become a fit case for NATO intervention.

I do not buy that. I do not think we are going to do that. Some of the warnings, some of the descriptions that I have just read to my colleagues, I do not buy, but it shows you the attitude, it shows you how other people feel about the new Strategic Concept.

We have the same kind of commentaries from Argentina, from Canada, from Mexico again.

La Jornada, a newspaper in Mexico:

The decision by NATO leaders to turn that organization from a defensive into an offensive entity and to carry out military actions regardless of the U.N. is a defeat of civilized mechanisms that were so painfully put in place after World War II. If the Alliance really wanted to impose democratic values by force, it should start by attacking some of its own members, like Turkey, which carries out systematic ethnic cleansing campaigns against the Kurds.

Tough words.

My point remains that this new Strategic Concept, a concept that radically alters the focus and direction of NATO, has been adopted without the consultation of the Senate. Are we willing, as

Senators, to stand by and not debate, discuss, or give consent to a document that fundamentally alters the most successful alliance in history? What we discussed, what we ratified in regard to expansion is totally different than the new Strategic Concept. It has had no debate, it has had no discussion and, yet, it is a blueprint for our involvement in the future of NATO.

It is a document that fundamentally alters the most successful alliance in history and one that may cost the blood of our men and women and billions of dollars from our Treasury. We should at least debate it.

I urge my colleagues to support my sense-of-the-Senate amendment. I reserve the remainder of my time.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER (Mr. ENZI). The Chair recognizes the Senator from Michigan.

Mr. LEVIN. Mr. President, I will be voting for this amendment because it is worded very differently from earlier versions. This version of the amendment simply requires the President to certify whether or not the new Strategic Concept of NATO imposes any new commitment or obligation on the United States.

In 1991, we had major changes in the alliance's Strategic Concept. These were huge changes. Section 9 of the alliance's new Strategic Concept in 1991, for instance, said:

> Risks to allied security are less likely to result from calculated aggression against the territory of the allies but rather from the adverse consequences of instabilities that may arise from serious economic, social and political difficulties, including ethnic rivalries and territorial disputes which are faced by many countries in Central and Eastern Europe. They could lead to crises inimical to European stability and even to armed conflicts which could involve outside powers or spill over into NATO countries.

Then in paragraph 12, it says:

> Alliance security must—

This is 1991—not this new one, but the Strategic Concept that was adopted in 1991.

> Alliance security must take into account the global context. Alliance security interests can be affected by other risks of a wider nature, including proliferation of weapons of mass destruction, disruption of the flow of vital resources, and actions of terrorism and sabotage.

The reason that this 1991 Strategic Concept was not sent over to the Senate for ratification was very straightforward, very simple, in my judgment; and that is that the Strategic Concept then did not contain new commitments or obligations for the United States. This is a strategic concept; this is not a legally binding document. This is not a treaty-specific document which contains obligations and commitments on the part of the parties. This is a strategic concept document, both in 1991 and in 1999.

So when my good friend from Kansas says that I said the Congress was asleep in 1991, the Congress was not asleep in 1991. The Congress was exactly right in 1991. When this Strategic Concept was adopted in 1991, there were no new obligations or commitments that required the Senate to ratify this document. And there are no new obligations or commitments now.

The President has already told us that. He has already sent a letter to Senator WARNER. The President has sent a letter to Senator WARNER dated April 14, 1999, that says:

> The Strategic Concept will not contain new commitments or obligations for the United States.

So the certification, which is required in this amendment—and rightfully so, by the way, in my judgment—has already been made. I see no reason it would not be made again.

So I do not believe that the Congress was sleeping in 1991, and it surely is not sleeping now. Senator ROBERTS is, as far as I am concerned, very appropriately saying to the administration, if this contains new commitments or obligations—if it contains new obligations and commitments—then you should send this to us as a treaty amendment.

Of course, I happen to think that is correct. This amendment does not find that there are new obligations and commitments. An earlier version of this amendment, by the way, did. This amendment does not do that. This amendment says to the President: Tell the Congress whether or not the new Strategic Concept—those are the precise words of this amendment—constitutes, involves, contains, new obligations or commitments.

Mr. WARNER. Would the Senator yield?

Mr. LEVIN. I would be happy to.

Mr. WARNER. The Senator points out that the letter was sent to me—correct—in response to a letter that I forwarded to the President. That is in last night's RECORD.

First, we welcome the Senator's support on this. But I think he would agree with me that that letter was written at the time when the language was still being worked, and of course it predates the final language as adopted by the 50th anniversary summit. That language is the object of this, I think, very credible inquiry by Mr. ROBERTS, myself, and others.

Mr. LEVIN. It is very appropriate.

Mr. WARNER. It is very well that the Senate may forward a letter that puts this matter to rest and, most importantly, clarifies in the minds of our other allies, the other 18 nations, exactly what this document is intended to say from the standpoint of America, which, I point out time and time again, contributes 25 percent of the cost to the NATO operations.

Mr. LEVIN. I think that is correct. The timing of the letter is exactly as the chairman says it is. But the statement of the President is that ''the Strategic Concept will not contain new commitments or obligations for the United States.''

The caption of the amendment by the Senator from Kansas is ''Relating to the legal effect of [this] new Strategic Concept.'' I think it is quite clear from our conversations with the State Department that the President can, indeed, and will, indeed, make this certification, and should—and should. I think it is an important certification.

I commend the Senator from Kansas. I think we need clarity on this subject. If there is a legally binding commitment on the United States in this new Strategic Concept, it ought to be sent to the Senate for ratification. But if this 1999 Strategic Concept is like the 1991 Strategic Concept—not a legally binding document but a planning document, a document setting out concepts, not legal obligations—that is a very different thing.

NATO has adopted strategic concepts continually during its existence. By the way, again, let me suggest there is nothing much broader than section 12 of the 1991 Strategic Concept which said: ''Alliance security must take into account the global context.'' Does that represent a binding commitment on the United States? It surely did not, in my judgment, and need not have been submitted to the Senate for ratification. I believe that the current Concept, which has been adopted, does not contain legally binding commitments.

Mr. WARNER. If the Senator will yield, the amendment, as carefully crafted, does not have the word ''legal'' in it. It imposes any ''new commitment.'' Indeed, there are political commitments that give rise to actions from time to time. So I recognize the Senator's focus on ''legal,'' but it does not limit the certification solely to legal. It embraces any new commitment or obligation of the United States.

Mr. LEVIN. Mr. Chairman, I think it clearly means the legal effect of this. But let us, rather than arguing over what is in or not in this amendment—I understand that there was going to be an effort made here to clarify language on the certification. If there is going to be such an effort, I would ask that be made now and that we then ask for the yeas and nays so we are not shooting at a moving target here. Really, I think it would be useful, if in fact that change relative to the certification requirement is going to be sent to the desk, it be sent to the desk at this point; and then I am going to ask for the yeas and nays.

Mr. ROBERTS. If the Senator will yield?

Mr. LEVIN. I do yield.

AMENDMENT NO. 377, AS MODIFIED

(Purpose: Relating to the legal effect of the new Strategic Concept of NATO)

Mr. ROBERTS. I do have that clarification in the form of an amendment, which I send to the desk, and I ask unanimous consent that in title X, at the end of subtitle D, that this amendment would be added.

Mr. BIDEN. Reserving the right to object.

The PRESIDING OFFICER. Is there objection?

Mr. BIDEN. There is objection. I would like to reserve the right to object, if you let me explain; otherwise, I will just simply object.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. I reserve the right to object because if, in fact, the Senator wishes to change his amendment, I ask that we consider on line 7 adding the word ''legal,'' because failure to do so rewrites constitutional history here. Presidents make commitments all the time. Commitments and obligations do not a treaty make and do not require a supermajority vote under the Constitution by the Senate to ratify those commitments. I, at least for the time being, object and hope that after we finish this debate, before we vote, my colleague and I can have a few minutes in the well to see whether he will consider amending it to add the word ''legal'' on line 7 of his amendment. So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I will yield the floor in just 2 minutes. I read this document quite clearly as meaning any new commitment or obligation, because it uses the word ''impose.'' I know no other way to impose an obligation or a commitment other than legal. When you use the word ''impose,'' it seems to me it is quite clear that that means it is imposed. So that is the way I read this language. If others want to read the language in a different way, they may. But I think that the certification requirement, which the Senator from Kansas wants to move into the front of this amendment instead of in the sense-of-the-Senate part of it, is simply a clarification of what was always the clear intent, which is that there be such a certification. And I think that that is more of a technical change than anything.

I have no objection to an amendment which moves the certification requirement to the front of the amendment before the sense-of-the-Senate language and imposes that as a certification requirement—not sense of the Congress but as a requirement on the President. In my judgment, there is no doubt but that it is only if there is a legally binding commitment or obligation that this would require a referral to the U.S. Senate, because no other requirement or obligation other than one that is legally binding on us would rise to the dignity of a treaty.

I hope the Senator will have a chance to move the certification requirement to an earlier position in his amendment. If I could just ask one question of my friend from Kansas, as I understand, that is what the modification does provide and nothing more; is that correct?

Mr. ROBERTS. I say to the Senator, I am not sure. I had thought we had an agreement that there would not be an objection to the amendment by unanimous consent. That obviously is not the case. We are going to have to consider this. Let us work on this.

I will be happy to visit here on the floor with the Senator from Delaware and my good friend from Michigan. I am not entirely clear, after listening to the Senator, that his description of this amendment is the one that I have. Let us work it out, and if push comes to shove, although I think it is entirely reasonable for a Senator to be allowed to amend his own amendment, if this has caused some concern on the part of both Senators, we can always bring this up as a separate amendment, which may be the best case. If, in fact, you say ''legal,'' you put the word ''legal'' in there, obviously I do not think the President is going to have any obligation to report on anything. In terms of obligation, if I might say so, if the Senator will continue to yield, if Kosovo is not an obligation, I am not standing here on the floor of the Senate. That is my response.

Why don't we visit about this if we can, and then, if necessary, we will just introduce an amendment at a later time as a separate amendment.

Mr. BIDEN. Mr. President, will the Senator from Michigan yield me 1 minute?

The PRESIDING OFFICER. The Chair recognizes the Senator from Delaware.

Mr. BIDEN. Just 1 minute and then afterwards I see others will seek recognition to speak.

I want to make it clear, I do not know where the Senator got the impression that there would be no objection. I did not agree to that. What I suggested was that when he asked me whether or not I objected, I asked him to withhold until after I made my talk and asked some questions. Then I would not object. We are getting the ''cart before the horse'' here. I want to make it clear, I may not ultimately object. I just want to have an opportunity to speak to this before he sends his amendment to the desk.

Mr. ROBERTS addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I ask unanimous consent that Senator SMITH of New Hampshire be added as an original cosponsor of Roberts amendment No. 377.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. I yield 5 minutes to the distinguished Senator from Texas.

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas.

Mrs. HUTCHISON. I thank the Chair.

I thank the Senator from Kansas for pursuing this, because I do think it is a very important amendment. I think it is very important that we ask the President to come forward and tell us if this new Strategic Concept we have all been reading imposes a new commitment or obligation on the United States.

The original NATO treaty, the whole treaty, is very clear. It is a defensive alliance. That has never been questioned until what is happening today in Kosovo, which is clearly not defensive. It is offensive. NATO has started airstrikes on a sovereign nation that is not a member of NATO. So I think it is, before our eyes, evolving into a new Strategic Concept for NATO, and I think we most certainly must have the right to approve it. It is an addition to a treaty obligation that was made 40-plus years ago.

Now, I am not necessarily against NATO having an offensive part of a treaty obligation, but I am absolutely certain that the Senate must approve this kind of added obligation and that we not walk away from the very important concept that a treaty sets out certain obligations and it is required to be ratified by Congress. And most certainly, we must ratify the changing of a treaty obligation from a defensive alliance to an offensive alliance.

There is no question that the founders of our country chose to make it difficult to declare war. They chose to make it difficult to declare war by giving the right to Congress. They could have given it to the President, but they were going away from the English system, where the King declared war and implemented the same war. They wanted a division of responsibility, and they wanted it to be difficult to put our troops in harm's way. Indeed, every President we have had has said that it should be difficult to put our troops in harm's way; perhaps until this President, that is.

So it is important that we pass this amendment and that the President certify that we either do have a new obligation or we do not. I think we do, and I think we need to debate it.

As I said, I am not against NATO having some offensive responsibilities. I do question that they have in our NATO treaty the right to do what they are doing right now. I think we need to debate it, and I think we need to clarify exactly what would be in a new offensive strategy that would be a part of a NATO treaty obligation of the United States of America.

I can see a role for NATO that would declare that we have security interests that are common and that we would be able to determine what those common security interests are and that we would fight them together, stronger than any of us could fight independently. I do not know that Kosovo meets that test, but I think others certainly do believe that. I do believe that a Desert Storm does meet the test or Kim Jong-Il, with nuclear capabilities, does meet that test.

Mr. President, I support the amendment, and I ask unanimous consent to be added as a cosponsor of the amendment. I think it is incumbent on the Senate to stand up for our constitutional responsibility and that is what this amendment does.

I thank the Chair.

Mr. ROBERTS. Mr. President, may I ask how much time I have remaining?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. ROBERTS. I do not know if the Senator from Delaware would like to speak at this moment.

Mr. BIDEN. Mr. President, I would, if I may.

The PRESIDING OFFICER. The Chair recognizes the Senator from Delaware.

Mr. BIDEN. The distinguished Senator from Michigan indicated that I could yield myself such time as he has remaining.

Mr. President, I say to my friend from Kansas, I have no objection, after talking to him, if he wishes to send his amendment to the desk now. I will yield the floor.

Mr. ROBERTS. Mr. President, I send a modification to my amendment to the desk.

The PRESIDING OFFICER. The amendment will be so modified.

The amendment (No. 377), as modified, is as follows:

In title X, at the end of subtitle D, add the following:

SEC. 1061. LEGAL EFFECT OF THE NEW STRATEGIC CONCEPT OF NATO.

(a) CERTIFICATION REQUIRED.—Not later than 30 days after the date of enactment of this Act, the President shall determine and certify to the Senate whether or not the new Strategic Concept of NATO imposes any new commitment or obligation on the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that, if the President certifies under subsection (a) that the new Strategic Concept of NATO imposes any new commitment or obligation on the United States, the President should submit the new Strategic Concept of NATO to the Senate as a treaty for the Senate's advice and consent to ratification under Article II, Section 2, Clause 2 of the Constitution of the United States.

(c) REPORT.—Together with the certification made under subsection (a), the President shall submit to the Senate a report containing an analysis of the potential threats facing NATO in the first decade of the next millennium, with particular reference to those threats facing a member nation, or several member nations, where the commitment of NATO forces will be ''out of area'' or beyond the borders of NATO member nations.

(d) DEFINITION.—For the purpose of this section, the term ''new Strategic Concept of NATO'' means the document approved by the Heads of State and Government participating in the meeting of the North Atlantic Council in Washington, D.C., on April 23 and 24, 1999.

Mr. ROBERTS. Mr. President, I ask unanimous consent that ''In title X at the end of subtitle D'' be added to my original amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. Mr. President, one of the things that we sometimes confuse here—I know I do—is what is a political obligation and what is a constitutional obligation. I respectfully suggest that there is no constitutional requirement for the President of the United States—this President or any future President—to submit to the Senate for ratification, as if it were an amendment to a treaty, a Strategic Concept that is a political document. We use the words interchangeably on this floor. A new commitment or obligation, as I said, does not a treaty make.

Our Strategic Concept has always been a political, not legal document. Before last month's summit, NATO had revised the Strategic Concept five times in the past and never once had required the Senate's advice and consent. Doing so now would gravely undermine NATO's alliance and our efforts, as well as being a significant overreach in terms of our constitutional authority.

Let's not be fooled by the fact that the Roberts-Warner amendment only expresses the sense of the Senate. My concern is that unless we know exactly its dimension, it will be read in other NATO capitals as much more than it is. Just as my friend from Kansas quoted from the headlines and editorials of other newspapers—I might note that they were not governments, but other newspapers—I point out that people in other countries can misread actions taken by a country or group of countries. My concern is that in NATO capitals our actions will be misread.

The amendment sets out political criteria in point 1; and then in point 2 transforms them into legally binding ones that would require the Senate's advice and consent. This is a clever use of a non sequitur.

NATO's Strategic Concept has always given political guidance to the alliance's members. To that extent, this sixth revision of the Strategic Concept imposes commitments. But contrary to the assertions made by my distinguished friend from Kansas, it in no way changes the fundamental purpose of the North Atlantic Treaty of 1949.

We should oppose this amendment for four reasons, but if we are not going to oppose it now that it has been changed from its original amendment, we should at least recognize four important points:

One, to suggest that—if it were to be suggested—the Strategic Concept should be treated as an amendment to the treaty would set a terrible precedent and send a horrible signal at a time when we are striving to maintain alliance unity.

It would signal our NATO allies that the United States will not implement the new Strategic Concept without formal Senate advice and consent.

If we pass this amendment, couldn't the British, French, or Germans say tomorrow that they are going to disregard NATO's operating procedures? Couldn't they say tomorrow that they are no longer going to be bound by their commitment to beef up their military capacity as they committed to in 1991?

Given that NATO's decisions require unanimity, and that all 19 NATO member parliaments might then assert that they would have to ratify each and every future change in an operating procedure, we would be building in chaos to the alliance. How could we operate under those circumstances?

The second point I want to make is that we should remember that there have been many other changes in the Strategic Concept, as my friend from Michigan has pointed out, and they were never considered the equivalent of a new international treaty.

As I mentioned, before this year, NATO's original 1949 Strategic Concept had been revised five other times. Included among those were three fundamental transformations.

In 1957, the alliance adopted a new strategy, which would have shocked my friend from Kansas. It was called Massive Retaliation. Talk about a commitment—a commitment that was, I might add, totally consistent with the provisions of the treaty. It was an operating procedure.

In 1967, NATO abandoned the doctrine of Massive Retaliation in favor of the doctrine of Flexible Response. And then, in 1991, to continue to make the treaty relevant operationally, NATO recognized that after the end of the Soviet threat, NATO would nonetheless be confronted by a series of new threats to the alliance's security, such as ethnic rivalries and territorial disputes. It altered the Strategic Concept accordingly.

These were dramatic changes to alliance strategy, yet not once did the Senate, notwithstanding the fact it was not asleep, believe it had to provide its advice and consent.

There was a great deal of discussion about the 1991 Strategic Concept. I participated in it, others participated in it, and it revolved around what was the purpose of NATO and how we were operationally going to function now that the worry was no longer having 50 Soviet divisions coming through the Fulda Gap in Germany—a recognition that the territorial integrity of member states was still threatened, and instead of Soviet divisions rolling through the Fulda Gap with Warsaw Pact allies, there was a different threat, nonetheless real, nonetheless warranting this mutual commitment made to defend the territorial integrity of member states.

We discussed it. We debated it. There were those who thought it didn't go far enough. There are those who thought it went too far. But it wasn't that we were asleep and didn't pay attention. In fact, maybe it was because—and I am not being facetious—my friend was in the House where they don't deal with treaties, where it is not their constitutional obligation, and where foreign policy is not the thing they spend the bulk of their time on. But we weren't asleep over here. In fact, the current 1999 version of the Strategic Concept is much more similar to its 1991 predecessor than the 1991 document was to any of its predecessors.

My third point is simple. The revised Strategic Concept does not require advice and consent because it is not a treaty.

The rules under U.S. law on what constitutes a binding international agreement are set forth in the Restatement of Foreign Relations Law of the United States, as well as in the State Department regulations implementing the Case-Zablocki Act.

Under the Restatement, the key criterion as to whether an international agreement is legally binding is if the parties intend that it be legally binding and governed by international law. (Restatement, Sec. 301(1)).

Similarly, the State Department regulations state that the ''parties must intend their undertaking to be legally binding and not merely of political or personal effect.'' (22 Code of Federal Regulations §181.2(a)(1)).

Thus, many agreements that are not binding are essentially political statements. There is a moral and political obligation to comply in such cases, but not a legal one.

The most well-known example of such a political statement is the Helsinki Final Act of 1975, negotiated under the Ford administration and credited by most of us as the beginning of the end of the Soviet Union, the most significant political act that began to tear the Berlin Wall down. That was a political statement—commitments we made, but not of treaty scope requiring the advice and consent of the Senate.

The second key criterion is whether an international agreement contains language that clearly and specifically describe the obligations that are to be undertaken.

An international agreement must have objective criteria for determining the enforceability of the agreement. (22 C.F.R. §181.2(a)(3)).

Another criterion is the form of the agreement. That is, a formal document labeled ''Agreement'' with final clauses about the procedures for entry into force is probably a binding agreement. This is not a central requirement, but it does provide another indication that an agreement is binding. (22 C.F.R. §181.2(a)(5)).

A reading of the Strategic Concept clearly indicates that it is not a binding instrument of which treaties are made.

Rather, the Strategic Concept is merely a political statement with which my colleague from Kansas and others disagree. I respect that. I respect their disagreement with the political commitment that was made. But their political disagreement with a political commitment does not cause it to rise to the level of a binding treaty obligation requiring the advice and consent of the Senate, no matter how important each of them may be, no matter how relevant their objectives may be, no matter how enlightened their foreign policy may be.

Rather, the Strategic Concept is merely a political statement that outlines NATO's military and political strategy for carrying out the obligations of the North Atlantic Treaty.

Nowhere in the Strategic Concept can you find binding obligations upon the members of NATO.

For, if that were the case, all of our European allies as of a year ago, with the exception of Great Britain, would have been in violation of their treaty obligations—would have been in violation of their treaty obligations because of the commitments they made to build up—I will not bore the Senate with the details—their military capacity. Yet no one here on the floor has risen to suggest over the past several years, even though we have decried their failure to meet their obligations, that they have violated their treaty obligations.

Instead, the language of the Strategic Concept contains general statements about how NATO will carry out its mission.

The most important question, as I stated, is the intent of the parties. As the President wrote to the Chairman of the Committee on Armed Services on April 14, ''the Strategic Concept will not contain new commitments or obligations for the United States.''

Of course, the Strategic Concept creates a political commitment. And we take our political commitments seriously.

All member states, the United States included, assume political obligations when they take part in the alliance's integrated military planning.

That is what target force goals are all about. And, Mr. President, that lies at the heart of burden-sharing, whose importance several of us continually stress to our NATO allies.

The 1999 Strategic Concept creates a planning framework for NATO to act collectively to meet new threats if they arise.

So I would summarize the key point in this way: the Strategic Concept imposes political obligations to create military capabilities, but it does not impose legal obligations to use those capabilities.

My fourth point is that I understand the concern that NATO's core mission—alliance defense—not be altered. It has not been.

Our negotiators at last month's NATO summit did exactly what the vast majority of Senators wanted.

They consciously incorporated the Senate's concerns that NATO remain a defensive alliance when they negotiated the revised Strategic Concept.

The revised Strategic Concept duplicates much of the language contained in the Kyl amendment to the Resolution of Ratification on NATO Enlargement.

You all remember the Kyl amendment. We were not asleep at the switch. We were not failing to pay attention. We debated at length—my friend from Virginia, and I, and others—NATO enlargement. It is one of the few areas on which we have disagreed.

We debated at length the Kyl amendment. Let me remind my colleagues that the amendment was adopted by the Senate in April of 1998 by a 90–9 vote.

Rather than reviewing the specifics of the document, because time does not permit, nor do I think memories have to be refreshed that clearly, because everyone remembers, I ask unanimous consent that I be allowed to enter into the RECORD a document provided by the Clinton administration that reviews paragraph by paragraph the similarities between the Kyl amendment and the 1999 Strategic Concept.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE KYL AMENDMENT AND THE STRATEGIC CONCEPT OF NATO

(Document drafted for Assistant Secretary of the State Marc Grossman on April 29, 1999 and handed out by Secretary Grossman to Members of the Senate on May 5, 1999)

Assistant Secretary for European Affairs Marc Grossman in SFRC testimony on April 21: ''During the NATO enlargement debate some 90 Senators led by Senator Kyl passed an amendment laying out clear criteria for NATO's updated Strategic Concept. We heard your message and made the criteria established by Senator Kyl our own.''

Language from the Kyl Amendment: ''The Senate understands that the policy of the United States is that the core concepts contained in the 1991 Strategic Concept of NATO, which adapted NATO's strategy to the post-Cold War environment, remain valid today, and that the upcoming revision of that document will reflect the following principles:''

I. FIRST AND FOREMOST, A MILITARY ALLIANCE

Strategic Concept Paragraph 6: ''. . . safeguard freedom and security . . . by political and military means.''

SC Para 25: ''. . . a broad approach to security which recognizes the importance of political, economic, social and environmental factors in addition to the indispensable defense dimension.''

II. PRINCIPAL FOUNDATION FOR DEFENSE OF SECURITY INTERESTS

SC Para 4: ''. . . must safeguard common security interests in an environment of further, often unpredictable change.''

SC Para 8: ''. . . the Alliance enables them through collective effort to realize their essential national security objectives.''

SC Para 25: ''NATO remains the essential forum for consultation . . . and agreement on policies bearing on security and defense commitments . . .''

III. STRONG U.S. LEADERSHIP PROMOTES/ PROTECTS U.S. VITAL SECURITY INTERESTS

SC Para 27: ''. . . a strong and dynamic partnership between Europe and North America . . .''

IV. U.S. LEADERSHIP ROLE THROUGH STATIONING FORCES IN EUROPE, KEY COMMANDERS

SC Para 42: ''presence of US conventional and nuclear forces in Europe remains vital . . .''

SC Para 62: ''. . . supreme guarantee of the security of Allies is provided by the strategic nuclear forces of the Alliance, particularly those of U.S.''

V. COMMON THREATS

a. potential re-emergence of hegemonic power.

SC Para 20: ''. . . large-scale conventional threat is highly unlikely, but the possibility of such a threat emerging exists.''

b. rogue states and non-state actors with WMD.

SC Para 22: ''. . . can pose a direct military threat to Allies' populations, territory, and forces.''

c. wider nature, including disruption of flow of vital resources, other transnational threats.

SC Para 24: ''. . . of a wider nature, including acts of terrorism, sabotage and organised crime, and by the disruption of the flow of vital resources.''

d. conflict stemming from ethnic and religious enmity, historic disputes, undemocratic leaders.

SC Para 20: ''Ethnic and religious rivalries, territorial disputes, inadequate or failed efforts at reform, the abuse of human rights, and the dissolution of states . . .''

VI. CORE MISSION IS COLLECTIVE DEFENSE

SC Para 27: ''. . . Alliance's commitment to the indispensable transatlantic link and the collective defense of its members is fundamental to its credibility and to the security and stability of the Euro-Atlantic area.''

SC Para 28: ''The maintenance of an adequate military capability and clear preparedness to act collectively in the common defense remain central to the Alliance's security objectives.''

VII. CAPACITY TO RESPOND TO COMMON THREATS

SC Para 52: ''The size, readiness, availability and deployment of the Alliances military forces will reflect its commitment to collective defense and to conduct crisis response operations, sometimes at short notice, distance from home stations . . .''

SC Para 52: ''They must be interoperable and . . . must be held at the required readiness and deployability, and be capable of . . . complex joint and combined operations, which may also include Partners and other non-NATO nations.''

VIII. INTEGRATED MILITARY STRUCTURE: COOPERATIVE DEFENSE PLANNING

SC Para 43: ''. . . practical arrangements . . . based on . . . an integrated military structure . . . include collective force planning, common funding, common operational planning . . .''

IX. NUCLEAR POSTURE: AN ESSENTIAL CONTRIBUTION TO DETER AGGRESSION; U.S. NUCLEAR FORCES IN EUROPE; ESSENTIAL LINK BETWEEN EUROPE AND NORTH AMERICA ENSURE UNCERTAINTY IN MIND OF AGGRESSOR

SC Para 42: ''presence of U.S. conventional and nuclear forces in Europe remains vital to the security of Europe, which is inseparably linked to that of North America.''

SC Para 46: ''. . . remain essential to preserve peace.''

SC Para 62: ''. . . fulfill an essential role by ensuring uncertainty in the mind of any aggressor . . .''

X. BURDENSHARING: SHARED RESPONSIBILITY FOR FINANCING AND DEFENDING

SC Para 30: ''. . . Allies have taken decisions to enable them to assume greater responsibilities . . .;'' will enable all European Allies to make a more coherent and effective contribution to the missions . . . of the Alliance;'' ''. . . will assist the European Allies to act by themselves as required.''

SC Para 42: ''The achievement of Alliance's aims depends critically on the equitable sharing of the roles, risks and responsibilities . . . of common defense.''

Mr. BIDEN. Mr. President, let me also remind my colleagues that NATO's decisions require unanimity. I know we all know that. We got that unanimity at a recent Washington summit after long and tough negotiations.

By appearing to withhold U.S. support for the revised Strategic Concept—and perhaps eventually even blocking its implementation—this amendment, if misread, would put the alliance in great jeopardy.

And that could lead to the collapse of NATO, which I am sure is not the goal of my colleague from Kansas.

One final comment. I know that my friend from Kansas is strongly opposed to the conduct of the current war in Yugoslavia, and, while disagreeing with him, I respect his views.

But, I would remind him and the rest of my colleagues that the 1999 revision of the Strategic Concept is neither the justification for, nor the driving force behind, NATO's bombing campaign or actions in Kosovo.

NATO's bombing campaign began a full month before the newest revision of the Strategic Concept was approved at the Washington Summit.

To sum up, there are no compelling political or legal arguments for the Roberts amendment. in terms of making this concept subject to treaty amendment.

I urge my colleagues to join me in voting against this amendment.

I yield the floor. I thank my colleagues.

Mr. ROBERTS. Mr. President, might I inquire of the distinguished acting Presiding Officer how much time remains?

The PRESIDING OFFICER. Five minutes.

Mr. ROBERTS. I thank the Presiding Officer.

Mr. President, I ask unanimous consent that the Senator from Oklahoma, Mr. INHOFE, be added as an original cosponsor of the Roberts amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I yield to the distinguished Senator from Colorado, my friend and colleague, 3 minutes of the remaining time.

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. ALLARD. I thank the Senator from Kansas for yielding.

I ask unanimous consent that I be made a cosponsor of the Roberts amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. ALLARD. Mr. President, I ask unanimous consent that Doug Flanders of my staff have floor privileges during the entire debate on the National Defense Authorization Act for fiscal year 1999.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLARD. Mr. President, I rise in strong support of the Roberts amendment. The reason I do that is I think that the North Atlantic Treaty Organization, which we refer to as NATO in this debate, is suffering from mission creep. I look at what has happened with the Strategic Concept in 1991. I look at the passing of the 1999 new Strategic Concept, and I think it becomes clear how mission creep is moving in.

In 1991, NATO established a new Strategic Concept which altered the concept dramatically from the original treaty. It allowed for more flexibility in the ability to get into a wide range of military operations. However, I add that it did maintain in part 4, under Guidelines for Defense, entitled ''Principle of Alliance Strategy''—I want to quote specifically from that Strategic Concept.

The alliance strategy will continue to reflect a number of fundamental principles. The alliance—

And this is underlined—

The alliance is purely defensive in purpose. None of its weapons will ever be used except in self defense. And it does not consider itself to be anyone's adversary.

Then, if we look at the 1999 new Strategic Concept, it still says that their core purpose is the collective defense of NATO members. It adds that NATO:

. . . should contribute to peace and stability in the region.

But, while a lot of the debate here on the floor has been about what does the Concept say, the important point I want to make here is what is important is what it does not say. In the 1999 new Strategic Concept, there is no mention that the alliance will never use its weapons except in self-defense. So, in 1991 the new Strategic Concept said the alliance was purely defensive in purpose. In 1999, there is no mention that the alliance will never use its weapons other than in self-defense.

I think that is a real important distinction. That is why I think it is so important we have a debate on the mission of NATO.

The PRESIDING OFFICER. The Senator's time has expired. The Chair recognizes the Senator from Oklahoma.

Mr. NICKLES. Mr. President, I compliment my colleague from Kansas for this amendment. I know there are additional speakers—on this side, at least—who desire to speak on it, so I ask unanimous consent both sides have an additional 8 minutes to speak on this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. Mr. President, will my colleague yield 3 minutes?

Mr. ROBERTS. I am delighted to yield my distinguished colleague and friend 3 minutes.

Mr. NICKLES. Mr. President, I thank the Senator for this amendment. I think this is a very important amendment. I wish we would debate it at much greater length, because I am afraid, from some of the things I have read, from comments made by the President of the United States, that he is expanding NATO's role, commitment, obligation, frankly, far beyond the treaty we have signed, which has been so successful, the 50th anniversary of which we commemorated this year.

I look at the President's statement he made on May 27, 1997. He did this in concert with French President Chirac and Russian President Yeltsin in France. He stated:

> In turn, we are building a new NATO. It will remain the strongest alliance in history, with smaller, more flexible forces, prepared to provide for our defense, but also trained for peacekeeping.

He goes on, and I will just read the last sentence:

> It will be an alliance directed no longer against a hostile bloc of nations, but instead designed to advance the security of every democracy in Europe—NATO's old members, new members, and non-members alike.

A couple of days later he made a speech at the United States Military Academy, a commencement speech at West Point, May 31, 1997:

> To build and secure a new Europe, peaceful, democratic and undivided at last, there must be a new NATO, with new missions, new members and new partners. We have been building that kind of NATO for the last three years with new partners in the Partnership for Peace and NATO's first out-of-area mission in Bosnia. In Paris last week, we took another giant stride forward when Russia entered a new partnership with NATO, choosing cooperation over confrontation, as both sides affirmed that the world is different now. European security is no longer a zero-sum contest between Russia and NATO; but a cherished, common goal.

Clearly, President Clinton is trying to redefine NATO's mission far beyond a defensive alliance, as our colleague from Kansas pointed out. The purpose in the charter of NATO under article 5 was a defensive alliance. Now he is expanding it to include nonmembers. He is including out-of-area conflicts. He includes ethnic conflicts or trying to resolve ethnic conflicts. I think, clearly, if he is going to do so, he needs to rewrite the NATO charter and submit that as a treaty to the Senate for its ratification.

So I compliment my colleague for this amendment. I think it is one of the most important amendments we will consider on this bill. I urge my colleagues to vote in favor of the Roberts amendment, and I thank him for his leadership.

Mr. ROBERTS. Mr. President, how much time do we have remaining now?

The PRESIDING OFFICER. The Senator controls 7 minutes.

Mr. ROBERTS. Mr. President, I ask unanimous consent that Senator SESSIONS be added as an original cosponsor of the Roberts amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. I yield the distinguished Senator 2 minutes.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Senator from Kansas for bringing forward a very critical amendment. I spent 17 years as a U.S. attorney or assistant U.S. attorney, representing the United States in court. I am looking at the legal implications of this amendment as a lawyer for the United States.

What we are doing here is very, very historic. This Congress has ratified a defensive treaty. We are moving into a new world. We are looking at an entirely different approach to life, and the President is unilaterally expanding the commitments of this Nation under the guise of a new NATO that is involved in new missions, as the Senator from Oklahoma has just noted; committing us solemnly with the same depth of commitment that we put our lives, our fortunes, and our honor to preserve the integrity of democracy against totalitarian communism for all of these years.

That is what is being asked here. To have that done without full debate and full approval of this Congress is astounding and would represent a major legal erosion of the powers of the Senate and the Congress, particularly the Senate, to review these matters. So I cannot express too strongly how important it is this Senate reassert its historic responsibility to advise and consent to involvement in these kind of foreign policies.

Once the President commits us, we pay for it. Right now this action in Kosovo amounts to 19 NATO nations meeting and deciding how to deploy the U.S. Air Force. We are paying for this war in their own backyard, and they are voting on how to conduct it. We simply have to get a better grip on it.

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. SESSIONS. I thank the Senator from Kansas.

Mr. ROBERTS. I yield 2 minutes to the Senator from Oklahoma.

Mr. WELLSTONE. I ask my colleague whether I could have 10 seconds to have some fellows granted the privilege of the floor? They have been waiting outside. May I do that without taking anybody's time?

Mr. ROBERTS. Certainly.

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Ben Highton, Rachel Gragg, John Bradshaw, and Michelle Vidovic, who are fellows, be granted the privilege of the floor for the duration of the consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I know the Senator from Delaware, the Senator from Alabama, and others have been talking about the legal ramifications of what this amendment is all about. You can study the sections and subsections and sub-subsections and quote all of these things, but I think we all know this was an alliance that was set up to be a defensive alliance. Now we are getting into something that is far more than that.

But I would put out two things that have not been said. First of all, I just came back from the Canada-United States interparliamentarian meeting up there. It is very clear to me they are involved in this, with a very modest contribution, only because we are in there. I wonder how many other of these countries are getting involved because we are providing that leadership.

No. 2, my concern about this is not a legalistic concern. It is what effect is this having on our state of readiness. I happen to be chairman of the Readiness Subcommittee. This is what is very frightening. We can remember in this Chamber in 1994, in 1995, talking about Bosnia; we were going to be sending people over to Bosnia. What was the main argument used? We have to protect the integrity of NATO. Then we have the same thing coming up on Kosovo. It has come up in other places, too.

These are areas where we do not have national strategic interests. What it has done is to put us in a position where we cannot carry out the minimum expectations of the American people or our national military strategy, which is to defend America on two fronts.

I want to tell you how proud I was of General Hawley the other day, Air Combat Command, who came out and said we, right now, are not in a position to respond if we should be called upon to respond in areas where we do have a national strategic interest such as North Korea or the Persian Gulf.

It is very, very important that we get to the bottom of this and we make a determination as to what our future commitments are going to be as far as NATO is concerned.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I believe this debate is taking on excellent participation. I think we can allocate another 10 minutes to both sides—10 minutes under the control of the Senator from Kansas and 10 minutes under the control of my distinguished colleague from Michigan.

Mr. LEVIN. Reserving the right to object, and I do not plan to object, I wonder if the Chair can inform us as to how much time is remaining on both sides under the previous extension.

The PRESIDING OFFICER. Almost 3 minutes on this side and 8 minutes on the side of the Senator from Michigan.

Mr. LEVIN. I want to protect the rights of the Senator from Minnesota who has been waiting.

Mr. WELLSTONE. Mr. President, I say to my colleague, this is an important debate. I agree with both of the managers. We should go on with the debate. I ask the question whether or not I may bring this amendment up after the caucuses or speak for a while but then have some time later.

Mr. WARNER. Mr. President, I can address that and make a suggestion. On this side, we are prepared to accept the third amendment. I suggest perhaps at the hour of 12:25, the distinguished ranking member and I and Mr. WELLSTONE can address the three amendments and conclude them before the caucus. Will that be convenient?

Mr. WELLSTONE. I say to my colleague, I thank him for two of the amendments. I am committed to having a rollcall vote on the welfare tracking amendment, so that would not work out for me. I am pleased to go on with this debate, and I will come back later.

Mr. ROBERTS. Will the distinguished Senator yield?

Mr. WARNER. Mr. President, this is the first time we have known of the Senator's desire to have a rollcall vote on the third amendment. We are prepared to accept it.

Mr. WELLSTONE. Mr. President, I say to my colleague from Virginia, I appreciate working with him on the other amendments. I have been down this path before with voice votes and then it is out in conference. I am committed to having a debate and vote on this. I am sorry my colleague is surprised by this. I am more than willing to wait. I think this debate is very important. I will come back later and do this.

Mr. WARNER. Mr. President, I want the opportunity to consult with the chairman of the committee that has jurisdiction over the subject matter of the third amendment and with the majority leader and presumably the minority leader, and set a time for the rollcall vote, which the Senator is entitled to have. For the moment, we are prepared to accept the two amendments and then allow the debate——

The PRESIDING OFFICER. Under the previous order, the time is set for the Wellstone amendment.

Mr. WARNER. On the two amendments from Senator WELLSTONE.

Mr. LEVIN. Mr. President, if the chairman will yield, may I make a suggestion that after we conclude the debate on the pending amendment, we immediately proceed to the first of the two Wellstone amendments, accept those before lunch, and then determine at that time whether to conclude the debate on the third. In any event, the rollcall vote on the third amendment will have to come after lunch under the existing unanimous consent agreement.

Mr. ROBERTS. If the Senator will yield, basically how much additional time to the time we have left has the Senator asked for? I am not sure there are any more Members who want to speak on the minority side. I can wrap up in 5 minutes or less. I am adding cosponsors every minute, so I am happy to stay here for a while.

Mr. WARNER. Mr. President, for the purpose of the party caucuses, we hope to complete all debate on the underlying amendment circa 12:30, which is roughly a half hour. I wish to speak a few more minutes on the amendment offered by the Senator from Kansas, as does the ranking member.

My suggestion is, if possible, while Senator WELLSTONE is on the floor, do the voice voting of his two amendments, reserving, of course, scheduling the third, and then we can continue with this debate. It will not take but a minute on the two voice votes on the two Wellstone amendments.

Mr. ROBERTS. I have no problem.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. We have not put it in the form of a unanimous consent request.

Mr. WELLSTONE. Mr. President, I apologize. I was in a discussion with the staff on the majority side. What are we talking about here?

Mr. LEVIN. Mr. President, the suggestion was we immediately take up the two Wellstone amendments that we are going to voice vote, then go back to the Roberts amendment, and then come back to the third amendment afterwards.

Mr. WELLSTONE. That will be fine with me.

AMENDMENT NO. 381, AS MODIFIED

Mr. WELLSTONE. Mr. President, first, on amendment No. 381, I send a modification to the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

On page 83, between lines 7 and 8, insert the following:

SEC. 329. PROVISION OF INFORMATION AND GUIDANCE TO THE PUBLIC REGARDING ENVIRONMENTAL CONTAMINATION AT U.S. MILITARY INSTALLATIONS FORMERLY OPERATED BY THE UNITED STATES THAT HAVE BEEN CLOSED.

(a)(1) REQUIREMENT TO PROVIDE INFORMATION AND GUIDANCE.—The Secretary of Defense shall publicly disclose existing, available information relevant to a foreign nation's determination of the nature and extent of environmental contamination, if any, at a site in that foreign nation where the United States operated a military base, installation, and facility that has been closed as of the date of enactment of this Act.

(2) CONGRESSIONAL LIST.—Not later than September 30, 2000, the Secretary of Defense shall provide Congress a list of information made public pursuant to paragraph (1).

(b) LIMITATION.—The requirement to provide information and guidance under subsection (a) may not be construed to establish on the part of the United States any liability or obligation for the costs of environmental restoration or remediation at any site referred to in subsection (a).

(c) NATIONAL SECURITY.—Information the Secretary of Defense believes could adversely affect U.S. National Security shall not be released pursuant to this provision.

Mr. WELLSTONE. Mr. President, I will take a very brief period of time on each amendment. Basically what this amendment says is:

The Secretary of Defense shall publicly disclose existing, available information relative to a foreign nation's determination of the nature and extent of environmental contamination, if any, at a site in that foreign nation where the United States operated a military base, installation, and facility that has been closed as of the date of the enactment of this Act.

I thank both colleagues, and I really hope these amendments will be supported in conference committee.

To make a long story short, when we leave a country, close our base, quite often what happens is that there is some environmental contamination. We want to make sure those countries have access to information as to the extent of what chemicals or substances are there which might pose a danger to their citizens.

It is a very reasonable amendment. It is important for our foreign relations with these countries. I believe it has strong bipartisan support. I thank Senator LEVIN and Senator WARNER for their support and make the request—I think both Senators will do this—that this be kept in conference committee. That is why I do not need a recorded vote.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. May I seek clarification of our colleague from Minnesota, on his third amendment: What number does he designate this being? He just mentioned he wanted to send an amendment—

Mr. WELLSTONE. I thought we were going to do two amendments right now: One is on environmental impact when we close bases, and the second amendment is on atomic vets, both of which the Senator is prepared to accept.

Mr. WARNER. Correct.

Mr. WELLSTONE. The third amendment, No. 382, deals with tracking, reporting on what is actually happening in the country right now with welfare reform.

Mr. WARNER. Mr. President, I am familiar with that, and the Senator first wishes to amend the text of No. 382?

Mr. WELLSTONE. No; I just did—

Mr. WARNER. You just did it.

Mr. WELLSTONE. I modified amendment No. 381.

Mr. WARNER. Addressing No. 382, what amount of time will the Senator require for debate on No. 382?

Mr. WELLSTONE. The UC provides for an hour equally divided.

Mr. WARNER. And does the Senator wish to adhere to that previous order?

Mr. WELLSTONE. I say to my colleague, yes, I have been trying to get this amendment on the floor for some time. I am talking to a good friend, my friend from Virginia, as I make my case. I believe my friend from Virginia will agree that this is well worth the focus on the part of the Senate.

Mr. WARNER. I am only addressing procedure.

Mr. WELLSTONE. One hour equally divided is the UC.

Mr. WARNER. We would like to complete that amendment by 1 o'clock. Will the Senator reduce his amount of time? In all likelihood, we will yield back the half hour reserved for us, because there is not likely to be any opposition.

Mr. WELLSTONE. Mr. President, I am delighted if there is not any opposition. If the Senator is going to yield back his time, clearly—I do need to go to the caucus, but I would rather not yield back time. I will try to shorten

my presentation. If there is not a response, so be it; we will get a strong vote.

Mr. WARNER. For the convenience of the Senate, does the Senator think he can give us any estimate as to how he can shorten it from a half hour down to, say, 10 or 12 minutes?

Mr. WELLSTONE. Mr. President, I am not going to shorten this amendment to 10 or 12 minutes in any way, shape or form, because it is too important to have a chance to talk about what is happening to these women and children and make sure that we track what is happening.

Mr. WARNER. I am just seeking to try to accommodate the Senate.

Mr. WELLSTONE. We should stay with the UC agreement.

Mr. WARNER. Beg your pardon?

I have to address the Chair. There is a UC requirement of the expenditure of that time prior to the normal weekly recess today at 12:30?

The PRESIDING OFFICER. There is.

Mr. WARNER. This is the dilemma that the Senator from Virginia, the manager of the bill has, in that, as drawn, the UC of last night requires it to be completed prior to 12:30. So now let's figure out how we accommodate the Senate. Perhaps we can move your amendment to some point this afternoon, that is, amendment No. 3, when the Senator could avail himself of the full 30 minutes, if he so desires.

Mr. WELLSTONE. Mr. President, I would be more than willing —if several of my colleagues want to speak on the very important amendment that Senator ROBERTS has offered, I would be willing to bring my amendment up right after the caucuses and go to it right then.

Mr. WARNER. If I may say, Mr. President, right after our caucuses are votes on other amendments, including Senator ROBERTS' amendment.

Mr. WELLSTONE. After we have those votes then I would bring the amendment up.

Mr. WARNER. I will need to check other commitments we made with regard to time. I will work on it and come back in a minute or two and clarify this.

In the meantime, if we can proceed with the Roberts amendment.

The PRESIDING OFFICER. Who yields time?

Mr. ROBERTS addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kansas.

AMENDMENT NO. 377, AS MODIFIED

Mr. ROBERTS. Mr. President, I inquire, after all that, how much time do we have remaining on either side?

The PRESIDING OFFICER. Three minutes on the Senator's side; 8 minutes on the other side.

Mr. ROBERTS. But was there a request by unanimous consent that either party wanted some additional time? The minority has 8 minutes remaining; is that not correct?

The PRESIDING OFFICER. That is correct.

Mr. ROBERTS. Does the chairman want to speak on this? Is that correct? You wish to speak on the Roberts amendment?

Mr. WARNER. The Senator is correct, for about 3 minutes, in support.

Mr. ROBERTS. I can get my remarks done in 5, so I ask unanimous consent that we add 8 minutes, along with the other 8 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I ask unanimous consent that Senator BINGAMAN of New Mexico be added as a cosponsor of the Roberts amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. I yield the distinguished chairman—what was the request, Mr. Chairman, 3 minutes, 5 minutes?

Mr. WARNER. I would suggest that we try to conclude the Roberts amendment in 5 or 10 minutes. Then we will proceed to the Wellstone amendment, and then we can adhere to the time agreements.

Mr. ROBERTS. I ask the distinguished chairman, how much time would the distinguished chairman like?

Mr. WARNER. Just 2 minutes.

Mr. ROBERTS. I yield the distinguished Senator 2 minutes.

Mr. WARNER. Mr. President, I want to address the document that was submitted to the Senate by the Senator from Delaware entitled: The Kyl Amendment and the Strategic Concept of NATO. I went back and asked the Senator from Delaware to clarify the date, time, group, and when it was prepared and submitted to the Senate. He is doing that.

But I just wish to draw the attention to the Senate, as I read this document—and I have seen it before—it simply refers to those portions in the Kyl amendment that were incorporated into the final draft of the Strategic Concept. But it does not, on its face, nor do I believe it was intended to, say that it covered everything by the new Strategic Concept.

Indeed, I agree with the Senator from Kansas this document in no way is intended to represent that it encompasses all of the new Strategic Concept. The Senator from Kansas is quite properly pointing out there are those of us—the Senator from Kansas, myself, and others—who feel the Strategic Concept went beyond the Kyl amendment.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Kansas.

Mr. ROBERTS. Might I inquire of my distinguished friend from Michigan if he, the minority, seeks any additional time?

Mr. LEVIN. We are just using about 3 of our 8 minutes.

Mr. ROBERTS. I would be happy if the Senator would like to proceed at this time. I would like to close, if that is all right.

Mr. LEVIN. Sure.

The PRESIDING OFFICER. The Chair recognizes the Senator from Michigan.

Mr. LEVIN. Mr. President, I support this amendment for the reasons previously given. It does not reach any conclusion as to whether there are any additional obligations upon the United States. Unlike earlier versions, it simply asks the President to certify whether or not there are additional obligations imposed on the United States.

I have read from what was called then the new Strategic Concept of NATO in 1991. At the heading of that Concept, it was stated that:

> The alliance recognizes that developments taking place in Europe would have a far-reaching impact on the way in which its aims would be met in the future.

And, indeed, adopted language such as:

> Alliance security must also take into account the global context. Alliance security interests can be affected by other risks of a wider nature, including proliferation of weapons of mass destruction, disruption of flow of vital resources, actions of terrorism and sabotage.

That did not impose any new obligations. It is very broad language.

Listen to some of this language in this 1991 alliance new Strategic Concept:

> The primary role of the alliance military forces to guarantee security and territorial integrity of member states remains unchanged [we said in 1991]. But this role must take account of the new strategic environment in which a single massive and global threat has given way to diverse and multidirectional risks. Allied forces have different functions to perform in peace, crises, and war.

That is section 40 in 1991.

How about this one, section 41:

> Allies could be called upon to contribute to global stability and peace by providing forces for United Nations missions.

How about that for a mission in 1991? Did that impose an obligation on us, legal obligation on this body, or on this Nation? Boy, I hope not. Not in my book it did not.

> Allies could be called upon to contribute to global stability and peace by providing forces for United Nations missions.

This was adopted in 1991 as a new Strategic Concept. That did not impose a thing on us. It was a new Strategic Concept adopted by NATO, not a legally binding commitment on the alliance.

It was not submitted to us then as a treaty change because it was not a treaty change, nor is this new Strategic Concept of 1999 legally binding upon us any more than the 1991 Strategic Concept was.

So I think we ought to adopt this amendment. It is something which is highly appropriate to ask the President whether or not the new Strategic Concept of NATO imposes any new commitment or obligation on the United States, the key word there to me being ''imposes.''

I ask, Mr. President, before I yield the floor, that the yeas and nays be ordered on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

PRIVILEGE OF THE FLOOR

Mr. LEVIN. Mr. President, I ask unanimous consent that the privileges of the floor be granted to the following Pearson Fellow on the staff of the Foreign Relations Committee, Joan Wadelton, during the pendency of the Department of Defense Authorization legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. I thank the Chair.

Again, I will be supporting this amendment.

Mr. ROBERTS. With the debate we have had on the floor, although there is support—and the better part of judgment would be for me to simply yield the floor—we will try to split the shingle one more time. The debate is centered around whether or not the new Strategic Concept adopted at the 50th anniversary of NATO is legally binding, a treaty, or different from the 1991 Concept, let alone the 1949 Concept.

Let me just say that the 1991 document really stressed that—as a matter of fact, it assured—no NATO weaponry will ever be used offensively. We are sure doing that now in regard to Kosovo. In addition, in terms of the 19 parties who met in Washington, I am sure that each one of them certainly thought it was binding. And if the men and women in the uniform of all our allies do not think it is binding, I think they had better look for a new definition.

I believe any document that contains even tacit commitment by the United States and other nations to engage in new types of NATO missions—and let me simply say that these missions are now described as problems with drugs, problems with social progress, with reform, with ethnic strife; about the only thing that is not in there is don't put gum in the water fountain—outside the domain of the original treaty, as well as a commitment to structure military forces accordingly, can be considered an international agreement.

I refer again to the U.S. Department of State Circular 175, the Procedure on Treaties, that sets forth eight considerations available for determining whether or not an agreement or an accord should be submitted to the Senate for ratification. Four of them I will repeat again: The extent to which the agreement involves commitments or risks affecting the Nation as a whole—if Kosovo is not a risk, I do not know what is—whether the agreement can be given effect without the enactment of subsequent legislation by the Congress; past U.S. practices as to similar agreements; the preference of Congress as to a particular type of agreement.

It seems to me, if I recall the debate and the two copies of the original 1949 document, and then the Strategic Concept document, No. 1, they said no offensive weapons. No. 2, they said we are going to stay within our borders and we will meet with you before we go outside the borders and go wandering in the territory of a sovereign nation. Then lastly, we are going to consult with the U.N. It is going to be in cooperation with the U.N. All that is different.

I think to say that it is not different in regard to 1991 is simply not accurate.

I don't know. I suppose per se, legally—I am not a lawyer—that this Strategic Concept is not a treaty. But it sure walks like a treaty duck and it quacks like a treaty duck and it is wandering into different areas like a treaty duck. In the quacking and the walking, it is causing a lot of problems.

I simply say, in closing, I do respect the Senator from Michigan and his support and the Senator from Delaware for his accommodating my amendment. It is true that the Senator from Delaware said that I was in the House of Representatives, the other body, what Senator BYRD refers to as the lower body. In 1990 we were not asleep. We were not asleep at all. We admired the Senator from Delaware from afar. We were spellbound, as a matter of fact, by his oratorical skills, his sartorial splendor, and his ability to be heard above all in the Senate, regardless of whether the acoustical system was working or not. So I thank the Senator from Delaware for his comments.

I urge Senators to support this amendment and send a strong message that we are adhering to our constitutional right when we change an agreement that in effect directly affects the lives of our American men and women and our national security, that the Senate stepped up to the plate.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. Under the previous order, the Roberts-Warner amendment No. 377 will be temporarily laid aside.

Mr. WARNER. And the vote will occur, Mr. President, if you continue to read the order.

The PRESIDING OFFICER. The vote will occur after the Roth amendment at 2:15.

Mr. WARNER. I thank the Chair.

Now, Mr. President, we are ready to receive the comments under the standing order for the day from our distinguished colleague from Minnesota. These comments will be relative to what I call the third amendment, No. 382. Perhaps we could take this time to vote the first two by voice.

Mr. WELLSTONE. Mr. President, besides the environmental assessment amendment, the second amendment we are taking deals with atomic vets—is that correct—compensation for atomic vets? I am pleased to do so, and I thank both my colleagues for their help and comments.

Mr. WARNER. We are happy to be of accommodation. Would the Senator urge the adoption of the two amendments?

Mr. WELLSTONE. I urge the adoption of the two amendments.

The PRESIDING OFFICER. Without objection, the two amendments are agreed to.

Mr. WELLSTONE. These are amendments Nos. 380 and 383?

The PRESIDING OFFICER. Amendments 380 and 381.

Mr. WELLSTONE. I am sorry, 380 and 381.

Mr. LEVIN. As modified.

The PRESIDING OFFICER. As modified.

The amendments (No. 380 and No. 381), as modified, were agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 380

Mr. WELLSTONE. Mr. President, I rise today to speak on an amendment I offered that would remove some of the frustrating and infuriating obstacles that have too often kept veterans who were exposed to radiation during military service from getting the disability compensation they deserve. This amendment would add three radiogenic conditions to the list of presumptively service-connected diseases for which atomic veterans may receive VA compensation, specifically: lung cancer; colon cancer; and tumors of the brain and central nervous system. It is based on a bill I introduced during the last Congress, S. 1385, the Justice for Atomic Veterans Act.

At the outset, let me say that this amendment was accepted and adopted by the Senate just a few months ago as a part of S. 4, the Soldiers', Sailors', Airmen's, and Marines' Bill of Rights Act of 1999. Because that bill appears to be dead on arrival in the House, I am offering it on the Defense Authorization bill. I think this amendment was relevant to S. 4 and it is certainly relevant to this bill. But I mention the history of this amendment to my colleagues in the belief that what was acceptable to the Senate three months ago will be acceptable today.

I want to explain why this amendment is topical to the Defense Authorization bill. I believe that the way we treat our veterans does send an important message to young people considering service in the military. When veterans of the Persian Gulf War don't get the kind of treatment they deserve, when the VA health care budget loses out year after year to other budget priorities, when veterans benefits claims take years and years to resolve, what is the message we are sending to future recruits?

How can we attract and retain young people in the service when our government fails to honor its obligation to provide just compensation and health care for those injured during service?

One of the most outrageous examples of our government's failure to honor its obligations to veterans involves

''atomic veterans,'' patriotic Americans who were exposed to radiation at Hiroshima and Nagasaki and at atmospheric nuclear tests.

For more than 50 years, many of them have been denied compensation for diseases that the VA recognizes as being linked to their exposure to radiation—diseases known as radiogenic diseases. Many of these diseases are lethal forms of cancers.

I received my first introduction to the plight of atomic veterans from some first-rate mentors, the members of the Forgotten 216th. The Forgotten 216th was the 216th Chemical Service Company of the U.S. Army, which participated in Operation Tumbler Snapper. Operation Tumbler Snapper was a series of eight atmospheric nuclear weapons tests in the Nevada desert in 1952.

About half of the members of the 216th were Minnesotans. What I've learned from them, from other atomic veterans, and from their survivors has shaped my views on this issue.

Five years ago, the Forgotten 216th contacted me after then-Secretary of Energy O'Leary announced that the U.S. Government had conducted radiation experiments on its own citizens. For the first time in public, they revealed what went on during the Nevada tests and the tragedies and trauma that they, their families, and their former buddies had experienced since then.

Because their experiences and problems typify those of atomic veterans nationwide, I'd like to tell my colleagues a little more about the Forgotten 216th. When you hear their story, I think you have to agree that the Forgotten 216th and other veterans like them must never be forgotten again.

Members of the 216th were sent to measure fallout at or near ground zero immediately after a nuclear blast. They were exposed to so much radiation that their Geiger counters went off the scale while they inhaled and ingested radioactive particles. They were given minimal or no protection. They frequently had no film badges to measure radiation exposure. They were given no information on the perils they faced.

Then they were sworn to secrecy about their participation in nuclear tests. They were often denied access to their own service medical records. And they were provided no medical followup.

For decades, atomic veterans have been America's most neglected veterans. They have been deceived and treated shabbily by the government they served so selflessly and unquestioningly.

If the U.S. Government can't be counted on to honor its obligation to these deserving veterans, how can young people interested in military service have any confidence that their government will do any better by them?

I believe the neglect of atomic veterans should stop here and now. Our government has a long overdue debt to these patriotic Americans, a debt that we in the Senate must help to repay. I urge my colleagues on both sides of the aisle to help repay this debt by supporting this amendment.

My legislation and this amendment have enjoyed the strong support of veterans service organizations. Recently, the Independent Budget for FY 2000, which is a budget recommendation issued by AMVETS, Disabled American Veterans (DAV), Paralyzed Veterans of America (PVA), and the Veterans of Foreign Wars (VFW), endorsed adding these radiogenic diseases to VA's presumptive service-connected list.

Let me briefly describe the problem that my amendment is intended to address. When atomic veterans try to claim VA compensation for their illnesses, VA almost invariably denies their claims. VA tells these veterans that their radiation doses were too low—below 5 rems.

But the fact is, we don't really know that and, even if we did, that's no excuse for denying these claims. The result of this unrealistic standard is that it is almost impossible for these atomic veterans to prove their case. The only solution is to add these conditions to the VA presumptive service-connected list, and that's what my amendment does.

First of all, trying to go back and determine the precise dosage each of these veterans was exposed to is a futile undertaking. Scientists agree that the dose reconstruction performed for the VA is notoriously unreliable.

GAO itself has noted the inherent uncertainties of dose reconstruction. Even VA scientific personnel have conceded its unreliability. In a memo to VA Secretary Togo West, Under Secretary for Health Kenneth Kizer has recommended that the VA reconsider its opposition to S. 1385 based, in part, on the unreliability of dose reconstruction.

Mr. President, I ask unanimous consent that the text of Dr. Kizer's memo be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

[See exhibit 1.]

Mr. WELLSTONE. In addition, none of the scientific experts who testified at a Senate Veterans' Affairs Committee hearing on S. 1385 on April 21, 1998, supported the use of dose reconstruction to determine eligibility for VA benefits.

Let me explain why dose reconstruction is so difficult. Dr. Marty Gensler on my staff has researched this issue for over five years, and this is what he has found.

Many atomic veterans were sent to ground zero immediately after a nuclear test with no protection, no information on the known dangers they faced, no badges or other monitoring equipment, and no medical followup.

As early as 1946, ranking military and civilian personnel responsible for nuclear testing anticipated claims for service-connected disability and sought to ensure that ''no successful suits could be brought on account of radiological hazards.'' That quotation comes from documents declassified by the President's Advisory Committee on Human Radiation Experiments.

The VA, during this period, maintained classified records ''essential'' to evaluating atomic veterans' claims, but these records were unavailable to veterans themselves.

Atomic veterans were sworn to secrecy and were denied access to their own service and medical records for many years, effectively barring pursuit of compensation claims.

It's partly as a result of these missing or incomplete records that so many people have doubts abut the validity of dose reconstructions for atomic veterans, some of which are performed more than fifty years after exposure.

Even if these veterans' exposure was less than 5 rems, which is the standard used by VA, this standard is not based on uncontested science. In 1994, for example, GAO stated: ''A low level dose has been estimated to be somewhere below 10 rems [but] it is not known for certain whether doses below this level are detrimental to public health.''

Despite persistent doubts about VA's and DoD's dose reconstruction, and despite doubts about the science on which VA's 5 rem standard is based, these dose reconstructions are used to bar veterans from compensation for disabling radiogenic conditions.

The effects of this standard have been devastating. A little over two years ago the VA estimated that less than 50 claims for non-presumptive diseases had been approved out of over 18,000 radiation claims filed.

Atomic veterans might as well not even bother. Their chances of obtaining compensation are negligible.

It is impossible for many atomic veterans and their survivors to be given ''the benefit of the doubt'' by the VA while their claims hinge on the dubious accuracy and reliability of dose reconstruction and the health effects of exposure to low-level ionizing radiation remain uncertain.

This problem can be fixed. The reason atomic veterans have to go through this reconstruction at all is that the diseases listed in my amendment are not presumed to be service-connected. That's the real problem.

VA already has a list of service-connected diseases that are presumed service-connected, but these are not on it.

This makes no sense. Scientists agree that there is at least as strong a link between radiation exposure and these diseases as there is to the other diseases on that VA list.

You might ask why I've included these three diseases in particular—lung cancer; colon cancer; and tumors of the brain and central nervous system—in my amendment. The reason is very simple. The best, most current, scientific evidence available justifies

their inclusion. A paper entitled ''Risk Estimates for Radiation Exposure'' by John D. Boice, Jr. of the National Cancer Institute, published in 1996 as part of a larger work called Health Effects of Exposure to Low-Level Ionizing Radiation, includes a table which rates human cancers by the strength of the evidence linking them to exposure to low levels of ionizing radiation. According to this study, the evidence of a link for lung cancer is ''very strong''—the highest level of confidence—and the evidence of a link for colon and brain and central nervous system cancers is ''convincing''—the next highest level of confidence. So I believe I can say with a great deal of certainty, Mr. President, that science is on the side of this amendment. And I ask unanimous consent that a copy of the table I just mentioned be printed in the RECORD at the conclusion of my remarks.

Last year, the Senate Veterans Affairs Committee reported out a version of S. 1385, the Justice for Atomic Veterans Act, which included three diseases to be added to the VAs presumptive list. Two of those diseases, lung cancer and brain and central nervous system cancer, I have included in my amendment. The third disease included in the reported bill was ovarian cancer. Mr. President, I'd like to explain why I substituted colon cancer for ovarian cancer. It is true that the 1996 study I just cited states that the evidence of a linkage for ovarian cancer to low level ionizing radiation is ''convincing,'' just as it is for colon cancer. But Mr. President, there are no female atomic veterans. The effect of creating a presumption of service connection for ovarian cancer is basically no effect—because no one could take advantage of it. However, the impact of adding colon cancer as a presumption for atomic veterans is significant; atomic veterans will be able to take advantage of that presumption.

The President's Advisory Committee on Human Radiation Experiments agreed in 1995 that VA's current list should be expanded. The Committee cited concerns that ''the listing of diseases for which relief is automatically provided—the presumptive diseases provided for by the 1988 law—is incomplete and inadequate'' and that ''the standard of proof for those without presumptive disease is impossible to meet and, given the questionable condition of the exposure records retained by the government, inappropriate.'' The President's Advisory Committee urged Congress to address the concerns of atomic veterans and their families ''promptly.''

The unfair treatment of atomic veterans becomes especially clear when compared to both Agent Orange and Persian Gulf veterans. In recommending that the Administration support S. 1385, Under Secretary for Health Kenneth Kizer cited the indefensibility of denying presumptive service connection for atomic veterans in light of the presumption for Persian Gulf War veterans and Agent Orange veterans.

In 1993, the VA decided to make lung cancer presumptively service-connected for Agent Orange veterans. That decision was based on a National Academy of Sciences study that had found a link only where Agent Orange exposures were ''high and prolonged,'' but pointed out there was only a ''limited'' capability to determine individual exposures.

For atomic veterans, however, lung cancer continues to be non-presumptive. In short, the issue of exposure levels poses an almost insurmountable obstacle to approval of claims by atomic veterans, while the same problem is ignored for Agent orange veterans.

Persian Gulf War veterans can receive compensation for symptoms or illnesses that may be linked to their service in the Persian Gulf, at least until scientists reach definitive conclusions about the etiology of their health problems. Unfortunately, atomic veterans aren't given the same consideration or benefit of the doubt.

I believe this state of affairs is outrageous and unjust. The struggle of atomic veterans for justice has been long, hard, and frustrating. But these patriotic, dedicated and deserving veterans have persevered. My amendment would finally provide them the justice that they so much deserve.

Let me say this in closing. As I have worked with veterans and military personnel during my time in the Senate, I have seen a troubling erosion of the Federal Government's credibility with current and former service members. No salary is high enough, no pension big enough to compensate our troops for the dangers they endure while defending our country. Such heroism stems from love for America's sacred ideals of freedom and democracy and the belief that the nation's gratitude is not limited by fiscal convenience but reflects a debt of honor.

This is one of those issues which test our faith in our government. But the Senate can take an important step in righting this injustice. I urge my colleagues from both sides of the aisle to join me in helping atomic veterans win their struggle by supporting my amendment.

EXHIBIT 1

DEPARTMENT OF VETERANS AFFAIRS,
April 21, 1998.

From: Under Secretary for Health (10).

Subject: Request for Reconsideration of the Department's Position on S. 1385 (Wellstone).

To: Secretary (00).

1. I request that you reconsider the Department's position on S. 1385 (Wellstone), which would add a number of conditions as presumptive service-connected conditions for atomic veterans to those already prescribed by law. I only learned that the Department was opposing this measure last night on reading the Department's prepared testimony for today's hearing; I had no input into that testimony. Indeed, my views on this bill have not been obtained. I would strongly support this bill as a matter of equity and fairness.

2. I do not think the Department's current opposition to S. 1385 is defensible in view of the Administration's position on presumed service-connection for Gulf War veterans, as well as its position on Agency Orange and Vietnam veterans.

3. While the scientific methodology that is the basis for adjudicating radiation exposure cases may be sound, the problem is that the exposure cannot be reliably determined for many individuals, and it never will be able to be determined in my judgment. Thus, no matter how good the method is, if the input is not valid then the determination will be suspect.

4. I ask that we formally reconsider and change the Department's position on S. 1385. I feel the proper and prudent position for the Department is to support S. 1385.

KENNETH W. KIZER, M.D., M.P.H.

Table 8.4—Strength of evidence that certain human cancers are induced following exposure to low levels of ionizing radiation.

Evidence	Cancer
Very strong	Leukemia, Female breast, Thyroid, Lung.
Convincing	Stomach, Colon, Bladder, Ovary, Brain/CNS, Skin.
Weak, inconsistent	Liver, Salivary glands, Esophagus, Multiple myeloma, Non-Hodgkin lymphoma, Kidney.
Not convincing	CLL, Male breast, Hodgkin's disease, Cervix, Prostate, Testes, Pancreas, Small intestine, Pharynx, hypopharynx, larynx, Certain childhood cancers, Skeleton support tissues.
Only at very high doses.	Bone, Connective tissue, Rectum, Uterus/Vagina.
High-Let exposures: Thorotrast (TH–232), Radium, Radon.	Liver, Leukemia, Bone, Lung.

AMENDMENT NO. 381

Mr. WELLSTONE. Mr. President, my amendment, amendment 381, entitled ''Provision of Information and Guidance to the Public Regarding Environmental Contamination at U.S. Military Installations Formerly Operated by the United States that Have Been Closed,'' is a simple, straightforward amendment, but one which can potentially go a long way toward ensuring that the United States leaves a positive environmental legacy behind when we withdraw from military bases overseas. As we have withdrawn from our bases around the world, the U.S. military has taken some steps to clean-up contamination at those bases before leaving. But there are still many convincing reports that contamination has been left behind. As the New York Times noted last December in an editorial, ''Fuels, lubricants, cleaning fluids and other chemicals are leaching into groundwater, and unexploded shells linger on testing grounds long after American soldiers leave.'' This is especially true in the Philippines, where we withdrew from Subic Bay and Clark Air Base, in 1992. And it will soon apply to Panama where will finish our withdrawal at the end of 1999.

I understand very well that the Pentagon has no legal obligations under our treaties with these countries to pay for a clean-up of environmental contamination. And I am not calling for any funding for such a clean-up. What this amendment requires the Pentagon to do is simply to provide as much information as possible and to cooperate in interpreting that information so that nations such as the Philippines can complete environmental

studies to tell them exactly what has been left behind.

So far the Pentagon has turned over substantial information to the Philippine government, but it has done so slowly and grudgingly. We need to be more forthcoming to help the Filipinos deal with this issue before the contamination in the Subic and Clark areas causes further health problems.

This amendment is intended to protect the legacy of the U.S. in those countries where we maintained bases. It does not look at the environmental issue as a legal issue but as a moral one. At a time when anti-Americanism may be growing in certain parts of the world we need to ensure that in those countries that are our longtime allies, we do what we can to promote a positive image of the U.S. even after we leave our bases.

We will continue to have close military and political relations with countries such as the Philippines and Panama and we should not let this environmental issue fester and become an impediment to good relations.

The amendment as modified applies only to bases already closed. Initially I had intended to extend it to bases which would be closing in the future, which would include our facilities in Panama. However, since I understand that sensitive negotiations are underway on this very issue between the U.S. and Panama and I did not want this amendment to in any way interfere with the successful conclusion of those negotiations. But I want the record to show that I believe that we should be very forthcoming in releasing information on environmental conditions at our facilities in Panama as we close them. I would like to see the Pentagon avoid the long delays in providing information which we have seen in the Philippine case by following the spirit of this amendment. Of course, if we see a similar problem in the case of Panama we may have to revisit this issue next year and propose a similar provision to require the Department of Defense to make information available publicly.

If we assist our strategic partners in their efforts to complete environmental baseline studies, it is quite likely that any clean-up which occurs down the road will be done by American companies, who are the leaders in this field. Without the information and the necessary studies these countries are unable to identify the scope of the problem and begin to move toward some type of amelioration. Once the studies are in hand they may be able to approach international lenders, such as the World Bank, for funding and subsequently some clean-up contracts may go to U.S. companies.

Mr. President, when we close our bases and leave behind environmental contamination, the people who suffer from the contamination are almost always people already living in poverty and already struggling to maintain good health. They do not also need to contend with a toxic legacy left by the U.S. military. Just to highlight one of the most disturbing cases, I want to discuss the situation in the Philippines and especially at the site of the former Clark Air Base.

According to a recent report in the Philippine Star Newspaper, a forensic expert at the Commission of Human Rights (CHR) identified 29 persons who were living at volcano evacuation centers who were found to be suffering from various ailments attributed to mercury and nitrate elements left by the Americans when they abandoned their air base at Clark in 1991.

''The clinical manifestation exhibited by the patients were consistent with chemical exposure,'' the report said. It noted that 13 children aged one to seven ''manifested signs and symptoms of birth defects and neurological disorders,'' adding that ''four females suffered spontaneous abortions and still births.''

''These can be attributed to mercury exposure,'' the report said. It also reported ''central nervous system disorders, Kidney disorder and cyanosis'' among the persons at evacuation center at Clark, ailments he said can be traced to nitrates exposure.''

Earlier, the CHR forensic office staff collected water samples from the deep wells at the evacuation center in Clark and the Madapdap resettlement site for volcano victims in Mabalacat, Pampanga.

The samples were later brought to the metals lab of the Environmental Management Bureau (EMB) for analysis. In a report dated April 16, the EMB found 200 milligrams of mercury per liter of water and from 386 to 27 mg of nitrate per liter of water in the Clark area.

''These two chemicals, together with coliform for bacteria were found to be present in water in values exceeding the standard set by the WHO,'' the report said.

The report recommended the immediate removal of the residents at Clark, and the thorough diagnosis and treatment of the patients.''

Among the victims identified in the report were Edmarie Rose Escoto, 5; Kelvin, 7; Martha Rose Pabalan, 4; 8-month-old Alexander; Sara Tolentino, and Abraham Taruc, who all had deformities to their lower limbs and cannot walk.

Rowell Borja, 5, and Sheila Pineda, 3, both had congenital heart ailments. Skin disorders were also found prevalent in other children, while cysts and kidney disorders were observed in adults.

The People's Task Force for Bases Cleanup (PTFBC) has pointed out that ''there is more than enough preliminary evidence of the toxic waste problem at the former U.S. bases in the Philippines.''

Among the documents that have confirmed the presence of toxic wastes at the former bases are pamphlets from the U.S. Department of Defense entitled ''Environmental Review of the Drawdown Activities at Clark Airbase'' (September 1991) and ''Potential Restoration sites on Board the U.S. Facility, Subic Bay.'' (October 1992).

The PTFBC also cited 2 reports of the U.S. Government Accounting Office titled ''Military Base Closure, U.S. Financial Obligations at the Philippines'' (Oct. 1992) as well as an independent report of the WHO on May 9, 1992.

Mr. President, I recently received a letter from the Philippine Study Group of Minnesota expressing their concerns about the environmental contamination left by the U.S. military at the former Clark Air Base. They reported the results of a trip to the Philippines by two young Filipina-American women, Christina Leano and Amy Toledo, who have been working with the affected populations near Clark field and have been meeting with my staff in Minnesota and here in Washington.

When these two young women returned from the Philippines, they communicated the concern of the Filipino people about the problems of toxic waste remaining at both Clark and Subic. The problems are of sufficient concern to municipal governments near Clark that they tried to develop systems to deliver alternative water sources to the affected populations. However, they do not have the necessary resources. They said that the concerns of the people near Clark have been front page news in the Philippines and Philippine Senator Loren Legarda will soon hold hearings in this issue. The Philippine Study Group of Minnesota wrote to me, and I quote:

> These bases . . . have severe problems that demand immediate attention. It is very unfortunate that the U.S. Department of Defense will not admit that they left polluted sites when they vacated the bases. Contrary to statements made by Secretary of State Albright, when she was in the Philippines last summer, the Department of Defense will not even release important documents needed by Philippine Development authorities.

We need at a minimum to see that all relevant documents are turned over to Philippine authorities. This includes key documents such as information on the construction of the wells and water supply system at Clark and hydrologic surveys for Clark which should be released to the Clark Development Corporation (CDC). Currently, the CDC does not have drawings or data on the water system and they are trying to improve the water delivery system without the data they need. The Philippine Study Group of Minnesota say they ''are incredulous that the Defense Department will not even release those non-military technical documents that would be of great help to Philippine authorities.''

This amendment would require the Defense Department to do that. It is a simple, reasonable step toward improving the environmental situation for the people of the Philippines. It is a step in the direction of assuring our allies that when the U.S. closes a military base, it leaves behind a legacy of friendship,

cooperation, and sensitivity to environmental justice—not a toxic legacy.

Mr. President, we have a long history with the Philippines. From the turn of the century until 1991, except for the period of Japanese occupation during WWII, U.S. military forces used lands in Central Luzon and around Subic Bay in the Philippines as military bases which grew to be among the largest U.S. overseas bases in the world. The main purpose of Subic Bay Naval Base was to service the U.S. Navy Seventh Fleet. Forested lands were also used for training exercises. Clark Air Base served as a major operations and support facility during the Korean and Vietnam conflicts.

In 1991, more than 7,000 military personnel were stationed at Clark in addition to dependents and civilian support. Operations carried out on the bases included, but were not limited to: fuel loading, storage, distribution, and dispensing; ship servicing, repair, and overhaul; ammunition transfer, assembly, destruction, and storage; aircraft servicing, cleaning, repair, and storage; base vehicle fleet servicing, cleaning, repair, overhaul, and operation; power generation; electricity transformation and distribution; steam generation; water treatment and distribution; sewage collection and treatment; hazardous waste storage and disposal; bitumen production; electroplating; corrosion protection; and weed and pest control.

These activities, for many years not conducted in a manner protective of the environment, lead to substantial contamination of the air, soil, groundwater, sediments, and coastal waters of the bases and their surroundings. This was not unique to the Philippines. Military and industrial activities in the U.S. and around the world have had similar effects. Contaminants include, but are not limited to, petroleum hydrocarbons, aromatic hydrocarbons, chlorinated hydrocarbons, pesticides, PCB's metals, asbestos, acids, explosives and munitions. Whether or not radioactive wastes are present is uncertain.

The Philippine Senate voted in 1991 not to renew the bases agreement between the two countries. In June of that same year, Mt. Pinatubo erupted hastening U.S. withdrawal from Clark Air Base. U.S. forces left Subic Naval Base in 1992, ending almost a century of occupation of these vast areas of Luzon. Notwithstanding initial Department of Defense protestations to the contrary, substantial amounts of hazardous materials and wastes were left behind at the time of the U.S. departure both on the surface and in various environmental media. According to a GAO report issued in 1992,

> If the United States unilaterally decided to clean up these bases in accordance with U.S. standards, the costs for environmental cleanup and restoration could approach Superfund proportions.

Environmental officers at both Subic Bay Naval Facility and Clark Air Base have proposed a variety of projects to correct environmental hazards and remedy situations that pose serious health and safety threats.'' None of these projects was undertaken prior to U.S. departure from the baselands. A study commissioned by the WHO in 1993, in order to assess potential environmental risks at Subic Bay, identified a number of contaminated and potentially contaminated sites and recommended a complete environmental assessment.

Two study teams visited the sites in 1994, under the sponsorship of the Unitarian Universalist Service Committee, and not only found evidence of environmental contamination but carefully documented the lack of existing capacity in the Philippines, whether in government, university, or private sectors, to assess and remediate this complex problem.

The health and safety issues are not theoretical or contingent on future development of the bases. At the present time rusting and bulging barrels of hazardous materials are sitting uncovered at Clark. There are reports of exposed asbestos insulation in buildings vacated by departing U.S. personnel. For years waste materials from the ship repair facility were dumped or discharged directly into Subic Bay, contaminating sediments, and now residents from surrounding communities eat fish and shellfish harvested from this area. Thousands of evacuees displaced from homes destroyed by the eruption of Mt. Pinatubo and lava flows which followed have been temporarily housed in tents and makeshift wooden structure on Clark Air Base at a site previously occupied by a motorpool. They obtain drinking and bathing water from groundwater wells.

Just beyond the Dau gate, about 300 yards from this evacuation center, is the permanent community of Dau where many thousands of residents routinely use groundwater for drinking, cooking, and bathing. Because of complaints of gross contamination of water from some of the wells in the evacuation area, including visible oily sheen, foul taste, and gastrointestinal illness, one sample was tested at the laboratories of the University of the Philippines in early 1994 and found to contain oil and grease. Limited by laboratory capability, the analysis did not include the wide range of volatile and semi-volatile organic compounds, fuels, fuel additives, and other compounds which commonly contaminate groundwater in the U.S. and in other countries where similar military and industrial activities have taken place.

Many of these substances have important health effects when present even in extremely small amounts—health effects which may take years to become apparent—including cancer, birth and developmental abnormalities, and neurological or immunological damage. Moreover, there are numerous instances in the U.S. where contaminated groundwater at military bases has migrated off-base, sometimes for a distance of several miles, entering the drinking water of surrounding communities and posing a threat to public health. This is not only possible but likely at Clark Air Base, only one of numerous sites of concern at both bases, and one which is beyond existing Philippine capacity to assess let alone to remediate.

When President Clinton visited the Philippines in November 1994 both he and President Ramos acknowledged that the issue of base contamination would need to be further investigated. However, President Clinton stated that, ''We have no reason to believe at this time that there is a big problem that we left untended. We clearly are not mandated under treaty obligations to do more.'' He went on to say ''. . .we decided we should focus on finding the facts now, and when we find them, deal then with the facts as they are.''

Though there may be no treaty obligation to address this issue, there are obvious moral and public health arguments which should compel the U.S. to accept responsibility for environmental assessment and remediation of the former bases in the Philippines. There are other overseas bases in, for example, Canada, Germany, Italy and Japan, where in response to host-country discovery and complaints of environmental contamination, the U.S. has provided assessment and clean-up. After nearly a century of occupation of these Philippine baselands, the obligation is no less. Meanwhile, as the political resolution of this issue unfolds, thousands of Filipinos, many of whom are living in marginal refugee conditions, and drinking and bathing in water which may be contaminated with hazardous substances resulting from U.S. military activities.

If these circumstances were to exist in the U.S. the groundwater would already have been comprehensively tested for a broad spectrum of substances and the public's health protected, while resulting plumes of contamination were being mapped and remediation strategies executed. Until we can answer with certainty whether or not this water is safe for consumption, an answer which neither Philippine government, public health officials, nor academicians are able to provide without assistance, and eliminate any identified hazardous exposures, the U.S. may be viewed as bearing responsibility for any resulting health effects.

AMENDMENT NO. 382

Mr. WARNER. Having done that, we will now proceed to amendment No. 382, on which the Senator will address the Senate pursuant to the standing order, and then at a time later we will schedule the vote.

Mr. WELLSTONE. Mr. President, I will be ready to go, if I could have just 30 seconds to also say on the floor of Senate, when I say ''we,'' I don't mean as in me. I mean the collective us. This is for both Senator LEVIN and Senator WARNER. You also, in a bipartisan way,

through your efforts, were able to put an amendment into this bill that deals with family violence. I thank you. I think this is an extremely important amendment.

The problem was that all too often, when a spouse usually a woman—would report violence, there was no real right of guarantee of confidentiality, which we needed. In other words, a woman could go to a doctor and then her report to a doctor could get out publicly. This really will enable women who are the victims of this violence to be able to go to someone and receive some support and help. It is extremely important. Both of you have supported this. I think there is similar language over in the House side. I thank the two of you. This is an amendment I am really proud of. I thank you.

Mr. WARNER. Once again, Mr. President, I am advised that the vote on No. 382, the amendment the Senator is about to debate in the Senate under the standing agreement, can be voted as the third vote in sequence this afternoon.

Mr. WELLSTONE. That is correct.

Mr. WARNER. All right.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. WARNER. Have the yeas and nays been ordered on that amendment?

Mr. WELLSTONE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I wonder if it would be in order, if there would be any objection, to ask unanimous consent that no further business be held between now and the recess so that people know there is not going to be any additional——

Mr. WARNER. Mr. President, I am not objecting, but I think we should just simply say that at 1, at which time the 30 minutes expires, the Senate will stand in recess until the first vote, which is scheduled for 2:15.

Mr. LEVIN. But for some of us who planned to actually leave here at 12:30, I think it is important, if there is an understanding to this effect, that there be no further amendments offered or any other business carried on between now and the time that we recess for the luncheons. Is that agreeable?

Mr. WARNER. Mr. President, I have no agreement, but let's make it very clear that we will now begin to address amendment No. 382. As soon as that debate is concluded, the Senate will stand in recess until the hour of 2:15, when the first vote is to take place, and there would be no intervening business transacted.

Mr. ALLARD. Mr. President, just to clarify, I don't have any objection to that unanimous consent request, but I want to make some general remarks in regard to the total bill. I just wanted to try——

Mr. WARNER. I am prepared to accommodate the Senator. What about the hour of 4 today? You have 30 minutes.

Mr. ALLARD. That would be fine. I appreciate that. I think if we set aside 20 minutes, that would be fine. I appreciate that.

Mr. WARNER. We would be glad to do that and make it a part of the unanimous consent request which we are jointly propounding, Mr. LEVIN and myself. Is that agreeable?

Mr. LEVIN. I apologize.

Mr. WARNER. We just added, 4 to 4:20, this colleague may speak on the bill.

Mr. President, I am happy to restate it, but I think the Chair is——

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WARNER. I thank the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota.

Mr. WELLSTONE. Mr. President, this amendment speaks to the priorities of the Senate or lack of priorities of the Senate.

We have here a bill that really talks about authorization, leading to appropriation of hundreds of billions of dollars for defense, for the Pentagon.

I will talk about the priorities of some low-income families in our country. Their priorities are how to keep a roof over their children's heads. Their priorities are how to get food in their children's stomachs. Their priorities are how to earn a wage that pays their bills.

And their priorities are how to obtain medical assistance when they are sick or when their children are sick.

Mr. President, 2 years ago we passed a welfare bill, and as we start to see more and more families slide deeper and deeper into poverty, and as we see around the country some of these families losing their benefits, I have not heard so much as a whisper of concern, let alone a shout of outrage, from the Senate.

So I rise to propose an amendment. It is an amendment that I hope will receive the support of every Senator, Democrat and Republican alike. It is simple and it is straightforward.

Current law requires the Secretary of Health and Human Services to provide an annual report to Congress. My amendment requires the Secretary to include information about families who have moved off the welfare rolls. What kind of jobs do they have? What is their employment status? What kind of wages are they making? Is it a living wage? What is the child care situation with their children? Have they been dropped from medical assistance? Do they have any health insurance coverage at all?

Mr. President, like my colleagues, I had hoped that the welfare reform bill—though I voted against it because I had real reservations about how it would really take shape and form throughout the country—would work. But I have my doubts. On the basis of some of the evidence I present here today, I believe we need to find out with certainty what is happening to families, mainly women and children, when they no longer receive welfare assistance in our country.

Since August of 1996, 1.3 million families have left welfare. They are no longer receiving welfare assistance. That is 4.5 million recipients, and they are mainly women and children. The vast majority of these 4.5 million citizens are children. On the basis of these numbers, too many people have deemed welfare reform a success.

But to see the welfare rolls reduced dramatically does not mean necessarily that we have reduced poverty in this country. It doesn't mean these families have moved from welfare to self-sufficiency. It doesn't mean these families have moved from welfare to economic self-sufficiency. These statistics, the drop in the welfare caseload, which has been so loudly talked about as evidence of success by Republicans, Democrats, and by this Democratic administration, doesn't tell us what is really happening. It doesn't tell us anything about how these women and children are doing. It doesn't tell us whether or not these families are better off now that they are no longer receiving welfare assistance, or whether they have fallen further into poverty. It doesn't tell us if the mothers can find work. It doesn't tell us if they are making enough of an income to lift themselves and their children out of poverty. It doesn't tell us whether these mothers have adequate access to affordable child care, and it doesn't tell us whether or not these mothers and these children have any health care coverage at all.

No one seems to know what has happened to these families. Yet, we keep trumpeting the ''victory'' of welfare reform. The declining caseloads tell us nothing at all about how families are faring once they no longer receive assistance. I am worried that they are just disappearing and this amendment is all about a new class of citizens in our country. I call them The Disappeared.

Let me give you some examples. We are hearing a lot about the plunge in food stamp participation. Over the last 4 years, the number of people using food stamps dropped by almost one-third—from 28 million to 19 million people. Some people want to interpret this as evidence of diminished need. But just like the decline in the welfare rolls, there are important questions left unanswered. I hope this drop in food stamp assistance means that fewer people are going hungry, but I have my doubts. If people are no longer needy, then how can we account for the fact that 78 percent of the cities surveyed by the U.S. Conference of Mayors for its ''Report on Hunger'' reported increases in requests for emergency food

in 1998? This January, a survey conducted by Catholic Charities U.S.A. reported that 73 percent of the diocese had an increase by as much as 145 percent in requests for emergency food assistance from the year before.

How can we account for such findings without questioning whether or not the reformers' claim of success are premature?

What is going on here? What is happening to these women and children? Should we not know? The esteemed Gunnar Myrdal said, ''Ignorance is never random.'' Sometimes we don't know what we don't want to know.

This amendment says we ought to do an honest evaluation and have the Secretary of Health and Human Services provide a report to us as to exactly what is happening with these women and children.

A story Friday from the New York Times suggests one explanation. One welfare recipient was told incorrectly that she could not get food stamps without welfare. Though she is scraping by, raising a family of five children and sometimes goes hungry, she has not applied for food stamps. ''They referred me to the food pantry,'' she said. ''They don't tell you what you really need to know; they tell you what they want you to know.''

The truth of the matter is that there is an information vacuum at the national level with regard to welfare reform. What has happened to the mothers and children who no longer receive any assistance? In a moment, I am going to talk about some findings from NETWORK, a national Catholic social justice organization—findings that should disturb each and every Senator. At the outset, let me read a brief excerpt from the report that outlines the problem:

> Even though government officials are quick to point out that national welfare caseloads are at their lowest point in 30 years, they are unable to tell us for the most part what is happening to people after they leave the welfare rolls—and what is happening to people living in poverty who never received assistance in the first place.

I am especially concerned because the evidence we do have suggests that the goals of welfare reform are not being achieved. People are continuing to suffer and continuing to struggle to meet their basic needs, and I am talking primarily about women and children. I challenge the Senate today with this amendment. At the very minimum, we should call on the Secretary of Health and Human Services to give us a report on the status of those women and those children who no longer receive any welfare assistance. Should we not at least know what is happening to these families?

I have already mentioned the dramatic decline in welfare caseloads. We must recognize that it is naive to assume that all of the 1.3 million of these families have found jobs and are moving toward a life of economic self-sufficiency. After all, the caseload decline has not been matched by a similar decline in poverty indicators. Moreover, since 1995, colleagues, what we have seen is an increase among the severest and harshest poverty. This is when income is less than one-half of what the official definition of poverty is. We have found an increase of 400,000 children living among the ranks of the poorest of poor families in America. Could this have something to do with these families being cut off welfare assistance? We ought to at least know.

I have already mentioned the NETWORK report. What this group did was collect data on people who visited Catholic social services facilities in 10 States with large numbers of people eligible for aid, and I will summarize these very dramatic findings.

Nearly half of the respondents report that their health is only fair or poor; 43 percent eat fewer meals or less food per meal because of the cost; they can't afford it. And 52 percent of soup kitchen patrons are unable to provide sufficient food for their children, and even the working poor are suffering as 41 percent of those with jobs experience hunger. The people who are working work almost 52 weeks a year, 40 hours a week, and they are still so poor that they can't afford to buy the food for their children. I am presenting this evidence today because I want us to have the evidence.

In another study, seven local agencies and community welfare monitoring coalitions in six States compared people currently receiving welfare to those who stopped getting welfare in the last few months.

The data show that people who stopped getting welfare were less likely to get food stamps, less likely to get Medicaid, more likely to go without food for a day or more, more likely to move because they couldn't pay rent, more likely to have a child who lived away or was in foster care, more likely to have difficulty paying for and getting child care, more likely to say ''my life is worse'' compared to 6 months ago.

Is that what we intended with this welfare reform bill?

The National Conference of State Legislatures did its own assessment of 14 studies with good information about families leaving welfare. It found that:

> Most of the jobs [that former recipients get] pay between $5.50 and $7 an hour, higher than minimum wage but not enough to raise a family out of poverty. So far, few families who leave welfare have been able to escape poverty.

Just this month, Families USA released a very troubling study. It finds that:

> Over two-thirds of a million low-income people—approximately 675,000—lost Medicaid coverage and became uninsured as of 1997 due to welfare reform. The majority (62 percent) of those who became uninsured due to welfare reform were children, and most of those children were, in all likelihood, still eligible for coverage under Medicaid. Moreover, the number of people who lose health coverage due to welfare reform is certain to grow rather substantially in the years ahead.

Let me just translate this into personal terms.

Here is the story of one family that one of the sisters in the NETWORK study worked with:

> Martha and her seven-year-old child, David, live in Chicago. She recently began working, but her 37-hour a week job pays only $6.00 an hour. In order to work, Martha must have childcare for David.

That is the name of my oldest son, David.

> Since he goes to school, she found a sitter who would receive him at 7 a.m. and take him to school. This sitter provided after school care as well. When Sister Joan sat down with Martha to talk about her finances, they discovered that her salary does not even cover the sitter's costs.

By the way, as long as we are talking about afterschool care, let me just mention to you that I remember a poignant conversation I had in East L.A. I was at a Head Start center, and I was talking to a mother. She was telling me that she was working. She didn't make much by way of wages, but she was off welfare, and she wanted to work. As we were talking and she was talking about working, all of a sudden she started to cry. I was puzzled. I felt like maybe I had said something that had upset her. I said: Can I ask you why you are crying?

She said: I am crying because one of the things that has happened is that my first grader—I used to, when I was at home, take her to school, and I also could pick her up after school.

She lived in a housing project. It is a pretty dangerous neighborhood.

She said: Now, every day when my daughter, my first grader, finishes up in school, I am terrified. I don't know what is going to happen to her. There is no care for her, and she goes home, and I tell her to lock the door and take no phone calls.

Colleagues, this amendment asks us to do a study of what is going on with these children. How many children don't play outside even when the weather is nice because there is nobody there to take care of them?

Let me talk about an even scarier situation— families that neither receive government assistance nor have a parent with a job. We don't know for certain how large this population is, but in the NETWORK study 79 percent of the people were unemployed and not receiving welfare benefits. Of course this study was focused on the hardest hit.

Let me just say that in some of the earlier State studies, what we are seeing is that as many as 50 percent of the families who lost welfare benefits do not have jobs.

Can I repeat that?

Close to 50 percent perhaps—that is what we want to study—of the families who have been cut off welfare assistance do not have jobs, much less the number of families where the parents—usually a woman—has a job, but it is $6 an hour and she can't afford child care and her children don't have the necessary child care. Now her medical assistance is gone and she is worse off

and her children are worse off. They are plunged into deeper poverty than before we passed this bill.

Don't we want to know what is happening in the country?

How are these families surviving? I am deeply concerned and worried about them. They are no longer receiving assistance. And they don't have jobs. They are literally falling between the cracks and they are disappearing. I want us to focus on the disappeared Americans.

What do we do about this? I want to have bipartisan support.

I was a political science teacher before becoming a Senator. In public policy classes, I used to talk about evaluation all the time. That is one of the key ingredients of good public policy. That is what I am saying today. We want to have some really good, thorough evaluation. We have some States that are doing some studies. But the problem is there are different methodologies and different studies that are not comprehensive.

Before we passed this bill, when we were giving States waivers—Minnesota was one example—43 of 50 States have been granted waivers. They were all required to hire an outside contractor to evaluate the impact of the program.

After this legislation passed, we didn't require this any longer of States. Now we are only getting very fragmentary evidence. As a result, we do not really know what is happening to these women. We don't know what is happening to these children. The money that we have earmarked is Labor-HHS appropriations, for Health and Human Services—$15 million to provide some money for some careful evaluation. That is what we need, policy evaluation. But the money has been rescinded.

What I am saying—I am skipping over some of the data—is at the very least, what we want to do is to make sure that we do some decent tracking and that we know in fact what is really going on here.

Let me just give you some examples that I think would be important just to consider as I go along. Let me read from some work that has been done by the Children's Defense Fund.

Alabama: Applying for cash assistance has become difficult in many places. In one Alabama county, a professor found workers gave public assistance applications to only 6 out of 27 undergraduate students who requested them despite State policy that says anyone who asks for an application should get one.

In other words, I know what was going on. This professor was saying to students, go out there as welfare mothers and apply and see what happens. They did. What they found out is that very few of them were even given applications.

Arizona: 60 percent of former recipients were taken off welfare because they did not appear for a welfare interview.

We are talking about sanctions.

After holding fairly steady from 1990 to 1993, the number of meals distributed to Arizona statewide, Food Charity Networks, has since risen to 30 percent, and a 1997 study found that 41 percent of Networks' families had at least one person with a job.

Quite often what happens is the people who are off the rolls aren't off the rolls because they found a job, but because they have been sanctioned. The question is, Why have they been sanctioned? The question is, What happened to them? What has happened to their children?

California: Tens of thousands of welfare beneficiaries in California and Illinois are dropped each month as punishment. In total, half of those leaving welfare in these States are doing so because they did not follow the rules.

This was from an AP 50-State survey. It was also cited in the Salvation Army Fourth Interim Report.

In an L.A. family shelter, 12 percent of homeless families said they had experienced benefit reductions or cuts that led directly to their homelessness.

One of the questions, colleagues, is this rise of homelessness and this rise of the use of food pantry shelves. Does it have something to do with the fact that many of these women have found jobs but they don't pay a living wage, or they haven't found work but the families have been cut off assistance?

Florida: More than 15,000 families left welfare during a typical month last year. About 3,600 reported finding work, but nearly 4,200 left because they were punished. The State does not know what happened to almost 7,500 others.

Iowa: 47 percent of those who left welfare did so because they did not comply with requirements such as going to job interviews or providing paperwork.

Kentucky: 58 percent of the people who leave welfare are removed for not following the rules.

Minnesota: In Minnesota, case managers found that penalized families were twice as likely to have serious mental health problems, three times as likely to have low intellectual ability, and five times more likely to have family violence problems compared with other recipients.

Mississippi Delta region: Workfare recipients gather at 4 a.m. to travel by bus for 2 hours to their assigned workplaces, work their full days, and then return another 2 hours home each night. They are having trouble finding child care during these nontraditional hours and for such extended days.

I could give other reports of other States. Let me just say to every single Senator here, Democrat and Republican alike, you may have a different sense of what is going on with the welfare bill. That is fine. But what I am saying here is if you look at the NETWORK study, if you look at the Conference of Mayors study, if you look at the Conference of State Legislatures study, if you look at the Children's Defense Fund study, and if you just travel—I am likely to do quite a bit of travel in the country over the next couple of years to really take a look at what is happening—but if you just travel and talk to people, you have reason to be concerned. Right now we do not know and we cannot remain deliberately ignorant. We cannot do that.

Policy evaluation is important. So I challenge each and every Senator to please support this amendment which calls for nothing more than this, that every year when we get a report from the Secretary of Health and Human Services we get a report on what has happened to these women and children—that is mainly the population we are talking about—who no longer receive welfare assistance. Where are they? What kind of jobs do they have? Are they living-wage jobs? Is there decent child care for the children? Do they have health care coverage? That is what we want to know.

I remember in the conference committee last year, and I will not use names because no one is here to debate me, I remember in a conference committee meeting last year we got into a debate. I wanted mothers to at least have 2 years of higher education and have that not counted against them. I was pushing that amendment. I remember, it was quite dramatic. In this committee, there were any number of different Representatives from the House, and some Senators, who said: You are trying to reopen the whole welfare reform debate and you are trying to change welfare policy. This has been hallmark legislation, the most important legislation we passed since Franklin Delano Roosevelt's legislation.

I said to them: Let me ask you a question. Can any of you give me any data from your States? I know the rolls have been cut substantially.

I hear my own President, President Clinton, talking about this. But, President Clinton, you have not provided one bit of evidence that reducing the welfare rolls has led to reduction of poverty. The real question is not whether or not people are off the rolls; the real question is, Are they better off? I thought the point of welfare reform was to move families, mainly women and children, from welfare to economic self-sufficiency, from welfare to a better life. I thought all Senators think it is important that people work, but if they work, they ought not to be poor in America.

We can no longer turn our gaze away from at least being willing to do an honest evaluation of what is happening. This amendment calls for that. I cannot see how any Senator will vote against this. I tried to bring this amendment to the juvenile justice bill. It would have been a good thing to do, because, frankly, there is a very strong correlation between poverty and kids getting into trouble and which kids get incarcerated. I think this piece of legislation is creating a whole new class

of people disappeared Americans. Many of them are children. That is my own view.

But as that bill went along, I agreed I would not do it if I could introduce this amendment to the next piece of legislation, which is the DOD legislation right now. I hope there will be an up-or-down vote. I hope there will be strong support for it.

If colleagues want to vote against it—I do not know how you can. We ought to be willing to do an honest evaluation. I tell my colleagues, if you travel the country, you are going to see some pretty harsh circumstances. You are going to see some real harsh circumstances. I do not remember exactly, and I need to say it this way because if I am wrong I will have to correct the record, but I think in some States like Wisconsin that have been touted as great welfare reform States, and I talked to my colleague, Senator FEINGOLD, about this, and there is low unemployment so it should work well—I think, roughly speaking, two-thirds of the mothers and children now have less income than they did before the welfare bill was passed. That is not success. That is not success.

Do you all know that in every single State all across the country—and it depends upon which year, it is up to the State—there is a drop-dead date certain where families are going to be eliminated from all assistance? Shouldn't we know, before we do that, before we just toss people over the cliff—shouldn't we know what is going on? Shouldn't we have some understanding of whether or not these mothers are able to find jobs? Shouldn't we know what is going on with their children? Shouldn't we know whether there are problems with substance abuse or violence in the homes? Shouldn't we make sure we do that before we eliminate all assistance and create a new class of the disappeared, of the poorest of the poor—of the poor who are mainly children?

I have brought this amendment to the floor before, but this time around I do not want a voice vote. I want a recorded vote. If Senators are going to vote against this, I want that on the record. If they are going to vote for it, I will thank each and every one of them. Then, if there is an effort to drop this in conference committee because it is on the DOD bill, do you know what. Here is what I say: At least the Senate has gone on the record saying we are going to be intellectually honest and have an honest policy evaluation. That is all I want. That is all I want to see happen. If it gets dropped, I will be back with the amendment again, and again, and again and again—until we have this study. Until we are honest about being willing—I am sorry—until we are willing to be honest about what is now happening in the country and at least collect the data so we can then know.

I feel very strongly about this, colleagues, very strongly about this. I am going to speak on the floor of the Senate about this. I am going to do some traveling in the country. I am going to try to focus on what I consider to be really some very harsh conditions and some very harsh things that are happening to too many women and to too many children.

I also speak with some indignation. I can do this in a bipartisan way. I want us to have this evaluation. I say to the White House, to the administration—I ask unanimous consent I have 1 more minute. I actually started at 12:30, so I do not know how I could be out of time. I had a half hour.

The PRESIDING OFFICER. The official clock up here shows time expired, but without objection, 1 minute.

Mr. WELLSTONE. I thank the Chair. I don't want to get into a big argument with the Chair. I can do it in 1 minute.

I think I have heard the administration, Democratic administration, I have heard the President and Vice President talk about how we have dramatically reduced the welfare rolls with huge success. Has the dramatic reduction in the welfare rolls led to a dramatic reduction in poverty? Are these women and children more economically self-sufficient? Are they better off or are they worse off? That is what I want to know. I say that to Democrats. I say that to Republicans. We ought to have the courage to call upon the Secretary of Health and Human Services to provide us with this data. As policymakers, we need this information.

Please, Senators, support this amendment.

I yield the floor.

PRIVILEGE OF THE FLOOR

Mr. BURNS. Mr. President, I ask unanimous consent that Daniel J. Stewart, a fellow in my office, be granted the privilege of the floor during the debate on the defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until the hour of 2:15, at which time there will be three stacked votes.

Thereupon, at 1 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000

The Senate continued with the consideration of the bill.

AMENDMENT NO. 388

The PRESIDING OFFICER. Under the previous order, there are 2 minutes equally divided on the Roth amendment. Who yields time?

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, for 58 years, two distinguished commanders, Admiral Kimmel and General Short, have been unjustly scapegoated for the Japanese attack on Pearl Harbor. Numerous studies have made it unambiguously clear that Short and Kimmel were denied vital intelligence that was available in Washington. Investigations by military boards found Kimmel and Short had properly disposed their forces in light of the intelligence and resources they had available.

Investigations found the failure of their superiors to properly manage intelligence and to fulfill command responsibilities contributed significantly, if not predominantly, to the disaster. Yet, they alone remain singled out for responsibility. This amendment calls upon the President to correct this injustice by advancing them on the retired list, as was done for all their peers.

This initiative has received support from veterans, including Bob Dole, countless military leaders, including Admirals Moorer, Crowe, Halloway, Zumwalt, and Trost, as well as the VFW.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, on behalf of the managers of this bill, we vigorously oppose this amendment. Right here on this desk is perhaps the most dramatic reason not to grant the request. This represents a hearing held by a joint committee of the Senate and House of the Congress of the United States in 1946. They had before them live witnesses, all of the documents, and it is clear from this and their findings that these two officers were then and remain today accused of serious errors in judgment which contributed to perhaps the greatest disaster in this century against the people of the United States of America.

There are absolutely no new facts beyond those deduced in this record brought out by my distinguished good friend, the senior Senator from Delaware. For that reason, we oppose it.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to amendment No. 388. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 142 Leg.]

YEAS—52

Abraham	Biden	Campbell
Akaka	Bingaman	Cleland
Baucus	Boxer	Cochran
Bayh	Breaux	Collins
Bennett	Bunning	Daschle

DeWine	Johnson	Roth
Domenici	Kennedy	Sarbanes
Durbin	Kerry	Schumer
Edwards	Kyl	Shelby
Enzi	Landrieu	Smith (NH)
Feinstein	Lautenberg	Thomas
Grassley	Leahy	Thurmond
Hagel	Lincoln	Torricelli
Harkin	Lott	Voinovich
Hatch	McConnell	Wellstone
Helms	Mikulski	Wyden
Hollings	Murkowski	
Inouye	Rockefeller	

NAYS—47

Allard	Frist	Moynihan
Ashcroft	Gorton	Murray
Bond	Graham	Nickles
Brownback	Gramm	Reed
Bryan	Grams	Reid
Burns	Gregg	Robb
Byrd	Hutchinson	Roberts
Chafee	Hutchison	Santorum
Conrad	Inhofe	Sessions
Coverdell	Jeffords	Smith (OR)
Craig	Kerrey	Snowe
Crapo	Kohl	Specter
Dodd	Levin	Stevens
Dorgan	Lieberman	Thompson
Feingold	Lugar	Warner
Fitzgerald	Mack	

NOT VOTING—1

McCain

The amendment (No. 388) was agreed to.

Mr. ROTH. Mr. President, I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 377

Mr. WARNER. Is the Senator from Virginia correct that the next vote will be on the amendment by the Senator from Kansas?

The PRESIDING OFFICER. Yes, amendment No. 377 by the Senator from Kansas.

Mr. WARNER. And the Senator from Kansas and I understand, also, that our colleague, the ranking member of the committee, likewise supports the amendment.

The PRESIDING OFFICER. There are 2 minutes of debate.

Mr. WARNER. Mr. President, noting the presence of the Senator from Kansas, the amendment by the Senator from Kansas raises a very good point; that is, at the 50th anniversary of the NATO summit, those in attendance, the 19 nations, the heads of state and government, adopted a new Strategic Concept.

The purpose of this amendment is to ensure that that Concept does not go beyond the confines of the 1949 Washington Treaty and such actions that took place in 1991 when a new Strategic Concept was drawn.

A number of us are concerned, if we read through the language, that it opens up new vistas for NATO. If that be the case, then the Senate should have that treaty before it for consideration. This is a sense of the Senate, but despite that technicality, it is a very important amendment; it is one to which the President will respond.

I understand from my distinguished colleague and ranking member, in all probability, we will receive the assurance from the President that it does not go beyond the foundations and objectives sought in the 1949 Washington Treaty.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I support this amendment. It says that the President should say to us whether or not the new Strategic Concept imposes new commitments or obligations upon us. It does not find that there are such new obligations or commitments. The President has already written to us in a letter to Senator WARNER that the Strategic Concept will not contain new commitments or obligations.

In 1991, the new Strategic Concept, which came with much new language and many new missions, was not submitted to the Senate. Indeed, much of the language is very similar in 1991 as in 1999.

In my judgment, there are no new commitments or obligations imposed by the 1999 Strategic Concept. The President could very readily certify what is required that he certify by this amendment, and I support it.

Mr. WARNER. Mr. President, I ask unanimous consent that this vote be limited to 10 minutes and the next vote following it to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time has expired.

Mr. KYL. Mr. President, I believe that under the order 1 minute was reserved for anybody in opposition, is that correct?

The PRESIDING OFFICER. Two minutes equally divided.

Mr. KYL. I don't think the Senator from Michigan spoke in opposition to the amendment, as I understand it. Therefore, would it not be in order for someone in opposition to take a minute?

The PRESIDING OFFICER. Yes. The Senator from Arizona is recognized for 1 minute.

Mr. KYL. Might I inquire of the Senator from Delaware—I am prepared to speak for 30 seconds or a minute.

Mr. BIDEN. If he can reserve 20 seconds for me, I would appreciate it.

Mr. KYL. I will take 30 seconds.

Mr. WARNER. Mr. President, I ask unanimous consent that both Senators be given 30 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Mr. President, I say to my colleagues that, as Senator LEVIN just pointed out, this is a totally unnecessary amendment, because the administration has already expressed a view that it has not gone beyond the Concepts this Senate voted for 90 to 9 when the new states were added to NATO. Those are the Strategic Concepts.

One might argue whether or not they are being applied correctly in the case of the war in Kosovo. That is another debate. But in terms of the Strategic Concepts themselves, this body voted on them, and I would hate for this body now to suggest to the other 18 countries in NATO that perhaps they should resubmit the Strategic Concepts to their legislative bodies as in the nature of a treaty so that the entire NATO agreement on Strategic Concepts would be subject to 19 separate votes of our parliamentary bodies. I don't think that would be a good idea given the fact that, as Senator LEVIN already noted, the President has already said the Strategic Concepts do not go beyond what the Senate voted for 90 to 9.

This an unnecessary amendment. I suggest my colleagues vote no.

Mr. BIDEN. Mr. President, the Strategic Concept does not rise to the level of a treaty amendment, and the Senator from Michigan has pointed that out. Therefore, it is a benign amendment, we are told, and in all probability it is. But it is unnecessary. It does mischief. It sends the wrong message. It is a bad idea, notwithstanding the fact that it has been cleaned up to the point that it is clear it does not rise to the level of a treaty requiring a treaty vote on the Strategic Concept.

But I agree with the Senator from Arizona. He painstakingly on this floor laid out in the Kyl amendment during the expansion of NATO debate exactly what we asked the President to consider in the Strategic Concept that was being negotiated with our allies. They did that. We voted 90 to 9.

This is a bad idea.

The PRESIDING OFFICER. The question is on agreeing to the amendment. On this question, the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The PRESIDING OFFICER (Mr. CRAPO). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 87, nays 12, as follows:

[Rollcall Vote No. 143 Leg.]

YEAS—87

Abraham	Edwards	Lincoln
Akaka	Enzi	Lott
Allard	Feingold	Lugar
Ashcroft	Feinstein	Mack
Baucus	Fitzgerald	McConnell
Bayh	Frist	Mikulski
Bennett	Gorton	Murkowski
Bingaman	Graham	Murray
Bond	Gramm	Nickles
Breaux	Grams	Reed
Brownback	Grassley	Reid
Bryan	Gregg	Roberts
Bunning	Harkin	Rockefeller
Burns	Hatch	Santorum
Byrd	Helms	Sarbanes
Campbell	Hollings	Schumer
Chafee	Hutchinson	Sessions
Cleland	Hutchison	Shelby
Cochran	Inhofe	Smith (NH)
Collins	Jeffords	Snowe
Conrad	Johnson	Stevens
Coverdell	Kennedy	Thomas
Craig	Kerrey	Thompson
Crapo	Kerry	Thurmond
Daschle	Kohl	Torricelli
DeWine	Landrieu	Voinovich
Dodd	Leahy	Warner
Domenici	Levin	Wellstone
Dorgan	Lieberman	Wyden

NAYS—12

Biden	Inouye	Robb
Boxer	Kyl	Roth
Durbin	Lautenberg	Smith (OR)
Hagel	Moynihan	Specter

NOT VOTING—1

McCain

The amendment (No. 377), as modified, was agreed to.

The PRESIDING OFFICER. The Senator from Virginia.

AMENDMENT NO. 382

Mr. WARNER. Mr. President, the next amendment is in the jurisdiction of the Finance Committee. Therefore, I have consulted with Chairman ROTH.

Does Senator ROTH have any comments on this?

Mr. ROTH. No comments.

Mr. WARNER. We yield back such time as we may have.

The PRESIDING OFFICER. There are 2 minutes equally divided on the amendment.

The Senator from Minnesota is recognized.

Mr. WELLSTONE. I thank the Chair.

I have been trying to get this amendment on the floor. This is simple and straightforward. This requires the Department of Health and Human Services to provide us with a report on the status of women and children who are no longer on welfare. There are 4.5 million fewer recipients. We want to know what kinds of jobs, at what wages, do people have health care coverage. This is based on disturbing reports by Family U.S.A., Catholic Organization Network, Children's Defense Fund, Conference of Mayors and, in addition, National Conference of State Legislatures.

Good public policy is good evaluation, and we ought to know what is going on in the country right now on this terribly important question that dramatically affects the lives of women and children, albeit low-income women and children. I hope to get a strong bipartisan vote. It will be a good message.

Mr. KENNEDY. Mr. President, I strongly support Senator WELLSTONE's amendment to require states to collect data on the employment, jobs, earnings, health insurance, and child care arrangements of former welfare recipients.

This information is essential. The most important indicator of welfare reform's success is not just declining welfare caseloads. It is the well-being of these low-income parents and their children after they leave the welfare system. We do not know enough about how they have fared, and states should be required to collect this information. Millions of families have left the welfare rolls, and we need to know how they are doing now. We need information on their earnings, their health care, and other vital data. The obvious question is whether former welfare recipients are doing well, or barely surviving, worse off than before.

The data we do have about former welfare recipients is not encouraging. According to a study by the Children's Defense Fund and the National Coalition on the Homeless, most former welfare recipients earn below poverty wages after leaving the welfare system. Their financial hardship is compounded by the fact that many former welfare recipients do not receive the essential services that would enable them to hold jobs and care for their children. The cost of child care can be a crushing expense to low-income families, consuming over one-quarter of their income. Yet, the Department of Health and Human Services estimates that only one in ten eligible low-income families gets the child care assistance they need.

Health insurance trends are also troubling. As of 1997, 675,000 low-income people had lost Medicaid coverage due to welfare reform. Children comprise 62 percent of this figure, and many of them were still eligible for Medicaid. We need to improve outreach to get more eligible children enrolled in Medicaid. We also need to increase enrollment in the State Children's Health Insurance Program, which offers states incentives to expand health coverage for children with family income up to 200 percent of poverty. it is estimated that 4 million uninsured children are eligible for this assistance.

In addition to problems related to child care and health care, many low-income families are not receiving Food Stamp assistance. Over the last 4 years, participation in the Food Stamp Program has dropped by one-third, from serving nearly 28 million participants to serving fewer than 19 million. But this does not mean children and families are no longer hungry. Hunger and undernutrition continue to be urgent problems. According to a Department of Agriculture study, 1 in 8 Americans—or more than 34 million people—are at risk of hunger.

The need for food assistance is underscored by he phenomenon of increasing reliance on food banks and emergency food services. Many food banks are now overwhelmed by the growing number of requests they receive for assistance. The Western Massachusetts Food Bank reports a dramatic increase in demand for emergency food services. In 1997, it assisted 75,000 people. In 1998, the number they served rose to 85,000. Massachusetts is not alone. According to a recent U.S. Conference of Mayors report, 78 percent of the 30 cities surveyed reported an increase in requests for emergency food in 1998. Sixty-one percent of the people seeking this assistance were children or their parents; 31 percent were employed.

These statistics clearly demonstrate that hunger is a major problem. Yet fewer families are now receiving Food Stamps. One of the unintended consequences of welfare reform is that low-income, working families are dropping off the Food Stamps rolls. Often, these families are going hungry or turning to food banks because they don't have adequate information about Food Stamp eligibility.

A Massachusetts study found that most people leaving welfare are not getting Food Stamp benefits, even though many are still eligible. Three months after leaving welfare, only 18 percent were receiving Food Stamps. After one year, the percentage drops to 6.5 percent. It is clear that too many eligible families are not getting the assistance they need and are entitled to.

Every state should be required to collect this kind of data. We need better information about how low-income families are faring after they leave welfare. Adequate data will enable the states to build on their successes and address their weaknesses. Ultimately, the long-term success of welfare reform will be measured state by state, person by person with this data.

I urge my colleagues to support this amendment. Ignorance is not bliss. We can't afford to ignore the need that may exist.

The PRESIDING OFFICER. The Senator's time has expired.

Is there any Senator who wishes to speak in opposition?

Mr. WARNER. Mr. President, we yield back our time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 382. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 50, as follows:

[Rollcall Vote No. 144 Leg.]

YEAS—49

Akaka	Edwards	Lincoln
Baucus	Feingold	Mikulski
Bayh	Feinstein	Moynihan
Biden	Graham	Murray
Bingaman	Harkin	Reed
Boxer	Hollings	Reid
Breaux	Inouye	Robb
Bryan	Johnson	Rockefeller
Byrd	Kennedy	Sarbanes
Campbell	Kerrey	Schumer
Chafee	Kerry	Snowe
Cleland	Kohl	Specter
Conrad	Landrieu	Torricelli
Daschle	Lautenberg	Wellstone
Dodd	Leahy	Wyden
Dorgan	Levin	
Durbin	Lieberman	

NAYS—50

Abraham	Frist	McConnell
Allard	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Roberts
Bond	Grassley	Roth
Brownback	Gregg	Santorum
Bunning	Hagel	Sessions
Burns	Hatch	Shelby
Cochran	Helms	Smith (NH)
Collins	Hutchinson	Smith (OR)
Coverdell	Hutchison	Stevens
Craig	Inhofe	Thomas
Crapo	Jeffords	Thompson
DeWine	Kyl	Thurmond
Domenici	Lott	Voinovich
Enzi	Lugar	Warner
Fitzgerald	Mack	

NOT VOTING—1

McCain

The amendment (No. 382) was rejected.

Mr. WARNER. I move to reconsider the vote.

Mr. GRAMM. I move to lay that motion on the table.

The motion to table was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Thank you, Mr. President.

I have a colleague who is ready to go, Senator SPECTER, so I will not take much time. But I just want to make it clear to colleagues that on this vote I agreed to a time limit. I brought this amendment out to the floor. There could have been debate on the other side. Somebody could have come out here and debated me openly in public about this amendment.

I am talking about exactly what is happening with this welfare bill. I am talking about good public policy evaluation. Shouldn't we at least have the information about where these women are? Where these children are? What kind of jobs? What kind of wages? Are there adequate child care arrangements?

The Swedish sociologist Gunnar Myrdal once said: ''Ignorance is never random.'' Sometimes we don't know what we don't want to know.

I say to colleagues, given this vote, I am going to bring this amendment out on the next bill I get a chance to bring it out on. I am not going to agree to a time limit. I am going to force people to come out here on the majority side and debate me on this question, and we will have a full-fledged, substantive debate. We are talking about the lives of women and children, albeit they are poor, albeit they don't have the lobbyists, albeit they are not well connected. I am telling you, I am outraged that there wasn't the willingness and the courage to debate me on this amendment. We will have the debate with no time limits next bill that comes out here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I tried to accommodate the Senator early on on this matter. To be perfectly candid, it was a jurisdictional issue with this committee. It was not a subject with which this Senator had a great deal of familiarity. I did what I could to keep our bill moving and at the same time to accommodate my colleague. The various persons who have jurisdiction over it were notified, and that is as much as I can say.

Now, Mr. President, I ask unanimous consent that there be 90 minutes equally divided in the usual form prior to a motion to table with respect to amendment 383 and no amendments be in order prior to that vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I further ask that following that vote, provided it is tabled, that Senator GRAMM of Texas be recognized to make a motion to strike and there be 2 hours equally divided in the usual form prior to a motion to table and no amendments be in order to that language proposed to be stricken prior to that vote.

Mr. LEVIN. Mr. President, reserving the right to object, the only question I have is that on the second half here, which is the one that is before us, I suggest that it read ''prior to a motion to table or a motion on adoption'' so that there is an option as to whether there is a motion to table or a vote on the amendment itself.

Mr. WARNER. Mr. President, we find no objection to that. I so amend the request.

The PRESIDING OFFICER. Is there objection to the request as amended? Without objection, it is so ordered.

Mr. WARNER. Mr. President, I see the Senator from Pennsylvania, and I yield the floor.

AMENDMENT NO. 383

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, this amendment provides that:

> None of the funds authorized or otherwise available to the Department of Defense may be obligated or expended for the deployment of ground troops from the United States Armed Forces in Kosovo, except for peacekeeping personnel, unless authorized by declaration of war or a joint resolution authorizing the use of military force.

The purpose of this amendment, obvious on its face, is to avoid having the United States drawn into a full-fledged war without authorization of the Congress. This authorization is required by the constitutional provision which states that only the Congress of the United States has the authority to declare war, and the implicit consequence from that constitutional provision that only the Congress of the United States has the authority to involve the United States in a war. The Founding Fathers entrusted that grave responsibility to the Congress because of the obvious factor that a war could not be successfully prosecuted unless it was backed by the American people. The first line of determination in a representative democracy, in a republic, is to have that determination made by the Congress of the United States.

We have seen the bitter lesson of Vietnam where a war could not be successfully prosecuted by the United States, where the public was not behind the war.

This amendment is being pressed today because there has been such a consistent erosion of the congressional authority to declare war. Korea was a war without congressional declaration. Vietnam was a war without a congressional declaration. There was the Gulf of Tonkin Resolution, which some said justified the involvement of the United States in Vietnam—military involvement, the waging of a war. But on its face, the Gulf of Tonkin Resolution was not really sufficient.

The Gulf War, authorized by a resolution of both Houses of Congress, broke that chain of the erosion of congressional authority. In January of 1991, the Senate and the House of Representatives took up the issue on the use of force. After a spirited debate on this floor, characterized by the media as historic, in a 52–47 vote, the Senate authorized the use of force. Similarly, the House of Representatives authorized the use of force so that we had the appropriate congressional declaration on that important matter.

We have seen the erosion of congressional authority on many, many instances. I shall comment this afternoon on only a few.

We have seen the missile strikes at Iraq really being acts of war. In February of 1998, I argued on the floor of the Senate that there ought not to be missile strikes without authorization by the Congress of the United States. There may be justification for the President to exercise his authority as Commander in Chief, if there is an emergency situation, but where there is time for deliberation and debate and congressional action, that ought to be undertaken.

As the circumstances worked out, missile strikes did not occur in early 1998, after the indication that the President might authorize or undertake those missile strikes.

When that again became an apparent likelihood in November of 1998, I once more urged on the Senate floor that the President not undertake acts of war with missile strikes because there was ample time for consideration. There had been considerable talk about it, and that really should have been a congressional declaration. The President then did order missile strikes in December of 1998.

As we have seen with the events in Kosovo, the President of the United States made it plain in mid-March, at a news conference which he held on March 19 and at a meeting earlier that day with Members of Congress, that he intended to proceed with airstrikes. At a meeting with Members of Congress on March 23, the President was asked by a number of Members to come to Congress, and he did. The President sent a letter to Senator DASCHLE asking for authorization by the Senate. In a context where it was apparent that the airstrikes were going to be pursued with or without congressional authorization, and with the prestige of NATO on the line and with the prestige of the United States on the line, the Senate did authorize airstrikes, specifically excluding any use of ground troops. That authorization was by a vote of 58 to 41.

The House of Representatives had, on a prior vote, authorized U.S. forces as peacekeepers, but that was not really relevant to the issue of the airstrikes. Subsequently, the House of Representatives took up the issue of airstrikes, and by a tie vote of 213–213, the House of Representatives declined to authorize the airstrikes. That was at a time when the airstrikes were already underway.

I supported the Senate vote for the authorization of airstrikes. I talked to General Wesley Clark, the Supreme NATO Commander. One of the points which he made, which was telling on this Senator, was the morale of the troops. The airstrikes were an inevitability, as the President had determined, and it seemed to me that in that context we ought to give the authorization, again, as I say, expressly reserving the issue not to have ground forces used.

So on this state of the record, with the vote by the Senate and with the tie vote by the House of Representatives, you have airstrikes which may well, under international law, be concluded to be at variance with the Constitution of the United States, to put it politely and not to articulate any doctrine of illegality, at a time when my country is involved in those airstrikes. But when we come to the issue of ground troops, which would be a major expansion and would constitute, beyond any question, the involvement of the United States in a war—although my own view is that the United States is conducting acts of war at the present time—the President ought to come to the Congress.

When the President met with a large group of Members on Wednesday, April 28, the issue of ground forces came up and the President made a commitment to those in attendance—and I was present—that he would not order ground troops into Kosovo without prior congressional authorization. He said he would honor that congressional authorization, reserving his prerogative as President to say that he didn't feel it indispensable constitutionally that he do so. However, he said that he would make that commitment, and he did make that commitment to a large number of Members of the House and Senate on April 28 of this year. He said, as a matter of good faith, that he would come to the Congress before authorizing the use of ground troops.

So, in a sense, it could be said that this amendment is duplicative. But I do believe, as a matter of adherence to the rule of law, that the commitment the President made ought to be memorialized in this defense authorization bill. I have, therefore, offered this amendment.

It is a complicated question as to the use of ground forces, whether they will ever be requested, because unanimity has to be obtained under the rules that govern NATO. Germany has already said they are opposed to the use of ground forces. But this is a matter that really ought to come back to the Congress. I am prepared—speaking for myself—to consider a Presidential request for authorization for the use of ground forces. However, before I would vote on the matter, or give my consent or vote in the affirmative, there are a great many questions I will want to have answered—questions that go to intelligence, questions that go to the specialty of the military planners. I would want to know what the likely resistance would be from the army of the former Yugoslavia. How much have our airstrikes degraded the capability of the Serbian army to defend? How many U.S. troops would be involved? I would like to know, to the extent possible, what the assessment of risk is.

When we talked about invading Japan before the dropping of the atomic bomb on Hiroshima and Nagasaki, we had estimates as to how many would be wounded and how many fatalities there would be. So while not easy to pass judgment on something that could be at least estimated or approximated, I would want to know, very importantly, how many ground troops would be supplied by others in NATO. I would want to know what the projection was for the duration of the military engagement, and what the projection was after the military engagement was over.

These are only some of the questions that ought to be addressed. In 16 minutes, at 4 o'clock, members of the administration, the Secretary of Defense, the Secretary of State, and the Chairman of the Joint Chiefs of Staff are scheduled to give another congressional briefing. Before we have a vote on a matter of this importance and this magnitude, those are some of the questions I think ought to be answered. That, in a very brief statement, constitutes the essence of the reasons why I have offered this amendment.

Mr. DURBIN. Will the Senator yield for a question?

Mr. SPECTER. Yes.

Mr. DURBIN. I thank the Senator. He and I are of the same mind in terms of the authority and responsibility of Congress when it comes to a declaration of war. It is interesting to note that last year when a similar amendment was called on the defense appropriation bill, offered by a gentleman in the House, David Skaggs, only 15 Members of the Senate voted in favor of it, including the Senator from Pennsylvania, the Senator from Delaware, myself, and a handful of others. It will be interesting to see this debate now in the context of a real conflict.

I have seen a copy of this amendment, and I want to understand the full clarity and intention of the Senator. As I understand it, there are two paragraphs offered as part of this amendment. They use different language in each paragraph. I wish the Senator would clarify.

Mr. SPECTER. If I may respond to the Senator, I would be glad to respond to the questions. I thank him for his leadership in offering a similar amendment in the past. When I undertook to send this amendment to the desk, I had called the Senator from Illinois and talked to him this morning and will consider this a joint venture if he is prepared to accept that characterization.

Mr. DURBIN. Depending on the responses, I may very well be prepared to do so.

Would the Senator be kind enough to enlighten me? The first paragraph refers to the introduction of ground troops. The second paragraph refers to the deployment of ground troops. Could the Senator tell me, is there a difference in his mind in the use of those two different terms?

Mr. SPECTER. Responding directly to the question, I think there would be no difference. But I am not sure the Senator from Illinois has the precise amendment I have introduced, which has only one paragraph. I can read it quickly:

> None of the funds authorized or otherwise available to the Department of Defense may be obligated or expended for deployment of ground troops from the United States Armed Forces in Kosovo, except for peacekeeping personnel, unless authorized by a declaration of war or a joint resolution authorizing the use of military force.

Mr. DURBIN. The version I have——

Mr. WARNER. If the Senator will yield, I am holding this draft amendment. You are referring to two paragraphs, and it appears to me that the first paragraph is the title; am I correct? I find that inconsistent with what I believe was paragraph 2. The first paragraph is the title, and there is really only one paragraph in the body of the amendment.

Mr. DURBIN. I thank the Senator from Virginia. If the Senator from Pennsylvania will yield, I will confine myself to the nature of the amendment. Could the Senator tell me why reference is only made to the deployment of grounds troops from U.S. Armed Forces in Kosovo and not in Yugoslavia?

Mr. SPECTER. The amendment was drafted in its narrowest form. Perhaps it would be appropriate to modify the amendment.

Mr. DURBIN. I think it might be. I ask the Senator a second question. Would he not want to make an exception, as well, for the rescue of the NATO forces in Yugoslavia if we would perhaps have a downed flier and ground troops could be sent in for rescue, and that would not require congressional authorization. I think that would be consistent with the Senator's earlier statements about the emergency authority of the President as Commander in Chief.

Mr. SPECTER. I would be prepared to accept that exception.

Mr. DURBIN. The final question is procedural. The Senator from Pennsylvania has been here——

Mr. WARNER. Mr. President, to amend it for a downed flier—we just witnessed ground troops being caught, and they have now been released. I would be careful in the redrafting and not just to stick to a downed flier. That is just helpful advice.

Mr. SPECTER. I thank the Senator.

Mr. DURBIN. A rescue of NATO forces in Yugoslavia was the question. Last, I will ask the Senator from Pennsylvania, if this requires a joint resolution, under the rules of the Senate,

Members in a filibuster, a minority, say, 41 Senators, could stop us from ever taking action on this measure. How would the Senator from Pennsylvania respond to that? Does that, in effect, give to a minority the authority to stop the debate and a vote by the Senate and thereby tie the President's hands when it comes to committing ground troops, should we ever reach the point where that is necessary?

Mr. SPECTER. I respond to my colleague from Illinois by saying that with a declaration of war where the Senate has to join under the Constitution and there could be a filibuster requiring 60 votes, the same rule applies. To get that authorization, either by declaration of war or resolution for the use of force, we have to comply with the rules to get an affirmative vote out of the Senate. Under those rules, if somebody filibusters, it requires 60 votes. So be it. That is the rule of the Senate and that is the way you have to proceed to get the authorization from the Senate.

Mr. DURBIN. I know I am speaking on the Senator's time. I thank him for responding to those questions. I have reservations, as he does, about committing ground troops. I certainly believe, as he does, that the Congress should make that decision and not the President unilaterally. He has promised to come to us for that decision to be made. I hope Mr. Milosevic and those who follow this debate don't take any comfort in this. We are speaking only to the question of the authority of Congress, not as to any actual decision of whether we will ever commit to ground troops. I think that is the sense of the Senator from Pennsylvania. I thank him for offering the amendment, and I support this important amendment.

Mr. WARNER. Mr. President, I will speak in opposition to the amendment. But I don't wish to interfere with the presentation of the Senator. At such time, perhaps, when I could start by propounding a few questions to my colleague and friend, would he indicate when he feels he has finished his presentation of the amendment?

Mr. SPECTER. It would suit me to have the questions right now.

Mr. WARNER. I remind the Senator of the parliamentary situation. While I have given him some suggestions, if he is going to amend it, it would take unanimous consent to amend the amendment.

Mr. SPECTER. To modify the amendment?

Mr. WARNER. That is correct.

Mr. SPECTER. The yeas and nays have not been ordered.

Mr. WARNER. The time agreement has been presented under the rules. I will address the question to the Chair. I think that would be best.

The PRESIDING OFFICER. It would take unanimous consent to modify the amendment.

Mr. WARNER. Just as a friendly gesture, I advise my colleague of that.

Mr. SPECTER. Mr. President, I thank the Senator from Virginia for his friendly gesture.

Mr. WARNER. As the Senator reads the title and then the text, I have trouble following the continuity of the two. For example, first it is directing the President of the United States pursuant to the Constitution and the War Powers Resolution. I have been here 21 years. I think the Senator from Pennsylvania is just a year or two shy of that. This War Powers Resolution has never been accepted by any President, Republican or Democrat or otherwise. Am I not correct in that respect?

Mr. SPECTER. The Senator is correct.

Mr. WARNER. Therefore, we would not be precipitating in another one of those endless debates which would consume hours and hours of the time of this body if we are acting on the predicate that this President is now going to acknowledge that he, as President of the United States, is bound by what is law? I readily admit it is the law. But we have witnessed, over these 20-plus years that I have been here and over the years the Senator from Pennsylvania has been here, that no President will acknowledge that he is subservient to this act of Congress because he feels that it is unconstitutional; that the Constitution has said he is Commander in Chief and he has the right to make decisions with respect to the Armed Forces of the United States on a minute's notice. Really, this is what concerns me about this amendment, among other things.

Mr. SPECTER. If the Senator will yield so I can respond to the question.

Mr. WARNER. All right.

Mr. SPECTER. If it took hours and hours, I think those hours and hours would be well spent, at least by comparison to what the Senate does on so many matters. And we might convene a little earlier. We might adjourn a little later. We might work on Mondays and Fridays and maybe even on Saturdays. I would not be concerned about the hours which we would spend.

I think this Senator, after the 18 years and 5 months that I have been here, has given proper attention to the constitutional authority of the Congress to declare and/or involve the United States in war, or to the War Powers Act. This is a matter which first came to my attention in 1983 on the Lebanon matter when Senator Percy was chairman of the Foreign Relations Committee and I had a debate, a colloquy, about whether Korea was a war, and Senator Percy said it was. Vietnam was a war.

At that time, I undertook to draft a complex complaint trying to get the acquiescence of the President—President Reagan was in the White House at that time—which Senator Baker undertook to see if we could have a judicial determination as to the constitutionality of the War Powers Act.

It is true, as the Senator from Virginia says, that Presidents have always denied it. They have denied it in complying with it. They send over the notice called for under the act, and then they put in a disclaimer.

But I think the War Powers Act has had a profoundly beneficial effect, because Presidents have complied with it even while denying it.

But I think it is high time that Congress stood up on its hind legs and said we are not going to be involved in wars unless Congress authorizes them.

Mr. WARNER. Mr. President, perhaps when I said hours and hours, it could be days and days. But we would come out with the same result. Presidents haven't complied with the act. They have ''complied with the spirit of the act.'' I believe that is how they have acknowledged it in the correspondence with the Congress.

Mr. SPECTER. If I may respond, I think ''complied with the act''—the act requires certain notification, certain statements of the President. They make the statements which the act calls for, and then they add an addendum, ''but we do not believe we are obligated to do so.''

Mr. WARNER. Mr. President, let me ask another question of my colleague. We will soon be receiving a briefing from the Secretaries of State, Defense and the National Security Adviser and the Chairman of the Joint Chiefs. I will absent myself during that period, and the Senator from Pennsylvania will have the opportunity to control the floor. I hope there would be no unanimous consent requests in my absence. I hope that would be agreeable with my good friend, because I have asked for this meeting.

Mr. SPECTER. The Senator may be assured there will be no unanimous consent requests for any effort to do anything but to play by the Marquis of Queensberry rules.

Mr. WARNER. That is fine. I asked for this meeting and have arranged it for the Senate. So I have to go upstairs. But I point out: Suppose we were to adopt this, and supposing that during the month of August when the Senate would be in recess the President had to make a decision with regard to ground troops. Then he would have to, practically speaking, bring the Congress back to town. Would that not be correct?

Mr. SPECTER. That would be correct. That is exactly what he ought to do. Before we involve ground troops, the Congress of the United States could interrupt the recess and come back and decide this important issue.

Mr. WARNER. But the reason for introducing ground troops, whatever it may be, might require a decision of less than an hour to make on behalf of the Chief Executive, the Commander in Chief, and he would be then shackled with the necessary time of, say, maybe 48 hours in which to bring the Members of Congress back from various places throughout the United States and throughout the world. To me, that imposes on the President something that was never envisioned by the Founding Fathers. And that is why he is given the power of Commander in Chief. Our power is the power of the purse, to

which I again direct the Senator's attention in the text of the amendment. But it seems to me I find the title in conflict with the text of the amendment.

Mr. SPECTER. As I said during the course of my presentation, Mr. President, I think the Commander in Chief does have authority to act in an emergency. I made a clear-cut delineation as I presented the argument that when there is time for deliberation, as, for example, on the missile strikes in Iraq, or as, for example, on the gulf war resolution, it ought to be considered, debated and decided by the Congress.

Mr. WARNER. How do we define ''emergency?'' Where the President can act without approval by the Congress, and in other situations where he must get the approval, who makes that decision?

Mr. SPECTER. I think that our English language is capable of structuring a definition of what constitutes an emergency.

Mr. WARNER. Where is it found in this amendment?

Mr. SPECTER. I think the President has the authority to act as Commander in Chief without that kind of specification, and it is not now on the face of this amendment. However, it may be advisable to take the extra precaution, with modification offered and agreed to by unanimous consent in the presence of the Senator from Virginia, to spell that out as well, although I think unnecessarily so.

Mr. WARNER. Mr. President, I must depart and go upstairs to this meeting. But I will return as quickly as I can. I thank the Senator for his courtesy of protecting the floor in the interests of the manager of the bill.

Mr. SPECTER. I thank the Senator from Virginia.

Mr. WARNER. The Senator is aware that the Senator from Virginia will at an appropriate time move to table, and in all probability I will reserve the right to object to this amendment until the Senator from Pennsylvania seeks to amend the amendment.

The PRESIDING OFFICER. The Chair will advise the Members of the Senate that under the previous order Senator ALLARD is to be recognized for 20 minutes.

Mr. WARNER. Perhaps the Senator from Pennsylvania and the Senator from Colorado will work that out between them. I hope they can reach an accommodation.

Mr. SPECTER. Mr. President, if I may, I understand that the Senator from Virginia has articulated his views about a unanimous consent, and that is fine. Those are his rights. But it may be that there will be an additional amendment which I will file taking into account any modifications which I might want to make which might be objected to. So we can work it out in due course.

Parliamentary inquiry: Does the Senator from Colorado have the floor?

The PRESIDING OFFICER. The Senator from Colorado is to have 20 minutes at 4 o'clock under the previous order. The 20 minutes is on the amendment, not on the bill.

Mr. WARNER. Mr. President, if I might clarify the situation.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Before the Senator from Pennsylvania specifically advised me he was going to assert his rights, which he has since his amendment was the pending business of the Senate following the three votes, I put in place a modest time slot for our colleague from Colorado, such that he could address the Senate on the general provisions of the underlying bill. But then we reached a subsequent time agreement to accommodate the Senator from Pennsylvania.

It is my request, in the course of this debate, if the Senator could, within the parameters of the two unanimous consents, work out a situation where he could have about 15 minutes and then we could return to your debate?

Mr. SPECTER. Mr. President, I do not understand that. If you are asking me to give time——

Mr. WARNER. Not from your time agreement. It would be totally separate. In other words, your 90 minutes, now the subject of the second unanimous consent agreement, would be preserved. That is as it was written. But can the Senator accommodate sliding that to some point in time to allow the Senator from Colorado to have 15 minutes?

Mr. ALLARD. What is the regular order?

The PRESIDING OFFICER. The regular order is the Senator from Colorado has the floor for 20 minutes.

Mr. SPECTER. I would be delighted to accommodate the Senator from Colorado one way or the other. He can speak now and then we can go back to our time agreement on the pending amendment.

Mr. ALLARD. I have been waiting. I was here most of the morning and then waiting this afternoon for 3 hours to have an opportunity to make some general comments on this bill. I do not anticipate taking much longer. My agreement is 20 minutes, if I remember correctly.

The PRESIDING OFFICER. That is correct.

Mr. ALLARD. Maybe there would be an opportunity—I would like to get in on this meeting Senator WARNER is attending at some point in time—probably the last part of it. But I would like to have the opportunity to address this bill.

What is it the Senator from Pennsylvania is seeking, as far as the privilege of the floor?

Mr. SPECTER. Mr. President, if I may respond, I am delighted to have the Senator from Colorado use his 20 minutes, which is ordered at this time.

Mr. WARNER. With no subtraction whatsoever from the unanimous consent in place for the Senator.

Mr. SPECTER. That is the understanding the Senator had spoken to earlier.

Mr. WARNER. That is correct.

The PRESIDING OFFICER. At this point in time, the Senator from Colorado has the floor for 20 minutes. The Senator is advised, with regard to the amendment of the Senator from Pennsylvania, 25 minutes remains for the Senator from Pennsylvania and 38½ minutes, approximately, remains for the opposition.

The Senator from Colorado is recognized for 20 minutes.

Mr. ALLARD. Mr. President, today I rise in strong support of S. 1059, the National Defense Authorization Act for Fiscal Year 2000.

As the Personnel Subcommittee chairman, I take great pleasure in which Senator CLELAND, the ranking member, and the other members of the subcommittee were able to provide for our men and women in uniform. Every leader in the military tells me the same thing, without the people the tools are useless. We must take care of our people and the personnel provisions in this bill were developed in a bipartisan manner.

This bill is responsive to the manpower readiness needs of the military services; supports numerous quality of life improvements for our service men and women, their families, and the retiree community; and reflects the budget realities that we face today and will face in the future.

First, military manpower strength levels. The bill adds 92 Marine personnel over the administration's request for an active duty end strength of 1,384,889. It also recommends a reserve end strength of 874,043—745 more than the administration requested.

The bill also modifies but maintains the end-strength floors. While I do not believe that end-strength floors are a practical force management tool, I am personally concerned that the strength levels of the active and reserve forces are too low and that the Department of Defense is paying other bills by reducing personnel. Therefore, it is necessary to send a message to the administration that they cannot permit personnel levels to drop below the minimums established by the Congress.

On military personnel policy, there are a number of provisions intended to support the recruiting and retention and personnel management of the services. Among the most noteworthy, are the several provisions that permit the services to offer 2-year enlistments with bonuses and other incentives. This is a pilot program in which students in college or vocational or technical schools could enlist and remain in school for 2 years before they actually go on active duty.

Many Senators have expressed their concerns about the operational tempo of the military. That is why this bill attempts to address this problem by requiring the services to closely manage the Personnel and Deployment Tempo of military personnel. We would require a general or flag officer to approve deployments over 180 days in a

year; a four-star general or admiral to approve deployments over 200 days and would authorize a $100 per diem pay for each day a service member is deployed over 220 days. The briefings and hearings in the personnel subcommittee have found that the single most cited reason for separation is time away from home and families. At the same time, the services have not been effective in managing the Personnel and Deployment Tempo for their personnel. I am confident that the provision will focus the necessary attention on the management of this problem.

Another important provision is the expansion of Junior ROTC or JROTC programs. A number of members and the service Chiefs and personnel Chiefs told me that they believed Junior ROTC is an important program and that an expansion was not only warranted but needed. Thus we have added $39 million to expand the JROTC programs. These funds will permit the Army to add 114 new schools; the Navy to add 63 new schools; the Air Force to add 63 new schools; and the Marine Corps to exhaust their waiting list to 32 schools. This is a total of 272 new JROTC programs in our school districts across the country. I am proud to be able to support these important programs that teach responsibility, leadership, ethics, and assist in military recruiting.

In military compensation, our major recommendations are extracted from S. 4, the Soldiers', Sailors', Airmen's and Marines' Bill of Rights Act of 1999. First, this bill authorizes a 4.8-percent pay raise effective January 1, 2000 and a restructuring of the pay tables effective July 1, 2000.

Another provision includes a Thrift Savings Plan for active forces and the ready reserves and a plan to offer service members who entered the service on or after August 1, 1986, the option to receive a $30,000 bonus and remain under the ''Redux'' retirement or to change to the ''High-three'' retirement system. In order to assist the active and reserve military forces in recruiting, there are a series of bonuses and new authorities to support the ability of our recruiters to attract qualified young men and women to serve in the armed forces. There are also several new bonuses and special pays to incentivize aviators, surface warfare officers, special warfare officers, air crewmen among others to remain on active duty. Two additional provisions from S. 4 are in this bill. A special retention initiative would permit a service secretary to match the thrift savings contribution of service members in critical specialties in return for an extended service commitment. Also, thanks to the hard work of Senator MCCAIN and Senator ROBERTS, another provision authorizes a special subsistence allowance for junior enlisted personnel who qualify for food stamps.

In health care, there are several key recommendations. There is a provision that would require the Secretary of Defense to implement a number of initiatives to improve delivery of health care under TriCare. Another provision would require each Lead Agent to establish a patient advocate to assist beneficiaries in resolving problems they may encounter with TriCare.

Finally there are a number of general provisions including one to enforce the reductions in management headquarters personnel Congress directed several years ago and several to assist the Department of Defense Dependents School System to provide quality education for the children of military personnel overseas.

Before I close, as a first time Senator subcommittee chair, I express my appreciation to Senator CLELAND for his leadership and assistance throughout this year as we worked in a bipartisan manner to develop programs which enhance personnel readiness and quality of life programs. I also thank the members of the subcommittee, Senator THURMOND, Senator MCCAIN, Senator SNOWE, Senator KENNEDY, and Senator REED, and their staffs. Their hard work made our work better and helped me focus on those issues which have the greatest impact on soldiers, sailors, airmen and marines.

Mr. President, I finish by thanking Chairman WARNER for the opportunity to point out some of the highlights in the bill which the Personnel Subcommittee has oversight and to congratulate him and Senator LEVIN on the bipartisan way this bill was accomplished and ask that all Senators strongly support S. 1059.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. ALLARD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The time is under control. If neither side yields time, time will simply run equally.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. I thank the Chair. The Senator from Delaware is here and I will be happy to yield—how much time do the opponents have?

The PRESIDING OFFICER. The opponents of the amendment have 38 minutes and approximately 10 seconds.

Mr. LEVIN. Is that divided in some way or under the control of Senator WARNER and myself? How is that?

The PRESIDING OFFICER. The manager of the bill is designated to be in charge of the opposition.

Mr. LEVIN. I am happy to yield 5 minutes to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 5 minutes.

Mr. BIDEN. Mr. President, I will be necessarily brief.

It is not often I disagree with my friend from Pennsylvania, Senator SPECTER. I think he is right in the fundamental sense that if the President is going to send American ground forces into a war, it needs congressional authority.

Very honestly, this amendment is, in my view, flawed. First of all, it is clear that the President has to come to Congress to use ground forces and that the President has already stated—I will ask unanimous consent to print in the RECORD a copy of his letter dated April 28, 1999, to the Speaker of the House in which he says in part:

> Indeed, without regard to our differing constitutional views on the use of force, I would ask for Congressional support before introducing U.S. ground forces into Kosovo into a non-permissive environment.

I ask unanimous consent that the President's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, April 28, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I appreciate the opportunity to continue to consult closely with the Congress regarding events in Kosovo.

The unprecedented unity of the NATO Members is reflected in our agreement at the recent summit to continue and intensify the air campaign. Milosevic must not doubt the resolve of the NATO alliance to prevail. I am confident we will do so through use of air power.

However, were I to change my policy with regard to the introduction of ground forces, I can assure you that I would fully consult with the Congress. Indeed, without regard to our differing constitutional views on the use of force, I would ask for Congressional support before introducing U.S. ground forces into Kosovo into a non-permissive environment. Milosevic can have no doubt about the resolve of the United States to address the security threat to the Balkans and the humanitarian crisis in Kosovo. The refugees must be allowed to go home to a safe and secure environment.

Sincerely,

BILL CLINTON.

Mr. BIDEN. Mr. President, not only must the President, but he said he would.

This amendment is flawed in two respects. First, as a constitutional matter, I believe it is unnecessary. The Constitution already bars offensive military action by the President unless it is congressionally authorized or under his emergency powers.

The Senate resolution we adopted only authorizes the use of airpower. If Congress adopts this amendment, it seems to me we will imply the President has carte blanche to take offensive action, and anywhere else unless the Congress makes a specific statement to the contrary in advance. In short, I think it will tender an invitation to Presidents in the future to use force whenever they want unless Congress provides a specific ban in advance.

Putting that aside, however, the amendment is flawed because its exceptions are much too narrowly drawn. The amendment purports to bar the use of Armed Forces in response to an attack against Armed Forces.

For example, we have thousands of soldiers now in Albania and Macedonia.

Let's suppose the Yugoslav forces launch an attack against U.S. forces in Albania or in Macedonia. This amendment would bar the use of ground forces to respond by going into Kosovo.

The power to respond against such an attack is clearly within the power of the Commander in Chief. So, too, does the President have the power to launch a preemptive strike against an imminent attack. The U.S. forces do not have to wait until they take the first punch.

The second point I will make in this brief amount of time I am taking is that the amendment does not appear to permit the use of U.S. forces in the evacuation of Americans. Most constitutional scholars concede the President has the power to use force in emergency circumstances to protect American citizens facing an imminent and direct threat to their lives.

In sum, notwithstanding the fact that my colleague from Pennsylvania is going to amend his own amendment, it does not, in my view, appear to be necessary and it unconstitutionally restricts recognized powers of the President.

This comes from a guy—namely me—who has spent the bulk of the last 25 years arguing that the President has to have congressional authority to use force in circumstances such as this, and he does. But to bar funds in advance, before a President even attempts to use ground forces, in the face of him saying he will not use them and in the face of a letter in which he says he will not send them without seeking Congress' authority, seems to me to not only be constitutionally unnecessary but sends an absolutely devastating signal to Mr. Milosevic and others.

For example, I, for one, have been encouraging the Secretary of Defense, our National Security Adviser, and the President of the United States to get about the business of prepositioning right now the 50,000 forces they say will be needed in a permissive environment. That is an environment where there is a peace agreement. If tomorrow peace broke out in Yugoslavia, if Mr. Milosevic yielded to the demands of NATO, there would be chaos in Kosovo because there would be no force to put in place in order to ensure the agreement.

I worry that an amendment at this moment not only is unnecessary but would send a signal to suggest that we should not even be prepositioning American forces for deployment in a peaceful environment. I think it is unnecessary.

I thank the Chair for his indulgence and my colleague for the time. I oppose the amendment.

The PRESIDING OFFICER. Who yields time?

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER (Mr. GORTON). The Senator from Pennsylvania.

Mr. SPECTER. Before the distinguished Senator from Delaware leaves the floor, if I may have his attention. I say to Senator BIDEN, may I have your attention?

Mr. BIDEN. Surely.

Mr. SPECTER. The arguments which you have made stem from your stated position that the President really ought to have congressional authorization to use force. If the legislative approach is not to require him to come to Congress before the use of force, but to await his using force, then are we not really in a situation where we face the impossible predicament of seeking to cut off funds from the middle of a military operation which is untenable? Or to articulate the question more precisely: What would you suggest as a way to accomplish the constitutional principle you agree with, that only the Congress has the authority to authorize the use of force, with the current circumstances?

Mr. BIDEN. Mr. President, if I may respond, I think that is a fair question. I think I, quite frankly and bluntly, accomplished that. The way I did that—the Senator was in that same meeting. We were in the same meeting. I think it was the 28th, you said. I do not remember the exact date.

Mr. SPECTER. It was.

Mr. BIDEN. He may recall that I am the one who stood up and said: Mr. President, you do not have the authority to send in ground troops without congressional authorization. Since you have said, Mr. President, you have no intention of doing that, why don't you affirmatively send a letter to the Speaker of the House of Representatives committing that you will not do that without their authority? He said: I will. And he did. I think we accomplished that.

To now say that we are going to add to that the requirement to cut off funds, that we will cut off funds, is a very direct way of saying: We don't trust you, Mr. President. You gave your word; you put it in writing; you put your signature on it; and we still don't trust you.

I am not prepared to vote for that.

Mr. SPECTER. Mr. President, I would disagree with the statement of my colleague from Delaware that we say, ''we do not trust you, Mr. President,'' by noting that the President might change his mind. He has been known to do that. Other Presidents have, and even the Senator from Delaware and the Senator from Pennsylvania have been known to change their minds.

The other concern is that if you have it on a personal basis, in a letter, it really does not have the force of law. And we are consistently moving in the Congress to where there has been an executive order, which is a good bit more formal than the letter that the Senator from Delaware refers to, to make sure that it is governed by law as opposed to a personal commitment or what might be said.

But let me articulate a question in a different context.

Aside, hypothetically, absent a letter, what would the legislative approach be to limit a President from exercising his powers as Commander in Chief short of cutting off funds once he has already done so? It seems to me that we have a choice. We can either say in advance: You may not do it unless you have our prior approval; or say nothing once the President uses force, and then cut off the funds, which appears to me to be untenable.

Is there a third alternative?

Mr. BIDEN. Yes, Mr. President. I think there is. If I may respond.

There are several. There is a third and a fourth alternative. One of the alternatives would be, were the resolution merely to say: Mr. President, by concurrent resolution, we believe you do not have the authority to put ground troops in place without our authorization; we expected that you would request of us that authorization before you did, that would create an incredibly difficult political barrier for any President to overcome. It would not be an advance cutoff of funds.

I do not recall where we have in advance—in advance of a President taking an action—told him that we would limit the availability of funds for an action he says he has not contemplated undertaking in advance. I think it is a bad way to conduct foreign policy. I think it complicates the circumstance. It sends, at a minimum, a conflicting message. At a minimum, it sends the message to Europe, for example, and our allies, that we, the U.S. Congress, think the President is about to send American forces in when he has not said he wishes to do that.

Secondly, it says in advance, to our enemies, that the President cannot send in ground forces unless he undoes an action already taken, giving an overwhelming prejudice to the point of view that the President could never get the support to use ground forces.

I understand my friend from Pennsylvania—and I have said this before, and I mean it sincerely, there is no one in this body I respect more than him, but he has indicated that he would be amenable to a consideration of the use of ground forces, if asked. But I suspect that is not how this will be interpreted in not only Belgrade but other parts of the world. I think it will be interpreted as the Senate saying they do not want ground troops to be put in under any circumstances. That is not what he is saying. But that is, I believe, how it will be interpreted.

So let me sum up my response to the Senator's question: A, we could, in fact, say to the President: Mr. President, if you are going to use ground forces, come and ask us, with no funds cut off in terms of a resolution.

Secondly, we could say to the President: Mr. President, we have your letter in hand. We take you at your word and expect that that is what you would do, memorializing the political context in which this decision was made, which Presidents are loath to attempt to overcome.

The bottom line is, the President of the United States can in fact go ahead and disregard this as easily as he could disregard the provisions of the Constitution. If a President were going to decide that he would disregard the constitutional requirement of seeking our authority to use ground forces, I respectfully suggest he would not be at all hesitant to overcome a prohibition in an authorization bill saying no funds authorized here could be used.

He could argue that funds that have already been authorized have put force in place, with bullets in their guns, gasoline in their tanks, fuel in their aircraft; that he has the authority to move notwithstanding this prohibition.

I understand the intention of my friend from Pennsylvania. I applaud it. I think it is unnecessary in a very complex circumstance and situation in which the President of the United States has indicated he does not intend to do it anyway. And I just think it sends all the wrong messages and is unnecessary and is overly restrictive.

Mr. SPECTER. The Senator from Delaware has mentioned a third option to the two I suggested.

The third option is for us to send a resolution saying don't do it unless we authorize it, but not binding him. Saying that would certainly impose a political restraint on the President—not doing it, in the face of our requesting him not to without our prior authorization. I understand his third alternative, but I do not draw much solace from it, just as a matter of my own response.

Mr. BIDEN. If the Senator would yield, I am not suggesting——

Mr. SPECTER. My time is running out. Let me finish my statement. Then you have quite a bit of time left. Let me just finish the thought.

I do not think it goes far enough to say: We request that you not do it unless we give you prior authorization. Because that kind of a gentle suggestion—and I can understand the gentility of my colleague from Delaware—would not go very far, I think, with this President or might not go very far with the Senator from Delaware or would not predetermine what the Senator from Pennsylvania would do.

When the Senator from Delaware talks about the President flying in the face of a cutoff of funds, I think that the President would be loath to do that. I think there he might really get into the Boland amendment or challenging the Congress on the power of the purse.

The Presidents have gotten away with disregarding the congressional mandate that only Congress can declare war. They have gotten away with it for a long time. It has been eroded. Presidents feel comfortable in doing that. But if the Congress said: No funds may be used, as this amendment does—maybe it needs to be a little tighter here or there—I think the President would proceed at his peril to violate that expressed constitutional authority in Congress to control the power of the purse. I am very much interested in my colleague's response, but I hope it will be on his time.

Mr. BIDEN. Mr. President, will the Senator from Michigan yield me 2 minutes?

Mr. LEVIN. I would be happy to yield. May I inquire of the Chair how much time the opponents have?

The PRESIDING OFFICER. Thirty-two minutes 11 seconds.

Mr. LEVIN. I am happy to yield to the Senator.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. The Senator from Arizona, Mr. MCCAIN, and I had an amendment to attempt to preauthorize the use of ground forces. The Congress debated, as the Parliamentarian can tell us, in the context of the War Powers Act, having been triggered by a letter sent by the President to the Congress.

We have already spoken. We have already spoken as a Congress. We have made it clear to the President of the United States, unfortunately, in my view, that under the War Powers Act, we believe he should not at this moment be introducing ground forces because the McCain-Biden amendment was defeated, which was an affirmative attempt to give him authority in advance to use ground forces. So we have already debated this issue of ground forces in the context of the War Powers Act, which was one of the two documents cited by the Senator from Pennsylvania, the other being the U.S. Constitution. I argue we have done that.

Second, I point out that I can't imagine a modern-day President, in the face of an overwhelming or even majority congressional decision, saying you should not use force and having the political will or courage to go ahead and use it anyway. I do not think such a circumstance exists. If you think this President is likely to do that, then you have a view of his willingness to take on the Congress that exceeds that of almost anyone I know.

The idea that this President, in this context, having said so many times that he would not and does not want to use ground forces, would fly in the face of a majority of the Members of the Congress saying he should not do it without coming here, in what everyone would acknowledge would be a difficult political decision to make in any instance and difficult military decision to make, and then if, in fact, he is not immediately successful, I believe everyone in this Chamber would acknowledge that it would probably effectively bring this Presidency down. I just can't imagine that being the matter.

Let me conclude by saying, Professor Corwin is credited with having said that the Constitution merely issues an invitation to the President and the Senate does battle over who controls the foreign policy. Seldom will Presidents take action that is totally contrary to the expressed views of the Congress which risk American lives and clearly would result in American body bags coming home.

I wish he had a view different than the one I am asserting, because I think we need to have that option open and real. I am not sure it is. I am almost positive there is no reasonable prospect this President, or for that matter the last President, would have moved in the face of the Congress having already stated its views that it was not willing to give him that power in advance, which is another way of saying: Mr. President, if you want this power, come and ask us.

So I think it is unnecessary. I think it is redundant. I think it has already been spoken to as it relates to the War Powers Act. I think it is a well-intended, mistaken notion as to how we should be limiting this President's use of ground forces.

I thank the Senator from Michigan for yielding me that time.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank the Senator from Delaware for those comments. I think it all boils down to whether the President would feel compelled by a political situation, a statement by Congress, to not send in ground troops.

I acknowledged in my opening comments that he had made that commitment, which I heard and spoke about, on April 28. But I believe we ought to be bound by the rule of law, not be dependent upon a change of mind by the President, and memorialize it in this statute. Congress ought to assert its authority to declare war and have the United States engaged in war and to do it with the force of law with this kind of an amendment, perhaps somewhat modified.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I oppose the amendment. It would send the worst possible signal, I believe, to Milosevic at this time. A kind of ''don't worry'' signal, if you weather the storm, no matter how weakened your military is, the President isn't going to be able to go in even in a semipermissive environment in order to return the refugees, because Congress has tied his hands, tied the purse to say that only if Congress affirmatively approves the expenditure of funds, then and only then could ground forces go in, even in a semipermissive environment.

Mr. President, how much time do the opponents have?

The PRESIDING OFFICER. Twenty-seven and a half minutes.

Mr. LEVIN. I yield myself 6 minutes.

I can't think of a worse signal to send to Milosevic in the middle of a conflict than this amendment would send to him. Congressional gridlock is not unheard of around here. We have plenty of examples of Congress being unable to act. We had a recent example

in the House where the House could not even agree to support an air campaign that is presently going on, a tie vote.

Under this funding cutoff approach, that air campaign presumably would not be able to continue under a comparable resolution applying to the use of military forces.

I know this only applies to ground forces and not to an air campaign, but that vote in the House of Representatives is a wonderful example of how Milosevic, when he looked at this resolution, would say, well, gee, this would require Congress to affirmatively act, and since the House can't even get a majority to act to support an ongoing operation, I could comfortably rely, he would say to himself, on the fact that they would never authorize in advance a ground campaign, even in a semipermissive environment.

The President has been criticized for taking the possibility of ground troops off the table. The argument is that Milosevic doesn't have to worry as much about that possibility, given the position of the administration. I think we ought to want Milosevic to worry and to worry more, not less. This is a ''worry less'' amendment, not a ''worry more'' amendment. This says Congress would have to affirmatively approve ground forces in advance, even in a semipermissive environment, and it seems to me Milosevic could quite comfortably say to himself that is not a very strong likelihood.

There are a lot of practical problems with the wording of this amendment. For instance, what happens if U.S. intelligence discovered that American forces in Albania or in Macedonia were about to be attacked by Yugoslav army forces and it was determined to be necessary for U.S. ground forces to conduct a preemptive attack into Kosovo in self-defense? We are just about ready to be attacked; can we hit the attacker? Not under this amendment. You have to come to Congress first.

Our military would be told, whoops, you are about to be attacked in Albania or Macedonia, but Congress passed a law saying they have to authorize the use of ground forces. Do we want to tie the hands of our commanders that way in the middle of a conflict, to tell our commanders that even in circumstances where they think they are about to be hit that they cannot preemptively go after the attackers in Kosovo with ground forces? They have to then just take it on the chin?

And what if U.S. forces in Albania or Macedonia were attacked by Yugoslav army forces, actually attacked in Macedonia or Albania. Would counterattacking U.S. forces have to stop at the Kosovo border, thereby giving the Yugoslav army a haven from which they could conduct ground attacks across the border but not be pursued by American ground forces? The commander would have to stop at the border and come to Congress? So it is the worst kind of signal we could give in the middle of a conflict to Mr. Milosevic, and it creates burdens on our commanders that are intolerable in the middle of a conflict.

We have been advised by the Department of Defense on this amendment that ''it is so restrictive of U.S. operations and so injurious to our role in the alliance that the President's senior advisers would strongly recommend that the final bill be vetoed if this language is included in the bill.'' That is information we have just received from the Department of Defense.

Gridlock. Fifty votes in the House. Now, under this amendment, we have to affirmatively approve something. What happens if a majority of us want to approve it but we are filibustered? The Senator from Pennsylvania said, well, those are the rules.

Those are the rules. But under his amendment, it would mean that even if a majority of the Senate wanted to give approval to ground forces, a minority in the Senate could thwart that action.

I think this is the kind of tying of our hands in the middle of a conflict that would tell Milosevic this country is not serious about the NATO mission. This NATO mission is so critical in terms of the future of Europe; it is so critical in terms of the stability not only of Europe but of the North Atlantic community that for us to adopt language that in advance says you can't do something without Congress acting, knowing, as we do, how difficult it is to get Congress to act even in the middle of a conflict, would be simply a terrible result for the success of our mission.

Mr. President, I yield myself an additional 3 minutes.

The PRESIDING OFFICER. The Senator may continue.

Mr. LEVIN. Mr. President, we want, I hope, to do two things. One is to tell the President, as we have, how important it is that there be consultation and that he seek support from the Congress, and he has committed to do so. But that is a very different thing from what this amendment provides. This is an advance funding cutoff, unless something happens that can be thwarted by gridlock.

We should not ever forget the likelihood of gridlock in this Congress. Even if a majority wanted to support the use of ground forces in a nonpermissive environment, a minority of the Senate could thwart that majority view. I believe the signal to Milosevic that he will be the beneficiary of gridlock, and only if gridlock can be overcome would he then have to fear the possibility of the use of ground forces, is a signal that would undermine the current mission in a very significant way.

Again, reading from the information paper the Department of Defense has shared with us this afternoon:

> The Department strongly opposes this amendment because it would unacceptably put at risk the lives of U.S. and NATO military personnel, jeopardize the success of Operation Allied Force, and inappropriately restrict the President's options as Commander in Chief.

These are now the words of the information paper shared with us by the Department:

> . . . effectively give Milosevic advance notice of ground action by NATO forces, should NATO commanders request consideration of this option.

While we have made no decision to use ground forces in a nonpermissive environment, it would be a mistake to hamstring this option with a legislative requirement for prior congressional approval. The Department says:

> This would be construed to prohibit certain intelligence or reconnaissance operations essential to a successful prosecution of Operation Allied Force. It would prohibit any preemptive attack by U.S. forces based on advance warning or suspicion of an impending attack by the Yugoslav forces. It would prohibit U.S. ground personnel from pursuing those forces, conducting hit and run, or similar attacks across international boundaries.

But the words that we should pay the most heed to in this memorandum from the Department of Defense—the words that I hope this Senate will think very carefully about before we consider adopting this amendment—are that the Department strongly opposes amendment No. 383 because it would ''unacceptably put at risk the lives of U.S. and NATO military personnel and jeopardize the success of Operation Allied Force.''

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, in listening to the comments of the Senator from Michigan, every single objection and argument he has raised applies equally to the President's commitment by letter to come to the Congress before he would use ground forces.

When he says it would be the worst signal to Milosevic, the President gave that signal personally when he said it gives Milosevic advance notice. That is exactly what the President would be doing in coming to Congress. When he says there could be no intelligence or reconnaissance, that is exactly what would happen by the President's commitment. When he says it would preclude a preemptive strike, that is exactly what the President has done. When he says it puts at risk U.S. military personnel, that is precisely what the President has done.

When they talk about a veto, it is the same old threat—senior advisers threatening to veto. I think this may be a better amendment than I had originally contemplated.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. LEVIN. Mr. President, the opponents have how much time left?

The PRESIDING OFFICER. The opponents have 16 minutes 44 seconds. The proponents have 11 minutes.

Who yields time?

Mr. SPECTER. Mr. President, I yield 5 minutes to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. I thank the Chair, and I thank the Senator.

Mr. President, I commend the Senator from Pennsylvania for what he is trying to do with his amendment, to protect the prerogatives of the Senate and the requirements of the War Powers Resolution with respect to the actions of our armed services abroad. Although I understand it may be modified, I think I will be able to support this amendment. I share the Senator's commitment to protecting the war powers granted to the Congress by the Founding Fathers and reaffirmed in the War Powers Resolution.

That said, I hope that, should this amendment be adopted, the conferees will make an effort to better define the term ''peacekeeping,'' for which the Senator has made an exception in his amendment. I believe that all military deployments, subject to the exceptions laid out in the War Powers Resolution including peacekeeping operations, should receive authorization of the Congress. And, since there currently is no peace to keep in Kosovo—and in fact NATO continues air strikes to this day—I hope that the Congress will define the parameters of such an exception more specifically.

Mr. President, today is May 25, 1999, and in the context of the Senator's amendment I want to take the opportunity to remind the Senate of the significance of today's date.

Exactly 62 days ago, U.S. forces, as part of a NATO force, began air strikes against the Federal Republic of Yugoslavia.

Today marks the expiration of the 60-day time period after which the President—under the provisions of the War Powers Resolution—is required to withdraw our Armed Forces from their participation in the air strikes against the Federal Republic of Yugoslavia.

Exactly 60 days ago—48 hours after the air strikes began—the President was required under section 4(a)(1) of the War Powers Resolution to submit a detailed report to the Congress regarding the actions he ordered our troops to take.

No such report has been submitted. Rather, the Congress was notified of the U.S. participation in the NATO air strikes by a letter from the President that he says is—''consistent''—with the War Powers Resolution.''

''Consistent'' or not, I do not believe that the President's letter satisfies the requirements of the War Powers Resolution. Nevertheless, in my view, the War Powers Resolution stands as the law of the land, and the President should comply with it. So it follows, then, that if the President fails to withdraw our troops by midnight tonight—and of course it is clear that they will remain in the region long after the clock strikes twelve—the President will be in violation of the provisions of the War Powers Resolution.

I find it disturbing that this important date of May 25 will come and go with no action to remove our troops from the region. Indeed, I am afraid that this Congress is ignoring the significance of this date completely. In fact, I am not sure that the significance of this date has been noted by any of my colleagues during debate on this Specter amendment.

The War Powers Resolution provides that the President shall terminate the use of our Armed Forces for the purpose outlined in the report required under section 4(a)(1) of the Act after 60 days unless one of the three things has happened:

The Congress has declared war or has enacted a specific authorization for the use of the military; the Congress has extended by law the 60-day time period; or the President is not able to withdraw the forces because of an armed attack against the United States.

In addition, the President may extend this time period by 30-days if he certifies in writing to the Congress that it is unsafe to withdraw the forces at the end of the 60 days.

Sixty days have come and gone, Mr. President, and none of these things has happened.

The Congress has not declared war, nor has it authorized this action.

The Congress has not extended the 60-day time period.

The United States has not been attacked.

The President has not certified in writing to the Congress that an additional 30 days are necessary to ensure the safe withdrawal of our troops.

As my colleagues know, I voted against the ongoing NATO air strikes against the FRY, and I am deeply troubled that U.S. participation in them continues despite the fact that Congress was divided on whether to authorize them. In addition, the resolution which this body adopted and on which the other body deadlocked was not a joint resolution that would have authorized the military action, by law.

No, Mr. President, S. Con. Res. 21 is a sense-of-the-Congress resolution that does not carry the force of law.

The Senate also considered a joint resolution offered by the Senator from Arizona [Mr. MCCAIN] which, if adopted by both Houses of Congress, would have given the President the specific statutory authorization required under the War Powers Resolution to continue the use of our Armed Forces in the action against the FRY. In fact, Mr. President, that sweeping resolution would have allowed the President to expand this participation as he saw fit. While I opposed this resolution, I am pleased that the Senate debated it and voted on it as we unequivocally were obliged to do under the War Powers Resolution.

I am afraid that the debate and votes on the participation of the United States in Kosovo both here in the Senate, as well as in the other body, reflect the fact that there is no consensus in the Congress or in the country with regard to what we have already done in Kosovo, let alone a consensus on whether to expand the U.S. mission there.

Sixty days have come and gone since the President failed to submit the required report regarding U.S. participation in the air strikes against the FRY. Despite this regrettable inaction, the War Powers Resolution clock began to tick 48 hours after the first bombs fell—the date on which the President's report under section 4(a)(1) of the Act was required to have been submitted. That's right, Mr. President, the clock begins to tick whether the President fulfills his obligation to submit the report or not. The vitality of the War Powers Resolution is unmistakable because that law states that the troops must be removed ''. . . within 60 calendar days after a report is submitted or is required to be submitted pursuant to section 4(a)(1). . . .'' unless one of the actions I mentioned earlier has occurred.

As the clock draws closer to midnight today, the sixtieth day, our troops are performing admirably under hostile conditions. But time has almost run out on the President to fulfil this legal obligations under the War Powers Resolution.

Despite the fact that many in Congress oppose the current air campaign, and despite the fact that our troops will soon be participating in this campaign in violation of the War Power Resolution, members of this body last week adopted a massive spending package in support of a military action that many of them oppose. I support fully our efforts to give our men and women in the field everything they need to maximize their chances of success and to minimize the risks they face.

Still, I voted against that package, both because of my continuing concern over our unauthorized military involvement in the FRY and because of the non-emergency spending that was jammed into the so-called emergency bill.

So we are not at a critical juncture, Mr. President. The Congress has voted to fund a military mission that it has not authorized, and the President has signed this bill even though he knows, as we know, that the continued participation of our troops in this mission is in violation of the War Powers Resolution.

One way or the other, consistent with the safety of our troops, it is time for the President to comply with the War Powers Resolution by seeking—and gaining—the legal authorization of Congress to continue this war, or by withdrawing our forces.

The PRESIDING OFFICER. Who yields time? The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I have not had an opportunity to read the letter from the President to the Speaker. It goes far short of the kind of commitment that has been represented—honestly represented. But the letter says in pertinent part: ''I can assure you

that I will fully consult with the Congress'', which doesn't amount to a whole lot. And then another line, ''I would ask for congressional support before introducing U.S. ground forces into Kosovo into a nonpermissive environment''.

The language of support here again goes far short of committing to congressional authorization such as is contained in this amendment.

I yield the floor.

I ask how much time I have left.

The PRESIDING OFFICER. Thirty-five minutes 30 seconds.

Mr. SPECTER. I thank the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, on that point, we have been conducting a meeting for almost an hour in S–407, attended by the Secretary of State, the Secretary of Defense, and the National Security Adviser to the President, Mr. Berger, and the Chairman of the Joint Chiefs. In the course of their presentations to some 40-plus Senators, in response to questions and in direct presentation, they reiterated that the President will formally come before the Congress and ask for any changes he deems necessary involving ground troops before he would implement or agree to implement with other NATO nations such a plan. That has just been stated on two occasions up in S–407. There was no equivocation. It was very clear in their declaration on behalf of the President. I acquainted them with the amendment which is now being debated on the floor of the Senate.

Earlier indications from the Secretary of Defense to me today were that should this amendment as drawn now appear in a conference report, it would be the recommendation of the Secretaries of State and Defense to veto.

I am pointing out to the Senate that again we revisit many, many times this whole war powers concept. We acknowledge that both Republican Presidents and Democrat Presidents have absolutely steadfastly refused to comply with the letter of the law, but they have complied with the spirit of the law.

In this instance, the President has indicated to the Senate in that letter—and just now in the briefings by his principal Cabinet officers—that he would formally—I use the word ''formal'' to clarify—come to the Congress and request their concurrence for any departure from his preposition. That preposition was just moments ago restated by Secretaries Cohen and Albright in response to my question, which was, question No. 1, to allow me to return to the floor with regard to any nonpermissive force being put in place, which I favor, by the way, to send a signal. They said that would not be done. The President has no intention of doing it, nor do the NATO allies. And should the President decide at some later date, for whatever reason, to begin to preposition such forces, then he would come before the Congress prior thereto and get legislative approval.

I believe very strongly that this amendment would put this bill in severe jeopardy in terms of getting it signed, and that the President and his principal advisers have in the past and again today advised the Congress that the President is prepared to deal with the spirit of this amendment and to come before the Congress and seek its formal concurrence by legislative action should he and other NATO allies in the future make a decision to depart from the present policy.

I have just been handed a modification. It is one that the Senator from Pennsylvania and I have discussed. I don't know if my colleague has had an opportunity to see it.

If there are other Senators who wish to speak, I need time within which to consider this modification. Unless other Senators seek recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROBB. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. Who yields time?

Mr. WARNER. Mr. President, I yield to the Senator 3 or 4 minutes.

Mr. ROBB. I thank my distinguished senior colleague. One minute will be sufficient because I know the chairman of the committee is about to make a unanimous consent request.

I state to my good friend from Pennsylvania, I am very much opposed to this amendment. I cannot imagine a modification of this amendment that would cause me to be supportive. We have already debated this essential question twice.

Congress has the power to declare war. If we are concerned about consultation with the executive branch, as we speak consultation is taking place up in S–407 in a classified briefing where the Secretary of Defense, the Secretary of State, the National Security Adviser and the Chairman of the Joint Chiefs of Staff have been briefing all Senators on what is taking place, what has taken place, what will take place and have again reaffirmed the intention of the President to consult with the Congress before any change, particularly with respect to the implementation of any particular plan that might involve the commitment of ground troops, takes place.

With that, Mr. President, I ask our colleagues to look very seriously at the long-term implications. Think of the kind of message this sends to Milosevic. Think of the kind of message this sends to our 18 alliance partners, if we were to continue to try to take this type of action on the floor of the Senate.

Mr. President, I urge a rejection of this particular amendment and I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Virginia.

Mr. WARNER. Mr. President, I thank my colleague for that strong statement. I am certainly of the same view.

Mr. President, I ask unanimous consent that when all time is used on the pending Specter amendment, the amendment be temporarily set aside with a vote occurring on or in relation to the amendment—there will be a tabling motion.

Mr. SPECTER. Reserving the right to object, will the Senator repeat that?

Mr. WARNER. Let me repeat it in its entirety. I have not asked unanimous consent.

I ask unanimous consent that when all time is used on the pending Specter amendment, the amendment be temporarily set aside with a vote occurring on or in relation to the amendment following the debate on the Gramm amendment.

That is the time sequence. As I have indicated, I will move to table the Senator's amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. For the information of all Senators, the Gramm amendment will be presented with a 1½-hour time agreement. Following that debate, the Senate will proceed to two stacked votes, first on the Specter amendment—and we have to reserve in here the amending of that amendment, which could be amended—to be followed by a vote on the Gramm amendment.

So we just have the sequencing of the debate, sequencing of the votes. And we will momentarily, Senator LEVIN and I—I am prepared to accept the amendment as amended. The Senator is waiting for just one Senator to get concurrence.

So we have the unanimous consent in place. I have given information to the Senate with respect to the sequencing of the Gramm amendment.

Mr. SPECTER. Reserving the right to object, I ask my colleague from Virginia to insert 2 minutes on each side to argue in advance of the vote.

Mr. WARNER. I have certainly no objection to that.

The PRESIDING OFFICER (Mr. SMITH of Oregon). Is there objection to the request as modified? Without objection, it is so ordered.

The PRESIDING OFFICER. Do Senators yield back their time on the pending amendment? Who yields time on the pending amendment?

Mr. WARNER. Mr. President, does Senator SPECTER want to reserve his time, and I will reserve my time, and then we can proceed to the Gramm amendment and come back to Senator SPECTER's amendment? I am sure he will allow that.

Mr. SPECTER. That is agreeable. We will take up the Gramm amendment now and then come back with the time I have reserved at that time.

Mr. WARNER. And the time under the control of the Senator from Virginia, jointly shared with Senator LEVIN.

Mr. SPECTER. May the Record show I have made a request for a modification of the amendment and I will send a copy of the requested modification to the desk. I have already provided it to the Senator from Virginia and the Senator from Michigan.

The PRESIDING OFFICER. Is there objection to the modification of the time?

Mr. LEVIN. Reserving the right to object and we will have to object—

The PRESIDING OFFICER. Modifying the time?

Mr. LEVIN. The Chair just asked if there is objection to the modification.

The PRESIDING OFFICER. Modification of the time. Is there objection to the modification? Without objection, it is so ordered.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, just so everybody can figure out when we are likely to vote, how much time remains on the Specter amendment?

The PRESIDING OFFICER. The Senator from Pennsylvania has 5½ minutes, and the Senator from Virginia has 3 minutes 20 seconds.

Mr. GRAMM. Mr. President, hopefully, we can beat this 90-minute time limit and have this debate more quickly.

AMENDMENT NO. 392

(Purpose: To delete language which the Department of Justice has stated would ''. . . seriously undermine the safety and security of America's federal prisons'')

Mr. GRAMM. Mr. President, I send an amendment to the desk for myself, Senator HATCH, and Senator THURMOND and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Texas (Mr. GRAMM), for himself, Mr. HATCH, and Mr. THURMOND, proposes an amendment numbered 392.

Mr. GRAMM. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 284, strike all on line 7 through line 14 on page 286.

Mr. GRAMM. Mr. President, Senator LEVIN and I every year or two have this debate. It is well known. We have debated it before. People have voted before. In fact, 61 Members of the Senate voted with me 2 years ago to substitute a study for the Levin amendment.

Let me add, the amendment is a little different than it was then. The thrust of it is basically the same. Two years ago, the Levin amendment applied to all procurement related to the prison industry system. This year, it applies to only defense procurement. But while its focus has narrowed, its impact on the work system within our prisons remains very broad.

I remind my colleagues that we took up this issue on July 10 of 1997. There was a vote at that time, and 62 Members—61 of whom are still Members of the Senate—voted on this issue on a different day in a slightly different version. But the thrust of the issue, in terms of procurement from the Federal prison industry system, is and was basically the same.

Let me set out what I want to do in my opening statement. I want to try to explain the problem in historical context, and I want to begin with Alexis de Tocqueville. Then I want to come to the Depression, which was really fork in the road with regard to prison labor in America. I want to talk about the fork we took, the wrong fork in my opinion. I want to talk about how the Levin amendment fits into the system which has evolved since then. I want to talk about why this provision by Senator LEVIN, which Senator HATCH and Senator THURMOND and I hope to strike from the bill, is so devastating to the prison industry system in America and why that, in turn, is harmful to every taxpayer, to every victim of crime, to everyone who wants prisoners rehabilitated when they go back out on the street. In fact, there is no good argument, it seems to me, when you fully understand this issue, for the Levin amendment. I then want to talk in some detail about each of these items and then, obviously, at that point we will begin the debate.

Let me start with de Tocqueville. As many of my colleagues will remember, de Tocqueville came to America in the 1830s. He wrote a book that has become the greatest critique of America ever written—''Democracy in America.'' We forget that de Tocqueville came to America not to study democracy but to study prisons. In fact, he wrote a book on prisons, together with a fellow named Beaumont. We have forgotten Beaumont, but we remember de Tocqueville.

In his analysis of American prisons, which were very much studied in the 1830s because they were part of the most enlightened prison system in the world, de Tocqueville praised at great length the fact that we required American prisoners to work. In that period, prison labor of 12 hours a day, 6 days a week was the norm. De Tocqueville says in his analysis on American prisons:

It would be inaccurate to say that in the Philadelphia penitentiary labor is imposed. We may say with more justice that the favor of labor is granted. When we visit this penitentiary, we successively conversed with all its inmates. There was not a single one among them who did not speak of labor with a kind of gratitude and who did not express the idea that without the relief of constant occupation, life would be insufferable.

The principal characteristic of the American prison system in the age that Alexis de Tocqueville wrote that remark was that prisoners worked and they worked hard. They helped pay for the cost of incarceration by working, and they produced things. Those products were sold on the open market in many cases. So the first obligation for feeding prisoners and incarcerating prisoners was borne not by the taxpayer but by the prisoner and, as de Tocqueville argues, I think quite impressively in the book and in the quote I used, prisoners actually benefited from labor because of the extreme boredom of being incarcerated with nothing to do. This was the norm in America from the 1830s, when Alexis de Tocqueville wrote, for 100 years, until the 1930s.

What happened in the 1930s was that we passed a series of laws driven by special interests, principally labor and business, and you cannot get bigger special interests than that. These laws consisted basically of the following laws: the Hawes-Cooper Act which authorized States to ban commerce in prison-made goods within their borders; the Sumners-Ashurst Act which made it a Federal crime to transport prison-made goods across State lines; and then another provision that said not only can you not sell what prisoners produce, not only can you not transport it for sale, but if you do force prisoners to work, you have to pay them the union scale set by the local union.

Guess what the result of those three laws was. The result of those three laws was that we destroyed the greatest prison industry system that the world had ever known. We destroyed that prison system by eliminating our ability to force people in prison to work; and in doing so, force them to pay for part of the cost of their incarceration; and we eliminated our ability to collect from them part of what they would earn working in prison or what would be earned by their work to pay for restitution to victims of crime.

What was left after we destroyed the ability of American prisons to force prisoners to work was the ability of prisoners to produce things that were used by Government. As a result, we now find ourselves in a situation where we have 1,100,000 Americans in prison. They are almost all male. They are almost all of prime working age. We spend $22,000 a year keeping people in prison, which is nearly the cost of sending somebody to the University of Chicago or to Harvard, and the cost of keeping Americans in prison costs the average American taxpayer $200 a year in taxes—just to keep people in prison.

The impact of the Levin amendment—I am sure he is going to gild this lily with lots of gold around the edges—but the impact of his amendment is to take another major step in destroying prison labor in America. What his bill would do is, for all practical purposes, take away about 60 percent of the work that Federal prisoners do now.

There are, obviously, two sides to these arguments. You can argue that

when people are working in prison that there is someone else who might benefit from getting the job if the prisoner were not working. It is hard to make that argument in America today when we have the lowest unemployment rate in 30 years and when, in towns like my hometown of College Station, college students go out and relax after classes and impressment gangs come and virtually knock them in the head and drag them off to a factory. So if there ever was an argument here that we needed to take away prison work to protect American jobs, it is very hard to make that argument in May of 1999.

But here is the system we have now. We have a system called Federal Prison Industries where the Federal Government has work programs for prisoners. It pays them a very small incentive payment. It withholds about 20 percent of that payment as restitution to victims of the crimes they have committed. It produces component parts for various things used by the Government. It produces furniture, it produces some electronic components. Through this system, we have about 20,000 Federal prisoners who work.

Under this amendment, about 60 percent of that work would be taken away. Not only do I oppose this amendment, but the administration, in its Statement of Administration Policy on this defense bill, on page 3, ''Federal Prison Industries Mandatory Source Exemption,'' opposes the Levin amendment.

I have a letter here from the Attorney General. Among other things, she says:

> I am extremely concerned about this legislation because it could have a negative impact on [the Federal Prison Industries], which is the Bureau of Prisons most important, efficient, and cost-effective tool for managing inmates and for preparing them to be productive, law abiding citizens upon release from prison.

I also have a letter from the National Center for Victims of Crime. And they say, among other things:

> Dollars that go to the crime victims through the [Federal Prison Industries] program are coming out of criminal offenders' pockets—the notion that the offender must be held accountable and pay for the harm caused by crimes he [or] she committed is at the heart of jurisprudence. Crime victims often tell us that the amount of restitution an offender pays is far less important to them than the fact that their offender is paying restitution. Financial assistance from offenders has a tremendous healing and restorative power for criminal victims.

No. 1, the administration opposes the Levin amendment, supports our effort to knock it out of the bill. The Attorney General, the Director of Federal Prisons, and the National Center for Victims of Crime all oppose this amendment. They all oppose it basically for the same reason; and that is, it will end up raising the cost of incarceration. It will end up lowering the amount of restitution going to victims. It will idle prisoners, and you do not get rehabilitated sitting around in air-conditioning watching color television.

If there is anything we know about the Federal prison work system, and about the work system in States, it is that working is an important part of rehabilitation. I personally would support proposals that would force every able prisoner in America to work. I would like them to work 10 hours a day, 6 days a week, and go to school at night. But I know with the vested interest that is built up against that, that we cannot succeed in changing it today. I hope we will someday. But I do not want to destroy what we have now.

Let me talk about recidivism.

In South Carolina—and you are going to hear from the distinguished former chairman of the Armed Services Committee, Senator THURMOND, a very active member of the Judiciary Committee. In South Carolina, the probability that a person who serves in a penitentiary in South Carolina, when they will be released, will ever come back into a State or Federal penitentiary again is 17 times higher for those who did not work while they were in prison than it is for those who did work in prison. Part of the reason is that people acquire skills in working that allow them to go out into the private sector and get a job when they get out of prison.

In Florida, the probability that a person in prison, when they are released, will ever come back to prison is three times as high for people who did not work while they were in the penitentiary in Florida as it is for those who did work while they were in the penitentiary in Florida.

For Wisconsin, it is twice as high; for Kentucky, it is almost twice as high.

In the Federal system, the recidivism rate, the chances that someone will come back to Federal prison, after having been released, is 24 percent lower for those who participate in work programs. We have estimates that a 10-percent reduction in recidivism rates would lower the overall social cost of crime and incarceration by $6.1 billion.

So another strong argument against the Levin amendment is that we have hard data, not just from the Federal Government, but from many States, that indicate conclusively if people work when they are in prison, the probability that they will go out and commit another crime that will get them sent back to prison is substantially, markedly lower if they work than if they do not work.

You are going to hear Senator LEVIN argue that, well, this is not price competition. And it is not. Let's make it clear, this is not a competitive issue. I would defy anyone to pick up this defense authorization bill and hold it out as a paragon of virtue in terms of defense procurement efficiency. The defense procurement system is full of protectionism and special interests, where we give all kinds of special deals to all kinds of producers in selling things to the Defense Department.

I say competition in procurement is a good thing. I swear by it. I support it. But when you have page after page of acquisition rules that say we pay inflated prices to buy things domestically rather than buying them on the world market, it is hard to suddenly be concerned about competition in prices with regard to prison-made goods.

This is not about competition. This is about using a resource we have with 1.1 million people in prison.

Now, having said that, the GAO recently did a study of the Federal Prison Industries of 20 different products that were bought by the Defense Department. What the GAO concluded was the Federal Prison Industries prices were within the market range for virtually every product that was bought by the Defense Department. So it is true that in the strictest terms, we don't have competitive bidding on goods produced in prison, but we have market surveys. We have negotiations between the Defense Department and the prison, and we have a simulation of what the market system would look like if you had a competitive bidding system.

Also, the Department of Defense Inspector General recently completed a study of the Federal Prison Industries prices and concluded that DOD could have saved millions of dollars by buying more items from the Federal Prison Industries if it had bought more items from them rather than buying them in the open market.

Now, let me remind my colleagues—I know Senator THURMOND is here and is very busy; I want to give him an opportunity to speak—that 2 years ago, when we debated this same issue in a slightly different form with the thrust identical, I offered a substitute amendment that mandated a study be done by the Department of Defense and by the Federal Prison Industries and Department of Justice. That study has just been completed, and it was reported to the Armed Services Committee and then to Members of the Senate. I draw my colleagues' attention to page 4 of the executive summary to the conclusions that were reached in the study.

The question was what recommendations did they have as to changes we might make in current law with regard to the Defense Department buying things produced in Federal prisons. They concluded, the recommendations can be made within existing statutory authority and will not require legislative action. Department of Defense and Federal Prison Industries say they believe that implementing the recommendations will improve the efficiency and reduce the cost of procurement transactions between the two agencies. Implementation of the administrative actions should facilitate and enhance the working relationship between the two agencies.

So in short, 2 years ago when we debated this issue and we decided to study the problem that was raised by Senator LEVIN, we had that study completed jointly by the Defense Department and the Department of Justice,

the Federal Bureau of Prisons, and they have concluded that they should undertake a modernization system, but they do not need any legislative authority to do it.

I urge my colleagues to remember, if we adopt this amendment and we kill off 60 percent of the remaining prison labor in America, we are going to spend more money to incarcerate prisoners. We are going to have less money go to victims. We are going to have a higher recidivism rate as people come out of prison and commit crimes again. And the net result will be that we will have taken work that was being done in prison, and we will have put it into the private sector. But in a period when we have an acute labor shortage and in a period when we have 1.1 million people in prison, 1 percent of the labor force, it makes absolutely no sense, it is destructive of our criminal justice system to destroy the remnants of prison labor.

I remind my colleagues that when you bring Senator THURMOND, Senator HATCH and myself into an alliance with the administration, into an alliance with Janet Reno, the Attorney General, and then you have the support of victims' rights groups all over the country, that is a pretty broad coalition. What each and every one of these entities is saying is, do not kill off prison labor.

When we have 130 million Americans who go to work every day and struggle to make ends meet, I do not understand what is wrong with forcing prisoners to work. I want prisoners to work. It is good for them. It is good for the taxpayer. It is good policy, and we should not allow that system to be destroyed.

I reserve the remainder of my time, but I yield whatever time he might need to our distinguished colleague, Senator THURMOND, who today was recognized for the 75th anniversary of being commissioned an officer and a gentleman in the U.S. Army. For 75 years, three quarters of a century, Senator THURMOND has borne that commission to uphold, protect and defend the Constitution against all enemies, foreign and domestic, and whether it was on D-Day in Normandy or whether it was on the Supreme Court of South Carolina or whether it was Governor or whether it is our most distinguished Member of the Senate, STROM THURMOND is truly a man to hold against the mountain and the sky.

I yield whatever time he might need to Senator THURMOND.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I thank the able Senator from Texas, Mr. GRAMM, for the magnificent remarks he made on this important subject and also thank him for the kind remarks he made about me.

I rise in strong support of the amendment to strike section 806 of S. 1059, the Defense Authorization Act, which was added in Committee by Senator LEVIN. This provision could endanger Federal Prison Industries or UNICOR, which is the most important inmate program in the Federal Bureau of Prisons.

To protect our citizens, America is placing more and more dangerous and violent criminals in prison. Indeed, one of the main reasons crime rates in America are going down is because the number of criminals we are putting behind bars is increasing. The Bureau of Prisons has an extremely important and complex task in housing and, to the extent possible, rehabilitating these inmates. FPI is critical to this task.

Prisoners must work. Idleness and boredom in prison leads to mischief and violence. FPI keeps inmates productively occupied, which helps maintain the safety and security for staff, other inmates, and the law-abiding public outside.

Moreover, prisoners who work in FPI develop job skills and learn a work ethic. As a result, they adjust better in prison and are better prepared to become productive members of society when they leave.

Mr. President, the program works. Studies show that inmates who worked in Prison Industries are 24 percent more likely to find and hold jobs and remain crime-free after they are released. Inmates in FPI are more likely to become responsible, productive citizens.

I am very concerned that section 806, the Levin provision, could threaten this essential program. FPI may sell its products only to Federal agencies, and the Department of Defense represents almost 60 percent of its sales. Yet, the Levin provision would make it much easier for Defense purchasers not to use FPI based on a very vague and nuclear standard. Further, this provision would eliminate entirely the mandatory source preference for any Defense order under $2,500. Purchases under this amount account for 78 percent of FPI orders. Also, the amendment would exempt Defense purchases in a wide range of telecommunications or information systems under the broad name of national security. This could be very harmful to FPI's production of electronic products.

Drastic changes of this nature are not warranted, as even the Department of Defense recognizes. The DoD and BoP have just completed a joint study that we ordered in a previous Defense Authorization Bill. In a survey taken as part of the study, DoD customers generally rated FPI in the good to excellent or average ranges in all categories, including price, quality, delivery, and service. As the report states, the working relationship between FPI and DoD remains strong and vital.

The study concludes that no legislative changes are warranted in Defense purchases from FPI. It made some recommendations for improvements that are currently being implemented. We should give the study time to work.

Indeed, the Administration strongly opposes the Levin provision. The Statement of Administration Policy on S. 1059 explains that this provision ''would essentially eliminate the Federal Prison Industries mandatory source with the Defense Department. Such action could harm the FPI program which is fundamental to the security in Federal prisons.''

FPI does not have an advantage over the private sector. Although inmates make less money than other workers, FPI must deal with many hidden costs and constraints that do not apply to the private sector.

Working inmates must be closely supervised, adding to labor costs, and extensive time-consuming security procedures must be followed. For example, when inmates go to work, they must pass through a metal detector and check their tools in and out, even if they just leave for lunch.

While the private sector often specializes in certain products, FPI by law must diversity its product lines to lessen its impact on any one industry. Also, the private sector tries to keep labor costs low, while FPI intentionally keeps its factories as labor-intensive as possible. Moreover, inmate workers generally have little education and training and often have never held a steady job. Indeed, the productivity rate of an employee with the background of an average inmate has been estimated at one-fourth that of a civilian worker.

FPI is not used for every Federal purchase. In fact, it only constitutes a small minority. If a customer does not feel that FPI can meet its delivery, price, or technical requirements, then the customer can request a waiver of the mandatory source. Last year, 90 percent of waiver requests were approved, generally within four days.

Moreover, some private businesses depend on FPI for their existence. FPI purchased over $418 million in raw materials and component parts from private industry in 1998. Contracts for such purchases are awarded in nearly every state, and more than half go to small businesses.

Further, Prison Industries helps crime victims recover the money they are due. The program requires that 50 percent of all inmate wages be used for victim restitution, fines, child support, or other court-ordered payments. Last year, FPI collected nearly $2 million for this purpose.

The Levin provision falls within the jurisdiction of the Judiciary Committee and should be evaluated there. Indeed, my Judiciary Subcommittee on Criminal Justice Oversight held a hearing yesterday on Prison Industries. We discussed in detail the importance of the program and how damaging the changes we are considering in this bill could be.

FPI is a correctional program that is essential to the safe and efficient operation of our increasingly overcrowded Federal prisons. While we are putting

more and more criminals in prison, we must maintain the program that keeps them occupied and working.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I am authorized by Senator LEVIN to speak at this time. But I am going to ask Mr. GRAMM if he will yield me some time.

Mr. GRAMM. Mr. President, I yield 10 minutes to the distinguished Senator from West Virginia.

Mr. BYRD. I thank the Senator.

Mr. President, the distinguished ranking member, Mr. LEVIN, knew my position on this matter, but he accommodated me by suggesting that I might proceed at this time while he is away from his chair. I thank the distinguished Senator from Texas for yielding time to me.

I am strongly opposed to the inclusion of section 806 in the fiscal year 2000 Defense authorization bill. This section would substantially undermine Federal Prison Industries—the Bureau of Prisons' most important skill-developing program for inmates.

I believe that this matter should not be included in the defense authorization bill. It is a matter that is being considered by the Senate Judiciary Committee. I am advised that the Criminal Justice Oversight Subcommittee of the Senate Judiciary Committee, chaired by the senior Senator from South Carolina, Mr. THURMOND, conducted an oversight hearing on this matter on May 24—yesterday.

The Attorney General of the United States, in a letter addressed to the chairman of the Senate Judiciary Committee, has indicated that she is concerned about this legislative provision. The Attorney General's letter asserts that the legislative provision would have a negative impact on Federal Prison Industries,

> . . . which is the Bureau of Prisons' most important, efficient, and cost-effective tool for managing inmates and for preparing them to be productive, law-abiding citizens upon release from prison.

I am also advised that the administration has taken a strong position in opposition to section 806 because of the harm it would do to the FPI program, which is fundamental to the security in Federal prisons. The administration believes that to ensure Federal inmates are employed in sufficient numbers, the current mandatory source requirement should not be altered until an effective alternative program is designed and put into place.

Mr. President, in the State of West Virginia there are three Federal prisons—the Federal prison at Alderson, the Robert C. Byrd Federal Correctional Institution at Beckley, and the Robert F. Kennedy Prison at Morgantown. And each of these has an FPI operation. At these three Federal prisons alone, the Bureau of Prisons is able to keep more than 500 inmates productively occupied, and employ nearly 40 staff at no cost to the taxpayer. How about that! That sounds like a good deal to me.

Mr. President, a somewhat similar amendment was offered to the Defense Authorization Bill for Fiscal Year 1998. The Senate instead adopted a substitute amendment offered by the distinguished senior Senator from Texas (Mr. GRAMM), which required a joint study by the Department of Defense and FPI on this matter. That study has recently been completed and transmitted to the Senate Armed Services Committee. The joint study made several recommendations that could be accomplished within existing authority, without requiring legislative action.

In summary, I am opposed to section 806 to the Defense authorization bill because it is unwarranted, and not only is it unwarranted, but it would have a debilitating effect on Federal Prisons Industries. This is a matter within the jurisdiction of the Senate Judiciary Committee and should not be included in this bill.

Mr. President, I ask unanimous consent that the Statement of Administration Position on Section 806 of the Defense authorization bill be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF ADMINISTRATION POSITION ON SECTION 806 OF THE DEFENSE AUTHORIZATION BILL (S. 1059)

FEDERAL PRISON INDUSTRIES MANDATORY SOURCE EXEMPTION

The Administration opposes Section 806 which would essentially eliminate the Federal Prison Industries (FPI) mandatory source with the Defense Department. Such action could harm the FPI program which is fundamental to the security in Federal prisons. In principle, the Administration believes that the Government should support competition for the provision of goods and services to Federal agencies. However, to ensure that Federal inmates are employed in sufficient numbers, the current mandatory source requirement should not be altered until an alternative program is designed and put in place. Finally, this provision would only address mandatory sourcing for the Defense Department, without regard to the rest of federal government.

Mr. BYRD. Mr. President, I again thank the distinguished Senator from Texas, Mr. GRAMM, and I likewise express my appreciation to the distinguished Senator from Michigan, Mr. LEVIN, for his leadership overall on this bill. He is very dedicated, very able, and he works very hard. I am proud to serve with him on the Armed Services Committee. But in this case, I regret that I have to oppose his position.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD. Mr. President, I yield the remainder of my 10 minutes that was yielded to me from that side to Mr. HATCH, if I may ask unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. I thank the President and I thank the Senator.

The PRESIDING OFFICER. The Senator has 4 minutes 20 seconds.

Mr. HATCH. Mr. President, I rise to speak in support of this amendment, which I am pleased to cosponsor. I congratulate Senators GRAMM, THURMOND, and BYRD for their excellent statements on this matter, and for their leadership on this issue.

This amendment strikes section 806 of the bill, a provision that would effectively eliminate the Department of Defense purchasing preference for products supplied by Federal Prison Industries (FPI), also known by its trade name of UNICOR.

FPI is the federal corporation charged by Congress with the mission of training and employing federal prison inmates.

For more than 60 years, this correctional program has provided inmates with the opportunity to learn practical work habits and skills. It has enjoyed broad, bipartisan support in Congress and from each Republican and Democrat administration. An important part of this support has been the cooperative relationship between FPI and the Department of Defense—a relationship that has helped supply our armed forces in every war since 1934.

FPI is an irreplaceable corrections program. FPI and its training programs at federal prisons across the nation have been credited with helping to lower recidivism and ensuring better job-related success for prisoners upon their release—a result that all of us applaud.

Finally, FPI is an essential tool for ensuring a safe and secure correctional environment for staff, guards, and inmates in the federal prison system. Simply put, FPI keeps inmates productively occupied. And since the limited number of FPI jobs are coveted by inmates, getting and keeping these jobs are important incentives for good behavior by inmates.

These are important considerations as the federal inmate population continues to rise. In the last ten years, the federal inmate population has more than doubled, from 51,153 in 1989 to 108,207 in 1998. As Philip Glover, President of the Council of Prison Locals, AFGE, testified before the Judiciary Committee yesterday, ''We cannot afford to simply warehouse inmates.''

Any corrections officer will tell you that the most dangerous inmate is the idle inmate. Idleness breeds frustration, and provides ample time to plan mischief—a volatile combination. Yet, despite the references to the costs imposed by FPI by my colleagues who oppose this amendment, I have heard no one suggest how the taxpayers will pay for the new prison programs and the additional prison guards that might be needed if FPI factories are forced to close.

Section 806 of this bill, which our amendment strikes, puts the FPI program at substantial risk, and would certainly result in the shuttering of some FPI factories. Section 806 exempts from the FPI mandatory source

requirement products priced below $2,500, products integral to or embedded in another product not made by FPI, or products which are components of a larger product used for military intelligence or weaponry. Together, these categories make up over 80 percent of DoD's purchases from FPI. FPI, in turn, depends on sales to the Pentagon for nearly 60 percent of its business.

Some may reasonably ask, why should there be a government procurement preference for FPI goods? The answer is simply this: when FPI was established, in perhaps an unnecessary effort ensure the program did not affect private sector jobs, FPI was barred from selling its products in the commercial market. This is still the law. Thus, under current law, FPI may sell its products and services only to the federal government. Section 806 does not alter this sales restriction, and I do not understand the Senator from Michigan to be supporting such a change.

To ensure that FPI has adequate work to keep inmates occupied, congress created a special FPI ''procurement preference,'' under which federal agencies are required to make their purchases from FPI instead of other vendors, as long as FPI can meet price, quality, and delivery requirements.

Section 806 would remove this procurement preference, as it relates to the vast majority of sales to the Department of Defense. Without this preference, FPI could be crippled. Again, FPI is not permitted to compete for sales in the private market. It may *only* sell to the federal government, and then *only* if it can meet price, quality, and delivery requirements. And even then, waivers are available.

Nothing short of the viability of Federal Prison Industries is at issue here. Under full competition for federal contracts, combined with market restrictions, FPI could not survive.

My colleagues should remember that the primary mission of FPI is not profit. The primary mission of FPI is the safe and effective incarceration and rehabilitation of federal prisoners. Needless to say, FPI operates under constraints on its efficiency no private sector manufacturer must operate under. For example:

Most private sector companies invest in the latest, most efficient technology and equipment to increase productivity and reduce labor costs. Because of its different mission, FPI frequently must make its manufacturing processes as labor-intensive as possible—in order to keep as many inmates as possible occupied.

The secure correctional environment FPI in which FPI operates requires additional inefficiencies. Tools must be carefully checked in and out before and after each shift, and at every break. Inmate workers frequently must be searched before returning to their cells. And FPI factories must shut down whenever inmate unrest or institutional disturbances occur. No private sector business operates under these competitive disadvantages.

The average federal inmate is 37 years old, has only an 8th grade education, and has never held a steady legal job. Some studies have estimated that the productivity of a worker with this profile is about one-quarter of that of the average worker in the private sector. This is another disadvantage that, by and large, private companies do not have to operate under.

Finally, FPI is required to diversify its product line to minimize the impact on any one industry. Moreover, FPI can only enter new lines of business, or expand existing lines, after an exhaustive review has been undertaken to the impact on the private sector. Again, this is a restraint that most other businesses do not have imposed on them.

All of us share the goal of ensuring that FPI does not adversely impact private business. FPI has made considerable efforts to minimize any adverse impact on the private sector. Over the past few years, it has transferred factory operations from multiple factory locations to new prisons, in order to create necessary inmate jobs without increasing FPI sales. FPI has also begun operations such as a mattress recycling factory, a laundry, a computer repair factory, and a mail bag repair factory, among others, to diversify its operations and minimize its impact on the private sector, while providing essential prison jobs.

Furthermore, there is substantial evidence that FPI actually creates a substantial number of private sector jobs. In FY 1998, thousands of vendors nationwide registered with FPI, and supplied nearly $419 million in purchases to FPI. And at the same time FPI trained and employed 20,200 federal inmates at no expense to the taxpayer in FY 1998, it also directly supported 4,600 jobs outside prison walls.

Every dollar FPI receives in revenue is recycled into the private sector. Out of each dollar, 76 cents goes to the purchase of raw materials, equipment, services, and overhead, all supplied by the private sector; 18 cents goes to salaries of FPI staff; and 6 cents goes to inmate pay, which in turn if passed along to pay victim restitution, child support, alimony, and fines. Incidentally, FPI inmates are required to apply 50 percent of their earnings to these costs.

Thus, while I have some sympathy for the intent of Senator LEVIN, who sponsored this provision in the bill, I must join Senator GRAMM in offering this amendment to strike Section 806. I would like to remind my colleagues that the Senate has addressed this matter before. Two years ago, Senator LEVIN offered a similar amendment. Mr. President, 62 members of the Senate voted instead for an amendment offered by Senator GRAMM and myself, requiring the Departments of Defense and Justice to undertake a joint study of the procurement and purchase processes governing FPI sales to the Department of Defense.

Just last month, this study was delivered to Congress. Interestingly, the report does not support the action proposed by section 806. To the contrary, the Departments of Defense and Justice jointly concluded that the report's ''recommendations can be made within existing statutory authority, and will not require legislative action.''

In fact, neither of the Departments affected by section 806 support its inclusion in this bill. The Administration's official Statement of Administration policy is equally clear, stating that ''the Administration opposes Section 806.''

In summary, either we want Federal inmates to work, or we do not. I believe that we do want inmates to work, and therefore I must oppose section 806. I say to my colleagues, if you believe in maintaining good order and discipline in prisons, or if you believe in the rehabilitation of inmates when possible, you should support this amendment.

I agree with those of my colleagues who believe that we must address the issues raised by prison industries nationwide. As we continue, appropriately, to incarcerate more serious criminals in both Federal and State prisons, productive work must be found for them. At the same time, we must ensure that jobs are not taken from law-abiding workers. Under the leadership of Senator THURMOND, the Judiciary Committee's Subcommittee on Criminal Justice Oversight yesterday held a hearing on this issue. Witnesses at that hearing urged Congress not to gut FPI without addressing the broader need for productive prison work.

FPI is a proven correctional program. It enhances the security of federal prisons, helps ensure that federal inmates work, furthers inmate rehabilitation when possible, and provides restitution to victims. Section 806 would do immense harm to this highly successful program, and I urge my colleagues to support our amendment to strike it.

I also ask unanimous consent a letter to me from the Office of the Attorney General be printed in the RECORD with the accompanying documents.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, DC, May 25, 1999.

Hon. ORRIN G. HATCH,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC

DEAR MR. CHAIRMAN: The Fiscal Year 2000 Defense Authorization bill that was recently reported out of the Armed Services Committee includes a provision regarding Department of Defense (DoD) purchases from Federal Prison Industries (FPI). We believe that the statutory changes required by this provision are premature in light of the recommendations of the congressionally mandated two-year study recently completed by the Department of Defense and FPI that explored the procurement relationship between these two agencies. For the reasons stated in the Deputy Attorney General's letter (copy attached), I am extremely concerned about

this legislation because it could have a negative impact on FPI, which is the Bureau of Prisons most important, efficient, and cost-effective tool for managing inmates and for preparing them to be productive, law abiding citizens upon release from prison.

Federal Prison Industries is first and foremost a correctional program intended to train the Federal inmate population and minimize adverse impact on the private sector business community. As such, it adheres to several statutorily mandated principles, including diversifying its product line to avoid hurting any particular industry and remaining as labor intensive as possible. These practices render FPI less competitive than private sector manufacturers. The mandatory source status (which would be effectively eliminated as a result of provision) helps ameliorate these circumstances by achieving customer contact which reduces competitive advertising costs. It also assists FPI in its efforts to partner with private sector manufacturers who are attracted to the steady work flow provided by this preference. These partnerships are essential to FPI since it cannot, on its own, produce many complicated products such as systems furniture.

This provision would alter the requirement that the Department of Defense purchase products from FPI, and it could require FPI to compete with the private sector for sales of products that are components of products not produced by FPI, are part of a national security system, or the total cost of which is less than $2,500. Even with respect to other products, DoD is no longer required to purchase from FPI, rather the Secretary of Defense must ''conduct market research'' to determine whether the FPI product is ''comparable in price, quality, and time of delivery'' to products available from the private sector before making purchases. If the Secretary concludes that the FPI product is not comparable, the purchase may be made from any source.

Purchases by the Department of Defense account for almost 60% of FPI's sales. Moreover, 78 percent of the DoD orders are for small purchases of less than $2,500, and much of the remaining 22 percent is made up of products or components of products made by other manufacturers and products used in national security systems. Accordingly, if this provision is enacted into law, the continued existence of FPI will depend in large part on its ability to compete with the private sector for the limited Department of Defense market.

A recently completed report conducted by the Department of Defense and FPI concluded that no legislative changes were warranted by the investigation of procurement transactions between these two entities. Rather, while the study, entitled ''A Study of the Procurement, Procedures, Regulations and Statutes that Govern Procurement Transactions between the Department of Defense and Federal Prison Industries,''[1] made a number of recommendations for facilitating and enhancing the working relationship between the two agencies that could be accomplished within existing statutory authority, the study recommends the FPI and DoD create a pilot program at eight DoD locations to test the effectiveness of administrative waivers for purchases of less than $2,500 where expedited delivery is required. Additionally, FPI will continue to monitor and evaluate delivery performance.

Issues surrounding FPI, such as the mandatory source status affect all agencies, not just the Department of Defense. Therefore, this issue should be reviewed in the broader context.

If you should have any questions or if we may provide further information about FPI, please feel free to contact the Department. The Office of Management and Budget has advised us that from the perspective of the Administration's program, there is no objection to submission of this letter.

Sincerely,

JANET RENO.

OFFICE OF THE
DEPUTY ATTORNEY GENERAL,
Washington, DC, May 11, 1999.

Hon. JOHN WARNER,
Chairman, Committee on Armed Services,
U.S. Senate, Washington DC.

DEAR MR. CHAIRMAN: We anticipate that an amendment will be offered to the Defense Authorization bill that would eliminate mandatory source status for Federal Prison Industries (FPI). We believe that the amendment would have a devastating impact upon FPI, a program that is critical to the safe and orderly operations of federal prisons.

FPI is the Bureau of Prisons most important, efficient, and cost-effective tool for managing inmates. It keeps inmates productively occupied and reduces inmate idleness and the violence and disruptive behavior associated with it. Thus, it is essential to the security of the Federal Prison System, its staff, inmates, and the communities in which they are located. By eliminating FPI's mandatory source status, the amendment would dramatically reduce the number of inmates FPI would be able to employ. The inmate idleness this would create would seriously undermine the safety and security of America's federal prisons.

In addition to being a tool for managing the growing inmate population,[1] FPI programs provide inmates with training and experience that develop job skills and a strong work ethic. Bureau of Prisons' research has confirmed the value of FPI as a correctional program. Findings demonstrate that inmates who work in FPI, compared to similar inmates who do not have FPI experience, have better institutional adjustment. Moreover, after release, they are more likely to be employed and significantly less likely to commit another crime. A long-term post-release employment study by the Bureau of Prisons has found that inmates who were released as long as 8 to 12 years ago and who participated in industries work or vocational training programs were 24 percent less likely to be recommitted to federal prisons than a comparison group of inmates who had no such training. Clearly, the FPI program contributes to public safety by enhancing the eventual reintegration of offenders into the community after release.

Opponents of FPI have asserted that FPI is an unfair competitor and that it is damaging the private sector. This is not accurate. Throughout its history, FPI has followed a number of practices deliberately designed to reduce its impact on the private sector, such as diversifying its product line to avoid hurting any particular industry and remaining as labor intensive as possible. Further, far from taking jobs from the private sector, FPI actually creates jobs in the private sector by purchasing over $418 million annually in supplies from the private sector.

It is important to explain why FPI's status as a mandatory source is critical to FPI's viability. The mandatory source status was established as a means of creating a steady flow of work for the employment of inmates. FPI views the mandatory source status as a method of not only maintaining this work flow but also achieving customer contact which reduces competitive advertising costs.

FPI does not abuse its mandatory source status. If a customer feels that FPI cannot meet its delivery, price, or technical requirements, the customer may request a waiver of the mandatory source. These waivers are processed quickly (an average of 4 days) and, in 1998, FPI approved over 80 percent of the requests from federal agencies for waivers.

FPI does not have the capability to produce many sophisticated products, such as systems furniture, independently. It relies on the private sector to provide space planning, design, engineering, installation and customer service. By entering into partnerships with private companies through the use of federal acquisition procedures, FPI vertically integrates the manufacturing of a company's product using inmate labor. In order to attract a private sector partner, there must be some incentive. That incentive is the mandatory source. Without the mandatory source status, FPI would be unable to attract the private sector partners necessary for it to diversify its product offerings and to offer products which are contemporary and attractive to its federal customers.

Last week, the report of a congressionally mandated study conducted by the Department of Defense (DoD) and FPI concluded that no legislative changes were warranted by the investigation of procurement transactions between these two entities. The study, entitled ''A Study of the Procurement, Procedures, Regulations and Statutes that Govern Procurement Transactions between the Department of Defense and Federal Prison Industries,'' was mandated by Section 855 of the National Defense Authorization Act for Fiscal Year 1998 (P.L. 105–85), and was released to the Senate and House Armed Services Committee last week. The report noted that some steps could be taken to improve the procurement relationship between DoD and FPI, but such steps are most appropriately accomplished within the executive branch.

FPI is a law enforcement issue more than a government supply issue because it is essential to the management of federal prisons and because FPI is operated as a correctional program, not as a for-profit business. As a result, we continue to develop pilot programs that will make FPI a more efficient and cost competitive source. We believe that the amendment would benefit from consideration by the Judiciary Committee to consider the mandatory source issue in the context of the full FPI program. Simply considering the amendment as affecting a source of goods for the federal sector would completely overlook the law enforcement significance of FPI and threaten a program that is fundamental to public safety.

We are enclosing a copy of the study report conducted by DoD and FPI for your review. If you should have any questions or if we may provide further information about FPI, please feel free to contact the Department.

Sincerely,

ERIC H. HOLDER, JR.,
Deputy Attorney General.

OFFICE OF THE DEPUTY ATTORNEY GENERAL,
WASHINGTON, DC, MAY 11, 1999.

Hon. ORRIN G. HATCH,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: We anticipate that an amendment will be offered to the Defense Authorization bill that would eliminate mandatory source status for Federal Prison

[1] This study was mandated by Section 855 of the National Defense Authorization Act for Fiscal Year 1998 (P.L. 105–85), and was released to the Senate and House Armed Services Committee several weeks ago.

[1] The federal inmate population is growing at an unprecedented rate and crowding at secure institutions is already at critical levels and expected to increase in the near term.

Industries (FPI). We believe that the amendment would have a devastating impact upon FPI, a program that is critical to the safe and orderly operations of federal prisons.

FPI is the Bureau of Prisons most important, efficient, and cost-effective tool for managing inmates. It keeps inmates productively occupied and reduces inmate idleness and the violence and disruptive behavior associated with it. Thus, it is essential to the security of the Federal Prison System, its staff, inmates, and the communities in which they are located. By eliminating FPI's mandatory source status, the amendment would dramatically reduce the number of inmates FPI would be able to employ. The inmate idleness this would create would seriously undermine the safety and security of America's federal prisons.

In addition to being a tool for managing the growing inmate population,[1] FPI programs provide inmates with training and experience that develop job skills and a strong work ethic. Bureau of Prisons' research has confirmed the value of FPI as a correctional program. Findings demonstrate that inmates who work in FPI, compared to similar inmates who do not have FPI experience, have better institutional adjustment. Moreover, after release, they are more likely to be employed and significantly less likely to commit another crime. A long-term post-release employment study by the Bureau of Prisons has found that inmates who were released as long as 8 to 12 years ago and who participated in industries work or vocational training programs were 24 percent less likely to be recommitted to federal prisons than a comparison group of inmates who had no such training. Clearly, the FPI program contributes to public safety by enhancing the eventual reintegration of offenders into the community after release.

Opponents of FPI have asserted that FPI is an unfair competitor and that it is damaging the private sector. This is not accurate. Throughout its history, FPI has followed a number of practices deliberately designed to reduce its impact on the private sector, such as diversifying its product line to avoid hurting any particular industry and remaining as labor intensive as possible. Further, far from taking jobs from the private sector, FPI actually creates jobs in the private sector by purchasing over $418 million annually in supplies from the private sector.

It is important to explain why FPI's status as a mandatory source is critical to FPI's viability. The mandatory source status was established as a means of creating a steady flow of work for the employment of inmates. FPI views the mandatory source status as a method of not only maintaining this work flow but also achieving customer contact which reduces competitive advertising costs.

FPI does not abuse its mandatory source status. If a customer feels that FPI cannot meet its delivery, price, or technical requirements, the customer may request a waiver of the mandatory source. These waivers are processed quickly (an average of 4 days) and, in 1998, FPI approved over 80 percent of the requests from federal agencies for waivers.

FPI does not have the capability to produce many sophisticated products, such as systems furniture, independently. It relies on the private sector to provide space planning, design, engineering, installation and customer service. By entering into partnerships with private companies through the use of federal acquisition procedures, FPI vertically integrates the manufacturing of a company's product using inmate labor. In order to attract a private sector partner, there must be some incentive. That incentive is the mandatory source. Without the mandatory source status, FPI would be unable to attract the private sector partners necessary for it to diversify its product offerings and to offer products which are contemporary and attractive to its federal customers.

Last week, the report of a congressionally mandated study conducted by the Department of Defense (DoD) and FPI concluded that no legislative changes were warranted by the investigation of procurement transactions between these two entities. The study, entitled ''A Study of the Procurement, Procedures, Regulations and Statutes that Govern Procurement Transactions between the Department of Defense and Federal Prison Industries,'' was mandated by Section 855 of the National Defense Authorization Act for Fiscal Year 1998 (P.L. 105–85), and was released to the Senate and House Armed Services Committee last week. The report noted that some steps could be taken to improve the procurement relationship between DoD and FPI, but such steps are most appropriately accomplished within the executive branch.

FPI is a law enforcement issue more than a government supply issue because it is essential to the management of federal prisons and because FPI is operated as a correctional program, not as a for-profit business. As a result, we continue to develop pilot programs that will make FPI a more efficient and cost competitive source. We believe that the amendment would benefit from consideration by the Judiciary Committee to consider the mandatory source issue in the context of the full FPI program. Simply considering the amendment as affecting a source of goods for the federal sector would completely overlook the law enforcement significance of FPI and threaten a program that is fundamental to public safety.

We are enclosing a copy of the study report conducted by DoD and FPI for your review. If you should have any questions or if we may provide further information about FPI, please feel free to contact the Department.

Sincerely,

ERIC H. HOLDER, Jr.,
Deputy Attorney General.

STATEMENT OF ADMINISTRATION POSITION ON SECTION 806 OF THE DEFENSE AUTHORIZATION BILL (S. 1059)

FEDERAL PRISON INDUSTRIES MANDATORY SOURCE EXEMPTION

The Administration opposes Section 806 which would essentially eliminate the Federal Prison Industries (FPI) mandatory source with the Defense Department. Such action could harm the FPI program which is fundamental to the security in Federal prisons. In principle, the Administration believes that the Government should support competition for the provisions goods and services to Federal agencies. However, to ensure that Federal inmates are employed in sufficient numbers, the current mandatory source requirement should not be altered until an alternative program is designed and put in place. Finally, this provision would only address mandatory sourcing for the Defense Department, without regard to the rest of federal government.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Michigan controls the remaining time.

Mr. LEVIN. Mr. President, section 806 of the defense authorization bill which is before the Senate is a commonsense provision. It was adopted by the Armed Services Committee. Basically, it says the private sector ought to be allowed to bid on items that the Department of Defense is buying, if the Department of Defense declares that it is necessary that the private sector be allowed to bid.

That may sound so obvious that people may be scratching their heads saying, well, obviously the private sector ought to be allowed to bid if the Department of Defense believes the product which is offered by the private sector is what is needed by the Department of Defense. But that is not the way it is now. The way it is now is that Federal Prison Industries can make a unilateral decision that it is going to supply the Department of Defense with a product, and the private business people out there who want to just simply compete for a product can be prohibited from doing so. That, it seems to me, is the height of unfairness in a society which has a private sector, has private businesses, has labor that is working in those private businesses, and where a Government agency says that product, produced by that private company, is a product that we want because it is a better product than FPI can give us or it is a product that can be given to us more cheaply than the prisons can give it to us.

What an extraordinary way it is to run a Government, that we have agencies in this Government that want to buy a product, be it textiles or furniture or what have you, that are told they cannot compete that product with the private sector competing; they have to buy it from Federal Prison Industries even though it costs the agency more or it is of lower quality. What an extraordinary way to be inefficient, to waste taxpayers' money, and to force agencies that are supposed to be protecting taxpayers' money to spend it on lesser quality items or on more expensive items—just because Federal Prison Industries unilaterally has decided it is going to supply the Department of Defense. That is not fair. That is not fair and we have to eliminate it.

Section 806 simply says that the Department of Defense—not Federal Prison Industries—should determine whether or not a product manufactured by Federal Prison Industries meets the needs of the Department of Defense.

The approach that is taken by Section 806 is consistent with the basic tenet of how our whole procurement system works, which is the people who buy and use products should be the ones who decide whether the quality, price, and delivery of those products meet their needs. Yet amazingly enough, the FPI, Federal Prison Industries' current rules prohibit Federal agencies from even looking at private sector products to determine whether they might be superior to what Federal Prison Industries has.

The regulations of Federal Prison Industries say:

> A contracting activity should not solicit bids, proposals, quotations or otherwise test the market for the purpose of seeking alternative sources to the Federal Prison Industries.

[1] The federal inmate population is growing at an unprecedented rate and crowding at secure institutions is already at critical levels and expected to increase in the near term.

If that is not absolutely extraordinary, that Federal Prison Industries is telling the Department of Defense, when they go and buy textiles or shoes or whatever they are buying, that they may not even test the market, seeking alternative sources to Federal Prison Industries.

They may not solicit bids, proposals, quotations, or test the market for the purpose of seeking alternative sources to Federal Prison Industries.

What kind of an upside-down situation is this? What kind of a topsy-turvy situation is it that the Department of Defense cannot even solicit a quote from somebody to supply a product if Federal Prison Industries says they may not do so? Unilaterally, the seller is telling the buyer: You can't even go out and seek other quotes or seek competition.

Boy, that sure turns the purchasing process of the Department of Defense and our other agencies right on its head.

What the Department of Defense is required to do, instead of doing what ordinary buyers do, which is to seek the best product at the best price, is to accept Federal Prison Industries' determination. Federal Prison Industries is the sole arbiter of whether its products meet the requirements of the Department of Defense.

Section 8104 of the Federal Acquisition Streamlining Act requires the Department of Defense and other agencies to conduct market research before soliciting bids or proposals for products that may be available in the commercial marketplace. They are supposed to solicit bids, but they do not do that. They are not allowed to do that. Under the FPI rules, they have to buy it from Federal Prison Industries if the Industries on their own, unilaterally, decide they are going to force the Department of Defense to buy a product.

All that the provision does is to reverse the rule which prohibits the Department of Defense from conducting market research and permits the Department of Defense to look at what private sector companies have to offer, as it would do in the case of any other procurement.

If Federal Prison Industries offers a product that is comparable in price, quality, and time of delivery to products available from the private sector, the Department would still be required to purchase that product on a sole-source basis from Federal Prison Industries. But if the DOD determines that Federal Prison Industries' product was not competitive, then it would be permitted to conduct a competition and go to another source.

That seems to me to be the least that we can do to protect the taxpayers from the misuse of Federal funds on products that fail to meet the needs of the Department of Defense.

Federal Prison Industries has repeatedly claimed that it provides quality products at a price that is competitive with current market prices. The statute, indeed, is intended to do exactly that, provided Federal Prison Industries will provide the Federal agencies products that meet their requirements and prices that do not exceed current market prices. But the FPI is unwilling to permit agencies to compare their products at prices with those available in the private sector.

Under Federal Prison Industries' current interpretation of the law, it need not offer the best product at the best price. It is sufficient for it to offer an adequate product at an adequate price and insist on its right to make the sale. When Federal Prison Industries sets the price, it then seeks to charge what it calls a market price, which means that at least some vendors in the private sector charge a higher price, and the FPI's proposed regulation specifies that the determination of what constitutes the current market price, the methodology employed to determine the current market price and the conclusion that a product of Federal Prison Industries does not exceed that price is—you got it—the sole responsibility of Federal Prison Industries.

That is the situation. They are supposed to buy at market price, but they make a determination as to whether or not, in fact, what they are forcing an agency to buy is being set at a market price.

The General Accounting Office reported in August of 1998:

> The only limit the law imposes on Federal Prison Industries' price is that it may not exceed the upper end—

Upper end—

> of the current market price range.

Moreover, the manner in which Federal Prison Industries seeks to establish the current market price range appears calculated to result in a price far higher than the Department of Defense would pay under any other circumstances. According to the proposed regulation codifying FPI's pricing policies, ''a review of commercial catalog prices will be used to establish a 'range' for current market price.''

The contrast is very sharp because when the Department of Defense buys from commercial vendors, it seeks to negotiate, and generally obtains, a steep discount from catalog prices.

FPI appears to have difficulty even matching the undiscounted catalog prices. Last August, the General Accounting Office compared Federal Prison Industries' prices for 20 representative products to private vendors' catalog prices for the same or comparable products and found that for four of these products, FPI's price was higher than the price offered by any private vendor. That is 4 out of 20. In 4 out of 20 cases, GAO found that the price FPI charged was higher than the price offered by any private vendor. For five of the remaining products, the FPI price was at the ''high end of the range.'' Those are the words of the General Accounting Office. FPI's price was at the ''high end of the range'' of prices offered by private vendors—ranking sixth, seventh, seventh, eighth, and ninth of the 10 vendors reviewed. In other words, for almost half of the FPI products reviewed, the FPI approach appeared to be to charge the highest price possible rather than the lowest price possible to the Federal consumer.

We have complaint after complaint from frustrated private sector vendors asking us: Why can't we compete? Why are we in the private sector precluded from bidding on an item?

Here is one vendor's letter:

> Federal Prison Industries bid on this item, and simply because Federal Prison Industries did, it had to be given to Federal Prison Industries. FPI won the bid at $45 per unit. My company bid $22 per unit. The way I see it, the Government just overspent my tax dollars to the tune of $1,978. Do you seriously believe that this type of procurement is cost-effective? I lost business, my tax dollars were misused because of unfair procurement practices mandated by Federal regulations. This is a prime example, and I'm certain not the only one, of how the procurement system is being misused and small businesses in this country are being excluded from competition with the full support of Federal regulations and the seeming approval of Congress. It is far past time . . . to require [FPI] to be competitive for the benefit of all taxpayers.

A third frustrated vendor, who had been driven out of business by FPI, told a House committee:

> Is it justice that Federal Prison Industries would step in and take business away from a disabled Vietnam veteran who was twice wounded fighting for our country . . . therefore effectively destroying and bankrupting that . . . business which the Veterans' Administration suggested he enter?

There is a very fundamental unfairness which exists in this system. It is one that we need to correct. The Department of Defense took a survey recently of DOD customers for Federal Prison Industries' products. The results are eye-opening. The survey provided DOD customers five categories in which to rate Federal Prison Industries' products: excellent, good, average, fair, or poor.

According to the data reported jointly by the Department of Defense and the Federal Prison Industries in April, a majority of Department of Defense customers rated FPI as average, fair, or poor in price, delivery, and as an overall supplier.

On price: 54 percent of the Department of Defense's electronics customers, 70 percent of DOD clothing and textile customers, 46 percent of DOD dorm and quarters furniture customers, 53 percent of DOD office case goods customers, 57 percent of DOD systems furniture customers rated FPI prices as average, fair, or poor.

On delivery, the same kind of figures: 50 percent of DOD electronics customers rated FPI delivery as averaged, fair, or poor; 62 percent of DOD clothing and textile customers rated FPI delivery as average, fair, or poor. That did not make any difference. FPI said it was going to sell, and once FPI made

that determination, the Department had no alternative. It does not make any difference whether the delivery is lousy, whether the price is too high, whether the overall performance is poor. It makes no difference. Forget competition. FPI said: We are going to sell. Forget fairness to a business with workers in that business. FPI said: Tough. You have to buy from us.

So the bottom line is that fully 35 percent of the Department of Defense customers indicated they have had a problem with an FPI product delivered in the last 12 months. The reason they are having problems is because there is a lack of competition.

We think, given the fact that such a small amount of money is paid to prisoners for their labor, that Federal Prison Industries could supply these products much more cheaply than the private sector. But that is not the case. The case is that the private sector very often can supply these products to our agencies more cheaply than can the prison industries. But if the Federal Prison Industries decides in its unilateral, sole, exclusive judgment that it is going to supply the Department of Defense, that is it. That is it. This is an injustice to the people who have worked hard to put together a business. It is an injustice to the people who work for those businesses.

This is one of those weird cases where you have business and labor coming together before us on the same side of an issue. The American Federation of Labor, AFL–CIO, urges that this section remain in the bill. We have the alert from the Chamber of Commerce as well. Members of the Senate, business and labor—our good friend from Texas calls those special interests, business and labor. People who have worked hard to put together a business and people who work in those businesses are not being allowed to compete. Sorry. Federal Prison Industries says you are going to buy that product. That is what they tell the DOD. You are going to buy it. You may not like the price, you may not like the delivery, you may not like the quality, but we are not going to let anybody else compete for that sale.

So that is the fundamental unfairness that this language would correct. It does not tell the Department of Defense they cannot buy it from Federal Prison Industries. It simply says that if the Department of Defense determines on price or quality that the private sector can do as well, then it—not the FPI; the Department of Defense—may compete and determine whether or not they can save the taxpayers any money.

I am going to close and then turn this over to my friend and my colleague from Michigan for his comments. But I just want to read one additional quote from the Master Chief Petty Officer of the Navy before the National Security Committee of the House a couple years ago. He said that the FPI monopoly on Government furniture contracts has undermined the Navy's ability to improve living conditions for its sailors.

Master Chief Petty Officer John Hagan said:

> Speaking frankly, the [FPI] product is inferior, costs more, and takes longer to procure. [The Federal Prison Industries] has, in my opinion, exploited their special status instead of making changes which would make them more efficient and competitive. The Navy and other Services need your support to change the law and have FPI compete with [private sector] furniture manufacturers. Without this change, we will not be serving Sailors or taxpayers in the most effective and efficient way.

Mr. President, I yield the floor. I am happy to yield time to my distinguished colleague from Michigan.

The PRESIDING OFFICER. The Senator from Michigan has 24 minutes 48 seconds.

Mr. LEVIN. How much time would the Senator wish?

Mr. ABRAHAM. No more than 10 minutes.

Mr. LEVIN. I am happy to yield 10 minutes to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 10 minutes.

Mr. ABRAHAM. Thank you, Mr. President.

I suspect I will not use all of the time that I have been allotted, but I do want to speak here today in opposition to the amendment before us offered by the Senator from Texas.

Especially in light of the grave concerns that all of us share about the readiness of our Armed Forces and the significant steps that Congress took in the supplemental appropriations bill to address this problem, as well as in the budget which we passed earlier this year, I strongly believe that section 806 of the defense reauthorization bill should be retained.

This is not because I think that having Federal prisoners working is not important. To the contrary, I think it is very important. I firmly believe that the development through work, self-discipline and other virtues that enable people to lead productive lives is probably the single greatest hope for rehabilitation in a prison setting. Indeed, it is disappointing that, according to the May 20 Wall Street Journal, only 17 percent of Federal prisoners work under the current Federal Prison Industries program.

But providing for national defense is the Federal Government's paramount responsibility. Given the very serious problems we are facing with respect to our military readiness, we need to take every possible step to rectify these problems as quickly and as effectively as possible.

There is no question in my mind that the requirement that the Department of Defense contract with FPI for certain products, and giving FPI a veto over the Defense Department's going elsewhere, is an obstacle to our efforts to fix these problems. The routine, significant failure by FPI to provide goods that the Defense Department has contracted for on a timely basis—almost half of the time in 1995, and over a third of the time in 1996—is simply unacceptable. To have the Defense Department depend on FPI for over 300 different products under these circumstances is also simply unacceptable.

Finally, in this era of tight budgets, to be spending precious defense resources on FPI goods that we could be obtaining at lower prices from the private sector is also unacceptable.

We should obviously address these problems by allowing the Department of Defense to go elsewhere and to do so without getting advance permission from FPI. I am glad the Armed Services Committee, at the prompting of my colleague, the senior Senator from Michigan, Senator LEVIN, has so provided in the reauthorization bill that recently passed out of committee.

I would add that the provision adopted by the Armed Services Committee still requires the Department of Defense to give FPI the opportunity to compete for contracts for almost all products and only permits the Department of Defense to go elsewhere if it determines that the product being offered by FPI is not comparable in price, quality, and time of delivery to products available from the private sector.

The only exceptions are for national security systems, products integral to or embedded in a product not available from FPI, or products that cost less than $2,500. In those instances, under section 806, the Department of Defense does not have to seek a bid from FPI, but in all other instances DOD would continue to be required to do so.

It will be argued that we cannot follow this course without jeopardizing another important Federal policy, that of putting Federal inmates to work. But if that were really our only option, we would be facing a much harder choice, since we would arguably be having to choose between pursuing a course critical to securing tranquility abroad and a course important to securing domestic tranquility. I do not believe we are really faced with that dilemma.

Rather, I am convinced that the limits this legislation imposes on the FPI monopoly can plainly be offset by expanding other opportunities for prisoners to work. This could be done, for example, by having the FPI focus on products that we do not produce domestically and that we are now importing from abroad. Or it could be done by putting prisoners to work on functions that are currently being assigned to government entities such as recycling.

It will be argued that we should come up with the new opportunities first and then consider proposals along the lines of section 806 if the other options prove workable. I disagree. I believe we should put the needs of our national defense ahead of the needs of prisoners. I have no real question that if we do so,

we will discover that in fact we are able to devise policies that adequately address both sets of needs.

I will just close by restating what I said last year in a similar debate. None of us who are advocating a change in policy here are advocating the elimination of work requirements for Federal prisoners. But when Federal prisoners in the work they do are taking jobs away from law-abiding Americans who have never committed a crime, then I think we have to reexamine our policy.

To me, it makes sense to devise a prison work policy that does not injure law-abiding citizens. I believe that requiring the FPI to be competitive in its bidding process and not granting it a monopoly are the right way to achieve this end. That way the taxpayers are protected from paying excessively for furniture or other items that are produced by the Prison Industries, and those individuals working in the private sector in competition with the Prison Industries have a legitimate opportunity to secure government contracts. To me, that is the American way, the competitive process.

To me, if the Federal Prison Industries can't be competitive in that setting, where it has so much of a subsidy advantage to begin with, then it seems to me that the system isn't working the way it should be.

I hope that we will vote to retain in place section 806 and that, at least in the specific context of the Department of Defense, we will follow the lead that has already been laid out by Senator LEVIN in the authorization bill as it comes to the floor.

To me, that is a sensible course for us to pursue. It strikes the right balance. It by no means eliminates the work requirement for prisoners, but it does provide people who are law-abiding citizens, companies that are law-abiding companies, a chance to do business with the government in a very vital and sensitive area, specifically that of national security. To me, that is a sensible middle ground. Therefore, I hope that our colleagues will vote in opposition to this amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Virginia.

Mr. WARNER. This is a matter which the Armed Services Committee considered with some care and considerable debate. It is not as if we just accepted it. There was discussion, and our former chairman spoke very strongly on behalf of the other side of the issue.

I am just astonished that we cannot seem to convince the prison group that competition would be good. It would raise the quality. That is what concerns so many of us on the committee. It would provide incentives for the Federal Prison Industries to deliver quality goods in a timely fashion and at a reasonable price. That is what this whole country is predicated on.

This is interesting. The Department of the Air Force gets 2 million plus in launchers, guided-missile launchers, fiber optic cable assemblies. People think they are doing little, simple things, crafts and so forth, but there is a lot of high-tech equipment at the Department of Defense.

Here is the Army, another guided-missile remote control; the Army, launchers, rocket and pyrotech; the Army, fiber rope, cordage; the Army, radio and TV communications equipment; the Army, antennas, wave guides and related; the Army, fiber optic cable assemblies.

I mean, these are hardly simple matters. These are very complicated systems. We simply have to have quality for the Department of Defense. This is what concerns me.

I could go on into some of the Navy engine electrical systems, all kinds of high-tech stuff listed in here. You see the office furniture, the office supplies. Here is one for some armor. In other words, we are talking about serious business for the Department of Defense. It is very serious business. We cannot be giving the strong disadvantage in the competitive world to the prisons and have them supply inferior equipment. I strongly urge Senators to vote against this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, I have a unanimous consent request. I had the good fortune of having Senator BYRD, Senator HATCH and Senator THURMOND speak on behalf of my amendment, and those are riches you don't turn down. But there have been many points made that I have not had an opportunity to respond to. If the Senator is not going to use the rest of his time, I would like about 4 minutes to respond. I ask unanimous consent that I might have it.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Mr. President, I am sorry. I was discussing something with the chairman. I know that he is conscience of the time. I am wondering whether he might repeat the unanimous consent request so that we could both hear it.

Mr. GRAMM. I am sorry. I didn't hear.

Mr. LEVIN. I apologize. I was discussing something with the chairman. We didn't hear the unanimous consent request relative to time, at least I didn't.

Mr. GRAMM. I do not want to throw off the vote, but I made an opening statement. I had several other of my colleagues speak on behalf of my amendment more articulately than I was able to, and I am grateful, but I would like to have 4 minutes to sort of answer some of the points that have been made. It just turned out, because people that were for the amendment came to the floor, that they all spoke before any of those that were opposed to it had the opportunity to speak. So if it doesn't mess up our timetable, I would like to have 4 minutes to respond to some of the issues that have been raised.

Mr. WARNER. We certainly can accede to that. It is a perfectly reasonable request. I think my colleague and I will be just about ready to yield back the balance of our time. Then we will turn to the amendment by the distinguished Senator from Pennsylvania. The first order of business will be for him to amend the amendment that is at the desk. Then we will complete the debate on that, and we should meet the target of about 7:00 to have two stacked votes.

Mr. LEVIN. Reserving the right to object, how much time is left to the opponents of Senator GRAMM's amendment?

The PRESIDING OFFICER. The opponents have 12 minutes 30 seconds. The proponents' time has been exhausted.

Mr. LEVIN. How many seconds?

The PRESIDING OFFICER. Thirty seconds, 12 minutes 30 seconds.

The Senator from Texas is recognized for 4 minutes.

Mr. GRAMM. Mr. President, first of all, let me make it clear, the Defense Department does not support this amendment. The Defense Department issued a joint report with the Department of Prisons, the Federal Bureau of Prisons, outlining ways of improving the system that required no legislation. The administration, on behalf of the Defense Department and the Department of Justice, opposes the Levin provision and supports the amendment that we have offered to strike it.

The Attorney General supports our motion to strike the Levin amendment, as do many groups such as the National Center for Victims of Crime.

It is obviously a very strong argument with me to talk about, ''why not competition?'' The problem is, you have to understand the history that competition was the rule prior to the Depression. Prior to the Depression, virtually everyone in prison in America worked on average 12 hours a day, 6 days a week. But during the Depression, we passed three pieces of legislation, all of them driven by special interests, triggered by the Depression, which made it illegal for prisoners to work to sell goods in the market. There had been previous provisions so that they didn't glut the market in one area, but the problem is, now it is criminal for prisoners to work to produce anything to sell in America.

When my colleagues say why not have competition, my answer is, yes, let's have it. But you cannot have it without letting prison labor compete, and now that is prohibited all over America. The only thing left for prisoners today is to produce things that the Government uses. That is the only thing that we have not prohibited by law. As a result, we have 1.1 million prisoners and about 900,000 of them have no work to do.

If the amendment of Senator LEVIN passed, 60 percent of the prison labor at

the Federal level in America would be eliminated because there would be no work for these people to do. So this is an argument about competition that sounds great until you understand that Government, driven by the same groups that support this amendment, eliminated the ability to use prison labor to produce and sell anything.

When you are talking about the taxpayer, it sounds great. But what about the taxpayer that is spending $22,000 a year to keep somebody in prison and we are not allowing them to work? If taxpayers are working, why are they better than taxpayers? Why should they not have to work? Why can't we find things in the private sector for them to produce? If we can do that, I would support this amendment. I know that many of the people who support it would never do that.

The Defense Department is not for this amendment. They are not for the Levin amendment. They are not objecting to the provisions. In fact, they just put out a joint report saying the Defense Department supports the program with these reforms, which they can undertake without legislation.

So, basically, I believe that the system is not perfect, but it is basically a good system where prices are negotiated and the Defense Department gets 90 percent of the waivers that they seek. If they don't think the quality is right or the price is right or the delivery is right, they can ask for a waiver. In 90 percent of the cases, they get the waiver.

This is basically an amendment, I am sad to say, that would idle 60 percent of Federal prisoners. It would allow private companies to come in and take the business. But the point is, when we have full employment in America and we have a million prisoners idle, how does it make sense to prohibit them from working? I thank my colleague for giving me this time.

The PRESIDING OFFICER. Who seeks time?

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, the language in the bill that the Senator from Texas seeks to strike makes it possible for the private sector to compete. That sounds so fundamental in our country that maybe it comes as a shock that I would even suggest that you need to have language in a bill to permit the private sector to do this. But we do.

We just want to make it legal for the private sector to offer a product to its Government, our Government, and not to have Federal Prison Industries say: Sorry, you cannot bid. It is almost bizarre to me that we would have to pass any kind of legislation for that to come about, but we do because under the current law and regulations, Federal Prison Industries has the sole, exclusive determining voice. If it says that its product is within a range in the market—maybe at the high end of that range, and they may be wrong—but once FPI says that, that is it; private business cannot compete.

In a hearing before the Senate Judiciary Committee earlier this week, the Deputy Under Secretary of Defense for Acquisition, David Oliver, described the results of the survey we referred to.

He said the following:

> I think if you looked at the study, you would see that people were generally not satisfied with Federal Prison Industries as a provider. Essentially, with regard to efficiency, timeliness, and best value, they found that Federal Prison Industries was worse than the other people they bought from.

Now, we know that the administration has decided to oppose this change, to prohibit the private sector from bidding on things that Federal Prison Industries says it wants to supply exclusively. So we understand what the Department of Defense's official position is. But I also understand what the testimony of their acquisition people is. The study shows that people were generally not satisfied with Federal Prison Industries as a provider with regard to efficiency, timeliness, and best value. They found that Federal Prison Industries was worse than the other people they bought from.

I don't believe for one minute that Federal Prison Industries is going to be able to sell anything to the Department of Defense just because they are going to have to compete. They have such a huge advantage in terms of cost and price of labor that they are going to be able to sell a huge amount. But they are going to have to compete.

If a private company can outbid them or provide the same product at a cheaper price, then the private company is going to get it. But for the Senator from Texas to say, suddenly, that wipes out all of the sales to the Department of Defense, that is a terrible indictment about what Federal Prison Industries is now doing. That would mean they can't compete on anything they are selling to the Department of Defense. That is a huge exaggeration. It is not the case.

But it is the case that now they don't have to compete when they decide that the Department of Defense must buy that missile part. If Federal Prison Industries says the Department of Defense must buy that missile part Senator WARNER referred to, that has to happen—even though a private contractor can sell a better quality at a better price. Once FPI, in its unilateral judgment, says we can supply it within a price range of what the private sector can do, that is it, no competition. DOD can't bid it out—the opposite of what we should be doing in this free enterprise society of ours.

Mr. President, I hope the language in the Senate bill will be retained and that the amendment of the Senator from Texas to strike that language will be defeated.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I join my colleague. Again, it was carefully considered by the committee. It has very fundamental objectives: competition, fairness, and to get quality.

Mr. President, I am anxious to complete this amendment. I believe the Senator from Texas has finished his presentation?

Mr. GRAMM. Yes, I have.

Mr. LEVIN. I yield back our time.

Mr. WARNER. I yield back our time.

The PRESIDING OFFICER. All time is yielded back.

AMENDMENT NO. 383

The PRESIDING OFFICER. The Senate returns to the amendment of the Senator from Pennsylvania. The Senator from Pennsylvania controls 5 minutes 30 seconds, and the Senator from Virginia controls 3 minutes 20 seconds.

Mr. WARNER. Mr. President, I note that will bring us very close, if not precisely, to the hour of 7 o'clock, at which time the managers represented to the leadership and other Senators that two back-to-back votes would commence.

The PRESIDING OFFICER. Who yields time?

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, this amendment provides, simply stated, that there shall be no funds expended for ground forces in Yugoslavia, in Kosovo, unless specifically authorized by the Congress.

This amendment is designed to uphold the Constitution of the United States, which grants the exclusive authority to declare war to the Congress of the United States. Regrettably, there has been a significant erosion of this constitutional authority, as Presidents have taken over this power without having the Congress stand up. The one place where the Congress clearly has authority to determine military action is by controlling the purse strings. This amendment goes to the heart of that issue by prohibiting that spending.

It has been a lively and spirited debate. Now we will have an opportunity to say whether the Senate will seek to uphold the Constitution and whether the Senate will seek to uphold its own institutional authority—the institutional authority of the Congress to determine whether the United States should be involved in war.

A few of the problems which have been raised have been clarified. The amendment has been modified, and I ask that it formally be approved with the concurrence of the managers.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. Mr. President, there is no objection to the Senator sending to the desk the amendment as modified.

Mr. SPECTER. I thank the general counsel of the committee for helping me on the modification that we have worked out so that the restriction will not apply to intelligence operations, to

rescue operations, or to military emergencies.

Mr. LEVIN. Mr. President, there is no objection on this side.

Mr. THURMOND. Will the Senator from Pennsylvania add me as a cosponsor?

Mr. SPECTER. Mr. President, I ask unanimous consent that Senator THURMOND be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPECTER. I thank the Senator from South Carolina.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 383), as modified, is as follows:

At the appropriate place in title X, insert the following:

SEC. . LIMITATION ON DEPLOYMENT OF GROUND TROOPS IN THE FEDERAL REPUBLIC OF YUGOSLAVIA.

(a) None of the funds authorized or otherwise available to the Department of Defense may be obligated or expended for the deployment of ground troops of the United States Armed Forces in the Federal Republic of Yugoslavia, except for peacekeeping personnel, unless authorized by a declaration of war or a joint resolution authorizing the use of military force.

(b) The prohibition in subsection (a) shall not apply to intelligence operations, or to missions to rescue United States military personnel or citizens of the United States, or otherwise meet military emergencies, in the Federal Republic of Yugoslavia.

Mr. SPECTER. Mr. President, the main argument against this amendment has been that the President has said that he would come to Congress in advance of deploying ground troops. He made that commitment in a meeting at the White House on April 28. Then he sent a letter, which is substantially equivocal, saying that he will fully consult with the Congress, and that he would ask for congressional support before introducing U.S. ground forces into Kosovo, into a nonpermissive environment.

That doesn't go far enough.

The distinguished chairman has reported that the Secretary of Defense, the Secretary of State, and the Chairman of the Joint Chiefs of Staff have confirmed that there would be congressional authorization.

That doesn't go far enough.

We are a government of laws—not a government of men. And minds may be changed. We ought to be sure we have this nailed down.

This amendment is entirely consistent with what the Senate has heretofore done—58 to 41 to authorize air strikes but no ground forces. Seventy-seven Senators voted not to grant the President authority to use whatever force he chose. To remain consistent, those 77 Senators would have to say, we are not going to allow you to use ground forces unless you come to us for approval, just as we said we will not allow you to use whatever force you choose, in effect, without coming to us for prior approval. Consistency may be the hobgoblin of small minds, but consistency and the institutional prerogatives of the Congress and the Senate call for an affirmative vote, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. SPECTER. Mr. President, how much time remains for me?

The PRESIDING OFFICER. The Senator from Pennsylvania has 50 seconds.

Mr. SPECTER. I reserve the remainder of my time.

Mr. WARNER. Mr. President, the Senator from Michigan wishes to address the amendment. We are together on it in the strongest possible opposition.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, very briefly, this amendment would send the worst possible signal to Milosevic, which is don't worry, weather the storm—that even though there is going to be gridlock in the Congress, you will be the beneficiary of any gridlock and any effort that authorizes in advance the use of ground forces. This is not the message which we should be sending to Milosevic—that he would be the beneficiary of the congressional gridlock, which would almost certainly occur before any such resolutions could be passed.

I hope we will not send that signal to Milosevic. I think our troops deserve better. Our commanders deserve better.

The administration believes so strongly in this that a veto would almost certainly occur, if this provision were in, and understandably so, because the hands of our commanders in the field would be tied by this resolution. They would have to come to Congress to see whether or not the terms were met. That is not the way to fight either a war or to engage in combat.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, in the course of the afternoon, as I said to my good friend and colleague, some 40 Senators have received the benefit of a full debate with the Secretaries of State and Defense, and the President's National Security Adviser, Mr. Berger, and with the Chairman of the Joint Chiefs. Three times—twice by this Senator, one by another Senator—this very issue was posed to the national security team. They said without any equivocation whatsoever that the President would formally come to the Congress and seek legislation, not unlike what is described in this amendment prior to any change. In other words, the President of the United States is presently unchanged in the course of action that he is recommending to other leaders of the NATO nations, and the matter remains and will not be changed with reference to ground troops unless the President comes up and seeks from the Congress of the United States formal legislative action.

I say to my good friend that I think we have achieved, in essence, what he seeks. As I pointed out in my first comments this morning and, indeed, in the title to the first amendment prior to the amending by the Senator from Pennsylvania, he referred to the War Powers Act, this is precisely what this debate is—a debate over the War Powers Act. That debate has not in my 21 years in this body ever been resolved, and I doubt it is going to be resolved on this vote.

I yield the floor and yield back the time.

Mr. SPECTER. Mr. President, I reject the argument of the Senator from Virginia who wants to rely on assurances. This is a government of laws, and not men, and you get it done by this amendment.

I reject the argument of the Senator from Michigan who says it is a bad signal to Milosevic. Whatever signal goes to Milosevic from this amendment has already been sent by the assurances of the President.

It is a bad signal to America to tell the Country that the Congress is delegating its authority to involve this Nation in war to the President. We don't have the authority to delegate our constitutional authority. Our job is to analyze the facts and let the President come to us to state a case for the use of ground forces. I am prepared to listen. But, on this record, we ought to maintain the institutional authority of Congress and uphold the Constitution.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LEVIN. Mr. President, does any time remain on our side?

The PRESIDING OFFICER. Yes, 10 seconds.

Mr. LEVIN. Could I use the 10 seconds?

Mr. WARNER. The Senator from Michigan can use 5, and I will use 5. Take 5.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, the Department of Defense strongly opposes the amendment because it would unacceptably put at risk the lives of U.S. military personnel.

Mr. WARNER. Mr. President, a vote against this amendment is consistent with the provisions of the Constitution of the United States.

I move to table, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 383, as modified. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 145 Leg.]

YEAS—52

Akaka	Harkin	McConnell
Baucus	Hatch	Mikulski
Bayh	Inouye	Moynihan
Biden	Kennedy	Murray
Bingaman	Kerrey	Reed
Boxer	Kerry	Reid
Breaux	Kohl	Robb
Bryan	Kyl	Rockefeller
Burns	Landrieu	Roth
Chafee	Lautenberg	Sarbanes
Cochran	Leahy	Schumer
Daschle	Levin	Sessions
DeWine	Lieberman	Shelby
Dodd	Lincoln	Smith (OR)
Edwards	Lott	Warner
Feinstein	Lugar	Wyden
Graham	Mack	
Hagel	McCain	

NAYS—48

Abraham	Dorgan	Jeffords
Allard	Durbin	Johnson
Ashcroft	Enzi	Murkowski
Bennett	Feingold	Nickles
Bond	Fitzgerald	Roberts
Brownback	Frist	Santorum
Bunning	Gorton	Smith (NH)
Byrd	Gramm	Snowe
Campbell	Grams	Specter
Cleland	Grassley	Stevens
Collins	Gregg	Thomas
Conrad	Helms	Thompson
Coverdell	Hollings	Thurmond
Craig	Hutchinson	Torricelli
Crapo	Hutchison	Voinovich
Domenici	Inhofe	Wellstone

The motion was agreed to.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 392

Mr. WARNER. Mr. President, we yield back time on both sides.

The PRESIDING OFFICER. All time is yielded back. The question is on agreeing to the amendment.

Mr. GRAMM. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 392. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 49, nays 51, as follows:

[Rollcall Vote No. 146 Leg.]

YEAS—49

Ashcroft	Feinstein	McConnell
Bennett	Fitzgerald	Murkowski
Biden	Gorton	Nickles
Bond	Graham	Roberts
Brownback	Grams	Rockefeller
Burns	Gregg	Roth
Byrd	Harkin	Santorum
Campbell	Hatch	Sessions
Chafee	Hollings	Shelby
Cochran	Hutchison	Snowe
Coverdell	Jeffords	Specter
Craig	Kerrey	Stevens
Crapo	Kohl	Thompson
DeWine	Kyl	Thurmond
Domenici	Lott	Voinovich
Dorgan	Mack	
Durbin	McCain	

NAYS—51

Abraham	Bayh	Bryan
Akaka	Bingaman	Bunning
Allard	Boxer	Cleland
Baucus	Breaux	Collins
Conrad	Inouye	Murray
Daschle	Johnson	Reed
Dodd	Kennedy	Reid
Edwards	Kerry	Robb
Enzi	Landrieu	Sarbanes
Feingold	Lautenberg	Schumer
Frist	Leahy	Smith (NH)
Gramm	Levin	Smith (OR)
Grassley	Lieberman	Thomas
Hagel	Lincoln	Torricelli
Helms	Lugar	Warner
Hutchinson	Mikulski	Wellstone
Inhofe	Moynihan	Wyden

The amendment (No. 392) was rejected.

Mr. GRAMM. Mr. President, I have a motion to reconsider. I enter a motion to reconsider the vote, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll to ascertain the presence of a quorum.

The legislative assistant proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Virginia.

Mr. WARNER. Mr. President, to advise the Senate with regard to the important business remaining to be performed tonight, I ask unanimous consent that the Senate now proceed to an amendment to be offered by Senators MCCAIN and LEVIN re: BRAC and that there be 3½ hours of debate equally divided between the proponents and opponents.

I further ask consent that all debate time be consumed during Tuesday, May 25, except for 2 hours, to be equally divided, and to resume at 11:45 a.m. on Wednesday.

I further ask consent that the vote occur on or in relation to the BRAC amendment on Wednesday at 1:45 p.m. and no amendments be in order to the amendment prior to the 1:45 p.m. vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Now, Mr. President, in light of this agreement, there will be no reinstitution of a vote tonight. It is not the leader's desire; I wish to make that clear.

Mr. GRAMM. My intention would be to try to have the reconsideration tomorrow.

Mr. WARNER. I thank the Senator.

Mr. LEVIN. Mr. President, I wonder whether or not we might be able to schedule an amendment earlier in the morning for Senator KERREY.

Mr. WARNER. We are working on that.

Mr. LEVIN. At 10:30; is that the effort?

Mr. WARNER. That is correct. Let me just finish this and then I think it will be clear.

Now, Mr. President, if I may continue, in light of this agreement, there will be no further votes this evening. Senators interested in the BRAC debate should remain this evening. The Senate will resume the DOD bill at 9:30 a.m. on Wednesday, and two amendments are expected to be offered prior to the 11:45 a.m. resumption of the BRAC debate. Therefore, at least one vote, if not more votes, will occur beginning at 1:45 p.m. on Wednesday.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I wonder if I could inquire of the chairman as to the two amendments he is referring to.

Mr. WARNER. One under consideration is Senator BROWNBACK's, and it relates to India and Pakistan and the current sanctions.

Mr. LEVIN. What was the other amendment?

Mr. WARNER. Senator ROBERT KERREY on strategic nuclear delivery systems.

Mr. LEVIN. And it is the hope of the chairman that both of those be debated in the morning?

Mr. WARNER. I would hope so, together with the remainder of BRAC.

Mr. LEVIN. I hope that during this evening we will be able to try to schedule timing for those amendments, if possible.

Mr. WARNER. I would be happy to——

Mr. LEVIN. I do not know the status, particularly, of the first one, but I would like to work on that this evening.

Mr. WARNER. I yield the floor, Mr. President.

The PRESIDING OFFICER. Who seeks recognition?

AMENDMENT NO. 393

Mr. MCCAIN. Mr. President, on behalf of myself and Senator LEVIN, Senator BRYAN, Senator LEAHY, Senator KOHL, Senator LIEBERMAN, Senator ROBB, Senator KYL, Senator HAGEL, and Senator CHAFEE, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself, Mr. LEVIN, Mr. BRYAN, Mr. LEAHY, Mr. KOHL, Mr. LIEBERMAN, Mr. ROBB, Mr. KYL, Mr. HAGEL, and Mr. CHAFEE, proposes an amendment numbered 393.

Mr. MCCAIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 450, below line 25, add the following:

SEC. 2822. AUTHORITY TO CARRY OUT BASE CLOSURE ROUND COMMENCING IN 2001.

(a) COMMISSION MATTERS.—

(1) APPOINTMENT.—Subsection (c)(1) of section 2902 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(A) in subparagraph (b)—

(i) by striking ''and'' at the end of clause (ii);

(ii) by striking the period at the end of clause (iii) and inserting ''; and''; and

(iii) by adding at the end the following new clause (iv):

''(iv) by no later than May 1, 2001, in the case of members of the Commission whose

terms will expire on September 30, 2002.''; and

(B) in subparagraph (C), by striking ''or for 1995 in clause (iii) of such subparagraph'' and inserting '', for 1995 in clause (iii) of that subparagraph, or for 2001 in clause (iv) of that subparagraph''.

(2) MEETINGS.—Subsection (e) of that section is amended by striking ''and 1995'' and inserting ''1995, and 2001, and in 2002 during the period ending on September 30 of that year''.

(3) FUNDING.—Subsection (k) of that section is amended by adding at the end the following new paragraph (4):

''(4) If no funds are appropriated to the Commission by the end of the second session of the 106th Congress for the activities of the Commission that commence in 2001, the Secretary may transfer to the Commission for purposes of its activities under this part that commence in that year such funds as the Commission may require to carry out such activities. The Secretary may transfer funds under the preceding sentence from any funds available to the Secretary. Funds so transferred shall remain available to the Commission for such purposes until expended.''.

(5) TERMINATION.—Subsection (1) of that section is amended by striking ''December 31, 1995'' and inserting ''September 30, 2002''.

(b) PROCEDURES.—

(1) FORCE-STRUCTURE PLAN.—Subsection (a)(1) of section 2903 of that Act is amended by adding at the end the following: ''The Secretary shall also submit to Congress a force-structure plan for fiscal year 2002 that meets the requirements of the preceding sentence not later than March 30, 2001.''.

(2) SELECTION CRITERIA.—Subsection (b) of such section 2903 is amended—

(A) in paragraph (1), by inserting ''and by no later than March 1, 2001, for purposes of activities of the Commission under this part that commence in 2001,'' after ''December 31, 1990,''; and

(B) in paragraph (2)(A)—

(i) in the first sentence, by inserting ''and by no later than April 15, 2001, for purposes of activities of the Commission under this part that commence in 2001,'' after ''February 15, 1991,''; and

(ii) in the second sentence, by inserting '', or enacted on or before May 15, 2001, in the case of criteria published and transmitted under the preceding sentence in 2001'' after ''March 15, 1991''.

(3) DEPARTMENT OF DEFENSE RECOMMENDATIONS.—Subsection (c) of such section 2903 is amended—

(A) in paragraph (1), by striking ''and March 1, 1995,'' and inserting ''March 1, 1995, and September 1, 2001,'';

(B) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (7), respectively;

(C) by inserting after paragraph (3) the following new paragraph (4):

''(4)(A) In making recommendations to the Commission under this subsection in 2001, the Secretary shall consider any notice received from a local government in the vicinity of a military installation that the government would approve of the closure or realignment of the installation.

''(B) Notwithstanding the requirement in subparagraph (A), the Secretary shall make the recommendations referred to in that subparagraph based on the force-structure plan and final criteria otherwise applicable to such recommendations under this section.

''(C) The recommendations made by the Secretary under this subsection in 2001 shall include a statement of the result of the consideration of any notice described in subparagraph (A) that is received with respect to an installation covered by such recommendations. The statement shall set forth the reasons for the result.''; and

(D) in paragraph (7), as so redesignated—

(i) in the first sentence, by striking ''paragraph (5)(B)'' and inserting ''paragraph (6)(B)''; and

(ii) in the second sentence, by striking ''24 hours'' and inserting ''48 hours''.

(4) COMMISSION REVIEW AND RECOMMENDATIONS.—Subsection (d) of such section 2903 is amended—

(A) in paragraph (2)(A), by inserting ''or by no later than February 1, 2002, in the case of recommendations in 2001,'' after ''pursuant to subsection (e),'';

(B) in paragraph (4), by inserting ''or after February 1, 2002, in the case of recommendations in 2001,'' after ''under this subsection.''; and

(C) in paragraph (5)(B), by inserting ''or by no later than October 15 in the case of such recommendations in 2001,'' after ''such recommendations,''.

(5) REVIEW BY PRESIDENT.—Subsection (e) of such section 2903 is amended—

(A) in paragraph (1), by inserting ''or by no later than February 15, 2002, in the case of recommendations in 2001,'' after ''under subsection (d),'';

(B) in the second sentence of paragraph (3), by inserting ''or by no later than March 15, 2002, in the case of 2001,'' after ''the year concerned,''; and

(C) in paragraph (5), by inserting ''or by April 1, 2002, in the case of recommendations in 2001,'' after ''under this part,'';

(c) CLOSURE AND REALIGNMENT OF INSTALLATIONS.—Section 2904(a) of that Act is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) carry out the privatization in place of a military installation recommended for closure or realignment by the Commission in a report in 2002 only if privatization in place is a method of closure or realignment of the installation specified in the recommendation of the Commission in the report and is determined to be the most cost effective method of implementation of the recommendation;''.

(d) RELATIONSHIP TO OTHER BASE CLOSURE AUTHORITY.—Section 2909(a) of that Act is amended by striking ''December 31, 1995,'' and inserting ''September 30, 2002,''.

(e) TECHNICAL AND CLARIFYING AMENDMENTS.—

(1) COMMENCEMENT OF PERIOD FOR NOTICE OF INTEREST IN PROPERTY FOR HOMELESS.—Section 2905(b)(7)(D)(ii)(I) of that Act is amended by striking ''that date'' and inserting ''the date of publication of such determination in a newspaper of general circulation in the communities in the vicinity of the installation under subparagraph (B)(i)(IV)''.

(2) OTHER CLARIFYING AMENDMENTS.—

(A) That Act is further amended by inserting ''or realignment'' after ''closure'' each place it appears in the following provisions:

(i) Section 2905(b)(3).

(ii) Section 2905(b)(4)(B)(ii).

(iii) Section 2905(b)(5).

(iv) Section 2905(b)(7)(B)(iv).

(v) Section 2905(b)(7)(N).

(vi) Section 2910(10)(B)

(B) That Act is further amended by inserting ''or realigned'' after ''closed'' each place it appears in the following provisions:

(i) Section 2905(b)(3)(C)(ii).

(ii) Section 2905(b)(3)(D).

(iii) Section 2905(b)(3)(E).

(iv) Section 2905(b)(4)(A).

(v) Section 2905(b)(5)(A).

(vi) Section 3910(9).

(vii) Section 2910(10).

(C) Section 2905(e)(1)(B) of that Act is amended by inserting '', or realigned or to be realigned,'' after ''closed or to be closed'.

Mr. MCCAIN. Mr. President, this amendment authorizes a single round of U.S. military installation realignment and base closures to occur in the year 2001.

It is an argument and a debate that we have had several times in the past few years, but obviously the argument deserves to be ventilated again. I am reminded, in considering this amendment, of a comment made by my old dear and beloved friend, Morris Udall, of my home State of Arizona, who once said after a long discussion of an issue that had been fairly well ventilated:

> Everything that could possibly be said on this issue has been said, only not everyone has said it.

I think that, again, will be the case with this base closing amendment, because we have been around this track on several occasions. But I do have to credit the imagination and inventiveness of the opponents of the base closing round because they continue to invent new reasons to oppose a round of base closings. They are charming ideas. One of them you will probably hear is that base closings don't save money. That is a very interesting and entertaining argument. I wish we had held to that argument after World War II was over, because we would still have some 150 bases in my State of Arizona, which I am sure would be a significant benefit to our economy.

Another aspect of this debate you will hear is that the issue of base closings has been politicized and, therefore, we can't have one. I think my friend, the distinguished chairman, has come up with a new and entertaining argument that every time we go through a base closing, every town, city, and State goes through a very difficult period of time. I agree with him. I certainly agree with him as he will pose that argument. But that doesn't in the slightest change the requirement that we need to close some bases.

I have to tell my friend, the chairman, it doesn't ring true to stand and lament the state of the military, our declining readiness, our lack of modernization of the force, all of the evils, the recruitment problems, and the failure to fund much-needed programs, and then not support what is clearly most needed, according to the Chairman of the Joint Chiefs of Staff and according to the Secretary of Defense—and according, really, to every objective observer of our military establishment.

Why is it that it took us a month to get Apache helicopters from Germany to Albania? Why is it that we are now hearing if we decided tomorrow to prepare for ground troops—an idea which was soundly rejected by this body—but if finally the recognition came about that we are really not winning this conflict, that Mr. Milosevic is achieving all of his objectives, and we continue to hear great reports about how we have destroyed so much of their capability, yet, the ethnic cleansing is nearing completion and Mr. Milosevic has more troops now than less, why is

it that it would take many, many weeks, if not months, to get a force in place in order to move into Kosovo to help right the atrocities that have been committed there? It is because we have not restructured our military establishment. It is that simple.

The military establishment in the cold war, very correctly, was structured for a massive conventional tank war on the plains of Europe, the central plains of Europe. That was what our military was all about, and that was the major threat to our security. And now we have a military, which we have failed to restructure, we have failed to make mobile, we have failed to become capable to move anyplace in the world—in this case rather a short distance, from Germany to Albania—and, once there, decisively impact the battlefield equation. There are many reasons for this.

There was a great article in the Wall Street Journal a few weeks ago about how the Army had plans to restructure; yet, at the end of the day, they failed to do so for various reasons—by the way, the lesson being that the military will not restructure itself. It has to be done with an active role by the Congress.

But to sit here, as we are today, with all these shortages, where all of us are lamenting the incredible problems we have; yet, we then support a base structure which cannot be justified for any logical reason, is something that I think causes us great credibility problems—first, with people who pay attention to these kinds of things, and, second, at the end of the day with the American people.

I say this with full realization and appreciation that there are bases in my home State that may be in danger of being closed. There was a base closed in the round of base closings before the last one, which, by the way, is now generating more revenue for the State of Arizona than it did while it was a functioning military base. But setting that aside, when the base was closed, of course, there was great trauma. There was great dislocation among many civilians who worked out at Williams Air Force Base. But the fact is that we have to reduce the size of our base structures or we will continue to not be able to fund the much-needed improvements that are absolutely vital to us being able to conduct a conflict or war.

Our former colleague, Secretary Cohen, says.

Nevertheless, no other reform even comes close to offering the potential savings afforded by even a single round of BRAC. There simply is no substitute for base closure and realignment.

The two additional rounds under consideration will ultimately save $20 billion and generate $3.6 billion annually,

Moreover, the Department continues to streamline the process, making it even easier for communities to dispose of base property and to create new jobs in the future.

The Chairman of the Joint Chiefs of Staff wrote:

We are writing to you to express our strong and unified support for authorization for additional rounds of base closures . . . .

* * * * *

The importance of BRAC goes beyond savings, however. BRAC is the single most effective tool available to the Services to realign their infrastructure to meet the needs of changing organizations and to respond to new ways of doing business. No other initiative can substitute for BRAC in terms of ability to reduce and reshape our infrastructure. Simply stated, our military judgment is that further base closures are absolutely necessary.

Signed by all of the members of the Joint Chiefs of Staff.

I ask unanimous consent that the letter from Secretary Cohen and the letter from the Joint Chiefs of Staff be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE SECRETARY OF DEFENSE,
1000 DEFENSE PENTAGON,
Washington, DC, May 11, 1999.

Hon. CARL LEVIN,
Ranking Member, Armed Services Committee, Washington, DC.

DEAR CARL: As I have on many occasions, I want to convey my strong support for approval of additional rounds of Base Realignment and Closure (BRAC) authority as part of the FY 2000 Department of Defense Authorization Bill, which the Senate Armed Services Committee is marking up this week.

As you are aware, the first three rounds of BRAC have already yielded some $3.9 billion net savings in FY 1999 and will generate more than $25 billion by the year 2003. These savings have proven absolutely critical to sustaining ongoing operations and current levels of military readiness, modernization and the quality of life of our men and women in uniform. Even still, the General Accounting Office (GAO) points out that the Department of Defense continues to retain excess infrastructure, which we estimate at roughly 23 percent beyond our needs.

As you know, we are aggressively reforming the Department's business operations and support infrastructure to realize savings wherever possible. Nevertheless, no other reform even comes close to offering the potential savings afforded by even a single round of BRAC. There simply is no substitute for base closure and realignment.

The two additional rounds under consideration by the Committee will ultimately save $20 billion and generate $3.6 billion dollars annually. Both the Congressional Budget Office and the GAO affirm the reasonableness and credibility of our estimates for savings from BRAC. In exchange for property that we neither want nor need, we can direct $3.6 billion on an annual basis into weapons that give our troops a life-saving edge, into training that keeps our forces the finest in the world, and into the quality of life of military families.

I well appreciate both the difficult decision you and your colleagues now face, as well as the legitimate concerns of bases and communities potentially affected by additional rounds of BRAC. At the same time, many success stories across the nation prove that base closure and realignment can actually lead to increased economic growth. In fact, the GAO recently noted that in most post-BRAC communities incomes are actually rising faster and unemployment rates are lower than the national average. Moreover, the Department continues to streamline the process, making it even easier for communities to dispose of base property and to create new jobs in the future.

The Department's ability to properly support America's men and women in uniform today and to sustain them into the future hinge in great measure on realizing the critical savings that only BRAC can provide. As such, the Chairman and Joint Chiefs are unanimous in their support of our legislative proposals, and I most strongly solicit your support and that of your colleagues.

BILL COHEN.

CHAIRMAN OF THE
JOINT CHIEFS OF STAFF,
Washington, DC, May 10, 1999.

Hon. JOHN WARNER,
Chairman, Committee on Armed Services, Washington, DC.

DEAR MR. CHAIRMAN: We are writing to you to express our strong and unified support for authorization for additional rounds of base closures when the Senate Armed Services Committee marks up the FY 2000 Department of Defense Authorization Bill next week.

Previous BRAC rounds are already producing savings—$3.9 billion net in 1999 and $25 billion thorugh 2003. We believe that two additional rounds of BRAC will produce even more savings—an additional $3.6 billion each year after implementation. This translates directly into the programs, forces, and budgets that support our national military strategy. Without BRAC, we will not have the maximum possible resources to field and operate future forces while protecting quality of life for our military members. We will also be less able to provide future forces with the modern equipment that is central to the plans and vision we have for transforming the force.

The Department's April 1998 report to Congress demonstrates that 23 percent excess capacity exists. The Congressional Budget Office agrees that our approach to estimating excess capacity yields a credible estimate. The General Accounting Office also agrees that DOD continues to retain excess capacity.

The importance of BRAC goes beyond savings, however. BRAC is the single most effective tool available to the Services to realign their infrastructure to meet the needs of changing organizations and to respond to new ways of doing business. No other initiative can substitute for BRAC in terms of ability to reduce and reshape infrastructure. Simply stated, our military judgment is that further base closures are absolutely necessary.

BRAC will enable us to better shape the quality of the forces protecting America in the 21st century. As you consider the 2000 budget, we ask you to support this proposal.

GENERAL HENRY H. SHELTON, USA,
Chairman, Joint Chiefs of Staff.
GENERAL DENNIS J. REIMER, USA,
Chief of Staff, US Army.
GENERAL MICHAEL E. RYAN, USAF,
Chief of Staff, US Air Force.
GENERAL JOSEPH W. RALSTON, USAF,
Vice Chairman, Joint Chiefs of Staff.
ADMIRAL JAY L. JOHNSON, USN,
Chief of Naval Operations.
GENERAL CHARLES C. KRULAK, USMC
Commandant of the Marine Corps.

Mr. MCCAIN. Mr. President, as I said at the beginning of my remarks, we have been over this many, many times. The annual net savings from previous BRAC rounds will grow from almost $4 billion this year to $5.67 billion per year by 2001. The savings are real. They are coming sooner and are greater than anticipated.

GAO recently noted that in most communities where bases were closed incomes are actually rising faster and unemployment rates are lower than the national average. Additionally, a provision in the bill allows for the no-cost transfer of property from the military to the community in areas that are affected by the closures.

Our Armed Services are carrying the burden of managing and paying for an estimated 23 percent of excess infrastructure that will cost $3.6 billion this year alone, $3.6 billion that could be spent in efforts to retrain our pilots who are getting out faster than we can train them. It could be spent on recruiting qualified men and women of which there are significant shortfalls, especially in the U.S. Navy. It could be spent on retaining the highly qualified men and women who are leaving the Armed Forces in droves. There are so many things we can do with an additional $3.6 billion. But it will probably not happen.

I want to tell my colleagues that occasionally we lose credibility around here because of some of the things we do—the pork barrel spending, for example, that seems to be on the rise rather than decreasing, if you had the chance to examine the supplemental emergency bill we just passed. That, of course, is not pleasant for me to contemplate.

But when we are fooling around with national security, when we are fooling around with our Nation's ability to defend our vital national interests in these very unsettling times, then I would argue that we bear a heavy responsibility.

This is a simple amendment—one round, year 2001. The Commission is not appointed until May 2001. So this President does not have any hand in the appointment of a base closing commission. We really need two rounds. But this is at the request of the Senator from Michigan. It will only be one round.

Savings over the next 4 years are conservatively estimated to reach $25 billion. We probably won't do it. We probably won't do it. We couldn't do it in the Armed Services Committee, the committee that is supposed to have the most knowledgeable people on national defense.

Again, there are really some of the most interesting arguments I have ever heard. We save money by not closing bases. That is an interesting argument. Again, I wish we had never closed a base after World War II, using that logic. Or perhaps we should build more bases. The fact is that this causes discomfort to towns, communities, and States around the country when a base closing commission is appointed. I agree with that. I am sorry that happens. I stack that discomfort up against the fact that we still have 11,000 enlisted men and women on food stamps.

I hope we will have the American people at least weigh in on this issue, because they understand. They get it. They get what is going on here. They get why we are not having a base closing round when we need it. They know why it is being done. It will not pass but for one simple reason; that is, strictly parochial concerns that somehow there may be some political backlash associated with the closure of a base. I find that disgraceful.

I appeal again to the better angels of our nature, and recognize that every military expert within the military establishment, both within the Government and without, says that we need to close bases. We need to have a base closing round, and we do not have to make it political.

We have put in every possible constraint to prevent there being so many. We need to do it soon. Otherwise, we will continue to suffer in our capability. We will continue to suffer in our readiness. We will continue to suffer in our modernization. But most of all, these brave young men and women who serve our country will be shortchanged because we will not have adequate funds.

I know a lot of these young people do not vote. I know a lot of them don't even get absentee ballots. Many of them are stationed far away. But I think perhaps we ought to have concern about them in how these funds can improve their lives and keep many of them in the military and keep our Nation ready to defend itself.

I yield the floor.

Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. REED. Mr. President, will the Senator from Arizona yield 10 minutes?

Mr. MCCAIN. Mr. President, I yield such time as he may consume to the Senator from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I thank the Senator from Arizona.

Mr. President, I rise in support of this amendment that would authorize a single round of base closures during the year 2001. I commend both the Senator from Arizona and the Senator from Michigan for presenting this amendment to the Senate today.

I am well aware that we all recognize this is a very sensitive issue, because it potentially impacts the constituents of each and every one of the Members of the Senator.

My home State of Rhode Island is no exception to this. We are the proud home to a significant presence of the U.S. Navy, both at the Naval War College and the Naval Undersea Warfare Center in Newport.

We have a tradition of Naval service in Rhode Island. As in every other State, we are sensitive to the potential vulnerabilities of another round of base closures. But I, for one, recognize the imperative nature of doing this, for many of the reasons that were so well outlined by the Senator from Arizona.

We have already in the past in Rhode Island—and I suspect in other places around the country—suffered from cutbacks. In fact, before the base closing process was established back in the early 1970s, one of our major bases, Quonset Point Air Station, was closed and, indeed, we lost effectively all of the surface ships that used to regularly be stationed in Newport. The result was traumatic to my home State.

Rhode Island is the smallest State in the country. Every family in Rhode Island either had some connection to Quonset Point Air Station or knew someone who worked there. Whole families had to leave the State. Many moved down to Wilmington, NC, where there was another naval aviation center. It caused great trauma and it set our economy back tremendously. In fact, we are still trying to reestablish and regenerate that site.

But despite all of that—despite the real costs to individuals, the real costs to families—we have to do this in order to maintain a national defense that will truly be efficient and effective.

It is difficult to talk about this issue and to tell constituents that there might be another round of base closings, but it is absolutely necessary. We are maintaining a cold war military structure in terms of bases. Yet, we know we need to reform and to reorganize. We will face new threats in the century beyond with a cold war military structure.

As the Senator from Arizona said, we organized so much of our military to support a huge landforce that was designed to counterattack a threat from the former Soviet Union. That has mercifully evaporated with the demise of the Soviet Union. The new threats to our national security are different. Yet, we still have the same cold war base infrastructure which we must reform, and the only practical way to do that is to organize another round of base closings.

It is a difficult decision, but it is a decision that we must make.

The numbers speak for themselves. This is almost a mathematical equation in terms of what we must do. We are maintaining approximately 23 percent extra capacity in the Department of Defense in terms of our bases. If you look at our force structure, the troops in the field, the men and women who are actually the war-fighters who defend the Nation every day, we have reduced those numbers by 36 percent since 1989. Yet, we have only been able to reduce our infrastructure by 21 percent. There is an imbalance. We have a smaller force structure. Yet we still have much of the old real estate that we accumulated from World War II all the way through the cold war.

We already embarked on limited base reductions in previous base closing rounds. We have saved approximately

$3.9 billion to date. It is estimated that the base closing process that has already taken place will yield $25 billion by the year 2003.

Those are the significant savings. Yet, we hear lots of folks disputing the savings. I think everyone in America recognizes that when you close unnecessary bases, you save money. That is what corporate America has been doing now for the last 10 years. That is, in fact, one of the reasons why American productivity and American corporate profits are soaring and Wall Street is reflecting those results. It is because American businesses have the flexibility to close unwanted facilities, many times painfully so, to small communities.

But in the military establishment, we have denied our managers—the Secretary of Defense and the Chairman of the Joint Chiefs and his colleagues—that same type of flexibility. We have done it in a way which has retarded our ability to save billions of dollars which we need for other priorities in the Department of Defense.

Another charge was raised in this discussion about why base closings shouldn't be pursued at this moment. It said that there is no effective audit of these savings. In many respects, what we have saved, if you will, are costs that would have been incurred. They are foregone. They won't be incurred. It is difficult to audit some things you won't spend money on, but those savings are equally real.

We have a situation where we know we have saved money in previous base closing rounds—billions of dollars. And we know through estimates that we will save in this round additional money if we authorize an additional round of base closings. This is an estimate that has been agreed to by both the Congressional Budget Office and the General Accounting Office. They estimated there is excess capacity, that we can save money by another round of base closings.

There is another argument that has been raised to try to defeat the notion of a new round of base closings: That the environmental cleanup costs associated with closing bases eats up all the savings.

The reality, legally, is that the Department of Defense is responsible for these cleanup costs regardless of whether they keep the bases open or they close them. The only difference is an accounting difference. When you close a base, there is much more of an accelerated cleanup so the property can be turned over to civilian authority. In terms of the dollar responsibility, the contingent liabilities out there for cleanup of military bases remain the same, regardless of whether we have a base closing round or we just simply let these excess bases continue to operate. That, too, is not a reason to defeat the notion of a base closing round today.

As the Senator from Arizona pointed out, this is the top priority of the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Service Secretaries, the uniformed heads of our military services. They all know that they need additional dollars for higher priority items than some of these bases.

Last September, the Service Chiefs came to the Senate Armed Services Committee and said they needed more resources to do the job. We were quite forthcoming. In fact, we authorized $8.3 billion over the President's budget request. Yet, when they say they equally need the closing of excess bases, we ignore their plea—equally fervent, equally important, equally necessary for the success of the Department of Defense, yet we ignore this plea.

Some of this has been a result of claims that the last base closing round was politicized. This proposal is that the process be conducted in the year 2001, which is beyond the term of this administration. I think the argument of politicization is false because whatever confidence or lack of confidence you have in this current administration, this proposal, this amendment, would carry it beyond this administration into the next administration.

Mr. WARNER. Will the Senator yield?

Mr. REED. I am happy to yield to the Senator.

Mr. WARNER. That is the problem that troubles the Senator from Virginia the most—the California and Texas experiences.

As I listened to my good friend from Arizona, he made rational positions and I agree with him; the Senator from New Jersey made rational positions.

However, the practical thing that will happen if the Congress of the United States were to enact a base closure bill—this bill—the day after the signature is affixed by the President, the work begins in the Department of Defense down at the level of the services to work up the list of communities which, in the judgment of the Army, the Navy, the Air Force and certain DOD facilities is to be boarded up, and eventually it goes to the BRAC Commission.

True, the next President would appoint that BRAC Commission. But the staff work would have been done.

The communities all across America, as my good friend from Arizona pointed out in repeating my statement, become suddenly on full alert that it could be their base. They have a long tradition in this country of embracing that base. It is not just because of economic reasons and jobs. It is also, as the Senator well knows, because of the tradition in the community.

Does the Senator realize I was the Secretary of the Navy who closed the largest naval base and destroyer base in your State? Your predecessor, Senator Pastore, brought this humble public servant, the Secretary of the Navy, down to the caucus room of the Senate of the Russell Building before more cameras than I have ever seen and grilled me for hour after hour after hour, together with the Chief of Naval Operations. That convinced me that we had to have a process called BRAC.

I say with humility I was the coauthor of the first BRAC statute, coauthor of the second BRAC statute. Then I lost confidence in BRAC because of what the Senator just said—the politicization of the process as it related to decisions in California and Texas. If we were to pass this all over America, these communities would suddenly begin to wonder: Will politics play as the bureaucrats in the Department of Defense begin their assigned task to work up those lists that slowly go to the top and eventually to the BRAC Commission?

Mr. President, that is the problem. That is a problem shared by so many of our colleagues. That was the problem that was shared by the majority of our committee, the Armed Services Committee, on which we all serve with great pride. In two instances, that committee turned down the proposal which the Senators bring before the Senate tonight. That is the process.

Mr. MCCAIN. Will the Senator yield?

Mr. REED. I yield.

Mr. MCCAIN. If the Senator doesn't like the fact that it upsets the communities but believes that we need to close bases, does the Senator have another solution?

Mr. WARNER. Yes, the solution, regrettably, I say to my good friend, is that we have to wait until the next President determines whether or not in his judgment we should have a BRAC Commission and he comes before the Congress and he requests it.

I will commit right now, no matter who wins the office of the Presidency, including, if I may say with great respect, yourself, I would be the first to sponsor a BRAC Commission under the McCain administration and I will work relentlessly to get it through the Senate.

But that would be the moment that the bureaucracy begins to work up the list of the communities.

Mr. MCCAIN. May I just say with all due respect, if I may, the amendment calls for a base closing commission to be appointed in May of 2001. The election takes place in November of the year 2000, as I seem to recollect; some 5 or 6 months later is when the commission is appointed.

The logic of the Senator from Virginia, in all due respect to my chairman, escapes me. There will be a new President of the United States, there will be a new Secretary of Defense. Obviously, the chairman doesn't trust or have confidence in the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, both of whom sent over compelling statements and letters. So if it is a new President that you want, there will be a new President.

If I get this right, what the distinguished chairman is saying is that we will just put everything on hold for a year or two until we get a new President, then we can start a process?

This amendment says there will be a new President, there will be a new Secretary of Defense, there will be a new Chairman of the Joint Chiefs of Staff, as a matter of fact, and that is what this amendment contemplates.

Mr. WARNER. Mr. President, I reply to both friends, this is a very interesting colloquy.

First, I hope my good friend would amend it that the Secretary of Defense—perhaps he could stay on and I would join at that point; I have the highest confidence in the Secretary of Defense.

Mr. MCCAIN. The Senator has a strange way of displaying that confidence if you don't agree with his primary and most important recommendation.

Mr. WARNER. But, I say to my good friend, it is not the Secretary. The work begins literally down in the bowels of that building, in which I was privileged to remain for 5½ years, down at the low level of the staff beginning to work up those lists. And that political problem that arose in California and Texas could begin to creep into those basement and lower areas in the Pentagon, begin to influence those decisions which would gravitate to the top.

Mr. LEVIN. Will the Senator from Rhode Island yield?

Mr. REED. If I can retain my time.

Mr. MCCAIN. In all due respect to my friend from Virginia, he knows where that California and Texas thing came from. It didn't come from the bowels of the Pentagon; it came from the White House. That is why, as he knows, we are saying this Commission should only convene after there is a new President of the United States.

Mr. WARNER. I agree with that. That is precisely why I object, because that same White House could begin to communicate down with those good, honest, hard-working GS–14 employees of the Department of Defense. That is where it could start.

Mr. LEVIN. If the Senator will yield, the Senator from Virginia said how much confidence he has in the Secretary of Defense. Is the Senator suggesting that the Secretary of Defense is going to stand by while some political person from somewhere reaches around him into the bowels of the Pentagon to give a signal that some base should not be considered?

It is because our good friend from Virginia did not want there to be any possibility of any political involvement by anybody that we delayed the date for the Secretary of Defense to transmit the base closure recommendations to September 1, 2002.

The new President and the new Secretary of Defense—or the current one, if he is continued—will have until September 1 to transmit the base closure recommendation. We delayed it 6 months because the Senator, in committee, said he was concerned that the preliminary work could be done now and somehow or other, unbeknownst to an honest Secretary of Defense—who I think our good friend would concede is an honest one——

Mr. WARNER. Mr. President, I do.

Mr. LEVIN. This work would begin and somehow or other it would take hold.

So we delayed the transmittal to September 1 of the year after the new President is elected, 6 months—more than that, 8 months after the new President is in office.

It seems to me at this point that the argument about politicization is now being used as an excuse not to act. We have done everything we possibly can to eliminate any possibility of that. The new President is not required to transmit names for a base closure commission. As the good Senator from Virginia knows, if the new President does not want a base closing round, he or she need not have it. That is the law. All the new President has to do is not nominate anybody.

So you have total control in the new President. You have 9 months to submit the recommendations. At this point, the politicization argument, it seems to me—talking about reaching down? I think the good Senator, my good friend, is reaching back.

Mr. MCCAIN. Could I ask my friend from Virginia, would he agree to an amendment which had the base closing round begin in the year 2002?

Mr. WARNER. Mr. President, the answer is very simple: No. Because the moment the ink is dry and this becomes law—would the Senator not agree with me that the staff work begins on this the day it becomes law? The decisions begin to be made. The communities all across America go on full alert. The communities begin to hire expensive consultants to help them in the process, to prepare their case so that community is not struck. Am I not correct? Does any one of the three wish to dispute that the work begins at the bureaucratic level, by honest, conscientious individuals——

Mr. MCCAIN. I ask my friend——

The PRESIDING OFFICER. The Chair reminds the Members of the Senate, the Senator from Rhode Island controls the time.

Mr. MCCAIN. I ask unanimous consent that we continue this colloquy and maybe, to make the sides even, the Senator from Maine would like to engage us as well.

Mr. WARNER. I would welcome the Senator from Maine. That resonant voice will reverberate through this Chamber with a reasonable approach to this.

Mr. LEVIN. May I suggest, if the Senator will yield, that the Senator needs the support and help of the Senator from Maine. But before that suggestion resonates through this Chamber, I will say just one other thing. Would the Senator accept an amendment that says no staff work can begin until January 21 of the year 2000? If we added that language in the bowels of the Pentagon, nobody——

Mr. WARNER. Or at any level.

Mr. MCCAIN. There would be no movement.

Mr. LEVIN. I want the Record to be clear, that comment came from the prime sponsor of this legislation.

That there would not be a computer keyboard touched in the bowels or any level of the Pentagon prior to January 21 of next year—would the Senator accept that amendment?

Mr. WARNER. Mr. President, in the course of the deliberation in the Armed Services Committee I came up with a phrase. I said there was no way to write into law the word ''trust.'' Therefore, my answer to my good friend is: No.

The PRESIDING OFFICER. The Senator from Rhode Island controls the time.

Mr. REED. Briefly, because I know my colleagues are eager to continue in colloquy, but in response to the chairman, most of what I think was the initiative, if you will, involved in the last base closing, came after the particular bases were identified for closing by the Commission. It was not a question where political decisions were made to close bases. I think, rather, political decisions were made to try to avoid and go around the work of the Commission. So the Commission process is, I think we would all agree, as unpolitical as you can get. The research in the bowels of the Pentagon is, I think, similarly nonpolitical. If it is not, then we have more worries than a base closing commission, if we have GS–14s doing political deeds for anyone rather than looking rationally and logically at the needs of the service and the infrastructure to support those needs.

If the administration was guilty of politicization, then shame on them. But we are running the risk of, ourselves, politicizing this process. We are running the risk of rejecting the logic.

The overwhelming conclusion I think any rational person could draw is that we have to start closing bases. The base closing mechanism is the best way to do that, and we are in a situation where, if we resist this, if we cannot find a formulation, we are going to politicize it worse than anything that is purported to have been done by the administration.

I strongly support the measure offered by the Senator from Arizona and the Senator from Michigan. We have an opportunity to align our force structure and our base structure to give resources to the Department of Defense, to support the really pressing needs of our troops, to retain them, to train them, to provide them a quality of life they deserve.

When you go out to visit troops—I know everyone here on this floor today does that frequently—what those young troops are worried about is: Do they have the best training, best equipment, and are their families well taken care of? They do not worry about whether we have a base in Oregon or a base in Texas or a base in Rhode Island. They worry about their training,

their readiness for the mission, their weapons, and whether their families are taken care of. If we listen to them, we will support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank the Senator from Rhode Island for the very strong and, I think, thoughtful statement. He is a much valued member of the committee. I appreciate his efforts in this area.

I do not like to belabor my old and dear friend, the former Secretary of the Navy and chairman of the committee. Our respect and friendship is mutual. It has been there for many, many years.

Mr. WARNER. Mr. President, if I may say, it will be there for an eternity.

Mr. MCCAIN. I thank my friend from Virginia.

I do have to mention one other aspect of this issue that is important, and then I know the Senator from Maine has been patiently waiting.

We do have a credibility problem here. We are asking these young people to do without. Some of them right now are in harm's way. We ask them to spend time in the middle of the desert and the middle of Bosnia under very difficult, sometimes nearly intolerable conditions. We have an Air Force that is half the size of what it was at the time of Desert Storm, and it has four times the commitments. We simply do not have a military that we can sustain under the present conditions.

If we are not willing to make a sacrifice of the possibility of a base closure in our home State, how in the world can we ask these young people to risk their lives? This is an issue of credibility. If we are going to make the kind of changes necessary to restructure the military, there are going to have to be some very tough decisions made. Base closing is just one of them. But if we cannot even make a decision to have a base closing commission, on the recommendation of every expert inside and outside the defense establishment of the United States of America, then I do not think we have any credibility in other decisions that the committee or the Senate will make.

I realize that bases are at risk. I realize there can be economic dislocation. I recommend and I recognize all those aspects of a base closing commission. But for us to tell these young men and women, whom we are asking to sacrifice and take risks, that we will not take the political risk of approving the base of the base closing commission that would convene under the tenure of the next President of the United States under the most fair and objective process that we know how to shape, then, Mr. President, we deserve neither our credibility with them nor their trust.

I yield the floor.

The PRESIDING OFFICER (Mr. SMITH of New Hampshire). The Senator from Maine is recognized.

Ms. SNOWE. Mr. President, I rise in opposition to the amendment that has been offered by Senator MCCAIN and Senator LEVIN concerning the establishment of another Base Closing Commission process in the year 2001.

It is not a matter of when it is established. It is not a matter by whom it is appointed. I think the question is whether or not the Department of Defense and this administration has answered the questions that have been raised time and time again in the committee and on the floor of this Senate with respect to a number of issues that justify having another base closing round. Having been involved in the four previous rounds, I can tell you it raises a number of issues with respect to the efficiency and the effectiveness of base closings.

We are seeing already with our commitment in Kosovo the Defense Department cannot continue to decide which installations to downsize or close by making arbitrary comparisons to personnel reductions. Just since the hostilities began in March, we have seen the Pentagon divert a carrier battle group to the Adriatic leaving the western Pacific without a carrier for the first time in decades.

It has contributed more than 400 aircraft to the NATO campaign against Yugoslavia.

It has nearly depleted the Nation's air-launched precision missile stocks, exhausted our tanker fleet, and called up 33,000 reservists.

Now we have a situation where we are conducting a campaign regarding Kosovo and it has been revealed that the air and sea bridges required to ''swing'' forces into one major theater war to support a second conflict makes the risk of prevailing in the latter engagement too high because of the operational strains on personnel, weapons, and maintenance schedules. Yet, the Pentagon persists with the position that we must close more bases. But who is really making these assumptions about the volatile and complex nature of warfare as we approach the 21st century?

The standard the administration is putting forth is personnel reductions; that closing 36 percent of our bases is absolutely essential, if 36 percent of all our people have left the military since the peak of the cold war. But the standard must remain if we are to be truly honest about what kinds of assumptions and determinations we must make. We should be making a decision of adapting our infrastructure to the mix of security threats that we anticipate into the 21st century. I do not think that we have to project that far out to recognize what we can expect for the types of conflicts that we will be facing in the future.

As it did last year and in 1997, the administration rests its argument for more base closings primarily on the claim that facility cuts have lagged behind personnel reductions by more than 15 percent. I do not happen to think that a simple percentage can answer the types of questions that we need to determine the future of our military bases.

What systems, what airfields, and what ports do we need to sustain in light of our engagement in the Balkans and considering the fact that the Pentagon planners thought that the Nation's two simultaneous conflicts would likely occur in Asia and the Persian Gulf?

What depots can provide competition for the private sector?

What shipyards can provide the Navy with a diversified industrial base to sustain the next generation of submarines that will maneuver in our waters?

What airbases must stay active to support long-range power projection capabilities we now have with the diminished forward presence overseas?

What configuration of domestic bases does the country require to project a smaller force over long distances that we now lack because we have a diminished presence in Asia and Europe?

This fact means at a minimum the country has to stabilize a number of domestic facilities to prepare forces once deployed abroad for long-range projections from this country. How has DOD calculated the vulnerability of political uncertainties of gaining access to our Middle Eastern military assets in the event of another regional crisis?

These are the unanswered questions. These are the questions that need answers, not some isolated percentages that should determine the size and the shape of our basing network. These are the answers that we do not have.

We have discrepancies in the numbers that have been provided to us by the Department of Defense. We do not have the assessments. We do not have the matching infrastructure to the security threat. We have not made a determination with respect to the assets, and even the national defense plan indicated in its own report that it was necessary to make that determination based on a report. In fact, the panel said it strongly urges Congress and the Department to look at these issues.

They talked about if there is going to be a next round, it might be preceded by an independent, comprehensive inventory of all facilities and installations located in the United States. This review would provide the basis for a long-term installation master plan that aligns infrastructure assets with future military requirements and provides a framework for investment and reuse strategies.

We raised this issue time and time again in the committee and in the Senate over the last 2 years to those individuals who are propounding this amendment and raising the fact that we should have another base closing round. Yet, how can we make those decisions and on what basis are we making those decisions? Are they going to be arbitrary determinations? Are they going to be politicized?

I know people argue: Oh, this is a depoliticized process in the Base Closing

Commission procedure. I argue to the contrary. Having been through this procedure on four different occasions since 1988, I can tell you we just moved politics from one venue to another.

I think we have to very carefully consider whether or not we want to initiate another base closing round for the future, absent the kinds of decisions and determinations that need to be made in order to make a reasonable decision.

Even in the Department's own report in April of 1998, it exposed the apparent base closure savings as a frustrating mystery rather than a confirmed fact. To its credit, the Department actually admitted in its own study that there was no audit trail for tracking the end use of each dollar saved through the BRAC process. They admitted in their own report that they did not have a procedure for determining the actual savings that they projected from the base closing rounds and how they were used, so that we could not correlate the savings and whether or not they were used for any purpose or, in fact, were there any savings.

So now the Department of Defense has said: Yes, there are savings from the four previous base closing rounds; and, yes, we are using them for readiness and modernization; and that is what we will do in the future. But they never established a process that we could document those savings that ostensibly occurred in the four previous rounds, and that they were invested in modernization and in the readiness accounts. The fact is, it never happened.

The General Accounting Office, in fact, recommended, in their 1997 report, and, in fact, documented what the DOD report said, that there is no process by which to track the savings which the Department of Defense claims occurred as a result of the base closings over the last 10 years. So we have no way of knowing if, in fact, we have realized real savings.

The Department claims that over the last four rounds there were savings of $21 billion, $22 billion. Yet, in their 1999 report, they admitted that the cost of closing bases was $22.5 billion. Their savings, in their 1999 report, from the four previous rounds is $21 billion. So they have $1.5 billion more than the estimated savings through 2015. So that is what we are talking about here. The Department of Defense is spending more to close these bases than they are actually saving. They have had more costs as a result of environmental remediation. In fact, they project to spend $3 billion more.

They said they would realize $3 billion from the first base closing round, to give you an example, from the sale of the property to the private sector, when in fact they only realized $65 million. That gives you an idea of the discrepancy that has occurred from their projected savings to the actual revenue that was realized through their sale process.

So that is the problem we have. We have been given promises by the Department of Defense that we will have the savings, and yet these savings have not really materialized. So we do not have a picture of what we need for the future in terms of domestic bases because we have closed so many abroad as well as at home.

Because we do not have the presence in other countries, it is all the more important that we have the necessary domestic bases to do the kinds of things we have to do, as we have seen in Kosovo.

It is interesting that back in 1991, when we went through a base closing round, we had Loring Air Force Base up in northern Maine. It was a B–52 base. We were told at the time B–52s were going to go out. They were old. They were aging. They were going to be rapidly removed from the defense program.

What are we seeing? B–52s are being used in Kosovo. No, we do not have the base in northern Maine that is closest to Europe, to the Middle East, to the former Soviet Union, to Africa. We are having to launch those B–52s from other bases that are not as close to Europe. So that is the problem we are seeing, because of the miscalculations and the underestimation of what we might need for the future. It has not been the kind of documentation that I happen to think is necessary.

In fact, it was interesting to hear—when talking about B–52s—what a former Air Force Secretary said a few weeks ago, that the current crises are proving the enormous value of the Nation's long-range bomber force of B–52s. That is what it is all about.

So what we were told in 1991: No; they are going to be out of commission because they are simply too old, we find is not the case.

So I think we have to be very circumspect about how we want to proceed. That is why I think we have to be reticent about initiating any base closing process for the future until we get the kinds of answers that are necessary to justify proceeding with any additional base closing rounds.

We have had the miscalculations of the costs in the Balkans. In fact, that is why there is such great pressure within the Pentagon to try to find additional savings, because we have spent so much money in Bosnia. When we were only supposed to spend $2 billion, we are now beyond $10 billion. We will probably spend $10 billion in Kosovo by the end of this fiscal year. That has placed granted, inordinate pressures on the defense budget.

But as QDR said, and even the Pentagon has admitted, there are many ways, in which to achieve their savings. They could follow up on the management reforms that have been proposed by the Department of Defense through technology upgrades. They could obviously require the services to determine their budget priorities. We can obviously look even at the deployment in Bosnia, which has far exceeded the original estimates, as I said earlier.

So those are the kinds of challenges we face in the future. I think we have to be very, very cautious about suggesting that somehow we should close more bases—subject to another arbitrary process, subject to more arbitrary percentages—without the kind of analysis that I think is necessary to make those kinds of decisions.

We have to be very selective. We have to make decisions for the future in terms of what interests are at stake, what we can anticipate for the future, because it seems that we are going to have more contingency operations like the ones we are confronting now in the Balkans. Therefore, we will have to look at what we have currently within the continental United States. It is important to be able to launch these missions, simply because we cannot depend on a presence in foreign countries.

So I hope Members of the Senate will vote against the amendment which has been offered by the Senator from Arizona about initiating another base closing round, because we have raised these questions before. We have asked the Department: Please document what bases you are talking about. What bases do you need? What bases don't you need? Why don't you need them? How does that comport with the anticipated security threats for the future?

Of course, finally, the Department claims that they have made enormous savings from the previous base closing rounds, but now we find that the cost of closing those bases—of which more than 152 were either realigned or closed—was greater than the savings that have been realized to date and into the future.

So I think we have an obligation and, indeed, a responsibility to evaluate what has happened. I think it is also interesting that the Department of Defense has not responded to the General Accounting Office or to the National Defense Plan in terms of coming up with an analysis of what is actually necessary for our domestic military infrastructure, and then, secondly, setting up a mechanism by which we can evaluate whether or not savings have, indeed, been realized as a result of the four previous base closing rounds, because on the basis of what we have currently from the Pentagon, they cannot suggest in any way that they have made any savings. If anything, it has cost them more money.

Then when you look at what we are facing in Kosovo, what we can project in the future for additional asymmetric threats, we may want to be very careful about closing down any more bases in this country without knowing whether or not they are going to be necessary for the future, because once you lose that infrastructure, it is very difficult to recoup.

So I hope the Senate will reject this amendment.

I yield the floor.

POSITION ON LANDRIEU-SPECTER AMENDMENT NO. 384

Mr. FEINGOLD. Mr. President, had I been present for the vote on the

Landrieu-Specter amendment No. 384 to the FY 2000 Defense Authorization, S. 1059, bill regarding the need for vigorous prosecution of war crimes and crimes against humanity in the former Yugoslavia, I would have voted in favor of the amendment. My vote would not have changed the outcome of the vote on the amendment which passed by a vote of 90–0.

I was unable to reach the Capitol in time for the vote because of air travel delays due to weather conditions. I am disappointed that, though I and other Members notified the Senate leadership about our travel difficulties hours before the vote began, they were unwilling to reschedule the time of the vote.

AVAILABILITY OF CLASSIFIED ANNEX

Mr. SHELBY. Mr. President, I ask unanimous consent to have printed in the RECORD a letter to the Honorable TRENT LOTT dated May 17, 1999, signed by myself and Senator KERREY.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, May 17, 1999.

Hon. TRENT LOTT,
U.S. Senate, Washington, DC.

DEAR SENATOR: The Select Committee on Intelligence has reported a bill (S. 1009) authorizing appropriations for U.S. intelligence activities for fiscal year 2000. The Committee cannot disclose the details of its budgetary recommendations in its public report (Senate Report 106–48), because our intelligence activities are classified. The Committee has prepared, however, a classified annex to the report which describes the full scope and intent of the Committee's actions.

In accordance with the provisions of Section 8(c)(2) of Senate Resolution 400 of the 94th Congress, the classified annex is available to any member of the Senate and can be reviewed in room SH–211. If you wish to do so, please have your staff contact the Committee's Director of Security, Mr. James Wolfe, at 224–1751 to arrange a time for such review.

Sincerely,

RICHARD C. SHELBY,
Chairman.
J. ROBERT KERREY,
Vice Chairman.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, May 24, 1999, the federal debt stood at $5,597,942,875,397.10 (Five trillion, five hundred ninety-seven billion, nine hundred forty-two million, eight hundred seventy-five thousand, three hundred ninety-seven dollars and ten cents).

Five years ago, May 24, 1994, the federal debt stood at $4,591,881,000,000 (Four trillion, five hundred ninety-one billion, eight hundred eighty-one million).

Ten years ago, May 24, 1989, the federal debt stood at $2,781,133,000,000 (Two trillion, seven hundred eighty-one billion, one hundred thirty-three million).

Fifteen years ago, May 24, 1984, the federal debt stood at $1,489,236,000,000 (One trillion, four hundred eighty-nine billion, two hundred thirty-six million).

Twenty-five years ago, May 24, 1974, the federal debt stood at $471,902,000,000 (Four hundred seventy-one billion, nine hundred two million) which reflects a debt increase of more than $5 trillion—$5,126,040,875,397.10 (Five trillion, one hundred twenty-six billion, forty million, eight hundred seventy-five thousand, three hundred ninety-seven dollars and ten cents) during the past 25 years.

HONORING ROBERT SUTTER

Mr. BIDEN. Mr. President, I want to take this opportunity today to salute a distinguished servant of the legislative branch of the U.S. Congress in the field of foreign affairs. In June 1999, Dr. Robert Sutter will leave the Congressional Research Service after 22 highly productive years as a source of expertise on China and the Asia-Pacific region. Dr. Sutter is resigning from his current position as a Senior Specialist in Asia and International Politics in the Foreign Affairs, Defense, and Trade Division of CRS to become the National Intelligence Officer for East Asia, a critical intelligence community assignment.

Since 1977, when he first came to work at CRS as a China specialist, Dr. Sutter has provided Members of Congress and their staffs with authoritative, in-depth analysis and policy options covering a broad range of foreign policy issues involving China, East Asia, and the Pacific. It should be a matter of pride to this body to know that Dr. Sutter is well known both here and in the Asia-Pacific region as one of the most authoritative and productive American Asia hands.

In his government career to date of over 30 years, Dr. Sutter has held a variety of analytical and supervisory positions including service with the Foreign Broadcast Information Service and temporary details with the Senate Foreign Relations Committee, the Central Intelligence Agency, and the Department of State. It is in service to Congress, however, specifically with the Congressional Research Service, that Dr. Sutter has spent most of his distinguished career. I want to make a few comments that illustrate the strengths and great contributions of both the institution and the man himself.

The first point to make concerns one of the great institutional strengths that CRS offers to the congressional clients it serves, and which Dr. Sutter's tenure and contributions here epitomize perfectly: institutional memory. Dr. Sutter's first published report at CRS was entitled U.S.-PRC Normalization Arguments and Alternatives. Published first as a CRS Report for general congressional use, on August 3, 1977, it soon became a Committee Print of the House International Relations Committee's Subcommittee on Asian and Pacific Affairs. The report and subsequent Committee Print addressed a number of highly controversial issues arising out of President Carter's decision to normalize relations with China. Congressional concern about the consequences of derecognition of the Republic of China, and dissatisfaction with the terms of the agreement negotiated with the People's Republic of China, directly led to the landmark Taiwan Relations Act, which still governs our policy decisions today, and which continues in 1999 to be a factor in debates in this very chamber.

Besides Bob Sutter, only 48 Members of Congress serving today, in the 106th Congress, were here in 1977 and 1978 to witness these initial steps of U.S.-China relations. In the more than 20 years since then, both U.S.-China relations and the U.S. Congress itself have undergone tremendous change, both for the better and for worse. Bob Sutter has been an active participant in congressional deliberations on China policy, and in the U.S. national debate over these issues, from normalization of relations, to the Tiananmen Square crackdown, to the recent tragic bombing of the Chinese Embassy in Belgrade. Dr. Sutter's two decades of service spanned the tenures for four U.S. presidents and some ten Congresses. Despite several shifts of party control in the Senate, and one in the House, Dr. Sutter continued to deliver timely, accurate, objective, and non-partisan analysis. The institutional memory represented by CRS analysts, which Dr. Sutter so perfectly exemplifies, is of incalculable value to the work of the Congress.

The second point I want to make concerns Dr. Sutter himself. He has, for one thing, consistently demonstrated an astonishing capacity for work. In 1974 Dr. Sutter received his Ph.D. in History and East Asian Languages from Harvard University, writing his Ph.D. thesis while maintaining a full-time job. Routinely, he has been one of—perhaps the most in terms of sheer output of written work—productive analysts in CRS. In the last 5 years alone, Dr. Sutter has been called on for advice from Members of Congress and their staffs nearly 6,000 times—an average of 1,140 times each year. He has regularly maintained six or more ongoing, continually updated products, and his output of CRS written reports for Congress totals at least 90 since late 1987 alone. As is evident in these products, he excels at providing accurate, succinct, and well-organized analysis of congressional policy choices and their likely consequences. His work always reflects up to date knowledge of issues, usually based on personal research in East Asia and/or close contact with the U.S. private and official community of Asian analysts and scholars.

Even more to the point, Dr. Sutter has always understood the powers and special needs of Congress, including its legislative and oversight responsibilities, and our obligation to represent

the interests of our constituents. In his research and writing, Dr. Sutter never forgets the unique role of Congress and the importance of reflecting the full range of competing viewpoints.

Reflecting his commitment to service and cheerful willingness to assume responsibility, Dr. Sutter has fulfilled a number of roles in the CRS. He has served as Chief of the Foreign Affairs Division in CRS, as well as Chief of the Government Division in CRS, in both cases maintaining a full research work load for Congress in the midst of significant management duties. He has frequently conceived, coordinated, and moderated Asia policy seminars and workshops for Members of Congress and their staffs. He routinely serves on special advisory groups in CRS and the Library of Congress. As a well-known and respected analyst, he has been a sought-after speaker at dozens of foreign policy seminars, panels, and conferences in Washington and around the world.

In recent years, he has maintained this outstanding record of productivity for the Congress while managing in his spare time to teach several college courses per year at Washington area universities. He has also found time to write more than a dozen books on foreign policy issues during his tenure at CRS.

Finally, Dr. Sutter's simple decency, modesty, engaging manner, and professionalism set a high standard for others and make it a great pleasure to work with him. He cheerfully volunteers for onerous tasks. He is pleasant and good-humored. Moreover, in the midst of the pressured environment of Washington and Capitol Hill, he has always found time to serve as a mentor, counselor, and friend to others, whether they be his own students, younger colleagues, or new congressional staff. And, a fact known only to close friends, he has a record of community service, including Church work and teaching of English to native Spanish speakers, that is nearly as impressive as his professional contribution.

Dr. Sutter will be greatly missed, but the loss of his service to the Congress will be partly compensated for by bringing to the Executive branch his knowledge of the Congress and its special role in the making and oversight of U.S. foreign policy. When he comes back to Capitol Hill for one-on-one meetings, briefings, and testimony, he will bring with him a high degree of credibility and a special awareness of congressional needs for information and analysis.

THE ADMINISTRATION'S VISION FOR EDUCATION IN AMERICA

Mr. GORTON. Mr. President, over the weekend Vice President Gore outlined his vision for American education if he becomes President. The speech was billed by the Washington Post as the Vice President's ''vision for American education in the 21st Century''. Unfortunately for our children, the Vice President's vision for American education in the 21st century looks a lot like the failed policies of the last 35 years.

The VP's speech laid out seven new proposals for American education—seven proposals that all say AL GORE knows more about educating children than do parents, teachers, principals, superintendents and school board members all across America. Seven proposals to add to the hundreds upon hundreds of education programs run by the federal government, so many in fact that no one, not the Department of Education, the General Accounting Office or even the Vice President, is sure how many there are. Seven proposals that will add to a system of top down control of education that puts a higher priority on adults filling out forms correctly than on children passing a math or a spelling test.

Today, President Clinton unveiled his proposal to reauthorize the Elementary and Secondary Education Act. Unfortunately, the President's proposal is filled with more of the ''D.C. knows best'' programs he has touted for the past 6½ years. For example, the President's proposal for reducing class size is filled with requirements for states and districts to comply with, but does not address the issue of children learning.

For most of this half century Washington, D.C., has been dominated by people who believe that centralized decisions and centralized control exercised by Washington, D.C., is the best way to solve problems, including those in the classroom. This approach has not worked. As Washington, D.C., has taken power and authority from local school districts, our schools have not improved. But, old habits die hard. The belief in centralized power is still very much alive, and embodied by the President's and Vice President's proposals.

I don't believe AL GORE or Bill Clinton know more about what America's schools and communities need than they do. In fact, I don't believe that I or any other member of Congress or the Administration knows more about educating children than do parents or local educators. Unfortunately, AL GORE and Bill Clinton have indicated that they will continue on the path they've trod throughout their administration—a path that begins and ends in Washington, D.C.

In 1997 I first proposed an amendment to the fiscal year Education funding bill. It was stated clearly in that amendment that I believe that those closest to our children—their parents, teachers, superintendents and school board members—are best able to make decisions about their children's education. Last year, I refined that legislation to include a ''triple option'' that would allow a state to decide where the federal education dollars should go. Both proposals passed this body by slim margins and were immediately met with a veto threat by the Administration.

This year, I have worked with a bipartisan coalition of members and groups to devise legislation that will allow states maximum flexibility in return for increased accountability for the academic achievement of their students. My bill, the Academic Achievement for All Act, or Straight A's, will be introduced after the Memorial Day recess. I am hopeful that this time my colleagues in the Senate will join me in giving back to states and local communities the ability to make critical decisions about the education of their children.

This issue boils down to each Senator asking if he or she believes schools will be improved through more control from Washington, D.C., or by giving more control to parents, teachers, principals, superintendents and school board members? I believe our best hope for improving the education of our children is to put the American people in charge of their local schools.

VOTE ON AMENDMENT 384

Mr. LIEBERMAN. Mr. President, I wanted to indicate to the Senate why I was unavoidably absent, as was recorded in yesterday's RECORD, at the time of the vote on amendment 384 to S. 1059. I was in Connecticut yesterday. Because of serious thunderstorm and wind conditions my flight from Connecticut to Washington was delayed for several hours, causing me to miss the vote on the amendment.

As yesterday's RECORD indicates, had I been able to return to vote, I would have voted for the amendment, which passed 90 to 0.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–3254. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Accidental Release Prevention Requirements: Risk Management Programs Under Clean Air Act Section 112(r); Amendments to the Worst-Case Release Scenario Analysis for Flammable Substances (FRL# 6348–2)'', received May 18, 1999; to the Committee on Environment and Public Works.

EC–3255. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting (FRL# 6345–8)'', received May 18, 1999; to the Committee on Environment and Public Works.

EC–3256. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Portland Cement Manufacturing Industry (FRL#

6347–2)'', received May 18, 1999; to the Committee on Environment and Public Works.

EC–3257. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing Industry (FRL# 6345–3)'', received May 18, 1999; to the Committee on Environment and Public Works.

EC–3258. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants: Oil and Natural Gas Production and National Emissions Standards for Hazardous Air Pollutants: Natural Gas Transmission and Storage (FRL# 6346–8)'', received May 18, 1999; to the Committee on Environment and Public Works.

EC–3259. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Steel Pickling-HCI Process Facilities and Hydrochloric Acid Regeneration Plants (FRL# 6344–5)'', received May 18, 1999; to the Committee on Environment and Public Works.

EC–3260. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Promulgation of National Emission Standards for Hazardous Air Pollutants (NESHAP) for Pesticide Active Ingredient Production (FRL# 6345–4)'', received May 18, 1999; to the Committee on Environment and Public Works.

EC–3261. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–600, –700, and –800 Series Airplanes; Docket No. 99–NM–38–AD; Amendment 39–11107; AD 99–08–03'' (RIN2120–AA64), received April 6, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3262. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 747 Series Airplanes; Docket No. 97–NM–326–AD; Amendment 39–11105; AD 99–08–01'' (RIN2120–AA64), received April 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3263. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Raytheon Aircraft Company Beech Models 1900, 1900C, and 1900D Airplanes; Docket No. 96–CE–60–AD'' (RIN2120–AA64), received April 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3264. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Puritan–Bennett Aero Systems Company C351–2000 Series Passenger Oxygen Masks and Portable Oxygen Masks; Docket No. 98–CE–29–AD'' (RIN2120–AA64), received April 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3265. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model DHC–8–100, –200, and –300 Series Airplanes; Docket No. 97–NM–04–AD; Amendment 39–11109; AD 99–08–04'' (RIN2120–AA64), received April 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3266. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Request for Comments; Eurocopter France Model SA. 3160, SA. 316B, SA. 31C, and SA 319B Helicopters; Docket No. 98–SW–58–AD'' (RIN2120–AA64), received April 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3267. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Request for Comments; Bell Helicopter Textron Canada Model 222, 222B, and 222U Helicopters; Docket No. 98–SW–49–AD'' (RIN2120–AA64), received May 3, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3268. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model DC–10 and MD–11 Series Airplanes, and KC–10 (Military) Series Airplanes; Docket No. 98–NM–55–AD; Amendment 39–11072; AD 99–06–08'' (RIN2120–AA64), received April 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3269. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model DC–9 and C–9 [Military) Series Airplanes; Docket No. 98–NM–110–AD; Amendment 39–11110; AD 99–08–05'' (RIN2120–AA64), received April 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3270. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model DC–10 Series Airplanes and KC–10 (Military) Airplanes; Docket No. 98–NM–197–AD; Amendment 39–11131; AD 99–08–22'' (RIN2120–AA64), received April 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3271. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model MD–11 Series Airplanes; Docket No. 99–NM–42–AD; Amendment 39–11133; AD 99–09–01'' (RIN2120–AA64), received May 3, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3272. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Docket No. 99–ANE–45–AD; Amendment 39–11123; AD 99–08–17 Directives; General Electric Company GE90 Series Turbofan Engines'', received April 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3273. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Docket No. 98–ANE–41–AD; Amendment 39–11124; AD 99–08–18 General Electric Company CF6–6, CF6–45, and CF6–50 Series Turbofan Engines'', received April 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3274. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Docket No. 98–ANE–49–AD; Amendment 39–11119; AD 99–08–13 General Electric Company CF6–80A, CF6–80C2 and CF6–80E1 Series Turbofan Engines'', received April 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3275. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Docket No. 98–ANE–39–AD; Amendment 39–11123; AD 99–08–17 General Electric Company GE90 Series Turbofan Engines'', received April 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3276. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Docket No. 98–ANE–66–AD; Amendment 39–11121; AD 99–08–15 Pratt and Whitney PW4000 Series Turbofan Engines'', received April 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3277. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Docket No. 98–ANE–47–AD; Amendment 39–11118; AD 99–08–12 Pratt and Whitney JT9D Series Turbofan Engines'', received April 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3278. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Docket No. 99–ANE–61–AD; Amendment 39–11120; AD 99–08–14 Pratt and Whitney PW2000 Series Turbofan Engines'', received April 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3279. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Docket No. 98–ANE–38–AD; Amendment 39–11122; AD 99–08–16 CFM International (CFMI) CFM56–2, –2A, –2B, –3, –3B, and –3C Series Turbofan Engines'', received April 15, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3280. A communication from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of

a rule entitled ''Docket No. 99–ANE–08–AD; Amendment 39–11103; AD 99–07–19 Allied Signal Inc. TFE731–40R–200G Turbofan Engines'', received April 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3281. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to shrimp harvested with technology; to the Committee on Commerce, Science, and Transportation.

EC–3282. A communication from the Director, Office of Congressional Affairs, Office of Enforcement, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Federal Register Publication of Change to NRC Enforcement Policy by Adding Examples of Violations Involving the Compromise of an Application, Test, or Examination Required by 10 CFR Part 55'', received May 20, 1999; to the Committee on Environment and Public Works.

EC–3283. A communication from the Administrator, General Services Administration, transmitting, a report relative to alterations to 1724 F Street, NW, Washington, DC; to the Committee on Environment and Public Works.

EC–3284. A communication from the Director, Office of Congressional Affairs, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Generic Letter 98–01, Supplement 1, 'Year 2000 Readiness of Computer Systems at Nuclear Power Plants' '', received May 20, 1999; to the Committee on Environment and Public Works.

EC–3285. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of New Mexico and County of Bernalillos, New Mexico; State Boards (FRL # 6350–1)'', received May 24, 1999; to the Committee on Environment and Public Works.

EC–3286. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Missouri (FRL # 6350–3)'', received May 24, 1999; to the Committee on Environment and Public Works.

EC–3287. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Kansas (FRL # 6350–4)'', received May 24, 1999; to the Committee on Environment and Public Works.

EC–3288. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Wisconsin (FRL # 6336–8)'', received May 24, 1999; to the Committee on Environment and Public Works.

EC–3289. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Kentucky; Revised Format for Materials Being Incorporated by Reference (FRL # 6343–3)'', received May 24, 1999; to the Committee on Environment and Public Works.

EC–3290. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Finding of Failure to Submit Required State Implementation Plans for Ozone; Texas; Dallas/Fort Worth Ozone Nonattainment Area (FRL # 6349–3)'', received May 24, 1999; to the Committee on Environment and Public Works.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–134. A concurrent resolution adopted by the Legislature of the State of Arizona relative to Medicare reimbursement rates; to the Committee on Finance.

SENATE CONCURRENT MEMORIAL 1001

Whereas, access to affordable health care services has been greatly reduced for Medicare health maintenance organization recipients in thirty states due to cutbacks in Medicare reimbursement by the federal government; and

Whereas, because of recent changes by the federal government, the Medicare reimbursement rates in rural areas are lower than those in urban areas. This results in HMOs reimbursing physicians at the lower rates, which in turn causes the physician networks to disintegrate and many HMOs to stop offering service in those areas; and

Whereas, although health insurance will remain available to seniors in rural areas through traditional Medicare coverage, the cutbacks will significantly restrict their options for health care coverage, the number of services covered and the affordability of those services in general; and

Whereas, two major HMOs have withdrawn service altogether in six rural Arizona counties, leaving nearly ten thousand elderly individuals with only one or two HMOs from which to choose; and

Whereas, individuals who previously were covered under HMOs received greater benefits not covered by Medicare, including additional services and lower copayments that offered seniors thorough and comprehensive services at more affordable rates. Now that many will be left with the more expensive Medicare system as their primary health insurance option, low-income and disabled seniors may be forced to pay more out-of-pocket costs for their health care services or may forego receiving these services because they are unable to afford the higher payments; and

Whereas, the financial and health problems that many rural seniors around the country are likely to face as a result of the Medicare reimbursement cuts are directly attributable to the Medicare reimbursement rates differential between rural and urban areas.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the Congress of the United States take steps to address the problem of the Medicare reimbursement rates differential between urban and rural areas and attempt to establish a reimbursement system that will result in more equitable health care coverage for seniors in rural areas of the country.

2. That the Secretary of State of the State of Arizona transmit a copy of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and to each Member of Congress from the State of Arizona.

POM–135. A concurrent resolution adopted by the Legislature of the State of Arizona relative to the 2000 census; to the Committee on Governmental Affairs.

HOUSE CONCURRENT MEMORIAL 2003

Whereas, the Constitution of the United States requires an enumeration of the population every ten years and entrusts the Congress with overseeing all aspects of each decennial census, and

Whereas, the sole constitutional purpose of the decennial census is to apportion the seats in Congress among the several states; and

Whereas, an accurate and legal decennial census is necessary to properly apportion the United States House seats among the fifty states and to create legislative districts within the states; and

Whereas, an accurate and legal decennial census is necessary to enable states to comply with the constitutional mandate of drawing state legislative districts within the states; and

Whereas, to ensure an accurate count and to minimize the potential for political manipulation, article I, section 2 of the United States Constitution mandates an ''actual enumeration'' of the population, which requires a physical head count of the population and prohibits statistical guessing or estimates of the population; and

Whereas, consistent with this constitutional mandate, title 13, section 195 of the United States Code expressly prohibits the use of statistical sampling to enumerate the United States population for the purpose of reapportioning the United States House; and

Whereas, legislative redistricting that is conducted by the states is a critical subfunction of the constitutional requirement to apportion representatives among the states; and

Whereas, in Department of Commerce, et al. v. United States Representatives, et al., No. 98–404, and in Clinton, President of the United States, et al. v. Glavin, et al., No. 98–564, the United States Supreme Court ruled on January 25, 1999 that the Census Act prohibits the Census Bureau's proposed uses of statistical sampling in calculating the population for purposes of apportionment; and

Whereas, in reaching its findings, the United States Supreme Court found that the use of statistical procedures to adjust census numbers would create a dilution of voting rights for citizens in legislative redistricting, thus violating the legal guarantees of ''one person, one vote''; and

Whereas, consistent with this ruling and the constitutional and legal relationship between legislative redistricting by the states and the apportionment of the United States House, the use of adjusted census data woud raise serious questions of vote dilution and would violate ''one person, one vote''; legal protections, and would expose the State of Arizona to protracted litigation over legislative redistricting plans at great cost to the taxpayers of this state and would likely result in a court ruling that invalidates any legislative redistricting plan that uses census numbers that have been determined in whole or in part by the use of random sampling techniques or other statistical methodologies that add or subtract persons to or from the census counts based solely on statistical inference; and

Whereas, consistent with these principles, no person enumerated in the census should ever be deleted from the census enumeration; and

Whereas, consistent with this ruling, every reasonable and practicable effort should be

made to obtain the fullest and most accurate possible count of the population, including appropriate funding for state and local census outreach and education programs as well as provisions for post-census local review; and

Whereas, the members of the Forty-fourth Legislative oppose census numbers for state legislative redistricting that have been determined in whole or in part by the use of random sampling techniques of other statistical methodologies that and or subtract persons to the census counts based solely on statistical inference.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Bureau of the Census conduct the 2000 census consistent with the United States Supreme Court's ruling and establish constitutional and legal mandates, which require a physical head count of the population and bar the use of statistical sampling to create or in any way adjust the count.

2. That Public Law 94–171 data not be used for state legislative redistricting if it is based on census numbers that have been determined in whole or in part by the use of statistical inferences derived by means of random sampling techniques or other statistical methodologies that add or subtract persons to or from the census counts.

3. That it receive Public Law 94–171 data for legislative redistricting that is identifical to the census tabulation data used to apportion the seats in the United States House consistent with the United States Supreme Court ruling and constitutional mandates that require a physical head count of the population and bar the use of statistical sampling to create or in any way adjust the count.

4. That the Congress of the United States, as the branch of government assigned with the responsibility of overseeing the decennial census, take any steps necessary to ensure that the 2000 census is conducted fairly and legally.

5. That the Secretary of the State of Arizona transmit a copy of this Memorial to the Speaker of the United States House of Representatives, the President of the United States Senate, the Director of the United States Bureau of the Census and each Member of Congress from the State of Arizona.

POM–136. A joint resolution adopted by the Legislature of the State of Arizona relative to the Endangered Species Act of 1973; to the Committee on Environment and Public Works.

HOUSE JOINT RESOLUTION 2001

Whereas, the endangered species act of 1973 (P.L. 93–205; 87 Stat. 884; 16 United States Code sections 1531 et seq.), as amended, was enacted for the purpose of the conservation and recovery of endangered and threatened species by protecting and conserving habitat and related ecosystems; and

Whereas, in pursuing that policy, the endangered species act provides for no consideration or accommodation of human activities, requirements or interests; and

Whereas, the United States fish and wildlife service of the department of the interior has shown little regard or willingness to make administrative adjustments to accommodate human activities, requirements or interests in administering and enforcing the endangered species act; and

Whereas, much of the enforcement pursuant to the endangered species act is based on dubious scientific research and outcome-oriented analysis; and

Whereas, the Arizona game and fish department is charged with managing the fish and wildlife resources of this state in the best interests of the present and future generations of Arizonans; and

Whereas, the Arizona game and fish department has recommended against the listing of several species of animals as threatened or endangered based on sound biological information, only to have their recommendation ignored by the United States fish and wildlife service and the secretary of the interior; and

Whereas, the endangered species act allows the courts no discretion in imposing the requirements of the act over all human activity that may remotely affect the species; and

Whereas, the result of the implementation and enforcement of the endangered species act is to threaten and endanger the economy and way of life throughout the west; and

Whereas, the industries that depend on harvesting, extracting or otherwise using natural resources are particularly endangered; and

Whereas, harvesting trees for timber and pulp wood is threatened throughout the western states and has been all but eliminated in Arizona, except on Indian reservations, thereby eliminating much needed rural employment and causing a dangerous buildup of wildfire fuel; and

Whereas, livestock ranching is endangered by massive reductions in federal grazing allotments leaving ranches and ranch families near bankruptcy with no option but that of selling their private land for development thereby losing the traditional responsible stewardship for the land and other resources; and

Whereas, the mining industry is endangered to the brink of extinction and the loss of quality employment for thousands of mine workers and the collapse of an important component of the economy of the state of Arizona and other western states; and

Whereas, certain single issue special interest groups are able to abuse the endangered species act to achieve their narrow personal agenda by litigating against productive economic activities, as well as hunting, fishing and other recreational activities, all to the detriment of our heritage, our culture and our society; therefore be it

Resolved by the Legislature of the State of Arizona:

1. That the policy of the State of Arizona, its governor and the legislature is to preserve and protect our way of life, our heritage and our culture, including the economic base of the rural areas of this state.

2. That the endangered species act must be modified to: (a) Recognize, protect and conserve human interests at the same time and on the same priority level as environmental interests. (b) Provide for a more flexible and accommodating administration and enforcement system, based on sound scientific analysis and research, so that the United States fish and wildlife service and other federal agencies work with, rather than impose on, the people of this state. (c) Allow the courts flexibility to issue rulings that protect human interests as well as environmental interests.

3. That the Secretary of State transmit copies of this Resolution to the President of the United States, the Secretary of the United States Department of the Interior, the President of the United States Senate, the Speaker of the United States House of Representatives and to each member of the Arizona Congressional delegation.

POM–137. A concurrent resolution adopted by the Legislature of the State of West Virginia relative to the Appalachian Development Highway System; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 14

Whereas, The construction of the Coalfields Expressway in Southern West Virginia is due to begin in 1999; and

Whereas, The Coalfields Expressway needs approximately 1.5 billion dollars for completion; and

Whereas, Motorists in West Virginia pay into the Highway Trust Fund at the rate of 18.4 cents tax for each gallon of gasoline purchased and 24.4 cents tax on each gallon of diesel fuel purchased; and

Whereas, The Appalachian Development Highway system was conceived by the United States Congress with the intention of aiding the economy of the entire Appalachian Region and is now funded directly though the Highway Trust Fund; and

Whereas, A recent study on the Appalachian Development Highway System has concluded that upon completion, this system would provide 42,000 new jobs, 84,000 new residents, 2.9 billion dollars in new wages and 6.9 billion dollars in value-added business in the region served by the system; and

Whereas, The Coalfields Expressway, when completed, would traverse the counties of Raleigh, Wyoming and McDowell, and would greatly benefit these counties in the form of increased employment opportunities and economic growth; and

Whereas, Two of these three counties, Wyoming and McDowell, consistently place near the top of state and national unemployment lists; and

Whereas, The Coalfields Expressway is not a part of the Appalachian Development Highway System, instead receiving funding through special appropriations from the United States Congress at irregular intervals; and

Whereas, The funding received by the Coalfields Expressway has thus far consisted of a single appropriation of 50 million dollars in 1991 and a single appropriation of 22.7 million dollars in 1998; and

Whereas, Incorporation of the Coalfields Expressway into the Appalachian Development Highway System would allow for additional funding to complete the Coalfields Expressway from the Highway Trust Fund; therefore, be it

Resolved by the Legislature of West Virginia: That the members of the West Virginia delegation to the United States Congress are hereby requested to make all possible efforts to support and assist the incorporation of the Coalfields Expressway into the Appalachian Development Highway System; and, be it

Further Resolved, That the Clerk of the House of Delegates is hereby directed to forward a copy of this resolution to all members of the West Virignia delegation to the United States Congress, to the Clerk of the United States House of Representatives, to the Clerk of the United States Senate and to the Executive Director of the Coalfields Expressway.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Appropriations: Special Report entitled ''Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2000'' (Rept. No. 106–52).

By Mr. STEVENS, from the Committee on Appropriations, without amendment:

S. 1122: A original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes (Rept. No. 106–53).

By Mr. STEVENS, from the Committee on Appropriations, with amendments and an amendment to the title:

H.R. 1664: A bill making emergency supplemental appropriations for military operations, refugee relief, and humanitarian assistance relating to the conflict in Kosovo, and for military operations in Southwest Asia for the fiscal year ending September 30, 1999, and for other purposes.

EXECUTIVE REPORTS OF A COMMITTEE

The following executive reports of a committee were submitted:

By Mr. WARNER, for the Committee on Armed Services:

Ikram U. Khan, of Nevada, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring May 1, 1999.

Ikram U. Khan, of Nevada, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring May 1, 2005. (Reappointment)

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Paul V. Hester, 2071

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Roger A. Brady, 6581

IN THE ARMY

The following named officer for appointment as the Vice Chief of Staff, United States Army, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3034:

To be general

Lt. Gen. John M. Keane, 9856

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Robert A. Harding, 6107

IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Robert R. Blackman, Jr., 0141
Brig. Gen. William G. Bowdon, III, 2940
Brig. Gen. James T. Conway, 2270
Brig. Gen. Arnold Fields, 0640
Brig. Gen. Jan C. Huly, 6184
Brig. Gen. Jerry D. Humble, 2378
Brig. Gen. Paul M. Lee, Jr., 3948
Brig. Gen. Harold Mashburn, Jr., 6435
Brig. Gen. Gregory S. Newbold, 6783
Brig. Gen. Clifford L. Stanley, 4000

The following named officer for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 5046:

To be brigadier general

Col. Joseph Composto, 3413

The following named officers for appointment in the Reserve of the United States Marine Corps to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Thomas J. Nicholson, 4342
Col. Douglas V. Odell, Jr., 0212
Col. Cornell A. Wilson, Jr., 9123

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Raymond P. Ayres, Jr., 5986

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Earl B. Hailston, 8306

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Frank Libutti, 7426

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

to be rear admiral (lower half)

Capt. Craig R. Quigley, 1769

The following named officers for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) John B. Cotton, 2052
Rear Adm. (lh) Vernon P. Harrison, 2188
Rear Adm. (lh) Robert C. Marlay, 9681
Rear Adm. (lh) Steven R. Morgan, 1542
Rear Adm. (lh) Clifford J. Sturek, 3187

The following named officers for appointment in the United States Naval Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) John F. Brunelli, 8026
Rear Adm. (lh) John N. Costas, 6461
Rear Adm. (lh) Joseph C. Hare, 2723
Rear Adm. (lh) Daniel L. Kloeppel, 8985

Mr. WARNER. Mr. President, for the Committee on Armed Services, I also report favorably nomination lists which were printed in full in the RECORDs of March 18, 1999 and May 12, 1999, at the end of the Senate proceedings, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

In the Navy nomination of Don A. Frasier, which was received by the Senate and appeared in the Congressional Record of March 18, 1999.

In the Air Force nomination of Donna R. Shay, which was received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Army nominations beginning Joseph B. Hines, and ending *Peter J. Molik, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Army nomination of Timothy P. Edinger, which was received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Army nomination of Chris A. Phillips, which was received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Army nominations beginning Robert B. Heathcock, and ending James B. Mills, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Army nominations beginning Paul B. Little, Jr., and ending John M. Shepherd, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Army nominations beginning Bryan D. Baugh, and ending Jack A. Woodford, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Marine Corps nominations beginning Dale A. Crabtree, Jr, and ending Kevin P. Toomey, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Marine Corps nominations beginning James C. Addington, and ending David J. Wilson, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Marine Corps nominations beginning James C. Andrus, and ending Philip A. Wilson, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Navy nomination of Norberto G. Jimenez, which was received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Navy nominations beginning Neil R. Bourassa, and ending Steven D. Tate, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

In the Navy nominations beginning Basilio D. Bena, and ending Harold T. Workman, which nominations were received by the Senate and appeared in the Congressional Record of May 12, 1999.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. ASHCROFT:

S. 1113. A bill to amend title XXIV of the Revised Statutes, relating to civil rights, to prohibit discrimination against nongovernmental organizations and certain individuals on the basis of religion in the distribution of government funds to provide government assistance and the distribution of the assistance, to allow the organizations to accept the funds to provide the assistance to the individuals without impairing the religious character of the organizations or the religious freedom of the individuals, and for other purposes; to the Committee on Governmental Affairs.

By Mr. ENZI:

S. 1114. A bill to amend the Federal Mine Safety and Health Act of 1977 to establish a more cooperative and effective method for rulemaking that takes into account the special needs and concerns of smaller miners; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SPECTER:

S. 1115. A bill to require the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Pittsburgh, Pennsylvania, area; to the Committee on Veterans Affairs.

By Mr. NICKLES:

S. 1116. A bill to amend the Internal Revenue Code of 1986 to exclude income from the transportation of oil and gas by pipeline from subpart F income; to the Committee on Finance.

By Mr. LOTT (for himself, Mr. COCHRAN, Mr. ROBB, and Mr. JEFFORDS):

S. 1117. A bill to establish the Corinth Unit of Shiloh National Military Park, in the vicinity of the city of Corinth, Mississippi, and in the State of Tennessee, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself, Mrs. FEINSTEIN, Mr. CHAFEE, Mr. GREGG, Mr. SANTORUM, and Mr. MOYNIHAN):

S. 118. A bill to amend the Agricultural Market Transition Act to convert the price support program for sugarcane and sugar beets into a system of solely recourse loans to provide for the gradual elimination of the program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BREAUX:

S. 1119. A bill to amend the Act of August 9, 1950, to continue funding of the Coastal Wetlands Planning, Protection and Restoration Act; to the Committee on Environment and Public Works.

By Mr. TORRICELLI (for himself, Mr. REED, Mr. LAUTENBERG, Mr. BRYAN, Mrs. BOXER, Mrs. FEINSTEIN, Mr. DODD, Mr. ROCKEFELLER, Mr. BIDEN, Mr. SCHUMER, Mrs. MURRAY, Mr. DURBIN, and Mr. KERRY):

S. 1120 A bill to ensure that children enrolled in medicaid and other Federal means-tested programs at highest risk for lead poisoning are identified and treated, and for other purposes; to the committee on Finance.

Mr. LEAHY:

S. 1121. A bill to amend the Clayton Act to enhance the authority of the Attorney General to prevent certain mergers and acquisitions that would unreasonably limit competition; to the Committee on the Judiciary.

By Mr. STEVENS:

S. 1122. An original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. COLLINS (for herself, Mr. FRIST, Mr. ABRAHAM, Ms. SNOWE, Mr. JEFFORDS, and Mr. COVERDELL):

S. 1123. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of imported food, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SMITH of New Hampshire (for himself, Mr. FRIST, Mr. BOND, Ms. LANDRIEU, Mr. ROBB, Mr. HAGEL, Mr. BREAUX, Mr. TORRICELLI, Mr. HELMS, Mr. INHOFE, Mr. DURBIN, and Mr. EDWARDS):

S.J. Res. 25. A joint resolution expressing the sense of Congress with respect to the court-martial conviction of the late Rear Admiral Charles Butler McVay, III, and calling upon the President to award a Presidential Unit Citation to the final crew of the U.S.S. *Indianapolis*; to the Committee on Armed Services.

By Mr. SMITH of New Hampshire (for himself, Mr. FRIST, Mr. BOND, Ms. LANDRIEU, Mr. ROBB, Mr. HAGEL, Mr. BREAUX, Mr.. TORRICELLI, Mr. HELMS, Mr. INHOFE, Mr. DURBIN, Mr. EDWARDS, Mrs. BOXER, and Mr. INOUYE):

S.J. Res. 26. A joint resolution expressing the sense of Congress with respect to the courtmartial conviction of the late Rear Admiral Charles Butler McVay, III, and calling upon the President to award a Presidential Unit Citation to the final crew of the U.S.S. *Indianapolis;* read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER:

S. Con. Res. 34. A concurrent resolution relating to the observance of ''In Memory'' Day; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ASHCROFT:

S. 1113. A bill to amend title XXIV of the Revised Statutes, relating to civil rights, to prohibit discrimination against nongovernmental organizations and certain individuals on the basis of religion in the distribution of government funds to provide government assistance and the distribution of the assistance, to allow the organizations to accept the funds to provide the assistance to the individuals without impairing the religious character of the organizations or the religious freedom of the individuals, and for other purposes; to the Committee on Governmental Affairs.

CHARITABLE CHOICE EXPANSION ACT OF 1999

Mr. ASHCROFT. Mr. President, America's best ideas for helping the poor have come from grassroots communities and private organizations of people who know and care about their neighbors. These groups see people and their life experiences, not theories or statistics. We have known for years that government solutions have failed miserably in moving people from dependency and despair to responsibility and independence. For years America's churches and charities have been leading the way in helping the poor achieve dignity and self-sufficiency. This is why I have been advocating that government should find ways to help these organizations unleash the cultural remedy our society so desperately needs.

Therefore, it was with great interest that I heard about Vice President GORE's statements Monday in Atlanta expressing his support for Charitable Choice. The Vice President's interest in Charitable Choice is welcome news. Governor Bush is in the forefront of Charitable Choice solutions. Truly, where once there was contention and debate, there now is swelling bipartisan agreement on the promise of Charitable Choice.

Congress has been in the forefront of encouraging the type of faith-based solutions that the Vice President was promoting yesterday in Atlanta. The 1996 welfare reform law contains the Charitable Choice provision I authored, which encourages states to partner with faith-based organizations to serve welfare recipients with federal dollars.

Last fall, we expanded Charitable Choice to cover services provided under the Community Services Block Grant program, which provides funds to local agencies to alleviate poverty in their communities. And just last week, the Senate approved a juvenile justice bill containing Charitable Choice for services provided to at-risk juveniles, such as counseling for troubled youth.

The Charitable Choice provision in the 1996 welfare reform law was one way to achieve the goal of inviting the greater participation of charitable and faith-based organizations in providing services to the poor. The provision allows charitable and faith-based organizations to compete for contracts and voucher programs on an equal basis with all other non-governmental providers when the state or local government chooses to use private sector providers for delivering welfare services to the poor under the Temporary Assistance for Needy Families (TANF) program.

In the past three years, we have begun to hear about how Charitable Choice is opening doors for the government and communities of faith to work together to help our nation's poor and needy gain hope and self-sufficiency. For example, shortly after passage of the federal welfare law, Governor George Bush of Texas signed an executive order directing ''all pertinent executive branch agencies to take all necessary steps to implement the 'charitable choice' provision of the federal welfare law.'' Cookman United Methodist Church, a 100 member parish in Philadelphia, received a state contract to run its ''Transitional Journey Ministry,'' which provides life and job skills to welfare mothers and places them into jobs with benefits. In less than a year, the church placed 22 welfare recipients into jobs. Payne Memorial Outreach Center, an affiliate of a Baltimore church, has helped over 450 welfare recipients find jobs under a state contract.

In light of these success stories around the nation, more and more states and counties are beginning to see what a critical role the faith-based community can play in helping people move off of welfare. They are eager to put the Charitable Choice concept into action in their communities.

We have always known that Charitable Choice is truly bipartisan in nature, and has the support of over 35 organizations that span a wide political and social spectrum. Members from both sides of the aisle here in the Senate have voted in support of this provision. And now, with the Vice President's support for Charitable Choice, I am reintroducing legislation that I introduced in the 105th Congress, the ''Charitable Choice Expansion Act,'' which would expand the Charitable Choice concept across all federally funded social service programs.

The substance of the Charitable Choice Expansion Act is virtually identical to that of the original Charitable Choice provision of the welfare reform law. The only real difference between the two provisions is that the new bill covers many more federal programs than the original provision.

While the original Charitable Choice provision applies mainly to the new welfare reform block grant program, the Charitable Choice Expansion Act applies to all federal government programs in which the government is authorized to use nongovernmental organizations to provide federally funded services to beneficiaries. Some of the programs that would be covered under this legislation include housing, substance abuse prevention and treatment, seniors services, the Social Services Block Grant, abstinence education and child welfare services.

With this recent expression of bipartisan support for Charitable Choice from the Vice President, now is the time for Congress to move quickly to pass the Charitable Choice Expansion Act, so that we can empower the organizations that are best equipped to instill hope and transform lives to expand their good work across the nation.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1113

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

SECTION 1. PROVISION OF ASSISTANCE UNDER GOVERNMENT PROGRAMS BY RELIGIOUS ORGANIZATIONS.

Title XXIV of the Revised Statutes is amended by inserting after section 1990 (42 U.S.C. 1994) the following:

"SEC. 1994A. CHARITABLE CHOICE.

''(a) SHORT TITLE.—This section may be cited as the 'Charitable Choice Expansion Act of 1999'.

''(b) PURPOSE.—The purposes of this section are—

''(1) to prohibit discrimination against nongovernmental organizations and certain individuals on the basis of religion in the distribution of government funds to provide government assistance and distribution of the assistance, under government programs described in subsection (c); and

''(2) to allow the organizations to accept the funds to provide the assistance to the individuals without impairing the religious character of the organizations or the religious freedom of the individuals.

''(c) RELIGIOUS ORGANIZATIONS INCLUDED AS NONGOVERNMENTAL PROVIDERS.—For any program carried out by the Federal Government, or by a State or local government with Federal funds, in which the Federal, State, or local government is authorized to use nongovernmental organizations, through contracts, grants, certificates, vouchers, or other forms of disbursement, to provide assistance to beneficiaries under the program, the government shall consider, in the same basis as other nongovernmental organizations, religious organizations to provide the assistance under the program, so long as the program is implemented in a manner consistent with the Establishment Clause of the first amendment to the Constitution. Neither the Federal Government nor a State or local government receiving funds under such program shall discriminate against an organization that provides assistance under, or applies to provide assistance under, such program, on the basis that the organization has a religious character.

''(d) EXCLUSIONS.—As used in subsection (c), the term 'program' does not include activities carried out under—

''(1) Federal programs providing education to children eligible to attend elementary schools or secondary schools, as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801) (except for activities to assist students in obtaining the recognized equivalents of secondary school diplomas);

''(2) the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.);

''(3) the Head Start Act (42 U.S.C. 9831 et seq.); or

''(4) the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.).

''(e) RELIGIOUS CHARACTER AND INDEPENDENCE.—

''(1) IN GENERAL.—A religious organization that provides assistance under a program described in subsection (c) shall retain its independence from Federal, State, and local governments, including such organization's control over the definition, development, practice, and expression of its religious beliefs.

''(2) ADDITIONAL SAFEGUARDS.—Neither the Federal Government nor a State or local government shall require a religious organization—

''(A) to alter its form of internal governance; or

''(B) to remove religious art, icons, scripture, or other symbols;

in order to be eligible to provide assistance under a program described in subsection (c).

''(f) EMPLOYMENT PRACTICES.—

''(1) TENETS AND TEACHINGS.—A religious organization that provides assistance under a program described in subsection (c) may require that its employees providing assistance under such program adhere to the religious tenets and teachings of such organization, and such organization may require that those employees adhere to rules forbidding the use of drugs or alcohol.

''(2) TITLE VII EXEMPTION.—The exemption of a religious organization provided under section 702 or 703(e)(2) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–1, 2000e–2(e)(2)) regarding employment practices shall not be affected by the religious organization's provision of assistance under, or receipt of funds from, a program described in subsection (c).

''(g) RIGHTS OF BENEFICIARIES OF ASSISTANCE.—

''(1) IN GENERAL.—If an individual described in paragraph (3) has an objection to the religious character of the organization from which the individual receives, or would receive, assistance funded under any program described in subsection (c), the appropriate Federal, State, or local governmental entity shall provide to such individual (if otherwise eligible for such assistance) within a reasonable period of time after the date of such objection, assistance that—

''(A) is from an alternative organization that is accessible to the individual; and

''(B) has a value that is not less than the value of the assistance that the individual would have received from such organization.

''(2) NOTICE.—The appropriate Federal, State, or local governmental entity shall ensure that notice is provided to individuals described in paragraph (3) of the rights of such individuals under this section.

''(3) INDIVIDUAL DESCRIBED.—An individual described in this paragraph is an individual who receives or applies for assistance under a program described in subsection (c).

''(h) NONDISCRIMINATION AGAINST BENEFICIARIES.—

''(1) GRANTS AND CONTRACTS.—A religious organization providing assistance through a grant or contract under a program described in subsection (c) shall not discriminate, in carrying out the program, against an individual described in subsection (g)(3) on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to actively participate in a religious practice.

''(2) INDIRECT FORMS OF DISBURSEMENT.—A religious organization providing assistance through a voucher certificate, or other form of indirect disbursement under a program described in subsection (c) shall not deny an individual described in subsection (g)(3) admission into such program on the basis of religion, a religious belief, or a refusal to hold a religious belief.

''(i) FISCAL ACCOUNTABILITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any religious organization providing assistance under any program described in subsection (c) shall be subject to the same regulations as other nongovernmental organizations to account in accord with generally accepted accounting principles for the use of such funds provided under such program.

''(2) LIMITED AUDIT.—Such organization shall segregate government funds provided under such program into a separate account. Only the government funds shall be subject to audit by the government.

''(j) COMPLIANCE.—A party alleging that the rights of the party under this section have been violated by a State or local government may bring a civil action pursuant to section 1979 against the official or government agency that has allegedly committed such violation. A party alleging that the rights of the party under this section have been violated by the Federal Government may bring a civil action for appropriate relief in an appropriate Federal district court against the official or government agency that has allegedly committed such violation.

''(k) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES.—No funds provided through a grant or contract to a religious organization to provide assistance under any program described in subsection (c) shall be expended for sectarian worship, instruction, or proselytization.

''(l) EFFECT ON STATE AND LOCAL FUNDS.—If a State or local government contributes State or local funds to carry out a program described in subsection (c), the State or local government may segregate the State or local funds from the Federal funds provided to carry out the program or may commingle the State or local funds with the Federal funds. If the State or local government commingles the State or local funds, the provisions of this section shall apply to the commingled funds in the same manner, and to the same extent, as the provisions apply to the Federal funds.

''(m) TREATMENT OF INTERMEDIATE CONTRACTORS.—If a nongovernmental organization (referred to in this subsection as an 'intermediate organization'), acting under a contract or other agreement with the Federal Government or a State or local government, is given the authority under the contract or agreement to select non-governmental organizations to provide assistance under the programs described in subsection (c), the intermediate organization shall have the same duties under this section as the government but shall retain all other rights of a nongovernmental organization under this section.''.

By Mr. ENZI:

S. 1114. A bill to amend the Federal Mine Safety and Health Act of 1977 to establish a more cooperative and effective method for rulemaking that takes into account the special needs and concerns of smaller miners; to the Committee on Health, Education, Labor, and Pensions.

THE SMALL MINE ADVOCACY REVIEW PANEL ACT

Mr. ENZI. Mr. President, I rise to introduce the Small Mine Advocacy Review Panel Act, or ''Small Mine,'' Act of 1999.

Achieving mine safety starts with cooperation. Cooperation is at the heart of the safest workplaces, where employers and employees strive to establish open lines of communication on safety, to provide and wear the right protective equipment, and to give and follow effective training. But cooperation can't stop there. To have safe work sites, there must also be an understanding of what safety rules mean, how they are to be implemented, and what results should be expected. This is the cooperation that should exist between operators and the Mine Safety and Health Administration, or MSHA, and it cannot be ignored or undervalued.

The bill I am introducing today inserts a new level of cooperation into MSHA's rulemaking. Called the Small Mine Advocacy Review Panel Act, or ''Small Mine'' Act, this bill would mandate that MSHA and panels of small operators discuss newly proposed rules and their potential impact early in the regulatory process. This practice is currently employed by OSHA and EPA and has been of great benefit both for the smaller employers and the agency because it forces both parties to comment and respond in an open forum. I have always believed that the simple act of talking about safety actually leads to safety, and I embrace any approach that forces those who write the rules and those who must comply with them to sit down together and find solutions.

The Subcommittee on Employment, Safety and Training has a strong interest in MSHA's rulemaking procedure as it relates to small operators. In addition, I am well aware that the Senate Committee on Governmental Affairs shares this interest as it relates to the Administrative Procedure Act and the Regulatory Flexibility Act. In light of this, as this bill is centered on MSHA's responsiveness to smaller operators on matters of safety and health, Chairman THOMPSON has agreed to allow this bill to be referred to the Health, Education, Labor and Pensions Committee.

MSHA has had great success when its rulemakings have been cooperative with operators and miners. MSHA's draft Part 46 Training rule was developed in collaboration with over fifteen industry representatives, the Teamsters, the Boilermakers, and the Laborers Health & Safety Fund of North America. By working together, the coalition came up with a draft that everyone agreed on and that was completed by MSHA's internal deadline. A true rulemaking success story.

But other MSHA rules, such as MSHA's proposed Noise Rule, have abandoned cooperative partnerships with smaller operators and instead embraced the old ''big brother'' style of regulation. It is in such rulemakings that the Small Miner bill would make a world of difference. The Noise Rule would have so severe an impact on smaller mine operators that it is seriously questionable whether those who wrote this rule have ever actually been to a small mine. The bottom line is that this rule prohibits small operators from supplying miners with personal protective equipment, such as ear plugs, until after they have tried to lower the noise level by buying new and ''quieter'' machines at incredible cost, tinkering with old machines, rotating employees around to different stations, and implementing all other ''feasible'' engineering and administrative controls. All this despite the fact that many routinely-used machines can never be made to run as quietly as MSHA mandates no matter how much money is spent, and that miners will have to be rotated outside their areas of training and expertise.

This proposed rule is in strict opposition to both MSHA's and OSHA's current rules which allow miners to wear ear plugs in the first instance. It also totally abandons logic. It's like proposing a rule outlawing employees from using steel-toed shoes and instead regulating that nothing may ever fall on a worker's foot. It just doesn't make any sense.

By discussing this rule with small operators early in the rulemaking process, cooperative approaches could have been flushed out and solutions achieved which satisfy both MSHA's regulatory objectives and minimize the burden on small operators. As evidenced by this proposed rule, it is clearly insufficient to have a one time ''comment period'' or even hold public hearings, because the small operator's perspective is so noticeably absent from the rulemaking process. It is not enough to claim that safety is paramount while simultaneously operating in a vacuum to pump out regulations that no one can understand or implement. Compliance must be based on an effective working relationship where the goals set by the regulators are understood and achievable by the industry being regulated. If operators are responsible for complying with MSHA's regulations, then there is no excuse for failing to include them in the process from Day One. By passing the ''Small Mine'' bill, operators and MSHA would be responsible for working together to craft rules that will actually improve safety.

Mr. President. I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1114

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Small Mine Advocacy Review Panel Act''.

SEC. 2. PURPOSE.

The purpose of this Act is to establish a more cooperative and effective method for rulemaking with respect to mandatory health or safety standards that takes into account the special needs and concerns of small mine operators.

SEC. 3 AMENDMENT TO FEDERAL MINE SAFETY AND HEALTH ACT OF 1997.

(a) IN GENERAL.—Section 101(a)(2) of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 811(a)(2)) is amended by inserting before the last sentence the following: ''The procedures for gathering comments from small entities as described in section 609 of title 5, United States Code, shall apply under this section and small mine operators shall be considered to be small entities for purposes of such section. For purposes of the preceding sentence, the term 'small mine operator' has the meaning given the term 'small business concern' under section 3 of the Small Business Act (including any rules promulgated by the Small Business Administration) as such term relates to a mining operation.''.

(b) CONFORMING AMENDMENT.—Section 609(d) of title 5, United States Code, is amended by striking ''Agency and'' and inserting ''Agency, the Mine Safety and Health Administration and''.

By Mr. SPECTER:

S. 1115. A bill to require the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Pittsburgh, Pennsylvania, area; to the Committee on Veterans' Affairs.

NATIONAL CEMETERY IN WESTERN PENNSYLVANIA

Mr. SPECTER. Mr. President, today I introduce legislation which will direct the Secretary of Veterans Affairs (VA) to establish a national cemetery in the Pittsburgh area of Western Pennsylvania.

As chairman of the Committee on Veterans' affairs, I make it my responsibility to see that our nation's veterans are cared for after serving honorably in the Armed Forces. Part of this care involves honoring the memory of their service upon death. Our nation's veterans are an aging population. At present, 46% of the area's veterans population is over age 65. The General Accounting Office (GAO) has estimated that by the year 2008, the number of veterans' deaths will peak and remain at a high level for years afterward. To anticipate the increased demand for burial space and to accommodate family and friends wanting nearby cemeteries at which to honor and remember their loved ones, the Congress and VA must act now.

The legislation that I introduce today will alleviate the long overdue wait for a national cemetery which the veterans in the western Pennsylvania area have had to endure. Such a cemetery is necessary due to the over 750,000 veterans who reside in the area, including veterans in parts of the neighboring states of Ohio, Maryland, and West Virginia. I should also point out that Pennsylvania, a state with the fifth highest veteran population in the country, has only one national cemetery within its borders open for new burials. This cemetery, at Indiantown Gap, serves veterans in the eastern portion of the Commonwealth and is more than 225 miles from Pittsburgh.

In 1987, VA ranked the Pittsburgh-area among the top ten population centers most in need of a national cemetery. In 1991, VA began the process of cemetery site-selection and Congress appropriated $250,000 for an Environmental Impact Statement. Four potential sites were identified in the Pittsburgh area. Despite this headway, construction on a national cemetery never commenced.

The high veteran population of this region has waited far too long to see the creation of this national cemetery. Our nation's veterans, having given so much for us, deserve a proper burial site in the proximity of their homes. Veterans elsewhere around this country take for granted the availability of a nearby national cemetery. If passed, this legislation will ensure that what began over a decade ago will now become reality.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1115

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

SECTION 1. ESTABLISHMENT.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall establish, in accordance with chapter 24 of title 38, United States Code, a national cemetery in the Pittsburgh, Pennsylvania, area to serve the needs of veterans and their families.

(b) CONSULTATION IN SELECTION OF SITE.—Before selecting the site for the national cemetery established under subsection (a), the Secretary shall consult with appropriate officials of the State of Pennsylvania and local officials of the Pittsburgh, Pennsylvania, area.

(c) REPORT.—As soon as practicable after the date of the enactment of this act, the Secretary shall submit to Congress a report on the establishment of the national cemetery under subsection (a). The report shall set forth a schedule for the establishment of the cemetery and an estimate of the costs associated with the establishment of the cemetery.

By Mr. NICKLES:

S. 1116. A bill to amend the Internal Revenue Code of 1986 to exclude income from the transportation of oil and gas by pipeline from subpart F income; to the Committee on Finance.

THE FOREIGN PIPELINE TRANSPORTATION INCOME ACT

Mr. NICKLES. Mr. President, I rise today to introduce legislation which will right a wrong that has been in the tax code for too long. This legislation will clarify the U.S. tax treatment of foreign pipeline transportation income. This legislation is needed because current tax law causes active foreign pipeline transportation income to be unintentionally trapped within the anti-abuse tax rules of Subpart F. These anti-abuse rules were originally established to prevent companies from avoiding payment of U.S. tax on easily movable and passive income. Pipeline transportation income, however, is neither passive nor easily movable. Pipes are located where the natural resources and energy needs are—they cannot be placed just anywhere. Further, one a pipe is in the ground, it is tough to move.

Referring to the legislative history, we find that Congress did not intend these anti-abuse rules to target foreign pipeline transportation income. Rather, these rules were intended to reach the significant revenues derived by highly profitable oil related activities that were sourced to a low-tax country as opposed to the country in which the oil or gas was extracted or ultimately consumed. Furthermore, it is important to note that when these anti-abuse rules were being considered and then put into place, pipeline companies were not engaged in international development activities, rather they were focused solely on domestic infrastructure development.

Today, pipeline companies are continuing to actively pursue all development opportunities domestically, yet they are somewhat limited. The real growth for U.S. pipeline companies, however, is in the international arena. These new opportunities have arisen from fairly recent efforts by foreign countries to privatize their energy sectors.

Enabling U.S. pipeline companies to engage in energy infrastructure projects abroad will result in tremendous benefits back home. For example, more U.S. employees will be needed to craft and close deals, to build the plants and pipelines, and to operate the facilities. New investment overseas also will bring new demands for U.S. equipment. Yet before any of these benefits can be realized, U.S. companies must be able to defeat their foreign competitors and win projects. Unfortunately, current U.S. tax laws significantly hinder the ability of U.S. companies to win such projects.

We must act now if we are to ensure that U.S. companies remain competitive players in the international marketplace. There are incremental, low cost, reforms that we can and must make. My legislation—to clarify that U.S. tax treatment of foreign pipeline transportation income—is one such low-cost reform.

I urge my colleagues to join me in this effort to bring current U.S. tax law in line with good tax policy. It is up to us to do all we can to keep America competitive in the global economy.

By Mr. LOTT (for himself, Mr. COCHRAN, Mr. ROBB, and Mr. JEFFORDS):

S. 1117. A bill to establish the Corinth Unit of Shiloh National Military Park, in the vicinity of the city of Corinth, Mississippi, and in the State of Tennessee, and for other purposes; to the Committee on Energy and Natural Resources.

CORINTH BATTLEFIELD PRESERVATION ACT OF 1999

Mr. LOTT. Mr. President, 137 years ago today, Major General Henry W. Halleck and his 120,000 man strong Union Army commenced the siege of Corinth, Mississippi. The ensuing six month battle between General Halleck's federal troops and General P. G. T. Beauregard's 53,000 Confederate defenders marked a turning point in the war between the states. It was a fierce engagement over a mere 16 square feet parcel. This small piece of real estate was of critical strategic importance to both the North and the South.

It was in Corinth, Mississippi that the Memphis and Charleston and Mobile and Ohio Railroads crossed paths. This vital east-west and north-south railroad junction served as a passageway for troops and supplies moving from Illinois to Alabama and from Tennessee to points further east such as South Carolina and Virginia.

Ed Bearss, Chief Historian Emeritus of the National Park Service, stated that ''during the Spring of 1862, Corinth was the most important city in the Confederacy and almost the length of the War . . . because of the railroads.'' In fact, because of its status as a vital rail hub, the town was occupied by either Confederate or Union forces from 1861 to 1865. It also served as a springboard for the careers of over 200 leading Confederate and Federal generals who were stationed in Corinth at one time or another. A figure matched by few other locations.

Corinth is a city that exemplifies the trials and tribulations experienced by soldiers and civilians throughout the Civil War. A town whose railways lied at the center of a grand military chess match. An area, like many others north and south of the Mason-Dixon line, racked by the ravages of war.

Even with its new status as a National Historic Landmark, Corinth is still considered a ''Civil War Landmark At Risk.'' The Civil War Sites Advisory Commission, chartered by Congress to assess threats to America's premier historic sites, identified Corinth as a priority one battlefield in critical need of coordinated nationwide action by the year 2000. Local, state, and national preservation groups agree. And, so do I.

Mr. President, today, I am proud and honored to introduce the Corinth Battlefield Preservation Act of 1999. This much needed legislation would provide further protection for one of America's most important Civil War sites by establishing Corinth as a unit of the Shiloh National Military Park.

The 106th Congress needs to add the Corinth Battlefield and its surrounding sites to the National Park System given the area's pivotal role in American history. It is also appropriate for Congress to establish Corinth as a unit of the Shiloh National Military Park as these two sites were indelibly linked during the Civil War. The 1862 battle of

Shiloh was actually the first strike in the Union force's overall Corinth Campaign. It was in April 1862, that federal and southern forces competing for control over Corinth first struggled in the Battle of Shiloh/Pittsburg Landing. The battle for Corinth also had international implications. As a result of the Union's victory, the British government chose not to officially recognize the Confederacy.

The conflict in and around Corinth eventually included the Battles of Iuka, Tupelo, and Brices' Crossroads, as well as engagements in Booneville, Rienzi, Ripley, and numerous skirmishes in southwest Tennessee and northeast Alabama.

In 1862, Union General Halleck said ''Richmond and Corinth . . . are the greatest strategic points of the war, and our success at these points should be insured at all hazards.'' Halleck's subordinate, General Ulysses S. Grant, regarded Corinth as ''the great strategic position in the west between the Tennessee and Mississippi Rivers and between Nashville and Vicksburg.'' In arguing for the defense of Corinth, Confederate General Beauregard stated to General Samual Cooper, Adjutant and Inspector General of the Confederate States Army that, ''if defeated here [in Corinth,] we lose the Mississippi Valley and probably our cause, whereas we could even afford to lose for a while Charleston and Savannah for the purpose of defeating Buell's army, which would not only insure us the valley of the Mississippi, but our independence.'' Corinth's strategic importance to both armies led to some of the bloodiest battles in the Western Theater. Tens of thousands of soldiers were killed or wounded in this bitter offensive.

It was also here that thousands of war refugees, mostly African-Americans from Mississippi, Tennessee, and Alabama, sought shelter with the Union Army in Corinth. After President Lincoln's Emancipation Proclamation, the federal army created a model ''Contraband Camp.'' By the Spring of 1863, the camp housed around 4,000 freedmen. Almost half of these freedmen joined the ''First Alabama Infantry of African Descent'' which later became the ''55th Colored Infantry.''

Corinth is also one of the few existing Civil War sites that boasts extraordinary earthworks and fortifications—many of which remain in pristine condition. A National Park Service studying authority stated that, ''today the surviving [Corinth] earthworks are one of the largest and best preserved groups of field fortifications, dating to 1862 in the United States.'' Unfortunately, many of these historic resources, undisturbed for over 130 years, are now threatened. For example, a 500-yard section of earthworks was specifically sold for development. These earthworks are important to our national heritage because they helped shape the face of war from the 1860's to today. In fact, trench warfare evolved from the battle for Corinth. These earthworks and fortifications are symbolic reminders of the epic struggle that ensued between friends and neighbors and the Civil War's lasting impact on modern warfare.

Although, the Battle of Shiloh has been etched into American history as part of the Shiloh National Military Park, a number of important historic sites and resources relating to the pre-battle and the rest of the Corinth Campaign have not been adequately protected or interpreted. Establishing the Shiloh Nationally Military Park as the nation's second Military Park back in 1894 was a good start. Now it is time for the 106th Congress to complete the preservation effort. Congress needs to give a lasting presence to the Corinth Battlefield, a key component of the historic Shiloh-Corinth Corridor.

Corinth remains a central transportation gateway. It serves as a junction intersecting Highways 72, running east and west, and Highway 45, which runs north and south. It is also a mecca for dedicated history buffs given the town's close proximity to Shiloh and other Civil War sites and its connection to the Corinth Campaign.

I am sure that my colleagues will agree that the sixteen Corinth Civil War sites designated as National Historic Landmarks are far too important to be relegated solely to review in history books or by professional historians. Americans need to see it.

The 106th Congress can and must highlight the importance of the Siege and Battle of Corinth for the millions of adults and children, both American and foreign, interested in learning about an essential facet of Americana.

For over one hundred years, the United States Congress has advanced the notion that our national interest is best served by preserving America's historic treasures. Not only by ensuring the proper interpretation of important historic events, but also the places—the properties where pivotal military milestones occurred.

As Ed Bearss proclaimed, ''the Battle of Corinth was the bloodiest battle in the State of Mississippi. Troops were brought from New Orleans, Mobile, Texas and Arkansas because Corinth was such an important place. With the fall of Corinth, Perryville, Kentucky, and Antietam, Maryland the Confederacy was lost.'' We owe it to our ancestors and to future generations to protect Corinth and the wealth of Civil War history that exudes from this small town.

Mr. President, the measure offered today is vital to the successful interpretation and preservation of Corinth. It builds upon previous efforts and gives Corinth its proper status as one of America's most significant Civil War sites.

Mr. President, I ask my colleagues to join with me in support of the Corinth Battlefield Preservation Act of 1999. A bipartisan measure which is widely supported by local, state, regional, national, and international preservation organizations.

Along with the strong local support shown by the residents and local officials of Corinth and Alcorn County as well as assistance from several Civil War preservation groups, I would also like to take a moment to thank Rosemary Williams of Corinth, Woody Harrel, Superintendent of the Shiloh Military Park, and Anne Thompson, Manager of the Interim Corinth Civil War Interpretive Center. They were instrumental in assisting with the preparation of this important historic preservation legislation.

Mr. President, I also want to thank my colleagues, Senator COCHRAN, Senator ROBB, and Senator JEFFORDS, for their formal support of this pro-parks, pro-history measure.

I hope that the rest of my colleagues will join with us in taking this necessary step to protect our heritage so that our children and grandchildren can gain an understanding of the struggles of this great nation. Struggles that have help shaped our American democracy and transformed our diverse states and peoples into a cohesive and prosperous union better prepared to meet the challenges and opportunities of the next millennium. Corinth has a story to tell Americans today and in the future. Corinth merits inclusion in the Shiloh National Military Park.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1117

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

SECTION 1. SHORT TITLE.

This act may be cited as the ''Corinth Battlefield Preservation Act of 1999''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) in 1996, Congress authorized the establishment and construction of a center—

(A) to facilitate the interpretation of the Siege and Battle of Corinth and other Civil War actions in the area in and around the city of Corinth, Mississippi; and

(B) to enhance public understanding of the significance of the Corinth campaign and the Civil War relative to the western theater of operations, in cooperation with—

(i) State or local governmental entities;

(ii) private organizations; and

(iii) individuals;

(2) the Corinth Battlefield was ranked as a priority 1 battlefield having critical need for coordinated nationwide action by the year 2000 by the Civil War Sites Advisory Commission in its report on Civil War Battlefields of the United States;

(3) there is a national interest in protecting and preserving sites of historic significance associated with the Civil War; and

(4) the States of Mississippi and Tennessee and their respective local units of government—

(A) have the authority to prevent or minimize adverse uses of these historic resources; and

(B) can play a significant role in the protection of the historic resources related to

the Civil War battles fought in the area in and around the city of Corinth.

(b) PURPOSES.—The purposes of this Act are—

(1) to establish the Corinth Unit of the Shiloh National Military Park—

(A) in the city of Corinth, Mississippi; and

(B) in the State of Tennessee;

(2) to direct the Secretary of the Interior to manage, protect, and interpret the resources associated with the Civil War Siege and the Battle of Corinth that occurred in and around the city of Corinth, in cooperation with—

(A) the State of Mississippi;

(B) the State of Tennessee;

(C) the city of Corinth, Mississippi;

(D) other public entities; and

(E) the private sector; and

(3) to authorize a special resource study to identify other Civil War sites area in and around the city of Corinth that—

(A) are consistent with the themes of the Siege and Battle of Corinth;

(B) meet the criteria for designation as a unit of the National Park System; and

(C) are considered appropriate for including in the Unit.

SEC. 3. DEFINITIONS.

In this Act:

(1) MAP.—The term ''Map'' means the map entitled ''Corinth Unit'', numbered 304/80,007, and dated October 1998.

(2) PART.—The term ''Park'' means the Shiloh National Military Park.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) UNIT.—The term ''Unit'' means the Corinth Unit of Shiloh National Military Park established under section 4.

SEC. 4. ESTABLISHMENT OF UNIT.

(a) IN GENERAL.—There is established in the States of Mississippi and Tennessee the Corinth Unit of the Shiloh National Military Park.

(b) COMPOSITION OF UNIT.—The Unit shall be comprised of—

(1) the tract consisting of approximately 20 acres generally depicted as ''Park Boundary'' on the Map, and containing—

(A) the Battery Robinett; and

(B) the site of the interpretive center authorized under section 602 of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 430f–5); and

(2) any additional land that the Secretary determines to be suitable for inclusion in the Unit that—

(A) is under the ownership of a public entity or nonprofit organization; and

(B) has been identified by the Siege and Battle of Corinth National Historic Landmark Study, dated January 8, 1991.

(c) AVAILABILITY OF MAP.—The Map shall be on file and available for public inspection in the office of the Director of the National Park Service.

SEC. 5. LAND ACQUISITION.

(a) IN GENERAL.—The Secretary may acquire land and interests in land within the boundary of the Park as depicted on the Map, by—

(1) donation;

(2) purchase with donated or appropriated funds; or

(3) exchange.

(b) EXCEPTION.—Land may be acquired only by donation from—

(1) The State of Mississippi (including a political subdivision of the State);

(2) the State of Tennessee (including a political subdivision of the State); or

(3) the organization known as ''Friends of the Siege and Battle of Corinth''.

SEC. 6. PARK MANAGEMENT AND ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer the Unit in accordance with this Act and the laws generally applicable to units of the National Park System, including—

(1) the Act entitled ''An Act to establish a National Park Service, and for other purposes'', approved August 25, 1916 (16 U.S.C. 1 et seq.); and

(2) the Act entitled ''An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes'', approved August 21, 1935 (16 U.S.C. 461 et seq.).

(b) DUTIES.—In accordance with section 602 of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 430f–5), the Secretary shall—

(1) commemorate and interpret, for the benefit of visitors and the general public, the Siege and Battle of Corinth and other Civil War actions in the area in and around the city of Corinth within the larger context of the Civil War and American history, including the significance of the Civil War Siege and Battle of Corinth in 1862 in relation to other operations in the western theater of the Civil War; and

(2) identify and preserve surviving features from the Civil War era in the area in and around the city of Corinth, including both military and civilian themes that include—

(A) the role of railroads in the Civil War;

(B) the story of the Corinth contraband camp; and

(C) the development of field fortifications as a tactic of war.

(c) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—To carry this Act, the Secretary may enter into cooperative agreements with entities in the public and private sectors, including—

(A) colleges and universities;

(B) historical societies;

(C) State and local agencies; and

(D) nonprofit organizations.

(2) TECHNICAL ASSISTANCE.—To develop cooperative land use strategies and conduct activities that facilitate the conservation of the historic, cultural, natural, and scenic resources of the Unit, the Secretary may provide technical assistance, to the extent that a recipient of technical assistance is engaged in the protection, interpretation, or commemoration of historically significant Civil War resources in the area in and around the city of Corinth, to—

(A) the State of Mississippi (including a political subdivision of the State);

(B) the State of Tennessee (including a political subdivision of the State);

(C) a governmental entity;

(D) a nonprofit organization; and

(E) a private property owner.

(d) RESOURCES OUTSIDE THE UNIT.—Nothing in subsection (c)(2) authorizes the Secretary to own or manage any resource outside the Unit.

SEC. 7 AUTHORIZATION OF SPECIAL RESOURCE STUDY.

(a) IN GENERAL.—To determine whether certain additional properties are appropriate for inclusion in the Unit, the Secretary shall conduct a special resource study of land in and around the city of Corinth, Mississippi, and nearby areas in the State of Tennessee that—

(1) have a relationship to the Civil War Siege and Battle of Corinth in 1862; and

(2) are under the ownership of—

(A) the State of Mississippi (including a political subdivision of the State);

(B) the State of Tennessee (including a political subdivision of the State);

(C) a nonprofit organization; or

(D) a private person.

(b) CONTENTS OF STUDY.—The study shall—

(1) identify the full range of resources and historic themes associated with the Civil War Siege and Battle of Corinth in 1862, including the relationship of the campaign to other operations in the western theater of the Civil War that occurred in—

(A) the area in and around the city of Corinth; and

(B) the State of Tennessee;

(2) identify alternatives for preserving features from the Civil War era in the area in and around the city of Corinth, including both military and civilian themes involving—

(A) the role of the railroad in the Civil War;

(B) the story of the Corinth contraband camp; and

(C) the development of field fortifications as a tactic of war;

(3) identify potential partners that might support efforts by the Secretary to carry out this Act, including—

(A) State entities and their political subdivisions;

(B) historical societies and commissions;

(C) civic groups; and

(D) nonprofit organizations;

(4) identify alternatives to avoid land use conflicts; and

(5) include cost estimates for any necessary activity associated with the alternatives identified under this subsection, including—

(A) acquisition;

(B) development;

(C) interpretation;

(D) operation; and

(E) maintenance.

(c) REPORT.—Not later than 1 year and 180 days after the date on which funds are made available to carry out this section, the Secretary shall submit a report describing the findings of the study under subsection (a) to—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Resources of the House of Representatives.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act, including $3,000,000 for the construction of an interpretive center under section 602(d) of title VI of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 430f–59d)).

By Mr. SCHUMER (for himself, Mrs. FEINSTEIN, Mr. CHAFEE, Mr. GREGG, Mr. SANTORUM, and Mr. MOYNIHAN):

S. 1118. A bill to amend the Agricultural Market Transition Act to convert the price support program for sugarcane and sugar beets into a system of solely recourse loans to provide for the gradual elimination of the program; to the Committee on Agriculture, Nutrition, and Forestry.

SUGAR PROGRAM PHASE OUT LEGISLATION

Mr. SCHUMER. Mr. President, today I join with my colleagues Senators FEINSTEIN, CHAFEE, GREGG, and SANTORUM to introduce legislation that phases out the federal sugar program. Remember that old story, if you believe this, I've got some swampland to sell you in Florida? Boy, I wish I bought some of that swampland and became a sugar grower.

It is a can't miss, can't lose proposition where all of the risk is absorbed by the federal government and all of the reward goes to the sugar barons. It is one of the last vestiges of a centralized, subsidized U.S. farm sector which has mostly gone by the wayside.

Ten years after the collapse of the Berlin Wall, Odessa on the Okeechobee with its generous price supports somehow still survives. This is a special interest program that benefits a handful of sugar barons at the expense of every man, woman and child in America.

Several years ago, the GAO estimated that consumers paid $1.4 billion more at the cash register because of the sugar price support. Today, because the world price for sugar is lower and the price paid in the U.S. is higher, the cost to consumers could be twice as high.

And let's not forget. It has already cost America thousands of refinery jobs. And it has already cost the Everglades hundreds of acres of pristine wilderness. In Brooklyn and in Yonkers, we have lost one-third of our refinery jobs in the last decade. Why? Because the sugar program is such a bitter deal, refiners cannot get enough raw cane sugar to remain open.

Four years ago, when we came within five votes in the House of terminating the sugar program, the world market price for sugar was about ten cents and the U.S. price about 20 cents. Today the world price is less than a nickel and the U.S. price is almost a quarter. In other words, the gulf between the free market and the sugar program is getting wider.

Under any reasonable and rational measure the sugar program should be repealed. If the issue is jobs, the environment or the consumer—then we have no choice but to repeal. At all ends of the political spectrum the answer is the same—it's time to repeal the sugar program.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1118

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

SECTION 1. RECOURSE LOANS FOR PROCESSORS OF SUGARCANE AND SUGAR BEETS AND REDUCTION IN LOAN RATES.

(a) GRADUAL REDUCTION IN LOAN RATES.—

(1) SUGARCANE PROCESSOR LOANS.—Section 156(a) of the Agricultural Market Transition Act (7 U.S.C. 7272(a)) is amended by striking ''equal to 18 cents per pound for raw cane sugar.'' and inserting the following: '', per pound for raw cane sugar, equal to the following:

''(1) In the case of raw cane sugar processed from the 1996, 1997, or 1998 crop, $0.18.

''(2) In the case of raw cane sugar processed from the 1999 crop, $0.17.

''(3) In the case of raw cane sugar processed from the 2000 crop, $0.16.

''(4) In the case of raw cane sugar processed from the 2001 crop, $0.15.

''(5) In the case of raw cane sugar processed from the 2002 crop, $0.14.''.

(2) SUGAR BEET PROCESSOR LOANS.—Section 156(b) of the Agricultural Market Transition Act (7 U.S.C. 7272(b)) is amended by striking ''equal to 22.9 cents per pound for refined beet sugar.'' and inserting the following: '', per pound of refined beet sugar, that reflects—

''(1) an amount that bears the same relation to the loan rate in effect under subsection (a) for a crop as the weighted average of producer returns for sugar beets bears to the weighted average of producer returns for sugarcane, expressed on a cents per pound basis for refined beet sugar and raw cane sugar, for the most recent 5-year period for which data are available; and

''(2) an amount that covers sugar beet processor fixed marketing expenses.''.

(b) CONVERSION TO RECOURSE LOANS.—Section 156(e) of the Agricultural Market Transition Act (7 U.S.C. 7272(e)) is amended—

(1) in paragraph (1), by inserting ''only'' after ''this section''; and

(2) by striking paragraphs (2) and (3) and inserting the following:

''(2) NATIONAL LOAN RATES.—Recourse loans under this section shall be made available at all locations nationally at the rates specified in this section, without adjustment to provide regional differentials.''.

(c) CONVERSION TO PRIVATE SECTOR FINANCING.—Section 156 of the Agricultural Market Transition Act (7 U.S.C. 7272) is amended—

(1) by redesignating subsection (i) as subsection (j);

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

''(i) CONVERSION TO PRIVATE SECTOR FINANCING.—Notwithstanding any other provision of law—

''(1) no processor of any of the 2003 or subsequent crops of sugarcane or sugar beets shall be eligible for a loan under this section with respect to the crops; and

''(2) the Secretary may not make price support available, whether in the form of loans, payments, purchases, or other operations, for any of the 2003 and subsequent crops of sugar beets and sugarcane by using the funds of the Commodity Credit Corporation or other funds available to the Secretary.''; and

(3) in subsection (j) (as redesignated by paragraph (1)) by striking ''subsection (f)'' and inserting ''subsections (f) and (i)''.

(d) TERMINATION OF MARKETING QUOTAS AND ALLOTMENTS.—

(1) TERMINATION.—Part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa et seq.) is repealed.

(2) CONFORMING AMENDMENT.—Section 344(f)(2) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1344(f)(2)) is amended by striking ''sugar cane for sugar, sugar beets for sugar,''.

(e) OTHER CONFORMING AMENDMENTS.—

(1) PRICE SUPPORT FOR NONBASIC AGRICULTURAL COMMODITIES.—

(A) DESIGNATED NONBASIC AGRICULTURAL COMMODITIES.—Section 201(a) of the Agricultural Act of 1949 (7 U.S.C. 1446(a)) is amended by striking ''milk, sugar beets, and sugarcane'' and inserting '', and milk''.

(B) OTHER NONBASIC AGRICULTURAL COMMODITIES.—Section 301 of the Agricultural Act of 1949 (7 U.S.C. 1447) is amended by inserting ''(other than sugarcane and sugar beets)'' after ''title II''.

(2) POWERS OF COMMODITY CREDIT CORPORATION.—Section 5(a) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c(a)) is amended by inserting ''(except for the 2003 and subsequent crops of sugarcane and sugar beets)'' after ''agricultural commodities''.

(3) SECTION 32 ACTIVITIES.—Section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), is amended in the second sentence of the first paragraph by inserting ''(other than sugarcane and sugar beets)'' after ''commodity'' the last place it appears.

(f) ASSURANCE OF ADEQUATE SUPPLIES OF SUGAR.—Section 902 of the Food Security Act of 1985 (7 U.S.C. 1446g note; Public Law 99–198) is amended by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—Beginning with the quota year for sugar imports that begins after the 1998/1999 quota year, the President shall use all authorities available to the President as may be necessary to enable the Secretary of Agriculture to ensure that adequate supplies of raw cane sugar are made available to the United States market at prices that are not greater than the higher of—

''(1) the world sugar price (adjusted to a delivered basis); or

''(2) the raw cane sugar loan rate in effect under section 156 of the Agricultural Market Transition Act (7 U.S.C. 7272), plus interest.''.

Mrs. FEINSTEIN. Mr. President, I rise in support of legislation sponsored by Senator SCHUMER to phase out the antiquated sugar subsidy. The sugar program is nothing than a system of import restrictions, subsidized loans, and price supports that benefit a limited number of sugar growers.

I find it incredible that the federal government continues to support a subsidy program that is driving the domestic refinery industry out of existence and costing thousands of good jobs. The US Department of Agriculture restricts the amount of sugar available to domestic refineries. Without sugar, a sugar refinery cannot operate and that is the result of this misguided program.

It is clear that the U.S. sugar policy has served to strangle this country's sugar refining industry. By limiting the amount of raw cane sugar available for production, there has been a 40 percent decline in jobs in the sugar-cane refining industry. Since 1982, nine out of twenty one cane sugar refineries in the U.S. have been forced out of business. Those that have remained open are struggling to survive under onerous import restrictions.

I first became involved with this issue in 1994 when David Koncelik, the President and CEO of the California and Hawaiian Sugar Company, informed me that his refinery was forced to temporarily cease operations because it had no sugar.

This 93 year old refinery is the Nation's largest refinery and the only such facility on the West Coast. C&H refines about 15 percent of the total cane sugar consumed in the U.S.

C&H is capable of producing and selling 700,000 tons of refined sugar annually. Therefore, the company requires in excess of 700,000 tons of raw cane sugar to meet its sales demand.

Hawaii is C&H's sole source for its domestic raw cane sugar needs, but Hawaii's cane sugar industry has been in decline for over 10 years. This has meant that C&H is forced to cover over half its annual consumption through imports from other countries.

The highly restrictive sugar import system forces C&H to pay an inflated price for raw sugar from both domestic and foreign suppliers. Even more devastating, however, the quota system limits the amount of sugar available to the refinery. Simply put, C&H has been unable to get enough sugar to refine and it has been forced to close it doors on several occasions.

The reduced production capacity has resulted in a severe downsizing of the workforce. As recently as 1987, C&H employed over 1,400 people. These are not minimum wage jobs we are talking about: the average employee in the cane refining industry earns nearly $43,000 a year. In 1995, C&H had to eliminate 30 percent of its workforce just to remain viable under the quota system mandated by the sugar program.

C&H now employees just over 500 people. These jobs and many others around the nation are at risk if reforms are not made to the sugar program.

The overly restrictive manner that the USDA administers the sugar program has a number of other flaws. The sugar program's existing quota system was put in place in 1982, using trading patterns dating as far back as 1975. The system has remained largely unchanged over the past 17 years despite major alterations in the international sugar market. As a result, the current import quota system assigns export rights to countries that don't grow enough sugar to export or, in some cases, are net importers themselves.

For example, the Philippines are granted one of the largest export privileges under the sugar import quota system. It, however, does not even grow enough sugar to meet it own domestics needs. What this means is that the Philippines sell their homegrown sugar crop to the United States at about 22 cents a pound. It then buys raw sugar on the world market at around 5 cents a pound. This is ridiculous. We are in effect giving money to foreign countries and forcing domestic consumers to pay the price.

Beginning in September of 1994, I have asked the Administration on eight separate occasions to reform the sugar program. Simply increasing the amount of sugar available through the import program would provide immediate relief to C&H and the other domestic refineries. To date, no such permanent reform of the program has been made.

In addition to choking off the refineries' access to sugar, the US sugar policy also has an adverse impact on US consumers. The General Accounting Office has found that the program costs sugar users an average of $1.4 billion annually. That equates to $3.8 million a day in hidden sugar taxes.

The report found that ''Although the sugar program is considered a no-net-cost program because the government does not make payments directly to producers, it places the cost of the price supports on sweetener users—consumers and manufacturers of sweetener-containing products—who pay higher sugar and sweetener prices.''

What this means is that unlike traditional subsidy programs, the funds do not come directly from the Treasury. Instead, the sugar program places the cost consumers by restricting the supply of available sugar which causes higher domestic market prices.

The legislation we are introducing will eliminate the sugar subsidy program by 2002. This is a simple, straight-forward, and fair way to end a program that has not worked for U.S. consumers or workers.

Congress has had opportunities in the past to kill this program and we have not taken them. As a result, workers have lost jobs and consumers have lost money. I am pleased to join my colleagues in saying that enough is enough. It is time to end the sugar subsidy program once and for all.

By Mr. TORRICELLI (for himself, Mr. REED, Mr. LAUTENBERG, Mr. BRYAN, Mrs. BOXER, Mrs. FEINSTEIN, Mr. DODD, Mr. ROCKEFELLER, Mr. BIDEN, Mr. SCHUMER, Mrs. MURRAY, Mr. DURBIN, and Mr. KERRY):

S. 1120. A bill to ensure that children enrolled in medicaid and other Federal means-tested programs at highest risk for lead poisoning are identified and treated, and for other purposes; to the Committee on Finance.

CHILDREN'S LEAD SAFE ACT

● Mr. TORRICELLI. Mr. President, today I rise with Senator REED to introduce legislation that will ensure that children enrolled in federal health care programs receive screening and appropriate care for lead poisoning. Our bill, the ''Children's Lead SAFE Act of 1999'' would go a long way to eliminate childhood lead poisoning.

We know lead exposure is one of the most dangerous health hazards for young children because their nervous systems are still developing. Lead poisoning in children causes damage to the brain and nervous systems, which leads to IQ loss, impaired physical development and behavioral problems. High levels of exposure can cause comas, convulsions, and even death.

Despite our success over the past twenty years to reduce lead poisoning in the U.S., it continues to be the number one environmental health threat to children, with nearly one million preschoolers affected. Poor and minority children are most at-risk because of diet and exposure to environmental hazards such as old housing. These children frequently live in older housing which contains cracked or chipped lead paint, where children primarily contract lead poisoning by ingesting paint chips or lead dust.

Mr. President, 75 percent of At-Risk children are enrolled in federal health care programs. Kids in these programs are five times more likely to have high blood levels. In 1992, Congress instructed Health Care Financing Adm. (HCFA) to require States to lead screen Medicaid children under the age of two. Despite this, the GAO report shows that mandatory screening isn't happening. Two-thirds of Medicaid children have never been screened (as required). And only 20 percent of all children in federal programs have been screened.

In fact, only half the States have screening policies consistent with federal law. In my own state of New Jersey, the GAO report showed that only 39 percent of Medicaid children have been screened. Despite federal requirements, for whatever reason—insufficient outreach, lax government oversight or parental ignorance, too many kids are not getting screened.

The Children's Lead SAFE Act would address this problem by establishing clear and consistent standards for screening and treatment and by involving all relevant federal health programs in this battle. Our legislation is modeled on the recommendations made by the GAO.

It requires all federal programs serving at-risk kids to be involved in screening. It requires State Medicaid contracts to explicitly require providers (HMO's) to follow federal rules for screening and treatment. It expands Medicaid coverage to include treatment services and environmental investigations to determine the source of the poisoning. WIC centers (with 12 percent of the at-risk population) will be required to assess whether a child has been screened and if they have not to provide the necessary referral and follow-up to ensure that screening occurs. Head Start facilities would similarly have the responsibility for ensuring that their children are screened.

In addition, our legislation would improve data so we can identify problems and use that information to educate providers about the extent of the problem. CDC would develop information-sharing guidelines for State and local health departments, the labs that perform the test and federal programs. It would also require each State to report on the percent of the Medicaid population they are screening.

Finally, our legislation would make sure agencies have sufficient resources to do screening by reimbursing WIC and Head Start for costs they incur in screening. The legislation would also create a bonus program whereby a state will receive a per child bonus for every child it screens above 65 percent of its Medicaid population.

Mr. President, the health and safety of our children would be greatly enhanced with the passage of this important legislation. Childhood lead poisoning is easily preventable, and there is no excuse for not properly screening and providing care to our kids. Our bill would accomplish this and ensure adequate care. I ask my colleagues to join me in recognizing this problem and supporting its solution.●

Mr. REED. Mr. President, I rise today to introduce legislation with Senator TORRICELLI that would ensure that children enrolled in federal health care programs receive screening and appropriate follow-up care for lead poisoning. Our bill, the ''Children's Lead SAFE Act of 1999'' is an effort to eliminate a disease that continues to wreak irreversible damage upon our nation's children.

Despite our success over the past twenty years to reduce lead poisoning

in the U.S., it continues to be the number one environmental health threat to children, with nearly one million preschoolers affected. This problem is particularly severe among African American children who are at five times higher risk than white children and low-income children are at eight times higher risk than children from well-to-do families.

Minorities and low-income children are disproportionately affected by lead poisoning because they frequently live in older housing which contains cracked or chipped lead paint, where children primarily contract lead poisoning by ingesting paint chips or lead dust.

If undetected, lead poisoning can cause brain and nervous system damage, behavior and learning problems and possibly death.

Research shows that children with elevated blood-lead levels are seven times more likely to drop out of high school and six times more likely to have reading disabilities. It costs an average of $10,000 more a year to educate a lead-poisoned child. We will continue to pay for our failure to eradicate this preventable tragedy through costs to our education and health care system, and losses in lifetime earnings, unless we act now to protect our children.

As I mentioned, this disease is entirely preventable, making its prevalence among children all the more frustrating. We do have solutions—parents who are aware, housing that is safe, and effective screening and treatment for children who are at risk—to name a few.

Unfortunately, our current system is not adequately protecting our children. In January 1999, the General Accounting Office reported that children in federally funded health care programs such as Medicaid, Women Infant and Child (WIC) and the Health Centers program, are five times more likely to have elevated blood lead levels. The report also found that despite longstanding federal requirements, two-thirds of the children in these programs—more than 400,000—have never been screen and, consequently, remain untreated.

Early detection of lead poisoning is critical to ensure that a child is removed from the source of exposure and to determine whether other children, such as siblings or friends, have also been exposed. Screening is also important to determine whether a child's lead poisoning is so severe as to require medical management to mitigate the long-term health and developmental effects of lead.

Mr. President, our comprehensive legislation is designed to make sure no child falls through the cracks, by establishing clear and consistent standards for screening and treatment and by holding accountable those who are responsible for carrying out the requirements. The legislation supports improved management information systems to provide state- and community-level information about the extent to which children have elevated blood lead levels. It also expands and coordinates lead screening and treatment activities through other federal programs serving at-risk children such as WIC, Early Head Start, and the Maternal and Child Health Block Grant programs. Finally, the bill ties incentives for screening to additional federal funding for cleaning up lead-contaminated houses.

Mr. President, we propose this legislation in an effort to rid children of the detrimental effects of lead poisoning. Every child has a right to screening and follow-up care. This bill will significantly increase the number of poisoned children who are screened and treated and help communities, parents, and physicians to take advantage of every opportunity that they have to detect and treat lead poisoning before its irreversible effects set in.

I ask by unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

The bill was not available for printing. It will appear in a future issue of the RECORD.

By Mr. LEAHY:

S 1121. A bill to amend the Clayton Act to enhance the authority of the Attorney General to prevent certain mergers and acquisitions that would unreasonably limit competition; to the Committee on the Judiciary.

ANTITRUST IMPROVEMENTS ACT OF 1999

Mr. LEAHY. Mr. President, we are living in a time of mega-mergers, and they are coming from all directions. Chrysler and Daimler-Benz automobile companies finalized their merger last year. In the computer world, AOL completed its purchase of Netscape just a few months ago. And in the largest corporate merger ever, Exxon Corporation announced its plan to acquire Mobil at a price tag of over $75 billion, thus creating the world's biggest private oil company, Exxon Mobil Corporation.

While these mega-mergers have cut a swath across a number of industries, the consolidations that continue to raise the most questions in my mind are those that involve incumbent monopolies. For example, the mergers among Regional Bell Operating Companies, which continue to have a virtual stranglehold on the local telephone loop, pose a great threat to healthy competition in the telecommunications industry.

Indeed, incumbent telephone companies still control more than 99% of the local residential telephone markets.

As I said last Congress, and it is still the case today, at my farm in Middlesex and at my home here in Virginia, I have only one choice for dial-tone and local telephone service. That ''choice'' is the Bell operating company or no service at all.

The Telecommunications Act of 1996 passed with the promise of bringing competition to benefit American consumers. However, this promise has yet to materialize.

Since passage of the Telecommunications Act, Southwestern Bell has merged with PacTel into SBC Corporation, Bell Atlantic has merged into NYNEX, and AT&T has acquired IBM's Global Network, just to name a few. Just last week it was reported that U.S. West reached an agreement to merge with the telecommunications company Global Crossing.

The U.S. Justice Department didn't spend years dividing up Ma Bell just to see it grow back together again under the guise of the 1996 Telecommunications Act.

I am very concerned that the concentration of ownership in the telecommunications industry is proceeding faster than the growth of competition. Old monopolies are simply regrouping and getting bigger and bigger.

Before all the pieces of Ma Bell are put together again, Congress should revisit the Telecommunications Act. To ensure competition between Bell Operating Companies and long distance and other companies, as contemplated by passage of this law, we need clearer guidelines and better incentives. Specifically, we should ensure that Bell Operating Companies do not gain more concentrated control over huge percentages of the telephone access lines of this country through mergers, but only through robust competition.

Today I am reintroducing antitrust legislation that will bar future mergers between Bell Operating Companies or GTE, unless the federal requirements for opening the local loop to competition have been satisfied in at least half of the access lines in each State.

The bill provides that a ''large local telephone company'' may not merge with another large local telephone company unless the Attorney General finds that the merger will promote competition for telephone exchange services and exchange access services. Also, before a merger can take place, the Federal Communications Commission must find that each large local telephone company has for at least one-half of the access lines in each State served by such carrier, of which as least one-half are residential access lines, fully implemented the requirements of sections 251 and 252 of the Communications Act of 1934.

The bill requires that each large local telephone company that wishes to merge with another must file an application with the Attorney General and the FCC. A review of these applications will be subject to the same time limits set under the Hart-Scott-Rodino Antitrust Improvements Act of 1976.

The bill also provides that nothing in this Act shall be construed to modify, impair, or supersede the applicability of the antitrust laws of the United States, or any authority of the Federal Communications Commission, or any

authority of the States with respect to mergers and acquisitions of large local telephone companies.

The bill is effective on enactment and has no retroactive effect. It is enforceable by the Attorney General in federal district courts.

This bill has the potential to make the 1996 Telecommunications Act finally live up to some of its promises.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1121

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Antitrust Improvements Act of 1999''.

SEC. 2. PURPOSE

The purpose of this Act is to enhance the authority of the Attorney General to prevent certain mergers and acquisitions that would unreasonably limit competition in the telecommunications industry in any case in which certain Federal requirements that would enhance competition are not met.

SEC. 3. RESTRAINT OF TRADE.

The Clayton Act (15 U.S.C. 12 et seq.) is amended—

(1) by redesignating section 27 (as designated by section 2 of Public Law 96–493) as section 29; and

(2) by inserting after section 27 (as added by the Curt Flood Act of 1998 (Public Law 105–297)) the following new section:

''SEC. 28. (a) In this section, the term 'large local telephone company' means a local telephone company that, as of the date of a proposed merger or acquisition covered by this section, serves more than 5 percent of the telephone access lines in the United States.

''(b) Notwithstanding any other provision of law, a large local telephone company, including any affiliate of such a company, shall not merge with or acquire a controlling interest in another large local telephone company unless—

''(1) the Attorney General finds that the proposed merger or acquisition will promote competition for telephone exchange services and exchange access services; and

''(2) The Federal Communication Commission finds that each large local telephone company that is a party to the proposed merger or acquisition, with respect to at least ½ of the access lines in each State served by that company, of which at least ½ are residential access lines, has fully implemented the requirements of sections 251 and 252 of the Communications Act of 1934 (47 U.S.C. 251, 252), including the regulations of the Commission and of the States that implemented those requirements.

''(c) Not later than 10 days after the Attorney General makes a finding described in subsection (b)(1), the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the finding, including an analysis of the effect of the merger or acquisition on competition in the United States telecommunications industry.

''(d)(1) Each large local telephone company or affiliate of a large local telephone company proposing the merge with or acquire a controlling interest in another large local telephone company shall file an application under this section with respect to the merger or acquisition with both the Attorney General and the Federal Communication Commission on the same day.

''(2) The Attorney General and the Federal Communication Commission shall issue a decision regarding the application within the time period applicable to review of mergers under section 7A.

''(e)(1) The district courts of the United States are vested with jurisdiction to prevent and restrain any mergers or acquisitions described in subsection (d) that are inconsistent with a finding under paragraph (1) or (2) of subsection (b).

''(2) The Attorney General may institute proceedings in any district court of the United States in the district in which the defendant resides or is found or has an agent and that court shall order such injunctive, and other relief, as may be appropriate if—

''(A) the Attorney General makes a finding that a proposed merger or acquisition covered by an application under subsection (d) does not meet the condition specified in subsection (b)(1); or

''(B) The Federal Communications Commission makes a finding that 1 or more of the parties to the proposed merger or acquisition do not meet the requirements specified in subsection (b)(2).''.

SEC. 4 PRESERVATION OF EXISTING AUTHORITIES.

(1) IN GENERAL.—Nothing in this Act or the amendment made by section 3(2) shall be construed to modify, impair, or supersede the applicability of the antitrust laws, or any authority of the Federal Communication Commission under the Communication Act of 1934 (47 U.S.C. 151 et. seq.), with respect to mergers, acquisitions, and affiliations of large local exchange carriers.

(b) ANTITRUST LAWS DEFINED.—In this section, the term ''antitrust laws'' has the meaning given that term in the first section of the Clayton Act (15 U.S.C. 12).

SEC 5. APPLICABILITY

This Act and the amendment made by section 3(2) shall apply to a merger or acquisition of a controlling interest of a large local telephone company (as that term is defined in section 27 of the Clayton Act, as added by such section 3(2)), occurring on or after the date of the enactment of this Act.

By Ms. COLLINS (for herself, Mr. FRIST, Mr. ABRAHAM, Ms. SNOWE, Mr. JEFFORDS, and Mr. COVERDELL):

S. 1123. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the safety of imported food, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

IMPORTED FOOD SAFETY IMPROVEMENT ACT

● Ms. COLLINS. Mr. President, food safety is a serious and growing public health concern. According to the General Accounting Office (GAO), as many as 81 million cases of foodborne illness and 9,000 related deaths occur in the U.S. every year. Most at risk are the very old, the very young, and the very ill. While these statistics refer to all cases of foodborne illness, recent outbreaks demonstrate that tainted imported foods have increased the incidence of illness and have exposed American consumers to new pathogens.

The volume of imported foods continues to grow, yet our current food import system is riddled with holes which allow unsafe food to penetrate our borders. Contaminated food imports have caused illnesses rarely seen in the United States and can be extremely difficult, if not impossible, for consumers to detect.

I first became interested in this issue when I learned that fruit from Mexico and Guatemala was associated with three multi-state outbreaks of foodborne illesses—one of hepatitis A and two of Cyclospora infection—that sickened thousands of Americans. These outbreaks included victims in my home State of Maine.

In my State's grocery stores, as in any typical American grocery store, the fresh fruit and vegetables that are available during the winter months come from many other countries. In many ways, imported food is a blessing for American consumers. Fruit and vegetables that would normally be unavailable in our local grocery stores during the winter months are now available all year long, making it easier and more enjoyable to eat the five servings of fruit and vegetables a day the National Cancer Institute recommends. But, it's only a blessing if the food is safe. Even one serving of tainted food can cause sickness and even death.

The Food and Drug Administration (FDA) reports that the increasing importation of produce is a trend that is expected to continue. In 1996, the U.S. imported $7.2 billion worth of fruit and vegetables from at least 90 different countries, a dramatic increase from the 1990 level of $4.8 billion. Total food imports have increased from 1.1 million shipments in 1992 to 2.7 million in 1997. And, of all the fish and shellfish consumed in the U.S., more than half is imported.

Yet, the FDA annually inspects less than 2 percent of the 2.7 million shipments of food that arrive in the U.S. And of the small number of shipments that are inspected, only about a third are tested for some of the most significant pathogens. What's more, even when the FDA does catch contaminated food, the system often fails to dispose of it adequately. Indeed, according to one survey conducted by the Customs Service in 1997, as many as 70 percent of the imported food shipments the FDA ordered re-exported or destroyed may have ended up in U.S. commerce any way. Unscrupulous food importers can easily circumvent the inspection system.

Mr. President, to respond to these problems, I am introducing the Imported Food Safety Improvement Act, with Senator FRIST, Senator ABRAHAM, Senator COVERDELL, Senator JEFFORDS, and Senator SNOWE as original cosponsors.

Our legislation is an effort designed to strengthen the existing food import system to help ensure that unsafe food does not enter the United States. Our goal is to reduce the incidence of foodborne illnesses and to ensure that American families can enjoy a variety of foods year-round without the risk of illness when they sit down to the dinner table.

This legislation is the product of an extensive investigation by the Permanent Subcommittee on Investigations, which I chair. During the 105th Congress, the Subcommittee undertook a 16-month, in-depth investigation into the safety of food imports. During five days of Subcommittee hearings, we heard testimony from 29 witnesses, including scientists, industry and consumer representatives, government officials, the General Accounting Office, and two persons with first-hand knowledge of the seamier side of the imported food industry, a convicted Customs broker and a convicted former FDA inspector. As a result of the compelling testimony that we heard, I have worked with my colleagues in drafting the legislation we introduce today—the Imported Food Safety Improvement Act—to address a broad array of problems uncovered during the Subcommittee's investigation.

My Subcommittee's investigation has revealed much about the food we import into this country and the government's flawed food safety net. Let me briefly recount some of our findings which make it clear why this legislation is so urgently needed:

In the worlds of the GAO, ''federal efforts to ensure the safety of imported food are inconsistent and unreliable.'' Federal agencies have not effectively targeted their resources on imported foods posing the greatest risks;

Weaknesses in FDA import controls, specifically the ability of importers to control the food shipments from the port to the point of distribution, makes the system vulnerable to fraud and deception;

The bonds required to be posted by importers who violate food safety laws are so low that they are considered by some unscrupulous importers at the cost of doing business;

Maintaining the food safety net for imported food is an increasingly complex task, made more complicated by previously unknown foodborne pathogens, like Cyclospora, that are difficult to detect;

Because some imported food can be contaminated by organisms that cannot be detected by visual inspection or laboratory tests, placing additional federal inspectors at ports-of-entry alone will not protect Americans from unsafe food imports; and

Since contamination of imported food can occur at many different places from the farm to the table, the ability to trace-back outbreaks of foodborne illnesses to the source of contamination is a complex process that requires a more coordinated effort among the federal, state, and local agencies as well as improved education for health care providers so that they can better recognize and treat foodborne illnesses.

The testimony that I heard during my Subcommittee's hearings was troubling. The United States Customs Service told us of one particularly egregious situation that I would like to share. It involves contaminated fish and illustrates the challenges facing federal regulators who are charged with ensuring the safety of our nation's food supply.

In 1996, federal inspectors along our border with Mexico opened a shipment of seafood destined for sales to restaurants in Los Angeles. The shipment was dangerously tainted with life-threatening contaminants, including botulism, Salmonella, and just plain filth. Much to the surprise of the inspectors, this shipment of frozen fish had been inspected before by federal authorities. Alarmingly, in fact, it had arrived at our border two years before, and had been rejected by the FDA as unfit for consumption. Its importers then held this rotten shipment for two years before attempting to bring it into the country again, by a different route.

The inspectors only narrowly prevented this poisoned fish from reaching American plates. And what happened to the importer who tried to sell this deadly food to American consumers? In effect, nothing. He was placed on probation and asked to perform 50 hours of community service.

I suppose we should be thankful that the perpetrators were caught and held responsible. After all, the unsafe food might have escaped detection and reached our tables. But it worries me that the importer essentially received a slap on the wrist. I believe that forfeiting the small amount of money currently required for the Custom's bond, which importers now consider no more than a ''cost of doing business,'' does little to deter unscrupulous importers from trying to slip tainted fish that is two years old past overworked Customs agents.

All too often, unscrupulous importers are never discovered. The General Accounting Office testified about a special operation known as Operation Bad Apple, conducted by Customs at the Port of San Francisco in 1997, identified 23 weaknesses in the controls over FDA-regulated imported food. For example, under current law, importers retain custody of their shipments from the time they arrive at the border. The importers must also put up a bond and agree to ''redeliver'' the shipment to Customs, for reexport or destruction, if ordered to do so or forfeit the bond. However, Operation Bad Apple revealed a very disturbing fact. Of the shipments found to violate U.S. standards, thereby requiring redelivery to Customs for destruction or re-export, a full 40 percent were never returned. The Customs Service believes an additional 30 percent of shipments that the FDA required to be returned contained good products that the importers had substituted for the original bad products. Customs further believes that the violative products were on their way to the marketplace. This means that a total of 70 percent of products ordered returned, because they were unsafe, presumably entered into U.S. commerce.

Weak import controls make our system all too easy to circumvent. After all, FDA only physically inspects about 17 of every 1,000 food shipments and, of the food inspected, only about a third is actually tested. That is why we have worked with the FDA, the Customs Service, and the Centers for Disease Control (CDC) to ensure that our legislation addresses many of the issues explored over the course of the Subcommittee's investigation and hearings. Let me describe what this bill is designed to accomplish.

Our legislation will fill the existing gaps in the food import system and provide the FDA with certain stronger authority to protect American consumers against tainted food imports. First and foremost, this bill gives the FDA the authority to stop such food from entering our country. This authority allows the FDA to deny the entry of imported food that has caused repeated outbreaks of foodborne illnesses, presents a reasonable probability of causing serious adverse health consequences, and is likely without systemic changes to cause disease again.

Second, this legislation includes the authority for the FDA to require secure storage of shipments offered by repeat offenders prior to their release into commerce, to prohibit the practice of ''port-shopping,'' and to mark boxes containing violative foods as ''U.S.—Refused Entry.'' This latter authority, which would allow the FDA to clearly mark boxes containing contaminated foods, is currently used with success by the U.S. Department of Agriculture, and has been requested specifically by the FDA. Our bill also will require the destruction of certain imported foods that cannot be adequately reconditioned to ensure safety. Third, the legislation directs the FDA to develop criteria for use by private laboratories used to collect and analyze samples of food offered for import. This will ensure the integrity of the testing process.

Fourth, the bill will give ''teeth'' to the current food import system by establishing two strong deterrents—the threats of high bonds and of debarment—for unscrupulous importers who repeatedly violate U.S. law. No longer will the industry's ''bad actors'' be able to profit from endangering the health of American consumers.

Finally, our bill will authorize the CDC to award grants to state and local public health agencies to strengthen the public health infrastructure by updating essential items such as laboratory and electronic-reporting equipment. Grants will also be available for universities to develop new and improved tests to detect pathogens and for professional schools and professional societies to develop programs to increase the awareness of foodborne illness among healthcare providers and the public.

We believe the measures provided for in this legislation will help to curtail

the risks that unsafe food imports currently pose to our citizens, particularly our elderly, our children and our sick. I appreciate the advice and input we have received from scientists, industry and consumer groups, and the FDA, the CDC and the U.S. Customs Service in drafting this legislation.

We are truly fortunate that the American food supply is one of the safest in the world. But, our system for safeguarding our people from tainted food imports is flawed and poses needless risks of serious foodborne illnesses. I believe it is the responsibility of Congress to provide our federal agencies with the direction, authority, and resources necessary to keep unsafe food out of the United States and off American dinner tables.●

By Mr. SMITH of New Hampshire (for himself, Mr. FRIST, Mr. BOND, Ms. LANDRIEU, Mr. ROBB, Mr. HAGEL, Mr. BREAUX, Mr. TORRICELLI, Mr. HELMS, Mr. INHOFE, Mr. DURBIN, and Mr. EDWARDS).

S.J. Res. S. 25. A joint resolution expressing the sense of Congress with respect to the court-marital conviction of the late Rear Admiral Charles Butler McVay III, and calling upon the President to award a Presidential Unit Citation to the final crew of the U.S.S. *Indianapolis*; to the Committee on Armed Services.

Mr. SMITH of New Hampshire. Mr. President, I rise today to share with my colleagues a brief story from the closing days of World War II, the war in the Pacific.

It is a harrowing story, with many elements. Bad timing, bad weather. Heroism and fortitude. Negligence and shame. Bad luck. Above all, it is the story of some very special men whose will to survive shines like a beacon decades later.

I should point out that it is because of the efforts of a 13 year old boy in Florida that I introduce this bill today. Hunter Scott, working for nearly two years on what started as a history project, compiled a mountain of clippings, letters, and interviews that ultimately led Congressman JOE SCARBOROUGH to introduce this bill in the House, and for me to do so in the Senate. Hunter, on behalf of the survivors of the U.S.S. *Indianapolis*, the family of Captain McVay, and your country, I thank you for your courageous efforts.

Mr. President, we have the opportunity to redeem the reputation of a wronged man, and salute the indomitable will of a courageous crew. I had the distinct honor and priviledge of hosting two distinguished members of that courageous crew just this morning; Richard Paroubek, of Williamsburg, VA, who was a Yeoman 1st Class, and Woodie James of Salt Lake City, UT, who was a Coxswain. The bill I introduce today will honor these two men, and their fellow shipmates of the U.S.S. *Indianapolis*, and redeem their Captain, Charles McVay.

A 1920 graduate of the U.S. Naval Academy, Charles Butler McVay III was a career naval officer with an exemplary record, including participation in the landings in North Africa and award of the Silver Star for courage under fire earned during the Soloman Islands campaign. Before taking command of the *Indianapolis* in November 1944, Captain McVay was chairman of the Joint Intelligence Committee of the Combined Chiefs of Staff in Washington, the Allies' highest intelligence unit.

Captain McVay led the ship through the invasion of Iwo Jima, then the bombardment of Okinawa in the spring of 1945 during which *Indianapolis*' antiaircraft guns shot down seven enemy planes before the ship was severely damaged. McVay returned the ship safely to Mare Island in California for repairs.

In 1945, the *Indianapolis* delivered the world's first operational atomic bomb to the island of Tinian, which would later be dropped on Hiroshima by the *Enola Gay* on August 6. After delivering its fateful cargo, the *Indianapolis* then reported to the naval station at Guam for further orders. She was ordered to join the battleship U.S.S. *Idaho* in the Philippines to prepare for the invasion of Japan.

It was at Guam that the series of events ultimately leading to the sinking of the *Indianapolis* began to unfold. Hostilities in this part of the Pacific had long since ceased. The Japanese surface fleet was no longer considered a likely threat, and attention instead had turned 1,000 miles to the north where preparations were underway for the invasion of the Japanese mainland. These conditions led to a relaxed state of alert on the part of those who decided to send the *Indianapolis* across the Philippine Sea unescorted, and consequently, Captain McVay's orders to ''zigzag at his discretion.'' Zigzagging is a naval maneuver used to avoid torpedo attack, generally considered most effective once the torpedoes have been launched.

The *Indianapolis*, unescorted, departed Guam for the Philippines on July 28. Just after midnight on 30 July 1945, midway between Guam and the Leyte Gulf, she was hit by two torpedoes fired by the ''I–58,'' a Japanese submarine. The first blew away the bow, the second struck near mid-ship on the starboard side adjacent to a fuel tank and a powder magazine. The resulting explosion split the ship in two.

Of the 1,196 men aboard, about 900 escaped the sinking ship and made it into the water in the twelve minutes before she sank. Few life rafts were released. Shark attacks began at sunrise on the first day, and continued until the men were physically removed from the water, almost five days later.

Shortly after 11:00 A.M. of the fourth day, the survivors were accidentally discovered by an American bomber on routine antisubmarine patrol. A patrolling seaplane was dispatched to lend assistance and report. En route to the scene the pilot overflew the destroyer U.S.S. *Cecil Doyle* (DD–368), and alerted her captain to the emergency. The captain of the *Doyle*, on his own authority, decided to divert to the scene.

Arriving hours ahead of the *Doyle*, the seaplane's crew began dropping rubber rafts and supplies. While doing so, they observed men being attacked by sharks. Disregarding standing orders not to land at sea, the plane landed and began taxiing to pick up the stragglers and lone swimmers who were at greatest risk of shark attack.

As darkness fell, the crew of the seaplane waited for help to arrive, all the while continuing to seek out and pull nearly dead men from the water. When the plane's fuselage was full, survivors were tied to the wing with parachute cord. The plane's crew rescued 56 men that day.

The *Cecil Doyle* was the first vessel on the scene, and began taking survivors aboard. Disregarding the safety of his own vessel, the *Doyle*'s captain pointed his largest searchlight into the night sky to serve as a beacon for other rescue vessels. This beacon was the first indication to the survivors that their prayers had been answered. Help had at last arrived.

Of the 900 who made it into the water only 317 remained alive. After almost five days of constant shark attacks, starvation, terrible thirst, and suffering from exposure and their wounds, the men of the *Indianapolis* were at last rescued from the sea.

Curiously, the Navy withheld the news of the sunken ship from the American people for two weeks, until the day the Japanese surrendered on August 15, 1945, thus insuring minimum press coverage for the story of the *Indianapolis'* loss.

Also suspicious, conceding that they were ''starting the proceedings without having available all the necessary data,'' less than two weeks after the sinking of the *Indianapolis*, before the sinking of the ship had even been announced to the public, the Navy opened an official board of inquiry to investigate Captain McVay and his actions. The board recommended a general court-martial for McVay.

Admiral Nimitz, Commander in Chief of Pacific Command, did not agree—he wrote the Navy's Judge Advocate General that at worst McVay was guilty of an error in judgment, but not gross negligence worthy of court-martial. Nimitz recommended a letter of reprimand.

Overriding both Nimitz and Admiral Raymond Spruance who commanded the Fifth Fleet, Secretary of the Navy James Forrestal and Admiral Ernest King, Chief of Naval Operations, directed that court-martial proceedings against Captain McVay proceed.

Captain McVay was notified of the pending court-martial, but not told what specific charges would be brought against him. The reason was simple. The Navy had not yet decided what to

charge him with. Four days before the trial began they did decide on two charges: the first, failing to issue orders to abandon ship in a timely fashion; and the second, hazarding his vessel by failing to zigzag during good visibility.

It's difficult to understand why the Navy brought the first charge against McVay. Explosions from the torpedo attacks had knocked out the ship's communications system, making it impossible to give an abandon ship order to the crew except by word of mouth, which McVay had done. He was ultimately found not guilty on this count.

That left the second charge of failing to zigzag. Perhaps the most egregious aspect however, was in the phrasing of the charge itself. The phrase was ''during good visibility.'' According to all accounts of the survivors, including written accounts only recently declassified and not made available to McVay's defense at the trial, the visibility that night was severely limited with heavy cloud cover. This is pertinent for two reasons. First, no Navy directives in force at that time or since recommended, much less ordered, zigzagging at night in poor visibility. Secondly, as Admiral Nimitz pointed out, the rule requiring zigzagging would not have applied in any event, since McVay's orders gave him discretion on that matter and thus took precedence over all other orders. Thus, when he stopped zigzagging, he was simply exercising his command authority in accordance with Navy directives. Unbelievably, this point was never made by McVay's defense counsel during the subsequent court-martial.

Captain McVay was ultimately found guilty on the charge of failing to zigzag, and was discharged from the Navy with a ruined career. In 1946, at the specific request of Admiral Nimitz who had become Chief of Naval Operations, Secretary Forrestal, in a partial admission of injustice, remitted McVay's sentence and restored him to duty. But, Captain McVay's court-martial, and personal culpability for the sinking of the *Indianapolis* continued to stain his Navy records. The stigma of his conviction remained with him always, and he ultimately took his own life in 1968. To this day Captain McVay is recorded in history as negligent in the deaths of 870 sailors.

We need to restore the reputation of this honorable officer. In the decades since World War II, the crew of the *Indianapolis* has worked tirelessly in defending their Captain, and trying to ensure that his memory is properly honored. It is at the specific request of the survivors of the *U.S.S. Indianapolis* that I introduce this resolution.

Since McVay's court-martial, a number of factors, including once classified documents not made available to McVay's defense, have surfaced raising significant questions about the justice of the conviction.

Although naval authorities at Guam knew that on July 24, four days before the *Indianapolis* departed for Leyte, the destroyer escort U.S.S. *Underhill* had been sunk by a Japanese submarine within range of the *Indianapolis*' path, McVay was not told.

Although a code-breaking system called ULTRA had alerted naval intelligence that a Japanese submarine (the I–58, which ultimately sank the *Indianapolis*) was operating in his path, McVay was not told. Classified as top secret until the early 1990s, this intelligence—and the fact it was withheld from McVay before he sailed from Guam—was suppressed during his court-martial.

Although the routing officer at Guam was aware of the ULTRA intelligence report, he said a destroyer escort for the *Indianapolis* was ''not necessary'' and, unbelievably, testified at McVay's court-martial that the risk of submarine attack along the *Indianapolis'* route ''was very slight''.

Although McVay was told of ''submarine sightings'' along his path, he was told none had been confirmed. Such sightings were commonplace throughout the war and were generally ignored by Navy commanders unless confirmed. Thus, the *Indianapolis* set sail for Leyte on July 26, 1945, sent into harm's way with its captain unaware of dangers which shore-based naval personnel know were in his path.

The U.S.S. *Indianapolis* was not equipped with submarine detection equipment, and therefore Captain McVay requested a destroyer escort. Although no capital ship without submarine detection devices had sailed between Guam and the Philippines without a destroyer escort throughout all of World War II, McVay's request for such an escort was denied.

The Navy failed to notice when the ship did not show up in port in the Philippines. U.S. authorities intercepted a message from the I–58 to its headquarters in Japan informing them that it had sunk the U.S.S. *Indianapolis.* This message was ignored and the Navy did not initiate a search. The *Indianapolis* transmitted three distress calls before it sank, and one was received at the naval base in the Philippines. Again, no search was initiated and no effort was made to locate any survivors. It was not until four days after the ship had sunk, when a bomber inadvertently spotted sailors being eaten by sharks in the water below, that a search party was dispatched.

Although 700 navy ships were lost in combat in World War II, McVay was the only captain to be court-martialed as the result of a sunken ship.

Captain McVay was denied both his first choice of defense counsel and a delay to develop his defense. His counsel, a line officer with no trial experience, had only four days to prepare his case.

Incredibly, the Navy brought Mochitura Hashimoto, the commander of the Japanese I–58 submarine that sunk the *Indianapolis* to testify at the court-martial. Hashimoto testified that just after midnight the clouds cleared long enough to see and fire upon the *Indianapolis.* He also implied in pretrial statements that zigzagging would not have saved the *Indianapolis* because of his clear view, but this point was not raised by McVay's defense during the trial itself.

Another witness in the trial, veteran Navy submariner Glynn Donaho, a four-time Navy Cross winner was asked by McVay's defense counsel whether ''it would have been more or less difficult for you to attain the proper firing position'' if the *Indianapolis* had been zigzagging under the conditions which existed that night. His answer was, ''No, not as long as I could see the target.'' This testimony was either deliberately ignored by, or passed over the heads of, the court-martial board, and it was not pursued further by McVay's defense.

Many of the survivors of the *Indianapolis* believe that a decision to convict McVay was made before his court-martial began. They are convinced McVay was made a scapegoat to hide the mistakes of others. McVay was court-martialed and convicted of ''hazarding his ship by failing to zigzag'' despite overwhelming evidence that the Navy itself had placed the ship in harm's way, despite testimony from the Japanese submarine commander that zigzagging would have made no difference, despite the fact that although 700 Navy ships were lost in combat in World War II McVay was the only captain to be court-martialed, and despite the fact the Navy did not notice when the *Indianapolis* failed to arrive on schedule, thus costing hundreds of lives unnecessarily and creating the greatest sea disaster in the history of the United States Navy.

The resolution I am introducing corrects a 54 year old injustice, restores the honorable name of a decorated Navy combat veteran, and honors the wishes of his loyal and faithful crew. It will also honor the crew of the *Indianapolis* for their courage in surviving this awful tragedy.

I urge my colleagues to support this resolution and I am proud to offer it on behalf of Captain McVay and the wonderful and honorable men of the U.S.S. *Indianapolis,* two of whom are sitting with us in the gallery today, Mr. President.

Mr. DURBIN. Will the Senator yield for a question?

Mr. SMITH of New Hampshire. I will certainly yield to the Senator from Illinois.

Mr. DURBIN. I would like to first commend the Senator from New Hampshire. I was visited in my office by a gentleman named Michael Kuryla, Jr., of Poplar Grove, IL, one of the survivors of the U.S.S. *Indianapolis.* He recounted to me in detail what happened when that ship went down. As he talked about being in the ocean for days, not knowing whether they would be rescued, watching his shipmates who were literally dying around him

and being devoured by sharks, wondering if they would ever be rescued, tears came to his eyes. More than 50 years after, tears came to his eyes. He said it wasn't fair, what they did to Captain McVay; to court-martial him was wrong. He asked me for my help, if I would join the Senator from New Hampshire on this resolution, and I am happy to do so.

I think justice cries out that we agree to this resolution; that Captain McVay, who was singled out, out of all the captains of the fleet, to be court-martialed under these circumstances is just unfair. The men who served under him, those whose lives were under his care and those who survived this worst sea disaster in U.S. naval history—they have come forward. They have asked us to make sure that history properly records the contribution Captain McVay made to his country.

I am happy to join in this resolution. I hope other Members of the Senate, hearing this debate and reading this resolution, will cosponsor it as well and that we can close the right way this chapter in American naval history.

Mr. SMITH of New Hampshire. I thank the Senator from Illinois.

I ask unanimous consent that the roster of the final crew of the U.S.S. *Indianapolis* be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

THE FINAL CREW OF THE U.S.S. ''INDIANAPOLIS'' (CA–35)

CREW AND OFFICERS

ABBOTT, George S., S1. ACOSTA, Charles M., MM3. ADAMS, Leo H., S1*. ADAMS, Pat L., S2. ADORANTE, Dante W, S2. AKINES, William R., S2*. ALBRIGHT, Charles E., Jr., Cox. ALLARD, Vincent J., QM3*. ALLEN, Paul F., S1. ALLMARAS, Harold D., F2. ALTSCHULER, Allan H., S2*. ALVEY, Edward W., Jr., AerM2. AMICK, Homer I., S2. ANDERSEN, Lawrence J., SK2. ANDERSON, Erick T., S2*. ANDERSON, Leonard O., MM3. ANDERSON, Sam G., S2. ANDERSON, Vincent U., BMI. ANDERSON, Richard L., F2. ANDREWS, William R., S2*. ANNIS, James B. Jr., CEMA. ANTHONY, Harold R., PHM3. ANTONIE, Charles J., F2. ANUNTI, John M., M2*. ARMENTA, Lorenzo, SC2. ARMISTEAD, John H., S2*. ARNOLD, Carl L., AMM3. ASHFORD, Chester W., WT2. ASHFORD, John T. Jr., RT3*. ATKINSON, J.P., COX. AULL, Joseph H., S2. AULT, William F., S2*. AYOTT'E, Lester J., S2. BACKUS, Thomas H., LT. (jg). BAKER, Daniel A., S2. BAKER, Frederick H., S2. BAKER, William M. Jr., EM1. BALDRIDGE, Clovis R. EM2*. BALL, Emmet E., S2. BALLARD, Courtney J., SSM3. BARENTHIN, Leonard W. S2. BARKER, Robert C. Jr., RT1. BARKSDALE, Thomas L., FC3. BARNES, Paul C., F2. BARNES, Willard M., MM1. BARRA, Raymond J., CGMA. BARRETT, James B., S2. BARRY, Charles., LT. (jg). BARTO, Lloyd P., S1*. BARTON, George S., Y3. BATEMAN, Bernard B., F2*. BATENHORST, Wilfred J., MM3. BATSON, Eugene C., S2. BATTEN, Robert E., S1. BATTS, Edward D., STM1. BEANE, James A., F2*. BEATY, Donald L., S1*. BECKER, Myron M., WT2. BEDDINGTON, Charles E., S1. BEDSTED, Leo A., F1. BEISTER, Richard J., WT3. BELCHER, James R., S1*. BELL, Maurice G., S1*. BENNETT, Dean R., HA1. BENNETT, Ernest F., B3. BENNETT, Toney W., ST3. BENNING, Harry, S1. BENTON, Clarence U., CFCP*. BERNACIL, Concepcion P. FC3*. BERRY, Joseph, Jr., STM1. BERRY, William H., ST3. BEUKEMA, Kenneth J., S2. BEUSCHLEIN, Joseph C., S2. BIDDISON, Charles L., S1.

BILLINGS, Robert B., ENS. BILLINOSLEY, Robert F., GM3*. BILZ, Robert E., S2. BISHOP, Arthur, Jr., S2. BITONTI, Louis P., S1*. BLACKWELL, Fermon M. SSML3. BLANTHORN, Bryan, S1*. BLUM, Donald J., ENS. BOEGE, Raymond R., S2. BOGAN, Jack R., RM1. BOLLINGER, Richard H., S1. BOOTH, Sherman C., S1*. BORTON, Herheit E., SC2. BOSS, Norbert G., S2. BOTT, Wilbur M., S2. BOWLES, Eldridge W. S1. BOWMAN, Charles E., CTC. BOYD, Troy H., GM3. BRADLEY, William H., S2. BRAKE, John Jr., S2. BRANDT, Russell L., F2*. BRAUN, Neal F., S2. BRAY, Harold J. Jr., S2*. BRICE, R.V., S2. BRIDGE, Wayne A., S2. BRIGHT, Chester L., S2. BRILEY, Harold V., MAM3. BROOKS, Ulysess R., CWTA. BROPHY, Thomas D'Arcy Jr., ENS. BROWN, Edward A., WT3. BROWN, Edward J., S1*. BRUCE, Russell W., S2. BRULE, Maurice J., S2. BRUNDIGE, Robert H., S1*. BRUNEAU, Charles A., GM3. BUCKETT, Victor R., Y2*. BUDISH, David, S2. BULLARD, John K., S1*. BUNAI, Robert P., SM1*. BUNN, Horace G., S2. BURDORF, Wilbert J., COX*. BURKHARTSMEIER, Anton T., S1. BURKHOLTZ, Frank Jr., EM3.

BURLESON, Martin L., S1. BURRS, John W., S1. BURT, William George A., QM3. BURTON, Curtis H., S1*. BUSHONG, John R., GM3. CADWALLADER, John J., RT3. CAIN, Alfred B., RT3. CAIRO, William G., BUG1. CALL, James E., RM3. CAMERON, John W, GM2. CAMP, Garrison, STM2. CAMPANA, Paul, RDM3. CAMPBELL, Hamer E. Jr., GM3*. CAMPBELL, Louis D., AOM3*. CAMPBELL, Wayland D., SF3. CANDALINO, Paul L., LT.(jg). CANTRELL, Billy G., F2. CARNELL, Lois W., S2. CARPENTER, Willard A., SM3. CARR, Harry L., S2. CARROLL, Gregory K., S1. CARROLL, Rachel W., COX. CARSON, Clifford, F1. CARSTENSEN, Richard, S2. CARTER, Grover C., S1*. CARTER, Lindsey L., S2*. CARTER, Lloyd G., COX*. CARVER, Grover C., S1*. CASSIDY, John C., S1*. CASTALDO, Patrick P., GM2. CASTIAUX, Ray V., S2. CASTO, William H., S1. CAVIL, Robert R., MM2. CAVITT, Clinton C., WT3. CELAYA, Adolfo V., F2*. CENTAZZO, Frank J., SM3*. CHAMNESS, John D., S2*. CHANDLER, Lloyd N., S2. CHART, Joseph, EM3. CHRISTIAN, Lewis E. Jr., WO. CLARK, Eugene, CK3. CLARK, Orsen N., S2*. CLEMENTS, Harold P., S2. CLINTON, George W., S1*. CLINTON, Leland J., LT. (jg). COBB, William L., MOMM3. COLE, Walter H., CRMA. COLEMAN, Cedric F., LCFR. COLEMAN, Robert E., F2*. COLLIER, Charles R., RM2*. COLLINS, James, STM1. COLVIN, Frankie L., SSMT2. CONDON, Barna T., RDM1. CONNELLY, David F., ENS. CONRAD, James P., EM3. CONSER, Donald L., SC2. CONSIGLIO, Joseph W., FC2. CONWAY, Thomas M., Rev., LT. COOK, Floyd E., SF3. COOPER, Dale, Jr., F2. COPELAND, Willard J., S2. COSTNER, Homer J., COX*. COUNTRYMAN, Robert E., S2. COWEN, Donald R., FC3*. COX, Alford E., GM3. COX, Loel Dene, S2*. CRABB, Donald C., RM2. CRANE, Granville S. Jr., MM2*. CREWS, Hugh C., LT. (jg). CRITES, Orval D., WT1. CROUCH, Edwin M., CAPT. (Passenger). CRUM, Charles J., S2. CRUZ, Jose S., CCKA. CURTIS, Erwin E., CTCP. DAGENBART, Charles R. Jr., PHM2. DALE, Elwood R., F1. DANIEL, Harold W., CBMA*. DANIELLO, Anthony G., S1. DAVIS, James C. RM3. DAVIS, Kenneth G., F1. DAVIS, Stanley G., LT. (jg). DAVIS, Thomas E., SM2. DAY, Richard R. Jr., S2. DEAN, John T. Jr., S2. DeBERNARDI, Louie, BMI*.

DEFOOR, Walton, RDM3. DEMARS, Edgar J., CBMA. DEMENT, Dayle P., S1. DENNY, Lloyd, Jr., S2. DEWING, Ralph O., FC3*. DIMOND, John N., S2. DIZELSKE, William B., MM2*. DOLLINS, Paul, RM2. DONALD, Lyle H., EM1. DONEY, William Junior, F2. DONNER, Clarence W., RT3*. DORMAN, William B., S1. DORNETTO, Frank P, WT1. DOSS, James M., S2. DOUCETTE, Ronald O., S2. DOUGLAS, Gene D., F2*. DOVE, Bassil R., SKD2. DOWDY, Lowell S., CWO. DRANE, James A., GM2. DRAYTON, William H., EM2*. DRISCOLL, David L., LT. (jg). DRONET, Joseph E.J., S2*. DRUMMOND, James J., F2. DRURY, Richard E., S2. DRYDEN, William H., MM1*. DUFRAINE, Delbert E., S1. DUNBAR, Jess L., F2. DURAND, Ralph J., Jr., S2. DYCUS, Donald, S2. EAKINS, Morris B., F2. EAMES, Paul H. Jr., ENS. EASTMAN, Chester S., S2. ECK, Harold A., S2*. EDDINGER, John W, S1. EDDY, Richard L., RM3. EDWARDS, Alwyn C., F2. EDWARDS, Roland J., BM1. E'GOLF, Harold W., S2. ELLIOTT, Kenneth A., S1. ELLIOTT, Harry W., S2. EMERY, William F., S1*. EMSLEY, William J., S1. ENGELSMAN, Ralph, S2*. EPPERSON, Ewell, S2*.

EPPERSON, George L., S1. ERICKSON, Theodore M., S2*. ERNST, Robert C., F2. ERWIN, Louis H., COX*. ETHIER, Eugene E., EM3*. EUBANKS, James H., S1. EVANS, Arthur J., PHM2. EVANS, Claudus, GM3*. EVERETT, Charles N., EM2. EVERS, Lawrence L., CMMA. EYET, Donald A., S1. FANTASIA, Frank A., F2. FARBER, Sheldon L., S2. FARLEY, James W., S1. FARMER, Archie C., Cox*. FARRIS, Eugene F., S1*. FAST HORSE, Vincent, S2. FEAKES, Fred A., AOMI*. FEDORSKI, Nicholas W., S1*. FEENEY, Paul R., S2. FELTS, Donald J., BMI*. FERGUSON, Albert E., CMMA*. FERGUSON, Russel M., RT3. FIGGINS, Harley D., WT2. FIRESTONE, Kenneth F., FC2. FIRMIN, John A. H., S2. FITTING, Johnny W., GM1*. FLATEN, Harold J., WT2*. FELISCHAUER, Donald W., S1. FLESHMAN, Vern L., S2. FLYNN, James M., Jr., S1. FLYNN, Joseph A., CDR. FOELL, Cecil D., ENS. FORTIN, Verlin L., WT3*. FOSTER, Verne E., F2*. FOX, William H. Jr., F2*. FRANCOIS, Norbert E., F1*. FRANK, Rudolph A., S2. FRANKLIN, Jack R., RDM3. FREEZE, Howard B., LT. (jg). FRENCH, Douglas O., FC3. FRENCH, Jimmy Junior, QM3. FRITZ, Leonard A., MM3.

FRONTINO, Vincent F., MOMM3. FRORATH, Donald H., S2. FUCHS, Herman F., CWO. FULLER, Arnold A., F2. FULTON, William C., CRMA. FUNKHOUSER, Rober M., ART2*. GABRILLO, Juan, S2*. GAITHER, Forest M., FC2. GALANTE, Angelo., S2*. GALBRAITH, Norman S., MM2*. GARDNER, Roscoe W., F2*. GARDNER, Russel T., F2. GARNER, Glenn R., MM2. GAUSE, Robert P., QM1*. GAUSE, Rubin C., Jr., ENS. GEMZA, Rudolph A., FC3*. GEORGE, Gabriel V., MM3*. GERNGROSS, Frederick J., Jr., ENS. GETTLEMAN, Robert A., S2*. GIBSON, Buck W., GM3*. GIBSON, Curtis W., S2. GIBSON, Ganola F., MM3. GILBERT, Warner, Jr. S1. GILCREASE, James, S2*. GILL, Paul E., WT2. GILMORE, Wilbur A., S2. GISMONDI, Michael V., S1. GLADD, Millard, Jr., MM2*. GLAUB, Francis A., GM2. GLENN, Jay R., AMM3*. GLOVKA, Erwin S., S2. GODFREY, Marlo R., RM3. GOECKEL, Ernest S., LT. (jg). GOFF, Thomas G., SF3*. GOLDEN, Curry., STM1. GOLDEN, James L., S1. GONZALES, Ray A., S2. GOOCH, William L., F2*. GOOD, Robert K., MM3. GOODWIN, Oliver A., CRTA. GORE, Leonard F., S2. GORECKI, Joseph W., SK3. GOTTMAN, Paul J., S2.

GOVE, Carroll L., S2. GRAY, Willis L., S1*. GREATHOUSE, Bud R., S1. GREEN, Robert U., S2.

GREEN, Tolbert, Jr., S1*. GREENE, Samuel G., S1. GREENLEE, Charles I., S2*.

GREER, Bob E., S2. GREGORY, Garland G., F1. GREIF, Matthias D., WT3. GRIES, Richard C., F2. GRIEST, Frank D., GM3. GRIFFIN, Jackie D., S1. GRIFFITH, Robert S., S1*. GRIFFITHS, Leonard S., S2. GRIGGS, Donald R., F1. GRIMES, David E., S2. GRIMES, James F., S2. GROCE, Floyd V., RDM2. GROCH, John T., MM3. GUENTHER, Morgan E., EM3. GUERRERO, John G., S1. GUILLOT, Murphy U., F1. GUYE, Ralph L., Jr., QM3. GUYON, Harold L., F1. HABERMAN, Bernard, S2. HADUCH, John M., S1. HALE, Robert B., LT. HALE, William F., S2. HALL, Pressie, F1. HALLORAN, Edward G., MM3. HAM, Saul A., S1. HAMBO, William P., PHM3. HAMMEN, Robert, PHOM3. HAMRICK, James J., S2. HANCOCK, William A., GM3. HANKINSON, Clarence W., F2. HANSEN, Henry, S2. HANSON, Harley C., WO.* HARLAND, George A., S2. HARP, Charlie H., S1. HARPER, Vasco, STM1. HARRIS, James D., F2. HARRIS, Willard E., F2.

HARRISON, Cecil M., CWO.*. HARRISON, Frederick E., S2. HARRISON, James M., S1. HART, Fred Jr., RT2*. HARTRICK, Willis B., MM1. HATFIELD, Willie N., S2*. HAUBRICH, Cloud D., S2. HAUSER, Jack I., SK2. HAVENER, Harlan C., F2*. HAVINS, Otha A., Y3*. HAYES, Charles D., LCDR. HAYLES, Fleix, CK3. HAYNES, Lewis L., MC., LCDR.*. HANYES, Robert A., LT. HAYNES, William A., S1. HEERDT, Raymound E., F2. HEGGIE, William A., RDM3. HEINZ, Richard A., HA1. HELLER, John, S2*. HELLER, Robert J. Jr., S2. HELSCHER, Ralph J., S1. HELT, Jack E., F2. HENDERSON, Ralph L., S1. HENDRON, James R. Jr., F2. HENRY, Earl O., DC, LCDR. HENSCH, Erwin F., LT.*. HENLSEY, Clifford, SSMB2. HERBERT, Jack E., BM1. HERNDON, Duane, S2. HERSHBERGER, Clarence L., S1*. HERSTINE, James F., ENS. HICKEY, Harry T., RM3. HICKS, Clarence, S1. HIEBERT, Lloyd H., GM1. HILL, Clarence M., CWTP. HILL, Joe W., STM1. HIll, Nelson P. Jr., LT. HILL, Richard N., ENS. HIND, Lyle L., S2*. HINES, Lionel G., WT1. HINKEN, John R., Jr., F2*. HOBBS, Melvin D., S1. HODGE, Howard H., RM2.

HODGINS, Lester B., S2. HODSHIRE, John W., S2. HOERES, George J., S2. HOLDEN, Punciano A., ST1. HOLLINGSWORTH, Jimmie L., STM2. HOLLOWAY, Andrew J., S2. HOLLOWAY, Ralph H., COX. HOODERWERF, John Jr., F1. HOOPES, Gordon H., S2*. HOPPER, Prentice W., S1. HOPPER, Roy L., AMM1. HORNER, Durward R., WO.*. HORR, Wesley A., F2. HORRIGAN, John G., F1. HORVATH, George J., F1*. HOSKINS, William O., Y3*. HOUCK, Richard E., EM3*. HOUSTON, Robert G., F1. HOUSTON, William H., PHM2. HOV, Donald A., S1. HOWISON, John D., ENS.*. HUBELI, Joseph F., S2*. HUEBNER, Harry J. S1. HUGHES, Lawrence E., F2. HUGHES, Robert A., FC3. HUGHES, William E., SSML2. HUMPHREY, Maynard L., S2. HUNTER, Arthur R. Jr., QM1. HUNTLEY, Virgil C., CWO. HUPKA, Clarence E., BKR1*. HURLEY, Woodrow, GM2*. HURST, Robert H., LT. HURT, James E., S2. HUTCHISON, Merle B., S2. IGOU, Floyd, Jr., RM2. IZOR, Walter E., F1. JACKSON, Henry, STML. JACQUEMOT, Joseph A., S2*. JADLOSKI, George K., S2. JAKUBISIN, Joseph S., S2. JAMES, Woodie E., COX*. JANNEY, Johns Hopkins, CDR. JARVIS, James K., AM3*.

JEFFERS, Wallace M., COX. JENNEY, Charles I., LT. JENSEN, Chris A., S2. JENSEN, Eugene W., S2*. JEWELL, Floyd R., SK1. JOHNSON, Bernard J., S2. JOHNSON, Elwood W., S2. JOHNSON, George G., S2. JOHNSON, Harold B., S1. JOHNSON, Sidney B., S1. JOHNSON, Walter M. Jr., S1. JOHNSON, William A., S1*. JOHNSTON, Earl R., BM2. JOHNSTON, Lewis E., S1. JOHNSTON, Ray F., MM1. JOHNSTON, Scott A., F2. JONES, Clinton L., COX*. JONES, George E., S2. JONES, Jim, S2. JONES, Kenneth M., F1 MoMM. JONES, Sidney, S1*. JONES, Stanley F., S2. JORDAN, Henry, STM2. JORDON, Thomas H., S2. JOSEY, Clifford O., S2. JUMP, David A., ENS. JURGENSMEYER, Alfred J., S2. JURKIEWICZ, Raymond S., S1*. JUSTICE, Robert E., S2*. KARPEL, Dan L., BM1. KARTER, Leo C. Jr., S2. KASTEN, Stanley O., HA1. KAWA, Raymond P., SK3. KAY, Gust C., S1*. KAZMIERSKI, Walter, S1*. KEENEY, Robert A., ENS. KEES, Shalous E., EM2*. KEITH, Everette E., EM2. KELLY, Albert R., S2. KEMP, David P. Jr., SC3*. KENLY, Oliver W., RdM3*. KENNEDY, Andrew J. Jr., S2. KENNEDY, Robert A., S1. KENNY, Francis J.P., S2.

KEPHART, Paul, S1. KERBY, Deo E., S1*. KERN, Harry G., S1. KEY, S.T., EM2. KEYES, Edward H., COX*. KIGHT, Audy C., S1. KILGORE, Archie C., F2. KILLMAN, Robert E., GM3. KINARD, Nolan D., S1. KINCAID, Joseph E., FC2. KING, A.C., S1*. KING, Clarence Jr., STM2. KING, James T., S1. KING, Richard E., S2. KING, Robert H., S2. KINNAMAN, Robert L., S2. KINZLE, Raymond A., BKR2*. KIRBY, Harry, S1. KIRK, James R., SC3. KIRKLAND, Marvin F., S1*. KIRKMAN, Walter W., SF1. KISELICA, Joseph F., AMM2*. KITTOE, James W., F2*. KLAPPA, Ralph D., S2*. KLAUS, Joseph F., S1*. KLEIN, Raymond J., S1. KLEIN, Theil J., SK3. KNERNSCHIELD, Andrew N., S1. KNOLL, Paul E., COX. KNOTT, Elbern L., S1. KNUDTSON, Raymond A., S1. KNUPKE, Richard R., MM3. KOCH, Edward C., EM3*. KOEGLER, Albert, S1. KOEGLER, William, 5C3. KOLAKOWSKI, Ceslaus, SM3. KOLLINGER, Robert E., S1. KONESNY, John M., S1. KOOPMAN, Walter F., F2. KOPPANG, Raymond I., LT (jg). KOUSKI, Fred, GM3. KOVALICK, George R., S2. KOZIARA, George, S2*.

KOZIK, Raymond., S1. KRAWYVZ, Henry J., MM3. KREIS, Clifford E., S1*. KRON, Herman E. Jr., GM3. KRONENBERGER, Wm. M., GM3. KRUEGER, Dale F., F2*. KRUEGER, Norman F., S2*. KRUSE, Darwin G., S2. KRZYZEWSKI, John M., S2. KUHN, Clair J., S1. KULOVITZ, Raymond J., S2. KURLICH, George R., FC3*. KURYLA, Michael N. Jr., COX*. KUSIAK, Alfred M., S2. KWIATKOWSKI, Marion J., S2. LABUDA, Arthur A., QM3. LaFONTAINE, Paul S., S1. LAKATOS, Emil J., MM3. LAKE, Murl C., S1. LAMB, Robert D., EM3. LAMBERT, Leonard F., S1. LANDON, William W. Jr., FC2. LANE, Ralph, CMMA*. LANTER, Kenley M., S1*. LaPAGLIA, Carlos, GM2*. LaPARL, Lawrence E. Jr., S2. LAPCZYNSKI, Edward W., S1. LARSEN, Melvin R., S2. LATIGUE, Jackson, STM1. LATIMER, Billy F., S1. LATZER, Solomon, S2. LAUGHLIN, Fain H., SK3. LAWS George E., S1*. LEATHERS, Williams B., MM3. LeBARON, Robert W., S2. LeBOW, Cleatus A., FC03*. LEENERMAN, Arthur L., RDM3*. LELUIKA, Paul P., S2. LESTINA, Francis J., S1. LETIZIA, Vincencio, S2. LETZ, Willbert J., SK1. LeVALLEY, William D., EM2. LEVENTON, Mevin C., MM2. LeVIEUX, John J., F2. LEWELLEN, Thomas E., S2. LEWIS, James R., F2. LEWIS, John R., GM3. LINDEN, Charles G., WT2. LINDSAY, Norman L., SF3. LINK, George C., S1. LINN, Roy, S1. LINVILLE, Cecil H., SF2. LINVILLE, Harry J., S1. LIPPERT, Robert G., S1. LIPSKI, Stanley W., CDR. LITTLE, Frank E., MM2. LIVERMORE, Raymond I., S2. LOCH, Edwin P, S1. LOCKWOOD, Thomas H., S2*. LOEFFLER, Paul E. Jr., S2. LOFTIS, James B. Jr., S1*. LOFTUS, Ralph D., F2. LOHR, Leo W., S1. LOMBARDI, Ralph, S1. LONG, Joseph W., S1. LONGWELL, Donald J., S1. LOPEZ, Daniel B., F2*. LOPEZ, Sam, S1*. LORENC, Edward R., S2. LOYD, John F., WT2. LUCAS, Robert A., S2. LUCCA, Frank J., F2*. LUHMAN, Emerson D., MM3. LUNDGREN, Albert D., S1. Luttrull, Claud A., COX. LUTZ, Charles H., S1. MAAS, Melvin A., S1*. MABEE, Kenneth C., F2. MACE, Harold A., S2*. MacFARLAND, Keith I., LT (jg). MACHADO, Clarence J., WT2. MACK, Donald F., Bugler 1*. MADAY, Anthony F., AMM1*. MADIGAN, Harry F, BM2. MAGDICS, Steve Jr., F2. MAGRAY, Dwain F., S. MAKAROFF, Chester J., GM3*.

MAKOWSKI, Robert T., CWTA. MALDONADO, Salvador, BKR3*. MALENA, Joseph J. Jr., GM2*. MALONE, Cecil E., S2. MALONE, Elvin C., S1. MALONE, Michael L. Jr., LT (jg). MALSKI, Joseph J., S1*. MANESS, Charles F., F2. MANKIN, Howard J., GM3. MANN, Clifford E., S1. MANSKER, LaVoice, S2. MANTZ, Keith H., S1. MARCIULAITIS, Charles, S1. MARKMANN, Frederick H., WT1. MARPLE, Paul T., ENS. MARSHALL, John L., WT2. MARSHALL, Robert W., S2. MARTIN, Albert, S2. MARTIN, Everett G., S1. MASSIER, George A., S1. MASTRECOLA, Michael M., S2. MATHESON, Richard R., PHM3. MATRULLA, John, S1. MAUNTEL, Paul J., S2. MAXWELL, Farrell J., S1*. McBRIDE, Ronald G. S1. McBRYDE, Frank E., S2. McCALL, Donald C., S2*. McCLAIN, Raymond B., BM2*. McCLARY, Lester E., S2. McCLURE, David L., EM2. McCOMB, Everett A., F1. McCORD, Edward Franklin Jr., EM3. McCORKLE, Ray R., S1. McCORMICK, Earl W., MOMM2. McCOSKEY, Paul F., S1. McCOY, John S., Jr., M2. McCRORY, Millard V. Jr., WT2*. McDANIEL, Johnny A., S1. McDONALD, Franklin G. Jr., F2. McDONNER, David P. Jr., F1. McDOWELL, Robert E., S1. McELROY, Clarence E., S1*.

McFALL, Walter E., S2*. McFEE, Carl S., Sd. McGINNIS, Paul W., SM3*. McGINTY, John M., S1. McGUIGGAN, Robert M., S1*. McGUIRE, Denis, S2. McGUIRK, Philip A., LT (jg). McHENRY, Loren C. Jr., S1*. McHONE, Ollie, F1. McKEE, George E. Jr., S1. McKENNA, Michael J., S1. McKENZIE, Ernest E., S1*. McKINNON, Francis M., Y3. McKISSICK, Charles B., LT (jg)*. McKLIN, Henry T., S1*. McLAIN, Patrick J., S2*. McLEAN, Douglas B., EM3. McNABB, Thomas, Jr., F2. McNICKLE, Arthur S., F1. McQUITTY, Roy E., COX. McVAY, Charles Butler, III, CAPT.*. McVAY, Richard C., Y3*. MEADE, Sidney H., S1. MEHLBAUM, Raymond A., S1. MEIER, Harold E., S2. MELICHAR, Charles H., EM3. MELVIN, Carl L., F1. MENCHEFF, Manual A., S2. MEREDITH, Charles E., S1*. MERGLER, Charles M., RDM2. MESTAS, Nestor A., WT2*. METCALF, David W., GM3. MEYER, Charles T., S2*. MICHAEL, Bertrand F., BKR3. MICHAEL, Elmer O., S1. MICHNO, Arthur R., S2. MIKESKA, Willie W., S2. MIKOLAYEK, Joseph, COX*. MILBRODT, Glen L. S2*. MILES, Theodore K., LT. MILLER, Artie R., GM2. MILLER, George E., F1. MILLER, Glenn E., S2. MILLER, Samuel George Jr., FC3.

MILLER, Walter R., S2. MILLER, Walter W., B1. MILLER, Wilbur H., CMM. MILLS, William H., EM3. MINER, Herbert J. II, RT2*. MINOR, Richard L., S1. MINOR, Robert W., S2. MIRES, Carl E., S2. MIRICH, Wally M., S1. MISKOWIEC, Theodore F., S1. MITCHELL, James E., S2*. MITCHELL, James H. Jr., SK1. MITCHELL, Kenneth E., S1*. MITCHELL, Norval Jerry Jr., S1*. MITCHELL, Paul B., FC3. MICHELL, Winston C., S1. MITTLER, Peter John Jr., GM3. MIXON, Malcom L., GM2. MLADY, Clarence C., S1*. MODESITT, Carl E., S2*. MODISHER, Melvin W., MC, LTQ (jg)*. MONCRIEF, Mack D., S2. MONKS, Robert B., GM3. MONTOYA, Frank E., S1. MOORE, Donald G., S2. MOORE, Elbert, S2. MOORE, Harley E., S1. MOORE, Kyle C., LCDR. MOORE, Wyatt P., BKR1. MORAN, Joseph J., RM1*. MORGAN, Eugene S., BM2*. MORGAN, Glenn G., BGM3*. MORGAN, Lewis E.,

S2. MORGAN, Telford F., ENS. MORRIS, Albert O., S1*. MORSE, Kendall H., LT (jg). MORTON, Charles W., S2. MORTON, Marion E., SK2. MOSELEY, Morgan M., SC1*. MOULTON, Charles C., S2. MOWREY, Ted E., SK3*. MOYNELO, Harold C. Jr., ENS. MROSZAK, Frank A., S2.

MULDOON, John J., MM1*. MULVEY, William R., BM1*. MURILLO, Sammy, S2. MURPHY, Allen, S2. MURPHY, Paul J., FC3*. MUSARRA, Joseph, S1. MYERS, Charles Lee Jr., S2. MYERS, Glen A., MM2. MYERS, H.B., F1*. NABERS, Neal A., S2. NASPINI, Joseph A., F2*. NEAL, Charles K., S2. NEAL, George M., S2. NEALE, Harlan B., S2. NELSEN, Edward J., GM1*. NELSON, Frank H., S2*. NEU, Hugh H., S2. NEUBAUER, Richard, S2. NEUMAN, Jerome C., F1. NEVILLE, Bobby G., S2. NEWCOMER, Lewis W., MM3. NEWELL, James T., EM1. NEWHALL, James F., S1*. NICHOLS, James C., S2*. NICHOLS, Joseph L., BM2. NICHOLS, Paul V., MM3. NIELSEN, Carl Aage Chor Jr., F1. NIETO, Baltazar P, GM3. NIGHTINGALE, William O., MM1*. NISKANEN, John H., F2. NIXON, Daniel M., S2*. NORBERG, James A., CBMP*. NORMAN, Theodore R., GM2. NOWAK, George J., F2. NUGENT, William G., S2. NUNLEY, James P, F1. NUNLEY, Troy A., S2*. NUTT, Raymond A., S2. NUTTALL, Alexander C., S1*. OBLEDO, Mike G., S1*. O'BRIEN, Arthur J., S2. O'CALLAGHAN, Del R., WT2. OCHOA, Ernest, FC3.

O'DONNELL, James E., WT3*. OLDERON, Bernhard G., S1. OLIJAR, John, S1*. O'NEIL, Eugene E., S1. ORR, Homer L., HAI. ORR, John Irwin, Jr., LT. ORSBURN, Frank H., SSML2*. ORTIZ, Orlando R., Y3. OSBURN, Charles W., S2. OTT, Theodore G., Y1. OUTLAND, Felton J., S1*. OVERMAN, Thurman D., S2*. OWEN, Keith N., SC3*. OWENS, Robert Sheldon, Jr., QM3. OWENSBY, Clifford C., F2. PACE, Curtis, S2*. PACHECO, Jose C., S2*. PAGITT, Eldon E., F2. PAIT, Robert E., BM2. PALMITER, Adelore A., S2*. PANE, Francis W., S2. PARHAM, Fred, ST2. PARK, David E., ENS. PAROUBEK, Richard A., Y1*. PASKET, Lyle M., S2*. PATTERSON, Alfred T., S2. PATTERSON, Kenneth G., S1. PATZER, Herman L., EM1. PAULK, Luther D., S2*. PAYNE, Edward G., S2*. PAYNE, George D., S2. PENA, Santos A., S1*. PENDER, Welburn M., F2. PEREZ, Basilio, S2*. PERKINS, Edward C., F2*. PERRY, Robert J., S2. PESSOLANO, Michael R., LT. PETERS, Earl J., S2. PETERSON, Avery C., S2*. PETERSON, DARREL E., S1. PETERSON, Frederick A., MAM3. PETERSON, Glenn H., S1. PETERSON, Ralph R., S2. PETRINCIC, John Nicholas, Jr., FC3. PEYTON, Robert C., STM1. PHILLIPS, Aulton N. Sr., F2. PHILLIPS, Huie H., S2*. PIERCE, Clyde A., CWTA. PIERCE, Robert W., S2. PIPERATA, Alfred J., MM1. PITMAN, Robert F., S2. PITTMAN, Almire, Jr., ST3. PLEISS, Roger D., F2. PODISH, Paul, S2*. PODSCHUN, Clifford A., S2*. POGUE, Herman C., S2*. POHL, Theodore, F2. POKRYFKA, Donald M., S2. POOR, Gerald M., S2*. POORE, Albert F., S2. POTRYKUS, Frank P., F2. POTTS, Dale F., S2*. POWELL, Howard W., F1. POWERS, R. C. Ottis, S2. Poynter, Raymond L., S2. PRAAY, William T., S2. PRATHER, Clarence J., CMMA. PRATT, George R., F1. PRICE, James D., S1*. PRIESTLE, Ralph A., S2. PRIOR, Walter M., S2. PUCKETT, William C., S2. PUPUIS, John A., S1. PURCEL, Franklin W., S2. PURSEL, Forest V., WT2. PYRON, Freddie H., S1. QUEALY, William C. Jr., PR2*. RABB, John R., SC1. RAGSDALE, Jean O., S1. RAHN, Alvin W., SK3. RAINES, Clifford Junior, S2. RAINS, Rufus B., S1. RAMIREZ, Ricardo, S1*. RAMSEYER, Raymond C., RT3. RANDOLPH, Clco, STM1. RATHBONE, Wilson, S2*. RATHMAN, Frank Junior, S1.

RAWDON, John H., EM3*. REALING, Lyle O., FC2. REDMAYNE, Richard B., LT.*. REED, Thomas W., EM3. REEMTS, Alvan T., S1. REESE, Jesse E., S2. REEVES, Chester O. B., S1*. REEVES, Robert A., F2. REGALADO, Robert H., S1. REHNER, Herbert A., S1*. REID, Curtis F., S2*. REID, James E., BM2*. REID, John, LCDR*. REID, Tommy L., RDM38*. REILLY, James F., Y1. REINERT, Leroy, F1. REMONDET, Edward J. Jr., S2. REYNOLDS, Alford, GM28*. REYNOLDS, Andrew E., S1. REYNOLDS, Carleton C., F1. RHEA, Clifford, F2. RHODES, Vernon L., F1. RHOTEN, Roy E., F2. RICE, Albert, STM1. RICH, Garland L., S1. RICHARDSON, John R., S2. RICHARDSON, Joseph G., S2. RIDER, Francis A., RDM3. RILEY, Junior Thomas, BM2. RINEAY, Francis Henry, Jr., S28*. ROBERTS, Benjamin E., WT1. ROBERTS, Norman H., MM1*. ROBERTS, Charles, S1. ROBISON, Gerald E., RT3. ROBISON, John D., COX*. ROBISON, Marzie J., S2. ROCHE, Joseph M., LT. ROCKENBACH, Earl A., SC2. ROESBERRY, Jack R., S1. ROGELL, Henry T., F1. ROGERS, Ralph G., RDM3*. ROGERS, Ross, Jr., ENS*. ROLAND, Jack A., PHM1.

ROLLINS, Willard E., RM3. ROMANI, Frank J., HAI. ROOF, Charles W, S2. ROSE, Berson H., GM2. ROSS, Glen E., F2. ROTHMAN, Aaron, RDM3. ROWDEN, Joseph G., F1. ROZZANO, John, Jr., S2. RUDOMANSKI, Eugene W., RT2. RUE, William G., MM1. RUSSELL, Robert A., S2. RUSSELL, Virgil M., COX*. RUST, Edwin L., S1. RUTHERFORD, Robert A., RM2. RYDZESKI, Frank W., F1. SAATHOFF, Don W., S2*. SAENZ, Jose A., SC3. SAIN, Albert F., S1. SALINAS, Alfredo A., S1. SAMANO, Nuraldo, S2. SAMPSON, Joseph R., S2. SAMS, Robert C., STM2. SANCHEZ, Alejandro V., S2. SANCHEZ, Fernando S., SC3*. SAND, Cyrus H., BM1. SANDERS, Everett R., MOMM1. SASSMAN, Gordon W., COX. SCANLAN, Osceola C., S2*. SCARBROUGH, Fred R., COX. SCHAAP, Marion J., QM1. SCHAEFER, Harry W., S2. SCHAFFER, Edward J., S1. SCHARTON, Elmer D., S1. SCHECHTERLE, Harold J., RDM3*. SCHEIB, Albert E., F2. SCHEWE, Alfred P., S1. SCHLATTER, Robert L., AOM3. SCHLOTTER, James R., RDM3. SCHMUECK, John A., CPHMP*. SCHNAPPAUF, Harold J., SK3. SCHOOLEY, Dillard A., COX. SCHUMACHER, Arthur J., Jr., CEMA. SCOGGINS, Millard, SM2.

SCOTT, Burl D., STM2. SCOTT, Curtis M., S1. SCOTT, Hilliard, STM 1. SEABERT, Clarke W., S2*. SEBASTIAN, Clifford H., RM2. SEDIVI, Alfred J., PHOM2. SELBACH, Walter H., WT2. SELL, Ernest F., EM2. SELLERS, Leonard E., SF3. SELMAN, Amos, S2. SETCHFIELD, Arthur L., COX*. SEWELL, Loris E., S2. SHAFFER, Robert P., GM3*. SHAND, Kenneth W., WT2. SHARP, William H., S2*. SHAW, Calvin P., GM2. SHEARER, Harold J., S2*. SHELTON, William E. Jr., SM2. SHIELDS, Cecil N., SM2. SHIPMAN, Robert L., GM3. SHOWN, Donald H., CFC*. SHOWS, Audie B., COX*. SIKES, Theodore A., ENS. SILCOX, Burnice R., S1. SILVA, Phillip G., S1. SIMCOX, Gordon, W., EM3. SIMCOX, John A., F1. SIMPSON, William E., BM2,*. SIMS, Clarence, CK2. SINCLAIR, J. Ray, S2*. SINGERMAN, David, SM2. SIPES, John L., S1. SITEK, Henry J., S2*. SITZLAR, William C., F1. SLADEK, Wayne L, BM1*. SLANKARD, Jack C., S1*. SMALLEY, Howard E., S1. SMELTZER, Charles H., S2*. SMERAGLIA, Michael, RM3. SMITH, Carl M., SM2. SMITH, Charles A., S1. SMITH, Cozell Lee, Jr., COX*. SMITH, Edwin L., S2. SMITH, Eugene G., BM2.

SMITH, Frederick C., F2*. SMITH, George R., S1. SMITH, Guy N., FC2. SMITH, Henry A., F1. SMITH, Homer L., F2. SMITH, James W., S2*. SMITH, Kenneth D., S2. SMITH, Olen E., CM3. SNYDER, John N., SF2. SNYDER, Richard R., S1. SOLOMON, William, Jr., S2. SORDIA, Ralph, S2. SOSPIZIO, Andre, EM3*. SPARKS, Charles B., COX. SPEER, Lowell E., RT3. SPENCER, Daniel F., S1*. SPENCER, James D., LT. SPENCER, Roger, S1*. SPECNER, Sidney A., WO. SPINDLE, Orval A., S1. SPINELLI, John A., SC2*. SPOMER, Elmer 3., SF2. St. PIERRE, Leslie R., MM2. STADLER, Robert H., WT3. STAMM, Florian M., S2*. STANFORTH, David E., F2. STANKOWSKI, Archie J., S2. STANTURF, Frederick R., MM2. STEIGERWALD, Fred, GM2. STEPHENS, Richard P., S2*. STEVENS, George G., WT2*. STEVENS, Wayne A., MM2. STEWART, Glenn W., CFCP*. STEWART, Thomas A., SK2. STICKLEY, Charles B. GM3. STIER, William G., S1. STIMSON, David, ENS. STONE, Dale E., S2. STONE, Homer B., Y1. STOUT, Kenneth I., LCDR. STRAIN, Joseph M., S2. STREICH, Allen C., RM2*. STICKLAND, George T., S2.

STRIETER, Robert C., S2. STRIPE, William S., S2. STROM, Donald A., S2. STROMKO, Joseph A., F2. STRYFFELER, Virgil L., F2. STUECKLE, Robert L., S2. STURTEVANT, Elwyn L., RM2*. SUDANO, Angelo A., SSML3. SUHR, Jerome R., S2. SULLIVAN, James P., S2. SULLIVAN, William D., PTR2. SUTER, Frnak E., S1*. SWANSON, Robert H., MM2. SWART, Robert L., LT (jg). SWINDELL, Jerome H., F2. TAGGART, Thomas H., S1. TALLEY, Dewell E., RM2. TAWATER, Charles H., F1*. TEERLINK, David S., CWO. TELFORD, Arno J., RT3. TERRY, Robert W., S1. THELEN, Richard P., S2*. THIELSCHER, Robert T., CRTP. THOMAS, Ivan M., S1*. THOMPSON, David A., EM3*. THORPE, Everett N., WT3. THURKETTLE, William C., S2*. TIDWELL, James F., S2. TISTHAMMER, Bernard E., CGMA. TOCE, Nicolo, S2. TODD, Harold O., CM3. TORRETTA, John Mickey, F1*. TOSH, Bill H., RDM3. TRIEMER, Ernst A., ENS. TROTTER, Arthur C., RM2. TRUDEAU, Edmond A., LT. TRUE, Roger O., S2. TRUITT, Robert E., RM2. TRYON, Frederick B., BUG2. TULL, James A., S1. TURNER, Charles M., S2*. TURNER, William C., MM2. TURNER, William H., Jr., ACMMA. TWIBLE, Harlan M., ENS.*.

ULIBARRI, Antonio D., S2. ULLMANN, Paul E., LT (jg). UMENHOFFER, Lyle E., S1*. UNDERWOOD, Carey L., S1. UNDERWOOD, Ralph E., S1*. VAN METER, Joseph W., WT3*. WAKEFIELD, James N., S1. WALKER, A.W., STM1. WALKER, Jack E., RM2. WALKER, Verner B., F2*. WALLACE, Earl J., RDM3. WALLACE, John, RDM3. WALTERS, Donald H., F1. WARREN, William R., RT3. WATERS, Jack L., CYA. WATSON, Winston H., F2. WELLS, Charles O., S1*. WELLS, Gerald Lloyd, EM3. WENNERHOLM, Wayne L, COX. WENZEL, Ray G., RT3. WHALEN, Stuart D., GM2. WHALLON, Louis E, Jr., LT (jg). WHITE, Earl C., TC1. WHITE, Howard M., CWTP. WHITING, George A., F2*. WHITMAN, Robert T., LT. WILCOX, Lindsey Z., WT2* WILEMAN, Roy W., PHM3. WILLARD, Merrirnan D., PHM2. WILLIAMS, Billie J., MM2. WILLIAMS, Magellan, STM1. WILLIAMS, Robert L., WO. WILSON, Frank, F2. WILSON, Thomas B., S1. WISNIEWSKI, Stanley, F2*. WITMER, Milton R., EM2. WITZIG, Robert M., FC3*. WOJCIECHOWSKI, Maryian J., GM2. WOLFE, Floyd R., GM3. WOODS, Leonard T., CWO. WOOLSTON, John, ENS.*. YEAPLE, Jack T., Y3. ZINK, Charles W., EM2*. ZOBAL, Francis J., S2.

MARINE DETACHMENT

BRINKER, David A., PFC. BROWN, Orlo N., PFC. BUSH, John R., PVT. CROMLING, Charles J., Jr., PLTSGT. DAVIS, William H., PFC. DUPECK, Albert Jr., PFC. GREENWALD, Jacob, 1st SGT*. GRIMM, Loren E., PFC. HANCOCK, Thomas A., PFC.

HARRELL, Edgar A., CPL*. HOLLAND, John F. Jr., PFC. HUBBARD, Gordon R., PFC. HUBBRD, Leland R., PFC. HUGHES, Max M., PFC*. JACOB, Melvin C., PFC* KENWORTHY, Glenn W, CPL. KIRCHNER, John H., PVT. LARSEN, Harlan D., PFC. LEES, Henry W., PFC. MARTTILA, Howard W., PVT. McCOY, Giles G., PFC*. MESSENGER, Leonard J., PFC. MUNSON, Bryan C., PFC. MURPHY, Charles T., PFC. NEAL, William F., PFC. PARKE, Edward L., CAPT. REDD, Robert F., PVT. REINOLD, George, H., PFC. RICH, Raymond A., RIGGINS, Earl, PVT*. ROSE, Francis E., PFC. SPINO, Frank J., PFC. SPOONER, Miles L., PVT*. STAUFFER, Edward H., 1st LT. STRAUGHN, Howard V. Jr., CPL. THOMSEN, Arthur A., PFC. TRACY, Richard I. Jr., SGT. UFFELMAN, Paul R. PFC*. WYCH, Robert A. PFC.

*Indicates a survivor.

ADDITIONAL COSPONSORS

S. 42

At the request of Mr. HELMS, the name of the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor of S. 42, a bill to amend title X of the Public Health Service Act to permit family planning projects to offer adoption services.

S. 171

At the request of Mr. MOYNIHAN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 171, a bill to amend the Clean Air Act to limit the concentration of sulfur in gasoline used in motor vehicles.

S. 242

At the request of Mr. JOHNSON, the names of the Senator from Nebraska (Mr. KERREY) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 242, a bill to amend the Federal Meat Inspection Act to require the labeling of imported meat and meat food products.

S. 327

At the request of Mr. HAGEL, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 327, a bill to exempt agricultural products, medicines, and medical products from U.S. economic sanctions.

S. 455

At the request of Mr. DURBIN, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. 455, a bill to amend the Immigration and Nationality Act with respect to the requirements for the admission of nonimmigrant nurses who will practice in health professional shortage areas.

S. 459

At the request of Mr. BREAUX, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S. 459, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on private activity bonds.

S. 472

At the request of Mr. GRASSLEY, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 472, a bill to amend title XVIII of the Social Security Act to provide certain medicare beneficiaries with an exemption to the financial limitations imposed on physical, speech-language pathology, and occupational therapy services under part B of the medicare program, and for other purposes.

S. 495

At the request of Mr. BOND, the names of the Senator from Kentucky (Mr. BUNNING) and the Senator from Florida (Mr. MACK) were added as cosponsors of S. 495, a bill to amend the Clean Air Act to repeal the highway sanctions.

S. 506

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 506, a bill to amend the Internal Revenue Code of 1986 to permanently extend the provisions which allow nonrefundable personal credits to be fully allowed against regular tax liability.

S. 512

At the request of Mr. GORTON, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 512, a bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the Department of Health and Human Services with respect to research on autism.

S. 514

At the request of Mr. COCHRAN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. 514, a bill to improve the National Writing Project.

S. 635

At the request of Mr. MACK, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 635, a bill to amend the Internal Revenue Code of 1986 to more accurately codify the depreciable life of printed wiring board and printed wiring assembly equipment.

S. 676

At the request of Mr. CAMPBELL, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 676, a bill to locate and secure the return of Zachary Baumel, a citizen of the United States, and other Israeli soldiers missing in action.

S. 684

At the request of Ms. COLLINS, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 684, a bill to amend title 11, United States Code, to provide for family fishermen, and to make chapter 12 of title 11, United States Code, permanent.

S. 693

At the request of Mr. HELMS, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 693, a bill to assist in the enhancement of the security of Taiwan, and for other purposes.

S. 718

At the request of Ms. MIKULSKI, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 718, a bill to amend chapters 83 and 84 of title 5, United States Code, to extend the civil service retirement provisions of such chapter which are applicable to law enforcement officers, to inspectors of the Immigration and Naturalization Service, inspectors and canine enforcement officers of the United States Customs Service, and revenue officers of the Internal Revenue Service.

S. 800

At the request of Mr. BURNS, the names of the Senator from Colorado (Mr. ALLARD) and the Senator from Louisiana (Mr. BREAUX) were added as cosponsors of S. 800, a bill to promote and enhance public safety through the use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes.

S. 820

At the request of Mr. CHAFEE, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 820, a bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury.

S. 870

At the request of Ms. COLLINS, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 870, a bill to amend the Inspector General Act of 1978 (5 U.S.C. App.) to increase the efficiency and accountability of Offices of Inspector General within Federal departments, and for other purposes.

S. 879

At the request of Mr. CONRAD, the names of the Senator from New Jersey (Mr. TORRICELLI) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 879, a bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain leasehold improvements.

S. 881

At the request of Mr. BENNETT, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 881, a bill to ensure confidentiality with respect to medical records and health care-related information, and for other purposes.

S. 908

At the request of Mr. DORGAN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 908, a bill to establish a comprehensive program to ensure the safety of food products intended for human

consumption that are regulated by the Food and Drug Administration, and for other purposes.

S. 1017

At the request of Mr. MACK, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1017, a bill to amend the Internal Revenue Code of 1986 to increase the State ceiling on the low-income housing credit.

S. 1023

At the request of Mr. MOYNIHAN, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 1023, a bill to amend title XVIII of the Social Security Act to stabilize indirect graduate medical education payments.

S. 1024

At the request of Mr. MOYNIHAN, the name of the Senator from Florida (Mr. MACK) was added as a cosponsor of S. 1024, a bill to amend title XVIII of the Social Security Act to carve out from payments to Medicare+Choice organizations amounts attributable to disproportionate share hospital payments and pay such amounts directly to those disproportionate share hospitals in which their enrollees receive care.

S. 1025

At the request of Mr. MOYNIHAN, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 1025, a bill to amend title XVIII of the Social Security Act to ensure the proper payment of approved nursing and allied health education programs under the medicare program.

S. 1053

At the request of Mr. BOND, the name of the Senator from Texas (Mr. GRAMM) was added as a cosponsor of S. 1053, a bill to amend the Clean Air Act to incorporate certain provisions of the transportation conformity regulations, as in effect on March 1, 1999.

S. 1057

At the request of Mr. MACK, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1057, a bill to amend the Internal Revenue Code of 1986 to simplify certain provisions applicable to real estate investment trusts.

S. 1070

At the request of Mr. BOND, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 1070, a bill to require the Secretary of Labor to wait for completion of a National Academy of Sciences study before promulgating a standard, regulation or guideline on ergonomics.

SENATE JOINT RESOLUTION 21

At the request of Ms. SNOWE, the names of the Senator from New Mexico (Mr. DOMENICI), the Senator from Montana (Mr. BURNS), the Senator from Mississippi (Mr. LOTT), the Senator from Tennessee (Mr. THOMPSON), the Senator from Mississippi (Mr. COCHRAN), the Senator from Alabama (Mr. SESSIONS), the Senator from Tennessee (Mr. FRIST), the Senator from West Virginia (Mr. BYRD), and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of Senate Joint Resolution 21, a joint resolution to designate September 29, 1999, as ''Veterans of Foreign Wars of the United States Day.''

SENATE RESOLUTION 59

At the request of Mr. LAUTENBERG, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from Michigan (Mr. LEVIN), and the Senator from Indiana (Mr. BAYH) were added as cosponsors of Senate Resolution 59, a bill designating both July 2, 1999, and July 2, 2000, as ''National Literacy Day.''

SENATE RESOLUTION 103

At the request of Mr. HUTCHINSON, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of Senate Resolution 103, a resolution concerning the tenth anniversary of the Tiananmen Square massacre of June 4, 1989, in the People's Republic of China.

AMENDMENT NO. 377

At the request of Mr. ROBERTS, the names of the Senator from New Hampshire (Mr. SMITH), the Senator from Texas (Mrs. HUTCHISON), the Senator from Oklahoma (Mr. INHOFE), the Senator from Colorado (Mr. ALLARD), the Senator from Alabama (Mr. SESSIONS), the Senator from New Mexico (Mr. BINGAMAN), and the Senator from Illinois (Mr. FITZGERALD) were added as cosponsors of amendment No. 377 proposed to S. 1059, an original bill to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 383

At the request of Mr. THURMOND, his name was added as a cosponsor of amendment No. 383 proposed to S. 1059, an original bill to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

SENATE CONCURRENT RESOLUTION 34—RELATING TO THE OBSERVANCE OF ''IN MEMORY'' DAY

Mr. SPECTER submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 34

Whereas many of the individuals who served in the Armed Forces and in civilian roles in Vietnam during the Vietnam War have since died, in part as the result of illnesses and conditions associated with service in Vietnam during that war;

Whereas these men and women, whose ultimate health conditions had a basis in their service in Vietnam during the Vietnam War, sacrificed their lives for their country in a very real sense;

Whereas under criteria established by the Department of Defense, the deaths of these men and women do not qualify as Vietnam War deaths;

Whereas under Department guidelines, these men and women also do not meet the criteria for eligibility to have their names inscribed on the Memorial Wall of the Vietnam Veterans Memorial in the District of Columbia;

Whereas ''In Memory'' Day was established several years ago in order to honor the Americans who gave their lives in service to their country as a result of service in Vietnam but had not otherwise been honored for doing so;

Whereas ''In Memory'' Day is now a project of the Vietnam Veterans Memorial Fund;

Whereas to date 633 Americans have met the criteria for eligibility to be honored by the ''In Memory'' Program; and

Whereas the Americans who have been named by the ''In Memory'' Program are honored each year during a ceremony at the Vietnam Veterans Memorial: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that ''In Memory'' Day should be observed on the third Monday in April each year, the day on which Patriots Day is also observed, in honor of the men and women of the United States whose deaths had a basis in their service in Vietnam during the Vietnam War and who are thereby true examples to the Nation of patriotism and sacrifice.

Mr. SPECTER. Mr. President, today I submit a concurrent resolution which would express the Sense of the Congress that the third Monday in April be designated ''In Memory Day.'' In Memory Day will be a time for family and friends to gather and commemorate the supreme sacrifice made by their loved ones as their names are read from the In Memory Honor Roll at the Vietnam Veterans Memorial, as was done most recently on April 19, 1999. I feel this to be a small yet fitting tribute to those whose lives were ultimately claimed by the war in Vietnam.

The Vietnam Veterans Memorial is a solemn reminder that the defense of liberty is not without loss. The 58,214 servicemembers who gave their lives in Vietnam will forever be memorialized in a most fitting manner. Their names, inscribed in granite walls, symbolize the reality that our nation's military personnel protects America behind walls built with the blood of patriots. We must keep them in our memory always.

Not all of those who died, however, are commemorated on the Vietnam Veterans Memorial. Unaccounted for are those succumbed to the ravages of psychological wounds upon their return home. Unaccounted for are all those who died after war's end, yet whose deaths were intrinsically linked to wartime service. Their family members and loved ones have no wall to go to; no names to touch; no memorial to share.

The Vietnam Veterans Memorial Fund (VVMF) runs an ''In Memory Program'' to honor these silent fallen. As part of this program, the VVMF keeps an ''In Memory Honor Roll'' to commemorate those who served and

died prematurely, but whose deaths do not fit the parameters for inclusion upon the Wall. It it time for Congress to do its part in honoring these brave soldiers and their families.

AMENDMENTS SUBMITTED

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000

HUTCHISON AMENDMENT NO. 389

(Ordered to lie on the table.)

Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill (S. 1059) to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the appropriate place in the bill, insert the following:

SEC. . (a) Congress makes the following findings:

(1) It is the National Security Strategy of the United States to ''deter and defeat large-scale, cross-border aggression in two distant theaters in overlapping time frames;''

(2) The deterrence of Iraq and Iran in Southwest Asia and the deterrence of North Korea in Northeast Asia represent two such potential large-scale, cross-border theater requirements;

(3) The United States has 120,000 troops permanently assigned to those theaters;

(4) The United States has an additional 70,000 troops assigned to non-NATO/non-Pacific threat foreign countries;

(5) The United States has more than 6,000 troops in Bosnia-Herzegovina on indefinite assignment;

(6) The United States has diverted permanently assigned resources from other theaters to support operations in the Balkans;

(7) The United States provides military forces to seven active United Nations peacekeeping operations, including missions in Haiti and the Western Sahara, and some missions that have continued for decades;

(8) Between 1986 and 1998, the number of American military deployments per year has nearly tripled at the same time the Department of Defense budget has been reduced in real terms by 38 percent;

(9) The Army has 10 active-duty divisions today, down from 18 in 1991, while on an average day in FY98, 28,000 U.S. Army soldiers were deployed to more than 70 countries for over 300 separate missions;

(10) Active Air Force fighter wings have gone from 22 to 13 since 1991, while 70 percent of air sorties in Operation Allied Force over the Balkans are U.S.-flown and the Air Force continues to enforce northern and southern no-fly zones in Iraq;

(11) The United States Navy has been reduced in size to 339 ships, its lowest level since 1938, necessitating the redeployment of the only overseas homeported aircraft carrier from the Western Pacific to the Mediterranean to support Operation Allied Force;

(12) In 1998 just 10 percent of eligible carrier naval aviators—27 out of 261—accepted continuation bonuses and remained in service;

(13) In 1998 48 percent of Air Force pilots eligible for continuation opted to leave the service.

(14) The Army could fall 6,000 below Congressionally authorized troop strength by the end of 1999.

(b) SENSE OF CONGRESS:

(1) It is the sense of Congress that—

(A) The readiness of U.S. military forces to execute the National Security Strategy of the United States is being eroded from a combination of declining defense budgets and expanded missions;

(B) There may be missions to which the United States is contributing Armed Forces from which the United States can begin disengaging.

(c) REPORT REQUIREMENT.—

(1) Not later than July 30, 1999, the President shall submit to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives, and to the Committees on Appropriations in both Houses, a report prioritizing the ongoing global missions to which the United States is contributing troops. The President shall include in the report:

(I) a proposal for shifting resources from low priority missions in support of higher priority missions;

(II) a proposal for consolidating or reducing U.S. troop commitments where possible;

(III) a proposal to reduce U.S. troop commitments worldwide;

(IV) a proposal for ending low priority missions.

FRIST AMENDMENT NO. 390

(Ordered to lie on the table.)

Mr. FRIST submitted an amendment intended to be proposed by him to the bill, S. 1059, supra; as follows:

On page 254, between lines 3 and 4, insert the following:

SEC. 676. PARTICIPATION OF ADDITIONAL MEMBERS OF THE ARMED FORCES IN MONTGOMERY GI BILL PROGRAM.

(a) PARTICIPATION AUTHORIZED.—(1) Subchapter II of chapter 30 of title 38, United States Code, is amended by inserting after section 3018C the following new section:

''§ 3018d. Opportunity to enroll: certain VEAP participants; active duty personnel not previously enrolled

''(a) Notwithstanding any other provision of law, an individual who—

''(1) either—

''(A) is a participant on the date of the enactment of this section in the educational benefits program provided by chapter 32 of this title; or

''(B) has made an election under section 3011(c)(1) or 3012(d)(1) of this title not to receive educational assistance under this chapter and has not withdrawn that election under section 3018(a) of this title as of such date;

''(2) is serving on active duty (excluding periods referred to in section 3202(1)(C) of this title in the case of an individual described in paragraph (1)(A)) on such date;

''(3) before applying for benefits under this section, has completed the requirements of a secondary school diploma (or equivalency certificate) or has successfully completed the equivalent of 12 semester hours in a program of education leading to a standard college degree;

''(4) if discharged or released from active duty after the date on which the individual makes the election described in paragraph (5), is discharged with an honorable discharge or released with service characterized as honorable by the Secretary concerned; and

''(5) during the one-year period beginning on the date of the enactment of this section, makes an irrevocable election to receive benefits under this section in lieu of benefits under chapter 32 of this title or withdraws the election made under section 3011(c)(1) or 3012(d)(1) of this title, as the case may be, pursuant to procedures which the Secretary of each military department shall provide in accordance with regulations prescribed by the Secretary of Defense for the purpose of carrying out this section or which the Secretary of Transportation shall provide for such purpose with respect to the Coast Guard when it is not operating as a service in the Navy;

is entitled to basic educational assistance under this chapter.

''(b)(1) Except as provided in paragraphs (2) and (3), in the case of an individual who makes an election under subsection (a)(5) to become entitled to basic education assistance under this chapter—

''(A) the basic pay of the individual shall be reduced (in a manner determined by the Secretary of Defense) until the total amount by which such basic pay is reduced is $1,200; or

''(B) to the extent that basic pay is not so reduced before the individual's discharge or release from active duty as specified in subsection (a)(4), the Secretary shall collect from the individual an amount equal to the difference between $1,200 and the total amount of reductions under subparagraph (A), which shall be paid into the Treasury of the United States as miscellaneous receipts.

''(2) In the case of an individual previously enrolled in the educational benefits program provided by chapter 32 of this title, the Secretary shall reduce the total amount of the reduction in basic pay otherwise required by paragraph (1) by an amount equal to so much of the unused contributions made by the individual to the Post-Vietnam Era Veterans Education Account under section 3222(a) of this title as do not exceed $1,200.

''(3) An individual may at any time pay the Secretary an amount equal to the difference between the total of the reductions otherwise required with respect to the individual under this subsection and the total amount of the reductions with respect to the individual under this subsection at the time of the payment. Amounts paid under this paragraph shall be paid into the Treasury of the United States as miscellaneous receipts.

''(c)(1) Except as provided in paragraph (3), an individual who is enrolled in the educational benefits program provided by chapter 32 of this title and who makes the election described in subsection (a)(5) shall be disenrolled from the program as of the date of such election.

''(2) For each individual who is disenrolled from such program, the Secretary shall refund—

''(A) to the individual in the manner provided in section 3223(b) of this title so much of the unused contributions made by the individual to the Post-Vietnam Era Veterans Education Account as are not used to reduce the amount of the reduction in the individual's basic pay under subsection (b)(2); and

''(B) to the Secretary of Defense the unused contributions (other than contributions made under section 3222(c) of this title) made by such Secretary to the Account on behalf of such individual.

''(3) Any contribution made by the Secretary of Defense to the Post-Vietnam Era Veterans Education Account pursuant to section 3222(c) of this title on behalf of an individual referred to in paragraph (1) shall remain in such account to make payments of benefits to the individual under section 3015(f) of this title.

''(d) The procedures provided in regulations referred to in subsection (a) shall provide for notice of the requirements of subparagraphs (B), (C), and (D) of section

3011(a)(3) of this title. Receipt of such notice shall be acknowledged in writing.''.

(2) The table of sections at the beginning of chapter 30 of that title is amended by inserting after the item relating to section 3018C the following new item:

''3018D. Opportunity to enroll: certain VEAP participants; active duty personnel not previously enrolled.''.

(b) CONFORMING AMENDMENT.—Section 3015(f) of that title is amended by striking ''or 3018C'' and inserting ''3018C, or 3018D''.

(c) SENSE OF CONGRESS.—It is the sense of Congress that any law enacted after the date of the enactment of this Act which includes provisions terminating or reducing the contributions of members of the Armed Forces for basic educational assistance under subchapter II of chapter 30 of title 38, United States Code, should terminate or reduce by an identical amount the contributions of members of the Armed Forces for such assistance under section of section 3018D of that title, as added by subsection (a).

(d) TERMINATION OF TRIANA PROGRAM OF NASA.—(1) The Administrator of the National Aeronautics and Space Administration shall terminate the Triana program.

(2) Notwithstanding any other provision of law, no funds authorized to be appropriated for the National Aeronautics and Space Administration fiscal year 2000 may be obligated or expended for the Triana program, except $2,500,000 which shall be available for obligation and expenditure in that fiscal year only for the costs of termination of the program.

THURMOND (AND OTHERS) AMENDMENT NO. 391

(Ordered to lie on the table.)

Mr. THURMOND (for himself, Mr. MCCAIN, Ms. COLLINS, Mr. HUTCHINSON, Mr. CLELAND, Mr. COCHRAN, Mr. BURNS, Mr. LOTT, Mr. MACK, and Ms. SNOWE) submitted an amendment intended to be proposed by them to the bill, S. 1059, supra; as follows:

In title VI, at the end of subtitle D, add the following:

SEC. 659. COMPUTATION OF SURVIVOR BENEFITS.

(a) INCREASED BASIC ANNUITY.—(1) Subsection (a)(1)(B)(i) of section 1451 of title 10, United States Code, is amended by striking ''35 percent of the base amount.'' and inserting ''the product of the base amount and the percent applicable for the month. The percent applicable for a month is 35 percent for months beginning on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000, 40 percent for months beginning after such date and before October 2004, and 45 percent for months beginning after September 2004.''.

(2) Subsection (a)(2)(B(i)(I) of such section is amended by Striking ''35 percent'' and inserting ''the percent specified under subsection (a)(1)(B)(i) as being applicable for the month''.

(3) Subsection (c)(1)(B)(i) of such section is amended—

(A) by striking ''35 percent'' and inserting ''the applicable percent''; and

(B) by adding at the end the following: ''The percent applicable for a month under the preceding sentence is the percent specified under subsection (a)(1)(B)(i) as being applicable for the month.''.

(4) The heading for subsection (d)(2)(A) of such section is amended to read as follows: ''COMPUTATION OF ANNUITY.—''.

(b) ADJUSTED SUPPLEMENTAL ANNUITY.—Section 1457(b) of title 10, United States Code, is amended—

(1) by striking ''5, 10, 15, or 20 percent'' and inserting ''the applicable percent''; and

(2) by inserting after the first sentence the following: ''The percent used for the computation shall be an even multiple of 5 percent and, whatever the percent specified in the election, may not exceed 20 percent for months beginning on or before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2000, 15 percent for months beginning after that date and before October 2004, and 10 percent for months beginning after September 2004.''.

(c) RECOMPUTATION OF ANNUITIES.—(1) Effective on the first day of each month referred to in paragraph (2)—

(A) each annuity under section 1450 of title 10, United States Code, that commenced before that month, is computed under a provision of section 1451 of that title amended by subsection (a), and is payable for that month shall be recomputed so as to be equal to the amount that would be in effect if the percent applicable for that month under that provision, as so amended, had been used for the initial computation of the annuity; and

(B) each supplemental survivor annuity under section 1457 of such title that commenced before that month and is payable for that month shall be recomputed so as to be equal to the amount that would be in effect if the percent applicable for that month under that section, as amended by this section, had been used for the initial computation of the supplemental survivor annuity.

(2) The requirements for recomputation of annuities under paragraph (1) apply with respect to the following months:

(A) The first month that begins after the date of the enactment of this Act.

(B) October 2004.

(d) RECOMPUTATION OF RETIRED PAY REDUCTIONS FOR SUPPLEMENTAL SURVIVOR ANNUITIES.—The Secretary of Defense shall take such actions as are necessitated by the amendments made by subsection (b) and the requirements of subsection (c)(1)(B) to ensure that the reductions in retired pay under section 1460 of title 10, United States Code, are adjusted to achieve the objectives set forth in subsection (b) of that section.

GRAMM (AND OTHERS) AMENDMENT NO. 392

Mr. GRAMM (for himself, Mr. HATCH, and Mr. THURMOND) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 284, strike all on line 7 through line 14 on page 286.

MCCAIN (AND OTHERS) AMENDMENT NO. 393

Mr. MCCAIN (for himself, Mr. LEVIN, Mr. BRYAN, Mr. LEAHY, Mr. KOHL, Mr. LIEBERMAN, Mr. ROBB, Mr. KYL, Mr. HAGEL, and Mr. CHAFEE) proposed an amendment to the bill, S. 1059, supra; as follows:

On page 450, below line 25, add the following:

SEC. 2822. AUTHORITY TO CARRY OUT BASE CLOSURE ROUND COMMENCING IN 2001.

(a) COMMISSION MATTERS.—

(1) APPOINTMENT.—Subsection (c)(1) of section 2902 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is amended—

(A) in subparagraph (B)—

(i) by striking ''and'' at the end of clause (ii);

(ii) by striking the period at the end of clause (iii) and inserting ''; and''; and

(iii) by adding at the end the following new clause (iv):

''(iv) by no later than May 1, 2001, in the case of members of the Commission whose terms will expire on September 30, 2002.''; and

(B) in subparagraph (C), by striking ''or for 1995 in clause (iii) of such subparagraph'' and inserting '', for 1995 in clause (iii) of that subparagraph, or for 2001 in clause (iv) of that subparagraph''.

(2) MEETINGS.—Subsection (e) of that section is amended by striking ''and 1995'' and inserting ''1995, and 2001, and in 2002 during the period ending on September 30 of that year''.

(3) FUNDING.—Subsection (k) of that section is amended by adding at the end the following new paragraph (4):

''(4) If no funds are appropriated to the Commission by the end of the second session of the 106th Congress for the activities of the Commission that commence in 2001, the Secretary may transfer to the Commission for purposes of its activities under this part that commence in that year such funds as the Commission may require to carry out such activities. The Secretary may transfer funds under the preceding sentence from any funds available to the Secretary. Funds so transferred shall remain available to the Commission for such purposes until expended.''.

(5) TERMINATION.—Subsection (l) of that section is amended by striking ''December 31, 1995'' and inserting ''September 30, 2002''.

(b) PROCEDURES.—

(1) FORCE-STRUCTURE PLAN.—Subsection (a)(1) of section 2903 of that Act is amended by adding at the end the following: ''The Secretary shall also submit to Congress a force-structure plan for fiscal year 2002 that meets the requirements of the preceding sentence not later than March 30, 2001.''.

(2) SELECTION CRITERIA.—Subsection (b) of such section 2903 is amended—

(A) in paragraph (1), by inserting ''and by no later than March 1, 2001, for purposes of activities of the Commission under this part that commence in 2001,'' after ''December 31, 1990,''; and

(B) in paragraph (2)(A)—

(i) in the first sentence, by inserting ''and by no later than April 15, 2001, for purposes of activities of the Commission under this part that commence in 2001,'' after ''February 15, 1991,''; and

(ii) in the second sentence, by inserting '', or enacted on or before May 15, 2001, in the case of criteria published and transmitted under the preceding sentence in 2001'' after ''March 15, 1991''.

(3) DEPARTMENT OF DEFENSE RECOMMENDATIONS.—Subsection (c) of such section 2903 is amended—

(A) in paragraph (1), by striking ''and March 1, 1995,'' and inserting ''March 1, 1995, and September 1, 2001,'';

(B) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (7), respectively;

(C) by inserting after paragraph (3) the following new paragraph (4):

''(4)(A) In making recommendations to the Commission under this subsection in 2001, the Secretary shall consider any notice received from a local government in the vicinity of a military installation that the government would approve of the closure or realignment of the installation.

''(B) Notwithstanding the requirement in subparagraph (A), the Secretary shall make the recommendations referred to in that subparagraph based on the force-structure plan and final criteria otherwise applicable to such recommendations under this section.

''(C) The recommendations made by the Secretary under this subsection in 2001 shall include a statement of the result of the consideration of any notice described in subparagraph (A) that is received with respect

to an installation covered by such recommendations. The statement shall set forth the reasons for the result.''; and

(D) in paragraph (7), as so redesignated—

(i) in the first sentence, by striking ''paragraph (5)(B)'' and inserting ''paragraph (6)(B)''; and

(ii) in the second sentence, by striking ''24 hours'' and inserting ''48 hours''.

(4) COMMISSION REVIEW AND RECOMMENDATIONS.—Subsection (d) of such section 2903 is amended—

(A) in paragraph (2)(A), by inserting ''or by no later than February 1, 2002, in the case of recommendations in 2001,'' after ''pursuant to subsection (c),'';

(B) in paragraph (4), by inserting ''or after February 1, 2002, in the case of recommendations in 2001,'' after ''under this subsection.''; and

(C) in paragraph (5)(B), by inserting ''or by no later than October 15 in the case of such recommendations in 2001,'' after ''such recommendations,''.

(5) REVIEW BY PRESIDENT.—Subsection (e) of such section 2903 is amended—

(A) in paragraph (1), by inserting ''or by no later than February 15, 2002, in the case of recommendations in 2001,'' after ''under subsection (d),'';

(B) in the second sentence of paragraph (3), by inserting ''or by no later than March 15, 2002, in the case of 2001,'' after ''the year concerned,''; and

(C) in paragraph (5), by inserting ''or by April 1, 2002, in the case of recommendations in 2001,'' after ''under this part,''.

(c) CLOSURE AND REALIGNMENT OF INSTALLATIONS.—Section 2904(a) of that Act is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) carry out the privatization in place of a military installation recommended for closure or realignment by the Commission in a report in 2002 only if privatization in place is a method of closure or realignment of the installation specified in the recommendation of the Commission in the report and is determined to be the most-cost effective method of implementation of the recommendation;''.

(d) RELATIONSHIP TO OTHER BASE CLOSURE AUTHORITY.—Section 2909(a) of that Act is amended by striking ''December 31, 1995,'' and inserting ''September 30, 2002,''.

(e) TECHNICAL AND CLARIFYING AMENDMENTS.—

(1) COMMENCEMENT OF PERIOD FOR NOTICE OF INTEREST IN PROPERTY FOR HOMELESS.—Section 2905(b)(7)(D)(ii)(I) of that Act is amended by striking ''that date'' and inserting ''the date of publication of such determination in a newspaper of general circulation in the communities in the vicinity of the installation under subparagraph (B)(i)(IV)''.

(2) OTHER CLARIFYING AMENDMENTS.—

(A) That Act is further amended by inserting ''or realignment'' after ''closure'' each place it appears in the following provisions:

(i) Section 2905(b)(3).

(ii) Section 2905(b)(4)(B)(ii).

(iii) Section 2905(b)(5).

(iv) Section 2905(b)(7)(B)(iv).

(v) Section 2905(b)(7)(N).

(vi) Section 2910(10)(B).

(B) That Act is further amended by inserting ''or realigned'' after ''closed'' each place in appears in the following provisions:

(i) Section 2905(b)(3)(C)(ii).

(ii) Section 2905(b)(3)(D).

(iii) Section 2905(b)(3)(E).

(iv) Section 2905(b)(4)(A).

(v) Section 2905(b)(5)(A).

(vi) Section 2910(9).

(vii) Section 2910(10).

(C) Section 2905(e)(1)(B) of that Act is amended by inserting '', or realigned or to be realigned,'' after ''closed or to be closed''.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, June 10, 1999 at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on the report of the National Recreation Lakes Study Commission.

Those wishing to testify or who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information, please call Kelly Johnson at (202) 224–4971.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, May 25, for purposes of conducting a full committee hearing which is scheduled to begin at 10 a.m. The purpose of this oversight hearing is to receive testimony on State Progress in Retail Electricity Competition.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. ROBERTS. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to conduct a hearing on reauthorization of the Comprehensive Environmental Response, Liability and Compensation Act of 1980, Tuesday, May 25, 10 a.m., Hearing Room (SD–406).

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. ROBERTS. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Tuesday, May 25, 1999 beginning at 10 a.m. in room 215 Dirksen.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 25, 1999 at 2:15 p.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Tuesday, May 25, 1999 at 10 a.m. in room 226 of the Senate Dirksen Office Building to hold a hearing on: ''Copyright Office Report on Distance Education in the Digital Environment.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION AND RECREATION

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, Historic Preservation and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, May 25, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:15 p.m. The purpose of this hearing is to receive testimony on S. 140, 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, and for other purposes; S. 734, the National Discovery Trails Act of 1999; S. 762, a bill to direct the Secretary of the Interior to conduct a feasibility study on the inclusion of the Miami Circle Biscayne National Park; S. 938, a bill to eliminate restrictions on the acquisitions of certain land contiguous to Hawaii Volcanoes National Park, and for other purposes; S. 939, a bill to correct spelling errors in the statutory designations of Hawaiian National Parks; S. 946, 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; and S. 955, a bill to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase.

SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIAN AFFAIRS

Mr. ROBERTS. Mr. President, I ask unanimous consent that the Subcommittee on Near Eastern and South Asian Affairs be authorized to meet during the session of the Senate on Tuesday, May 25, 1999 at 10 a.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

NATIONAL MISSING CHILDREN'S DAY

Mr. GRAMS. Mr. President, I rise today to promote awareness of missing children and honor those who selflessly work to search and rescue the thousands of children who disappear each year. As my colleagues may know, today is recognized as ''National Missing Children's Day.''

According to a recent U.S. Department of Justice study, annually there

are over 114,000 attempted abductions of children by nonfamily members, 4,500 child abductions reported to police, and 438,200 children who are lost, injured, or otherwise missing. These numbers are truly cause for concern by all Americans.

As a parent, I believe local communities, schools, faith-based organizations and law enforcement should be encouraged to work together to protect the most vulnerable members of our society—children. From a federal perspective, I am proud to be a cosponsor of legislation to reauthorize the National Center for Missing and Exploited Children and the Runaway and Homeless Youth Program through the next five years. The National Center for Missing and Exploited Children operates under a Congressional mandate and works in conjunction with the U.S. Department of Justice's Office of Juvenile Justice on Delinquency Prevention. I know my colleagues would agree that the Center has an outstanding record of safely recovering missing children across the country, and most recently achieved a 91 percent recovery rate.

Mr. President, as we remember the many missing children across the nation today, I want to especially recognize the relentless work and effort to protect our nation's children by Minnesota's Jacob Wetterling Foundation. The Foundation was established by Jerry and Patty Wetterling after their son, Jacob, was abducted by a masked man at gunpoint near the Wetterling home in St. Joseph, Minnesota. Today, the Jacob Wetterling Foundation is a national, non-profit foundation committed to preventing the exploitation of children through educating, raising awareness and responding to families who are victims of abduction.

Mr. President, our children represent our future and we must continue our work to keep them safe. Again, I commend the numerous volunteers, organizations, and government agencies who all work on a daily basis to find missing children and prevent others from disappearing.

TRIBUTE TO RUTH A. GELLER

● Mr. LIEBERMAN. Mr. President I rise today to pay a well-deserved tribute to Ruth A. Geller, MSW on the occasion of her retirement from the Connecticut Mental Health Center after 25 years of service as a psychiatric social worker supervisor.

Ruth has demonstrated exceptional compassion, dedication, and professionalism in caring for the severely, chronically mentally impaired of Connecticut. As a mentor and teacher, Ruth has trained a generation of mental health professionals with the same devotion she has brought to her clinical work. As a result, Ruth has instilled in them the ability to become respectful, empathetic mental health providers.

I am proud to stand before the Senate to congratulate Ruth Geller upon her retirement and thank her for an outstanding career which has enhanced the lives of so many. I wish her continued success in the years ahead.●

TRIBUTE TO IRENE AUBERLIN

● Mr. ABRAHAM. Mr. President, I rise today to pay tribute to the late Irene Auberlin, the ''Mother Teresa'' of Detroit.

Mrs. Auberlin is the founder of World Medical Relief (WMR), an organization which, to date, has distributed more than $500 million worth of medical goods both in Detroit area, where she lived, and abroad.

Mrs. Auberlin was a quiet homemaker until she saw a television program about orphans in Korea in 1953. She provided supplies to the nuns who ran the orphanage, thus beginning over 46 years of service to the poor. Since then, WMR has sent food, medical equipment, and supplies throughout the United States and to over 120 countries. In 1966, WMR began a monthly prescription program that still exists today, providing medicine to elderly poor in the Detroit area.

Mrs. Auberlin received over 60 awards and commendations, including The President's Volunteer Action Award and Silver Medal, presented to her by President Reagan.

On behalf of the residents of Michigan, the United States, and elsewhere, I want to thank Irene for all that she did to help those in need.●

NATIONAL BLUE RIBBON SCHOOLS IN MARYLAND

● Mr. SARBANES. Mr. President, I am pleased to announce that ten elementary schools throughout Maryland have been named Blue Ribbon School Award winners by the United States Department of Education. These schools are among only 266 elementary schools nationwide to be honored with this award, the most prestigious national school recognition for public and private schools.

The designation as a Blue Ribbon School is a ringing endorsement of the successful techniques which enable the students of these schools to succeed and achieve. Over the past few years, I have made a commitment to visit the Blue Ribbon Schools and have always been delighted to see first hand the interaction between parents, teachers, and the community, which strongly contributed to the success of the school. I look forward to visiting each of these ten schools and congratulating the students, teachers and staff personally for this exceptional accomplishment.

According to the Department of Education, Blue Ribbon Schools have been judged to be particularly effective in meeting local, state and national goals. These schools also display the qualities of excellence that are necessary to prepare our young people for the challenges of the next century. Blue Ribbon status is awarded to schools which have strong leadership; a clear vision and sense of mission that is shared by all connected with the school; high quality teaching; challenging, up-to-date curriculum; policies and practices that ensure a safe environment conducive to learning; a solid commitment to family involvement; evidence that the school helps all students achieve high standards; and a commitment to share the best practices with other schools.

After a screening process by each State Department of Education, the Department of Defense Dependent Schools, the Bureau of Indian Affairs, and the Council for American Private Education, the Blue Ribbon School nominations were forwarded to the U.S. Department of Education. A panel of outstanding educators from around the country then reviewed the nominations, selected schools for site visits, and made recommendations to Secretary of Education Richard Riley.

The ten winning Maryland elementary schools are as follows:

Ashburton Elementary School, located in Bethesda, is home to 515 students and 64 staff members which provide for a richly diverse school community with an exemplary record of student achievement and an outstanding academic program. This award also credits the SHINE Program—Successful, Helpful, Imaginative, Neighborly, and Enthusiastic—with recognizing students who participate positively in the school community.

Brook Grove Elementary School, located in Olney, not only has a commendable academic strategy, but also is recognized as a school that encourages excellence in the arts and in athletics, and values individuality and diversity as critical to the well-being of the student body.

Our Lady of Mercy School is a coeducational Catholic school in Potomac that combines traditions of academic excellence, intellectual curiosity and fundamental moral and religious values in a successful program that has almost half of its 283 students meeting the criteria of giftedness set by the Institute for the Academic Advancement of Youth.

Oak Hill Elementary School, the most culturally and economically diverse school in the Severna Park area, prioritizes parental involvement in the successful pursuit of quality education for its students. The concept of the ''Oak Hill School Family'' aims to provide a safe and nurturing school environment, a strong academic program and a philosophy that encourages community involvement.

Salem Avenue Elementary School, located in Hagerstown, has made great strides in the last decade and, as a leader in Washington County, is a school of many ''firsts,'' including being the first Title 1 school to receive a satisfactory or excellent rating in all areas of the Maryland School Performance Assessment Program (MSPAP);

the first elementary school to be named a Blue Ribbon School; the first to create and appoint the position of Curriculum Coordinator; and the first to be named a National Distinguished School.

Templeton Elementary School, located in Riverdale, is an award winning Prince George's County school which has made dramatic gains on the Maryland School Performance Assessment Program (MSPAP). Templeton's mission is to provide its diverse student body with the knowledge and skills to be productive members of society.

Vienna Elementary School, located in Vienna, is a small, rural school which draws from a large geographical area and is an integral part of the community. With virtually no staff turnover and a strong School Improvement Team, students, staff and parents form a close-knit community and serve as a model in the district for student achievement, staff commitment and participatory leadership, including development of character and ethical judgment.

West Annapolis Elementary School, situated in downtown Annapolis, was used as an example by the Maryland State Department of Education for two videotapes highlighting outstanding teachers. This award also credits West Annapolis' belief in the importance of a united school community as evident in its concept of TEAM/excellence which works to improve the teaching and learning environment in which students can excel.

The Summit School is a non-profit school that was created 10 years ago to promote literacy and school success among children with unique educational needs, namely bright students that are disabled readers. Summit, located in Edgewater, enables students to come to understand their own unique learning styles by identifying their strengths and weaknesses through a variety of individualized strategies.

The Trinity School, located in Ellicott City is an independent, co-ed Catholic school that was designated as an Exemplary School by the U.S. Department of Education in 1990. Trinity offers a challenging curriculum while also offering a variety of community outreach programs to involve students and their families in extracurricular activities.

These ten elementary schools in the State of Maryland represent a model for schools across the nation. Their hard work and dedication has resulted in a tremendous achievement for the students, teachers, parents and community. This committed partnership proves that a concerned community can produce excellent results.●

VIRGINIA CHAMBER OF COMMERCE CONGRESSIONAL DINNER

Mr. ROBB. Mr. President, Richard D. Fairbank, Chairman and Chief Executive Officer of Capital One Financial Corporation, delivered remarks at the Virginia Chamber of Commerce Congressional Dinner last month. Capital One, headquartered in Falls Church, Virginia, is one of the fastest growing private employers in my state. Mr. Fairbank's remarks offered invaluable insight into the challenges and opportunities the technology revolution is producing in both the private and public sectors, and I ask that they be printed in the RECORD.

The remarks follow:

REMARKS BY RICHARD D. FAIRBANK, VIRGINIA CHAMBER OF COMMERCE CONGRESSIONAL DINNER, APRIL 29, 1999

Members of Congress, distinguished guests, ladies and gentlemen. Let me first take the opportunity to thank the Virginia Chamber for supporting Virginia's business community. It is an honor to join you this evening to share a bit of the Capital One story and give you my thoughts about the challenges facing the Virginia business community as we move into the 21st Century.

First, a comment about Virginia. What a wonderful state we live in! I am reminded of that everyday. The irony is, Virginia was not where I was supposed to live. I grew up in California, and thought I would always live in California. When I graduated from business school, I applied only to California firms, except for one company in D.C., and only because they were just about to start a San Francisco office. When my wife and I came out here, we fell in love with Virginia, and never went to that San Francisco office. So now we've been Virginians for 18 years, and we're here to stay. My wife and I and our four children live right here in Fairfax County.

And our larger family—our COF family—now numbers 8,000 associates in Virginia—in Richmond, Chesterfield, Fredericksburg and Northern Virginia. Virginians have a wonderful blend of Southern charm and tradition mixed with a very positive spirit that believes in possibility. It's a magical combination. It's made Virginia a great home for COF. Capital One's growth has at times surpassed our capacity to hire here in Virginia, so we have expanded into Florida, Texas, Washington State, Massachusetts and the UK. But our first choice is always to grow as much as we can right here at home. Just last year, we added 3,500 new jobs here in Virginia. This year we've announced we're adding another 3,000 new jobs in Virginia, but truth be told, we'll probably exceed that number significantly.

Tonight I've been asked to talk about how the business world is changing, using Capital One as an example. I think the story of Capital One is a story of what happens when a band of believers fixates on a vision of how the world is changing, and pours everything they have into getting there. Today, Capital One is one of the fastest growing companies in the country. But it wasn't always that way. In fact if you had asked anyone 12 years ago to bet even one dime on Nigel Morris and myself and the dream we had, you wouldn't have found many takers. I know that for a fact. Because we were out there asking. And they weren't taking.

Our dream was this. We believed information technology could revolutionize the way marketing is done. The most basic truth of marketing is that every person has unique needs and wants. Yet from the beginning, companies have tended to respond to those needs with a one-size fits-all approach, because they can't accommodate the unique needs of thousands or millions of customers. But we saw the possibility to change all that. To use technology and scientific testing to deliver the right product to the right customer at the right time and at the right price—a strategy we call mass customization. And we saw the credit card as a perfect candidate for this strategy. Ten years ago, virtually every credit card in the U.S. was priced at 19.8 percent interest rate with a $20 fee. Yet people varied widely in their default risk, their financial circumstances and their needs.

Our dream was to build a high-tech information-based marketing company to change all that. The problem was we had no money and no experience in the credit card business. We needed a sponsor. So, Nigel and I embarked on a national journey to every financial institution that would talk to us. The good news is that we got audiences with the top management of 20 of the top 25 banks in America. The bad news is that every one of them rejected it. But finally, a year into our journey, we found a sponsor right here in our backyard. Signet Bank in Richmond.

And so Capital One was born. For years we worked to build the business, to build the technology and operations to customize decision-making at the individual account level. Four years into it, we still had no success. Yet Signet never lost faith, despite nearly going under themselves with real estate loan problems. Finally, we cracked the code of mass customizing credit cards. And in 1992 we launched credit cards at dramatically lower prices for consumers with good credit. And we've never looked back.

Today we have thousands of product variations for our customers. Including products like our Miles One card that gives mileage credit on any airline, with no blackout period, and with a 9.9 percent fixed interest rate. We can price this low because we use technology and information to make sure that our low-risk customers don't have to subsidize high-risk customers. By 1994, we had grown to 6 million customers. Signet Bank spun off Capital One, and we became a fully independent company.

But our dream was just beginning. Because we never defined ourselves as a credit card company. We're a technology-based marketing company. So, we have taken this very same strategy and expanded into other financial products like deposits, installment loans and auto loans. We've also taken our strategy internationally to the UK and Canada so far. And, we even entered the telecommunications industry, creating a company called America One, where we are marketing wireless phones. While everyone else markets wireless phones through stores, we are selling direct, tailoring each offer to our customers' needs. The strategy appears to be working. We are now in 41 states. And America One is now the largest direct marketer of wireless phones in the U.S. Our next frontier at Capital One is the Internet, which is a perfect medium for our strategy of information-based mass customization. We are mobilizing a major effort to be a big player in the Internet. So from credit cards to wireless phones, from the U.S. to the UK, and from the mailbox to the Internet, we've been able to keep the growth going at Capital One. We now have 18 million customers, and are growing by 15,000 customers a day.

Capital One's success in many ways has come simply from understanding and embracing the inexorable implications of the technology revolution. First, that marketing will be revolutionized. And second, that technology is changing the leverage of the human mind. This insight has massive implications for human resources. One hundred years ago, in factories and farms, the smartest or most educated workers were not necessarily the most productive. But the computer and the Internet can take the human

mind to a quantum new level. In the technology age, the key asset in a company is its knowledge capital.

And to us, this meant that our greatest imperative is recruiting and developing incredibly talented workers. If there's one thing that is talked about the most and delivered upon the least, it is this—recruiting the best people. At Capital One, we have made it the number one corporate imperative. In fact, I believe that the single biggest reason for Capital One's success is a totally fanatical commitment to recruiting. It is the most important job for every executive and manager in the company. The average executive at Capital One spends about one full day a week recruiting. It's an incredible commitment. Our future depends on it.

So that's the Capital One story. I believe that many of the things I've said about Capital One have direct relevance to Virginia and its challenges. Like Capital One, Virginia is enjoying exceptional growth, fueled significantly by being a leader in technology. The good news is that the entire Commonwealth is benefiting from the booming economy. It seems that economic expansions are announced every week in Virginia. But Virginia cannot rest on its laurels. While Virginia has done a good job at attracting high quality, high salaried jobs providing unprecedented opportunities for all Virginians, we continue to face many challenges that need attention from both our political and business leaders. Let me mention just a few . . .

The greatest challenge for Virginia's rapidly growing companies is to attract and retain the most talented employees who have the technical skills to lead our businesses into the 21st century. There are nearly 25,000 unfilled technology related jobs in Northern Virginia alone and the Department of Commerce predicts that nearly every new job created from now on will require some level of technology expertise. This poses the greatest threat to Virginia's economic growth.

We must start with quality education. Virginia already has world-class institutions of higher learning, and I am pleased that Capital One is tapped into this talent. Many companies, such as ours, are partnering with our university system to help design curriculum and training for a multitude of jobs. We also offer a full tuition reimbursement plan to every one of our 11,000 associates to encourage them to seek continuing education. Also, to help address our acute shortage of technology workers, we offer our non-technical associates the opportunity to be retrained and shifted into one of our many unfilled technology jobs. I am pleased that many of our associates have taken us up on these opportunities.

But Capital One can't get there from here simply by training and developing our associates. It certainly will not meet our long-term needs. We need to recruit on a massive scale. Simply put, Virginia's universities are not producing enough technology graduates to meet the demands of companies like Capital One. This forces companies to look elsewhere to meet their needs for technology workers. And elsewhere includes overseas. Nations like India and China are producing many more engineering and technology degrees than the United States. Many of the leading technology companies are building massive programming shops in those countries, sending the programming specifications from the US. We need to reverse that trend and work with our universities to produce more technology graduates here at home.

However, this will not happen overnight. In the interim, in order to meet our current needs, our immigration policies must be flexible. Congress provided a small measure of help last year by raising the cap on H1–B visas thereby allowing more high tech workers from outside the United States to come into the country. Clearly, this is a step in the right direction. But, much more must be done if we are going to meet the needs of Virginia's growing high-tech industry.

Growing up in the San Francisco mid-peninsula, I witnessed firsthand the development of Silicon Valley—now the technology capital of the world. The same thing can happen here. We are well underway. In fact, the Internet revolution has its roots in Virginia. Virginia is already the home to more than 2,500 technology businesses that employ more than 250,000 people. It includes AOL, UUNET, and P-S-I Net. With more than half the Internet traffic flowing through Virginia, we must continue to expand on our reputation as a technology center and the Internet hub of the United States. Let's build upon our fast start.

While Virginia owns the infrastructure of the Internet, with the exception of AOL and a few others, we do not have a major presence in marketing e-commerce. That means more dot/com companies. YAHOO!, Amazon.com, EBAY, Charles Schwab and most other leading e-commerce firms are not located here in Virginia. These businesses are redefining retail channels—and we must make certain that Virginia cultivates and attracts these types of companies. We need to be more than the infrastructure backbone of the Internet. The growth of e-commerce is just beginning. And already, it is affecting everyone, everywhere, everyday. Business will never be the same again.

And new economic realities lead to new political realities. Our public policies must give this new technology and way of doing business time to develop. For example, as the Internet revolution is exploding, some have suggested that we create taxes on Internet transactions. I believe that would be a big mistake. I know that Governor Gilmore is currently leading a Commission studying Internet taxation issues on the national level. Their decisions can have a lot of impact on a rapidly growing industry still in its infancy. With sound legislation, such as the Internet Tax Freedom Act, companies are better positioned to grow and attract consumers into this new business channel.

All these new technologies also bring a need to act responsibly with our customers' information. Information is the lifeblood of companies like Capital One, who use it to tailor products for the individual consumer at the best possible price. It's why we have been able to help bring down the cost of credit cards and other products—and simplify the process of obtaining them. The same is true for the Richmond-based grocery store UKROPS, Geico, EBAY and thousands of other companies. We must find a balance between the clear economic benefits that derive from access to information and the responsibility we all owe to our customers to safeguard their personal information. Companies need to lead the way. Like many companies, Capital One has developed a comprehensive privacy policy to ensure that our customers' personal information is used appropriately with very clear limitations. While we must be vigilant about consumers' privacy, I believe that restrictive legislation in this area would turn back the clock and actually hurt consumers.

We also must be prepared to meet the basic day-to-day demands that a fast-growing economy will place on Virginia and its communities. While technology and e-commerce are making the world a smaller place, the reality is that people will still need to get to work. With a booming national economy and low unemployment, our workers have choices. If they cannot get to and from their places of employment, these highly skilled individuals will relocate. You can read the survey results or simply talk to your employees: transportation is most often cited as the number one quality-of-life issue by most working people, especially here in Northern Virginia. Thanks to the hard work of the Virginia Delegation more Federal dollars are flowing to Virginia than ever before for transportation. We must continue to work together to address this issue.

So those are a few of my thoughts of the biggest challenges and opportunities we face as we move into the 21st century. The world is changing so fast, it's hard to make sense of it all, and to know where we all fit in. We can't predict the future. But, I believe that one can identify a few trends that are absolutely inexorable. The story of Capital One is an example of doing that. The key for Capital One has been to see a few of those inexorable trends and try to get there first. No matter what it took. Whether or not we had the skills or market portion to make it happen. Because we had destiny on our side.

Many people and many companies and many politicians don't think this way. They tend to think incrementally. That's a risky cause of action in a world that's changing so fast. Virginia is in a great position to the lead the way into the 21st century. Let's make sure we think big and do what it takes to get there. Thanks.●

MEASURE READ THE FIRST TIME—S.J. RES. 26

Ms. SNOWE. Mr. President, I understand that S.J. Res. 26, introduced earlier by Senator SMITH of New Hampshire, is at the desk, and I ask that it be read the first time.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 26) expressing the sense of Congress with respect to the court-martial conviction of the late Rear Admiral Charles Butler McVay, III, and calling upon the President to award a Presidential Unit Citation to the final crew of the U.S.S. *Indianapolis.*

Ms. SNOWE. Mr. President, I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The joint resolution will be read for the second time on the next legislative day.

FASTENER QUALITY ACT AMENDMENTS ACT OF 1999

Ms. SNOWE. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of H.R. 1183, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1183) to amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Ms. SNOWE. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1183) was read the third time and passed.

ORDERS FOR MAY 26, 1999

Ms. SNOWE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Wednesday, May 26. I further ask that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day. I further ask consent that the Senate then resume the DOD authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Ms. SNOWE. Mr. President, for the information of all Senators, the Senate will resume consideration of the Department of Defense authorization bill at 9:30 a.m. and expect to debate an amendment by Senator BROWNBACK regarding Pakistan, to be followed by an amendment by Senator KERREY of Nebraska regarding the strategic nuclear development system. Under a previous consent, at 11:45 a.m., the Senate will resume consideration of the BRAC amendment. At least one vote will occur in relation to the BRAC amendment at 1:45 p.m. Therefore, Senators should expect the next vote to occur at 1:45 p.m. on Wednesday. Senators who have amendments are urged to notify the two managers. It is the intention of the leadership to complete action on this bill prior to the scheduled Memorial Day recess.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Ms. SNOWE. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:52 p.m., adjourned until Wednesday, May 26, 1999, at 9:30 a.m.

EXTENSIONS OF REMARKS

INTRODUCTION OF A BILL TO CLARIFY THE TAX TREATMENT OF SETTLEMENT TRUSTS ESTABLISHED PURSUANT TO THE ALASKA NATIVE CLAIMS SETTLEMENT ACT

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. YOUNG of Alaska. Mr. Speaker, today I am introducing a bill to clarify the tax treatment of Settlement Trusts authorized by the Alaska Native Claims Settlement Act. This legislation is very similar to a bill that I introduced with my colleagues, Congressmen GEORGE MILLER and J.D. HAYWORTH, last Congress.

The bill has been further improved from last Congress and a companion measure was introduced in the Senate recently. The bill's introduction in the House before the Memorial Day recess is aimed at expediting consideration of it in Congress and within the executive branch. Once the recess has ended, I am expecting that the original cosponsors from last year as well as additional cosponsors will reintroduce the legislation for consideration in the House.

At the time the bill is reintroduced, those Members cosponsoring it and I will submit for our colleagues' information a detailed explanation of the bill along with background and history relating to it.

TRIBUTE TO THELMA BARRIOS

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. BERMAN. Mr. Speaker, I rise to pay tribute to Thelma Barrios, who this year is receiving the 3rd annual Chief Dominick J. Rivetti Award from the San Fernando Police Advisory Council. Thelma is editor and publisher of the San Fernando Sun, a weekly publication that serves San Fernando and the surrounding area. In an age of media conglomerates, and 24-hour news channels, the Sun is an excellent reminder of the value of a good community newspaper. Thelma works hard to make sure that local politics, community news and interesting activities involving Northeast Valley residents receive extensive coverage in the pages of her newspaper. Over the years I have found the Sun a pleasure to read.

Thelma's accomplishments are all the more remarkable considering the trajectory of her career. She started working at the Sun nearly 40 years ago as a bill collector, answering an ad that asked ''for a man to do collections.'' That minor detail didn't deter Thelma, who went in and applied for the job anyway. The owner of the Sun, L.A. Copeland, offered Thelma the job, telling her that results were more important than whether he hired a man or a woman.

Thelma flourished at the paper. She went from bill collector, to telephone operator, to member of the classified advertising department and, finally, editor and publisher. It was a perfect match. Thelma works tremendously hard putting out the Sun each week. At the same time, she is never too busy to take another press release or listen to another story idea.

Though it's hard to believe, Thelma is not a San Fernando native. Along with her family, she came to California from Ohio in the early 1940s. Not long after the move, she met her future husband, Joseph Barrios, when the two of them worked together at a movie theater near downtown Los Angeles. Thelma and her husband, who passed away a few years ago, made the move to San Fernando soon after the end of World War II.

The Barrios family has strong ties to the city; Joe was a member of the San Fernando Police Force for 32 years.

Thelma has won two separate national journalism contests sponsored by the University of Missouri, and is the recipient of several awards from the Valley Press Club. The Dominick J. Rivetti Award, named in honor of my dear friend and the Chief of Police in San Fernando, recognizes Thelma's extraordinary contributions to the city.

I ask my colleagues to join me in saluting Thelma Barrios, whose dedication to her craft and devotion to her community inspire us all.

A TRIBUTE TO ALLEN L. SAMSON

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. KLECZKA. Mr. Speaker, I rise today in tribute to Allen L. Samson, president, Liberty Bank, who on June 15, 1999 will receive the Star of David Award given by the Israel Bonds organization, Milwaukee. This award recognizes Allen for his support of Israel's economic development, involvement in humanitarian causes and his distinguished service to the community.

Allan Samson received his undergraduate and law degrees from the University of Wisconsin-Madison. He served as deputy district attorney for Milwaukee County and was a founding partner in a local law firm. Allen changed careers in 1973 and concentrated his efforts on American Medical Services, a business founded by his father, which operated nursing homes and pharmacies. He served as the company's vice president for 10 years when he became the chief executive officer, as position he held until 1990. In 1994, Allen and a small group of investors purchased Liberty Bank, a community bank which specializes in servicing small businesses and individuals. Allen is currently president and chief executive officer of Liberty Bank.

Allen has been an active leader in the Jewish community where he has received numerous awards and accolades. His support for Israel Bonds, the Milwaukee Jewish Federation, the Milwaukee Jewish Home and Care Center is unprecedented. He has been active in the United Way of Greater Milwaukee, earing the prestigious Fleur de Lis Award in 1996 for Excellent Achievement. He is active in many leadership positions in the Milwaukee-area arts community including the symphony and the art museum.

A devoted husband to Vicki Boxer for 21 years, Allen is the proud father of Daniel, Rachel, David and Nancy. He is a loving and doting grandfather.

Congratulations, Allen. You are truly deserving of this year's Star of David Award.

PERSONAL EXPLANATION

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. CAPUANO. Mr. Speaker, due to inclement weather I, along with several other Members of Congress, was unavoidably detained in Massachusetts on the afternoon of May 24, 1999, and was therefore unable to cast a vote on rollcall votes 145 and 146. Had I been present, I would have voted ''yea'' on rollcall 145, and ''yea'' on rollcall 146.

RECOGNITION OF HUMANITARIAN SIDNEY WEINER

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. NEAL of Massachusetts. Mr. Speaker, I would like to take this opportunity to recognize a significant milestone in the life of Sidney Weiner. On June 22, 1999, Sidney was presented the 17th annual Humanitarian Award by Congregation Kodimoh. Sidney Weiner has spent his life volunteering on behalf of many organizations in the community, and I would like to make note today of his many accomplishments.

Sidney was born in Worcester, MA, but moved to Springfield as a teenager. He attended Springfield public schools and eventually married Gert Levi at the old Kodimoh on Oakland St. in 1947. He operated many successful service stations and worked as an insurance agent before retiring in 1972.

Sidney's volunteer service, in his adult life, has been unparalleled. He was a volunteer for the Pioneer Valley Red Cross, through which he recruited countless blood donors. He has also practiced what he has preached, being a 10 gallon donor himself. Sidney is a 32d degree mason and has been Master of the Chicopee Lodge and District Deputy Grand Master of the Chicopee 18th Masonic District. Since joining the Melha Temple Shrine in 1959, Sidney has chaired their blood program. He has

also brought smiles to countless children through his membership and participation in the Melha Clown Unit.

Sidney has been a volunteer at Baystate Medical Center for nearly 20 years. In 1990, he was elected the first male president of the Baystate Medical Center Auxiliary. Sidney has also been involved with the Ronald McDonald House. In fact, his involvement began even before the house was built almost 10 years ago. He has held many various titles there, and is currently the president of the board of directors. For the past 3 years, Sidney has been chairman of Parking for the Rays of Hope Walk, which raises funds each fall for breast cancer research. He and his wife, Gert, also spend every Sunday in July and August volunteering at Tanglewood. Sidney is a longtime member of Kodimoh and its Brotherhood, and is a regular minyanaire. He has also been a regular volunteer on various projects and committees with Kodimoh. Sidney and Gert's daughter, Nancy Squires, and her husband, Bill, and their three daughters, Maxine, Sarah, and Michelle, are also active members of Kodimoh.

Mr. Speaker, allow me to pay tribute to the service, commitment, and character of Sidney Weiner. He has proven himself to be an indispensable member of his community through his service and leadership. Sidney Weiner is truly a role model for community involvement and pride in his faith. Kodimoh, and the entire Western Massachusetts community, has been blessed to have been touched by Sidney Weiner's involvement and service.

ZONTA CLUB OF OAK PARK CELEBRATES ITS 65TH ANNIVERSARY

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. GUTIERREZ. Mr. Speaker, I rise to pay tribute to the Zonta Club of Oak Park, Illinois. The Zonta Club of Oak Park was organized in February 1934 and was chartered on May 26 that same year. It is the 127th chapter of Zonta International, a worldwide service organization of executives in business and the workforce that began in 1919 to advance the status of American women. The Zonta Club of Oak Park will be celebrating its 65th anniversary on May 26, 1999.

The Zonta Club of Oak Park has contributed time and money and has worked tirelessly for women's rights since it was organized. Throughout its history, the Zonta Club of Oak Park has supported many local organizations, such as the alliance for the Mentally Ill, Cook County Hospital, Literacy Volunteers of Western Cook County and the Rehabilitation Institute of Chicago. The Club also gives financial support to international service projects selected by Zonta International through the United Nations and has directly affected the fate of more than 700,000 women and girls through projects in countries such as Argentina, Bangladesh, Ghana, India, Jordan and Zimbabwe.

The Zonta Club of Oak Park has a strong dedication to women's higher education and has supported literacy projects. The Club supports the Young Women in Pubic Affairs scholarship program by recognizing and awarding scholarships to local high school seniors to encourage young women to enter careers or seek leadership positions in social policymaking, government and volunteer organizations. The Club also gives financial support to the Amelia Earhart fellowship award program, which was founded in 1938 to support women pursuing graduate degrees in aerospace-related sciences and engineering. The program has supported more than 500 women from forty-eight countries in more than 800 fellowships.

Mr. Speaker, I commend the work of the Zonta Club of Oak Park and their efforts to promote literacy, fight domestic violence and encourage students to participate in international service projects. I am pleased to congratulate them on their 65th anniversary.

RUSS MORGAN HONORED

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. KANJORSKI. Mr. Speaker, I rise today to congratulate the Russ Morgan Orchestra as it celebrates more than sixty years in the entertainment business. I am pleased and proud to bring this worthy milestone to the attention of my colleagues.

Born in Scranton, Russ Morgan grew up in my hometown of Nanticoke. After working in the coal mines to earn money for his music education, he began playing the piano at a Scranton theater for extra money at the age of 14. Morgan went on to play trombone with a local band called the ''Scranton Sirens,'' with notable colleagues like Tommy Dorsey, Jimmy Dorsey, and Billy Lustig. When he was 18, Russ left Pennsylvania for New York City to find his fortune in the music business. By the time he was 25, he was arranging music for John Phillip Sousa and Victor Herbert. After playing for Paul Specht and touring Europe with Specht's orchestra, Morgan went to Detroit to work with Jean Goldkette on forming a new band. There, he was reunited with the Dorsey brothers and some of his other associates from his early career. Eventually, Morgan became Musical Director of WXYZ in Detroit with his own very popular show. He also showcased his classical talent by arranging for the Detroit Symphony.

At about this time in his career, Morgan was sidelined by a serious automobile accident that forced him to spend months in the hospital. Upon his recovery, he returned to New York City to restart his career by arranging music for all the famous night clubs of the time and many Broadway shows. In 1934, he worked at Brunswick Records, where he met his wife and became friends with the famous Rudy Vallee. Morgan was encouraged to form his own orchestra and Vallee got him his first engagement at the famous Biltmore Hotel. Following an impressive 4 years at the Biltmore, Morgan played on television and at most of the famous hotels and resorts of the era. On one recording he made during that period, he used a quartet that would later become the famous Ames Brothers. In 1965, with sons Jack and David in the ensemble, Russ Morgan began a long engagement in Las Vegas that was cut short only by his death in 1969.

Mr. Speaker, the Russ Morgan Orchestra, now in the able hands of his son Jack, has been bringing us wonderful music for over six decades. The ensemble's founder never forgot his roots as a young coal miner in Northeastern Pennsylvania. I extend my best wishes for continued success to Jack and the Morgan family as they carry on the legacy of the great Russ Morgan on this milestone anniversary. What greater tribute could his beloved son pay him, than to carry on his music to new generations.

MILITARY INVOLVEMENT IN INTERNATIONAL AIR AND TRADE SHOWS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. STARK. Mr. Speaker, today I am introducing legislation to stop the use of taxpayer funds from subsidizing the U.S. defense industry at international air and trade shows.

Prior to 1991 the federal government avoided any direct military involvement in air shows and arms bazaars. For the first time, during the Bush administration, military personnel and equipment were permitted in foreign air shows and weapons exhibitions. The aircraft used, during these air shows and weapons exhibitions, is paid for with American taxpayer dollars. The fees involved include the cost of insurance, ramp fees, transportation to and from the show and payment for government personnel needed to attend and monitor the show. In June of 1991 the Secretaries of Defense and Commerce changed the practice that the Pentagon had previously followed of leasing U.S. aircraft to industry at air shows. The practice adopted allows for the loan of the Department of Defense (DoD) aircraft to defense contractors free of charge. This means that taxpayers pay for the cost of industry participation at air shows and arms bazaars. If taxpayers are not sharing in the profits made during the air shows and arms exhibitions, why should they share in the cost?

An example of this wasteful practice occurred in Singapore in 1992, during an air show intended to demonstrate new marine aviation technology. The Marine aircraft crashed and the American taxpayers were left with a bill of $18.9 million. In response to the crash Congressman HOWARD BERMAN sponsored an amendment to the FY93 Authorization bill which puts a limit on the government's ability to participate in air shows. The amendment requires the President to notify Congress 45 days prior to any participation in further air shows. It also requires that participation be in the interest of national security. In addition, the amendment requires a cost estimate to be submitted to Congress as well.

In order to side step the Berman amendment, DoD sends aircraft and personnel to air shows on so called ''training missions.'' This fulfills the requirement that the air show be in the interest of national security.

It is important to look at the total cost of foreign air shows in order to realize the abuse by the federal government on the American taxpayer. A conservative calculation of the total cost of taxpayer subsidies for 1996 and 1997 was at least $68.4 million. That is an average

of $34.2 million per year wasted at foreign airshows and arms bazaars. This figure is up over 31 percent over the period from 1994 to 1995.

The Clinton administration has been underreporting cost and involvement to the U.S. by excluding transportation costs to and from the foreign shows. The costs reported by the Pentagon to Congress are 15 to 20 times less than the actual costs, leaving the U.S. taxpayer to pick up the tab. An example of this practice is the transfer of a B–2 bomber from the United States to France for a demonstration at an air show in Paris in 1995. This flight to Paris involved at least a 24-hour round trip ticket. The cost to operate the plane for one hour is $14,166, for a cost of over $330,000. The total cost submitted to Congress by the Pentagon to cover the entire show was underestimated at $342,916.

The bill I am introducing today, the ''Restrictions on Foreign Air Shows Act'' bans any further direct participation of Defense personnel and equipment at air shows unless the defense industry pays for the advertising and use of the DoD wares. The bill prohibits sending planes, equipment, weapons, or any other related material to any overseas air show unless the contractor has paid for the expenses incurred by DoD. If a contractor decides to participate in the air show, he or she must lease the equipment, cover insurance costs, ramp fees, transportation fees, and any other costs associated with the air show. If a contractor is making a profit by showing the aircraft, they will also be required to pay for the advertisement and use of the aircraft. In addition, military and government personnel will not be allowed at the show unless the contractor pays for their services during the air show.

This bill in no way outlaws the use of U.S. Aircraft or other equipment in foreign air shows or other trade exhibitions. The bill simply takes the financial burden off of the American taxpayer and puts it on the defense contractor. I strongly urge my colleagues to support this bill.

RECOGNIZING THE CONTRIBUTIONS OF THE CRUISE LINE INDUSTRY IN ALASKA AND THE UNITED STATES

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. YOUNG of Alaska. Mr. Speaker, today I rise to address an issue that is very critical to the constituents of my home State of Alaska. The issue I wish to speak about is the significant contribution which the cruise line industry has made to the great State of Alaska and this country.

Alaska is a State where the land mass is larger than all of the Northeastern and Great Lakes States put together. Approximately 600,000 Americans live there. Many Americans have heard of Alaska and have some image of its wildness but fewer than 10 percent of Americans have ever visited. Nonetheless, the opportunity for Americans to visit this great state has increased tenfold with the presence of the cruise industry. Furthermore, the economic benefits that the cruise lines bring have greatly impacted Alaska.

Recently, Price Waterhouse Coopers (PwC) and Wharton Econometric Forecasting Associates concluded a Study on the Economic Impact of the Cruise Industry on the U.S. economy. This study reveals that the cruise industry spent $6.6 billion in the United States in 1997, and generated an additional $5 billion of impact on the economy. In the United States alone, the cruise lines purchased $1.8 billion in transportation from airlines, $794 million in fuel and lubricants, $626 million in business services, $1 billion in financial services, and $600 million in food and beverage supplies. In the State of Alaska in 1998, the cruise industry spent with Alaskan business and service providers $363,274,000. These statistics are significant and make clear that the cruise industry has benefited both the state of Alaska and our Nation.

This study also reveals that the cruise industry created 176,433 jobs for U.S. citizens in 1997. These jobs included direct employment by the industry and jobs attributable to the U.S. based cruise line suppliers and industry partners. Through its annual growth of 6–10 percent, the industry is responsible for thousands of new jobs every year for Americans. The cruise industry is the single largest direct employer in the maritime sector of the United States. In my State of Alaska in 1998, the cruise industry was responsible for the employment of 17,189 Alaskans. That is 3 percent of the population of our State.

Another issue that I wish to address is the matter regarding Federal and State taxation of the cruise industry. Some critics state that the cruise industry does not pay federal and state taxes in the United States. This statement is false. In fact the recently completed study revealed that the industry pays millions of dollars in taxes each year. In 1997, the cruise industry paid over $1 billion in Federal, State, and local taxes in the United States.

Mr. Speaker, I rise today to speak to the contributions made by the cruise industry to our great Nation. The benefits have been abundant, both throughout this nation and in my home State, Alaska. In view of the many contributions, I wish to acknowledge the vital role which the cruise industry plays in sustaining the economy and the maritime sector of this country.

TRIBUTE TO FRANKYE SCHNEIDER

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. BERMAN. Mr. Speaker, I rise to pay tribute to may dear friend, Frankye Schneider, who this year is being honored by the 40th Assembly District of the Democratic party. For more than two decades, Frankye held the position of senior deputy to Los Angeles County Supervisor Ed Edelman. Frankye has always considered it an honor to work in politics. She cherished the opportunity to use the resources and power of government to help individual citizens.

Frankye was the perfect model of a professional and compassionate staff person. She was never too busy to listen to the concerns of another resident, and to speak out on behalf of a homeowners' association, chamber of commerce or non-profit agency. Although districts in Los Angeles County contain more people than many states, it somehow seemed as if everyone was on a first-name basis with Frankye.

It would be impossible in such a short space to mention each and every contribution Frankye made to our community during the time she worked for Supervisor Edelman. The list of people and organizations that benefitted from her efforts is truly myriad. Frankye had an extremely wide range of interests, including the arts, the environment, education, mental health and juvenile justice.

She is a lifetime member of the PTA, immediate past president of the San Fernando Valley Community Mental Health Center, and a former Board Member of New Directions for Youth and the United Way. After she left the staff of Supervisor Edelman, Frankye worked for the Los Angeles County Museum of Art and the Los Angeles County Museum of Natural History.

Frankye has a deep and abiding interest in the fortunes of the Democratic Party. She was a founding member and the first chair of the Democratic Party of the San Fernando Valley, and she has represented the 40th Assembly District at California Democratic party conventions for many years. Frankye also did extensive volunteer work for George McGovern's 1972 presidential campaign and Tom Bradley's 1973 campaign for mayor of Los Angeles.

Frankye doesn't know the meaning of the word ''retirement.'' She continues to stay active in the community and with a variety of organizations. She also spends as much time as she can with her three children and four grandchildren.

I ask my colleagues to join me in saluting Frankye Schneider, who has devoted much of her life to bettering the lives of others. Her dedication and selflessness inspire us all.

CONSTITUTIONAL IMPASSE CONTINUES IN BELARUS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. SMITH of New Jersey. Mr. Speaker, on May 16, the alternative Presidential election concluded in Belarus within the timeframe envisioned by the legitimate 1994 Constitution. While the opposition Central Election Commission (CEC) concluded that the final results of the voting were invalid because of various violations deriving from the impediments placed by Belarusian authorities, the ballot served as an important barometer of democratic engagement by the citizens of Belarus. In the months leading up to the election, President Alyaksandr Lukashenka had imprisoned one of the two Presidential candidates—former Prime Minister Mikhail Chygir—on what were clearly politically motivated charges, arrested hundreds of election officials and volunteers, and instituted administrative proceedings against others. Nevertheless, the authorities were unable to thwart the election in at least one critically important respect—according to the opposition CEC, the voting itself was valid because more than half—or 53 percent of the electorate—participated. When one considers that these were unsanctioned elections that

challenged Lukashenka's legitimacy, this is a substantial number of people.

No matter what the imperfections, Mr. Speaker, the opposition's electoral initiative should send a powerful message to Lukashenka. Clearly, an appreciable number of Belarusian citizens are dissatisfied with the profoundly negative political and socio-economic fallout stemming from his dictatorial inclinations and misguided nostalgia for the Soviet past or some misty ''Slavic Union.'' The vote highlights the constitutional and political impasse created by Lukashenka's illegitimate 1996 constitutional referendum, in which he extended his personal power, disbanded the duly elected 13th Supreme Soviet, and created a new legislature and constitutional court subservient to him.

Last month, the Commission on Security and Cooperation in Europe (Helsinki Commission), which I chair, held a hearing on the situation in Belarus, with a view toward promoting human rights and democracy there. Testimony from the State Department, OSCE mission in Belarus, the Belarusian democratic opposition and several human rights NGOs all reaffirmed that Belarus is missing out on what one witness characterized as ''the great market democratic revolution that is sweeping Central and Eastern Europe and Eurasia'' because of Lukashenka's power grab and backsliding on human rights and democracy.

Despite repeated calls from the international community, including the Helsinki Commission, for Lukashenka to cease harassment of the opposition, NGO's and the independent media; allow the opposition access to the electronic media; create the conditions for free and fair elections and strengthen the rule of law, we have failed to see progress in these areas. Indeed, we see more evidence of reversals. Earlier this year, for example, Lukashenka signed a decree which introduces extensive restrictions on non-governmental activity and mandates re-registration—by July 1—of political parties, NGOs and trade unions. The decree, which among other onerous stipulations requires that organizations acknowledge the results of Lukashenka's illegitimate 1996 referendum, is clearly designed to destroy democratic civil society in Belarus and further consolidate Lukashenka's repressive rule. Moreover, within the last few months, several disturbing incidents have occurred, among them the March arrests of Viktor Gonchar, Chairman of the opposition CEC, and the Chygir imprisonment, as well as the mysterious disappearances of Tamara Vinnikova, former chair of the National Bank of Belarus and, on May 10, Gen. Yuri Zakharenko, former Interior Minister and a leading opponent of Lukashenka. Just a few days ago, Lukashenka's government announced that no more foreign priests will be allowed to serve in Belarus, making it extremely difficult for the Roman Catholic Church, which is rebuilding following the travails of the Soviet era, to function.

Mr. Speaker, I strongly urge the Belarusian Government to comply with its freely undertaken commitments under the Helsinki Final Act and subsequent OSCE agreements and to immediately, without preconditions, convene a genuine dialog with the country's democratic forces and with the long-suffering Belarusian people.

TRIBUTE TO DR. AUGUSTO ORTIZ AND MARTHA ORTIZ

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. PASTOR. Mr. Speaker, I rise today to pay tribute to Dr. Augusto Ortiz and his wife, Mrs. Martha Ortiz. For 50 years, this outstanding team has provided medical and clinical services to the under-served, rural and urban, Spanish-speaking populations of Arizona. Dr. Ortiz, a medical doctor who graduated from the University of Illinois in 1945, provided the medical services while Martha, who rarely accepted compensation for her services, acted as the full-time administrator, personnel director, and business manager of the practice. The willingness of Dr. and Mrs. Ortiz to forego salaries or their acceptance of ''pay-what-you-can'' arrangements made medical services affordable and available to many poor residents of Arizona. Thousands of Arizonans owe their health and lives to the caring dedication of this selfless medical team.

Although Dr. Ortiz' family did not have large amounts of money, they encouraged a love of learning and a dedication to community service. With these values instilled in him as a young boy in Puerto Rico, Dr. Ortiz often dreamed of helping underprivileged people when he grew up. In order to pursue his dream of becoming a doctor to aid indigent people, Dr. Ortiz had to leave his much loved family and childhood home to attend medical school in Illinois. Although he was now thousands of miles away, these early dreams and lessons helped guide and inspire him to continue toward his goal.

In the early 1950's, while stationed at Luke Air Force Base in Phoenix, Arizona, Dr. Ortiz took on a Herculean task. He readily agreed to assist Dr. Carlos Greth with a medical practice that served 80,000 Spanish-speaking people in Maricopa County. At this time, they were the only Spanish-speaking doctors in Maricopa County.

Aside from generously offering his medical talents, Dr. Ortiz also became a champion for those that he treated. His political motivation was his need to ''stand up and speak out'' because he felt ''an obligation to do something to . . . remedy those problems'' which were regularly encountered by his patients. Dr. Ortiz was especially active on behalf of his farm worker patients. He was instrumental in obtaining an Arizona state ban on the short handled hoe, as well as improving the Arizona laws regulating pesticides and field sanitation. Dr. Ortiz' commitment and accomplishments make him an outstanding role model for the citizen activist. He identified the problems that needed to be addressed, sought logical, humane remedies for them, and consistently persuaded political decision makers to agree to the solutions.

Dr. and Mrs. Ortiz not only emphasized preventive health care, they organized mobile clinics and community health boards to ensure that this message would be heard and spread throughout many Arizona communities. In 1972, Dr. Ortiz joined the University of Arizona Rural Health Office as the Medical Director. Currently, he continues as the Medical Director of the Rural Health Office while maintaining his rural mobile clinic practice in three communities. During his tenure, he has worked tirelessly to encourage the poor and minorities to enter and to succeed in healthcare professions, while continually working to develop and deliver better health services for those in need.

Throughout his career, Dr. Ortiz has received many honors and awards, including: The Arizona Latin-American Medical Association Award; the Arizona Family Doctor of the Year Award; Distinguished Leadership Award, American Rural Health Association (national); and the Jefferson Award for Outstanding Service to the Community, Institute for Public Service (national).

Dr. Ortiz and Martha deserve the nation's gratitude and respect for the magnitude of the service they have given for such an extended period of time. I ask my colleagues in Congress to join me in applauding and honoring this noble doctor, Dr. Augusto Ortiz, and his admirable wife, Martha Ortiz.

AMERICAN LAND SOVEREIGNTY PROTECTION ACT

SPEECH OF

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 20, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 883) to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands:

Mr. HERGER Mr. Chairman, I support H.R. 883, The American Land Sovereignty Protection Act and am in favor of its passage. The reason I support this legislation is because it will place constraints on the Clinton/Gore administration's ability to exercise more Federal land control. Mr. Speaker, my main concern is not the United Nations. The United Nations has no more authority than we choose to give it. My major concern, and the concern of the citizens of my northern California District, is the continued use of Presidential powers to exercise Federal land control. This legislation will go a long way in preventing that. Therefore, Mr. Chairman, I urge everyone's support of H.R. 883.

INDIA'S ANTI-AMERICANISM REVEALED AS DEFENSE MINISTER ATTACKS AMERICA

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. DIAZ-BALART. Mr. Speaker, I was disturbed to hear that the Defense Minister of India, George Fernandes, led a meeting of some of the world's most repressive regimes at which they agreed that their main goal was to ''stop the United States,'' according to the Indian Express. Fernandes himself called the United States ''vulgarly arrogant.'' This should offend anyone who cares about this country.

Countries represented at this meeting, according to the newspaper, were Communist China—which has been stealing American nuclear secrets and pouring illegal money into our political campaigns, Libya, Russia, Serbia—the country we are currently fighting, Saddam Hussein's Iraq, and Castro's Cuba. Now, Mr. Speaker, I know a bit about Cuba. Castro's dictatorship in Cuba is one of the most brutal in the world. It has killed and tortured thousands of its opponents.

By now, we all know the stories of how the Indian government has killed tens of thousands of Christians, Sikhs, Muslims, Dalit untouchables, and others. Just in recent months, I am informed that an Australian missionary named Graham Staines and his two young sons were burned to death in their Jeep by a militant theocratic Hindu Nationalist gang affiliated with the RSS, which is also, I am told, the parent organization of the ruling BJP. I am informed that there are 17 freedom movements in India and the ongoing political instability there may be bringing India's breakup close. We should support the peaceful struggle for freedom throughout India.

India destablized South Asia with its nuclear weapons' tests. It was a close ally of the Soviet Union and supported the invasion of Afghanistan. I am told that it has the most anti-American voting record of any country in the United Nations with the exception of Cuba. Why does a government like that continue to receive aid from the United States?

Mr. Speaker, the time has come to stop supporting governments that actively work against us. We should cut off all American aid to India and declare our support for the freedom movements through democratic plebiscites. These are important steps to extend the hand of freedom to the people of South Asia.

INTRODUCTORY STATEMENT FOR THE BRING THEM HOME ALIVE ACT OF 1999

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. HEFLEY. Mr. Speaker, I am pleased to introduce today the Bring Them Home Alive Act of 1999. This legislation provides a powerful incentive to persuade foreign nationals to identify and return to the United States any living American POW/MIA who served in the Vietnam or Korean War. I am pleased to be joined in this effort by 28 bipartisan co-sponsors.

The on-going war in Yugoslavia has brought the plight of American POW/MIAs to the forefront of the nation's psyche. We all watched in horror several weeks ago as three captured American servicemen were displayed with visible cuts and bruises on Serbian television. We feared for their lives, their safety and their well-being. It was with great relief that we watched as Staff Sergeants Christopher Stone and Andrew Ramirez and Specialist Steven Gonzales were released, relatively unharmed, from a Serbian prison.

The story of the capture of these three servicemen ended with family reunions and a safe return home to America. However, too many POW/MIAs were not so fortunate. There is the possibility that soldiers from the Vietnam and Korean Wars are still living as prisoners of war. It is our duty to do all that we can to bring them home.

The Bring Them Home Alive Act would grant asylum in the U.S. to foreign nationals who help return a living American POW/MIA from either the Vietnam War or the Korean War. The bill specifically allows citizens of Vietnam, Cambodia, Laos, China, North Korea, or any of the states of the former Soviet Union who assist in the rescue of an American POW/MIA to be granted asylum. The legislation would also grant asylum to the rescuer's family, including their spouse and children, since their safety would most likely be threatened by such a rescue.

While there is some doubt as to whether any American POW/MIAs from these two wars remain alive, the official U.S. policy distinctly recognizes the possibility that American POW/MIAs from the Vietnam War could still be alive and held captive in Indochina. The official position of the Defense Department states, ''Although we have thus far been unable to prove that Americans are still being held against their will, the information available to us precludes ruling out that possibility. Actions to investigate live-sighting reports receive and will continue to receive necessary priority and resources based on the assumption that at least some Americans are still help captive. Should any report prove true, we will take appropriate action to ensure the return of those involved.'' The Bring Them Home Alive Act supports this official position and provides for the possibility of bringing any surviving U.S. servicemen home alive.

In order to inform foreign nationals of this offer, the bill calls on the International Broadcasting Bureau to draw upon its resources, such as WORLDNET Television and its Internet sites, to broadcast information that promotes the Bring Them Home Alive asylum program. Similarly, the bill calls on Radio Free Europe and Radio Free Asia to broadcast information.

Mr. Speaker, we are less than two weeks away from celebrating Memorial Day. This holiday is an opportunity for us, as a nation, to honor the soldiers and veterans who so valiantly served and protected our nation and our freedoms. American servicemen and women deserve this recognition, as well as our respect and appreciation. I believe it would be a fitting tribute to American soldiers to pass the Bring Them Home Alive Act. As long as there remains even the remotest possibility that there may be American survivors, we owe it to our servicemen and their families to bring them home alive.

HUNGER'S SILENT VICTIMS

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. HALL of Ohio. Mr. Speaker, I rise today to bring to our colleagues' attention a humanitarian crisis in Asia, one half a world away from the glare of television lights and public concern—but one every bit as worthy of our attentions as the crime scene that is Kosovo.

I recently visited rural villages in Cambodia, and was surprised to see that Pol Pot's legacies—serious malnutrition and illiteracy—persist two decades after he was run from power. I am especially concerned that our country is focusing too much on political issues, and ignoring the tremendous humanitarian problems in Cambodia.

One aspect of these problems—hunger and malnutrition so severe that it is stunting the bodies and brains of more than half of Cambodia's children—was explained in a superb article recently in Time Magazine's Asian edition. We all know the tragic of Cambodia; this article describes a future sure to be needlessly sad.

Cambodia is a fertile land at the crossroads of a thriving regional economy. Its people are hard-working and innovative. With a little peace, and a little humanitarian assistance, they can again be the stable, growing rice exporter they were in the 1960s.

I would respectfully request that Time's article, and my own statement on the situation, be included in the CONGRESSIONAL RECORD.

[From Time Asia, May 17, 1999]

HUNGER'S SILENT VICTIMS

(By Nisid Hajari)

Cambodia is accustomed to the thunder of artillery, to death tolls thickened by war and disease. The quiet of peace, however, has begun to allow more subtle killers a hearing. The latest crisis: food security, or its shameful absence among the country's malnourished poor.

The problem is hardly new, only newly appreciated. Earlier this year a joint survey published by UNICEF and the United Nations World Food Program (WFP) found that in Cambodia's poorest rural areas, nearly half the children under age five are physically stunted, while 20% suffer acute malnutrition.

According to a separate U.N. study published last December, Cambodia has the highest malnutrition rates in East Asia, with an average daily intake of only 1,980 calories, even lower than that of famine-stricken North Korea (2,390 calories) ''Malnutrition in Cambodia is chronic,'' says the WFP's acting country director, Ken Noah Davies. ''You could call this a silent emergency, or you could call this a national crisis.''

The scope of the problem bears out that dire warning. Although hunger is especially acute in the countryside, even Cambodia's relatively affluent urban population suffers disturbingly high rates of malnutrition. The most recent data released by the Ministry of Health reveal that in 1996, nearly 34% of children below the age of five in this upper income group were moderately underweight and 21% severely stunted. The results suggest that not only income, but also sociocultural factors may contribute to the underfeeding of children. For traditional cultural reasons—breastfeeding from birth is seen as taboo—Cambodian women are often reluctant to suckle their newborns immediately, waiting several days and thereby depriving infants of highly nutritious colostrum, or first milk.

Much of the difficulty in feeding kids properly stems from the devastation wrought by the Khmer Rouge. Pol Pot's mad attempt at transforming the country into a vast agrarian commune destroyed its irrigation system, which had made Cambodia a net rice exporter in the 1960s.

Since most farmers no longer hold formal title to their land—eliminated at the time, along with private property—their fields are vulnerable to takeover by soldiers and local thugs. And the sundering of countless families has disrupted the passage of traditional

knowledge from mother to daughter. In some outlying districts, many women have 10 or more children; some are either unaware of birth control techniques or unable to afford condoms. ''Nobody comes to explain to them about health care,'' says Kao Chheng Huor, head of the WFP office for the provinces of Kampong Thom and Preah Vihear.

But in Kampong Thom, which according to the joint UNICEF/WFP survey suffers the highest rates of child malnutrition in the country, it quickly becomes apparent that the heart of the problem is mind numbing poverty. ''I had no choice, I had no other way except to send my children away,'' says Hol Ny, her eyes wet with tears. The 40-year-old widow, bereft of land or cattle, recently allowed three of her six children to go work for other families, some of them total strangers; the $15 she received per child must feed her and her three youngest for the next year. In her village of Srayou Cheung, at least six other families have similarly sold their children into bonded labor; some say they have had to forage in the forest for food. Hol Ny's neighbor, a 41-year-old divorcee named Pich Mom, sold her two sons for two years each. ''I was sick and couldn't earn any money,'' she says. ''It's hard for me to live without my children, but I think I did what was best for them.''

For the past four years, Cambodia has actually recorded a small rice surplus estimated to reach 30,000 tons this year. This bounty, however, is distributed poorly, and many farmers simply cannot afford to buy what is available. (In a country with a per capita income of only $300 a year, about 36% of Cambodians live below the official poverty line; last year the WFP assisted 1.4 million people, 15% of the population, with its food-for-work program.) Even those who have rice often have little else—perhaps a little salt, or the fermented fish paste called ''prahoc''—to round out the dish. That little is not nearly enough: rice, while high in calories, has relatively few nutrients.

The WFP says Prime Minister Hum Sen was shocked by the U.N. surveys, and he now insists that eliminating malnutrition is a top priority. ''Now that the fighting is over, we expect everyone to work on this issue,'' says Nouv Kanun, the energetic secretary general of the newly created Council for Agriculture and Rural Development.

A conference of Cabinet ministers and provincial authorities last month endorsed a 10-year, $90 million plan to tackle the root causes of malnutrition, focusing on crop diversification and awareness campaigns about nutrition, health and hygiene. Still, the damage that is already evident will plague Cambodia for years to come. ''If you are malnourished from six months until you are five, you are going to be handicapped for the rest of your life,'' warns Davies. ''You will never be able to develop your full mental or physical capacity.'' Perhaps now that warning can be heard.

POL POT'S LEGACIES—ILLITERACY AND MALNUTRITION—HAVE NOT YET FOLLOWED DESPOT TO THE GRAVE

WASHINGTON.—U.S. Rep. Tony Hall, D–Ohio, today detailed his impressions of humanitarian conditions in Cambodia and warned that problems of desperate poverty—especially severe malnutrition, scarce schools, and wide swaths of mined land—are undermining the victory over those responsible for the death of nearly two million Cambodians. Excerpts of Hall's remarks follow.

''I visited Cambodia's capital and two rural provinces April 8–11 to get a firsthand look at the problems of poverty, and particularly the terrible malnutrition that has left Cambodia's rural villages populated by stunted people—and one in 10 wasted by hunger.

''What I saw in Cambodia's rural villages reminded me of the time I spent in Thailand 32 years ago as a Peace Corps volunteer. People in Cambodia seem to be frozen in time, and you cannot escape the nagging feeling that Pol Pot and the Khmer Rouge have won, that they took the people backward in time and stranded them there.

''I was surprised to learn that in Cambodia, malnutrition is not the result of a lack of food. It is caused by the failure to teach mothers that they don't have to wait three days after giving birth to breastfeed the baby; that children should be fed more than just rice; that fish or fruit or vegetables won't make toddlers sick; and that without basic sanitation, disease will undo all the good of proper nutrition and care.

''People need more traditional education too—four in five rural Cambodians can't read or write, and just 20–30 percent of children are in school. That means they can't take advantage of their position at a crossroads of the regional economy. And education is only the beginning of Cambodia's problems.

''Without roads, it is impossible for rural people, who are 85% of the population, to get their products to market. Without irrigation, most can only raise enough food to keep their families alive. With even a few more roads and water systems, Cambodia could feed itself and earn enough to fund some progress.

''Malaria, TB, dengue fever, and the growing rate of AIDS infections need to be fought more seriously. It is appalling that Cambodian children still die from measles and other easily prevented illnesses. Even the most basic things, such as iodizing salt to prevent mental retardation, are not being done.

''The country desperately needs economic growth. The government's plan to demobilize 55,000 soldiers and 23,000 police will put a lot of young men with guns into a society that is very fragile. Aid cannot create an economy, and I hope the government will invest the money it now spends on the military on improving its people's opportunities.

''Cambodia's people need peace—and a period to find their way forward after 30 years of civil war. It is hard to imagine the trauma of the generation that endured the 'killing fields,' or their children—who now are raising children of their own. One aid worker told me that the pictures children draw almost always feature guns or weapons—because violence and war are so familiar to them.

''For peace to last, it will take more than the trial of war criminals. Two decades have passed since the Khmer Rouge were run out of power, but Cambodians remain among the poorest people in the world. It is in their lack of education that you can see that, even though Pol Pot's military is defeated, he achieved his hideous goal of turning Cambodia into a primitive place.

''After the mid-1997 coup, the United States cut its funding for private charities working inside Cambodia—from $35 million to $12 million. That is unacceptably low, given the election last year, and it is only hurting poor Cambodians who already have suffered unimaginably. Whatever Congress and the Administration think of Cambodia's government, we need to find a way to help its poor, and I intend to press the United Nations, the United States, and other countries to do that.

''The overwhelming majority of Cambodians, whose lifespan is just 47 years, don't know what peace is. If the areas long held by the Khmer Rouge aren't opened with roads and other basic infrastructure, if the people do not have an opportunity to get some basic education—if ordinary Cambodians don't see progress in meeting their basic needs, the peace that is holding now may not last.

''We have an opportunity today that has not existed in three decades, a chance to introduce Cambodians to the fruits of peace. The international community should make the most of this chance by investing in Cambodians and their future—and the United States should lead the way.''

INTRODUCTION OF HOME HEALTH ACCESS PRESERVATION ACT

HON. VAN HILLEARY

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. HILLEARY. Mr. Speaker, the Balanced Budget Act (BBA) made many changes to Medicare and the home health industry. These changes decimated the system and have left behind them a long list of closed home health agencies and patients without care. In response, many of us in Congress desperately sought a solution. Unfortunately, we were unable to come up with one true vehicle that could pass into law.

This year we come back again. Our efforts will be just as aggressive but a little wiser. Instead of competing against one another, we in Congress will now work together to fix the problem. That is why I have joined with Congressmen MCGOVERN, COBURN, and WEYGAND to craft legislation that will help our seniors in need. Joined by Congressmen RAHALL, MCINTOSH, HOOLEY, WAMP, BARTON, and ACKERMAN, we plan to push forward legislation that aims to help the neediest of home health beneficiaries and agencies.

The first patients that will receive the aid are those that are considered ''outliers.'' Outliers are patients who have unusually high cost maladies. Under the BBA system, many agencies are unable to give them care at the risk of being run out of business because they are so cost prohibitive. We create a system that sets aside 10 specific ailments that would make a person eligible to receive this outlier status. Once they are identified as an outlier, agencies who take these individuals could draw from a newly established $250,000,000 Medicare fund to cover the added expenses. This will mean more of our poorest, oldest, and sickest receiving the medical coverage they so desperately need.

Another benefit of this legislation will be the establishment of a repayment plan for agencies who have been treating these individuals. Many of them are now almost out of business due to their charity and the inaccuracies of the Health Care Financing Administration (HCFA) in assessing their plight. We offer an interest-free 36-month grace period to these agencies in order to repay these overpayments and settle any miscalculations on behalf of HCFA.

I urge all other Members who see the need for a reform in home health to back this legislation. The Home Health Access Preservation Act of 1999 is a common sense way to help our seniors in their time of need.

INTRODUCTION OF THE CRIMINAL WELFARE PREVENTION ACT, PART II AND THE CRIMINAL WELFARE PREVENTION ACT, PART III

HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. HERGER. Mr. Speaker, today, I join with a bipartisan coalition of original cosponsors to re-introduce two important pieces of legislation—The Criminal Welfare Prevention Act, Part II and The Criminal Welfare Prevention Act, Part III—which will help prevent the needless waste of taxpayer dollars.

Because of the original Criminal Welfare Prevention Act—legislation I introduced during the 104th Congress which was enacted as part of welfare reform in 1996—an effective new incentive system is now in place that enables the Social Security Administration (SSA) to detect and cut off fraudulent Supplemental Security Income (SSI) and Social Security (OASDI) benefits that would otherwise be issued to prisoners. That provision established monetary incentives for state and local law enforcement authorities to enter into voluntary data-sharing contracts with SSA. Now, participating local authorities can elect to provide the Social Security numbers of their inmates to the Social Security Administration. If SSA identifies any ''matches''—instances where inmates are fraudulently collecting SSI benefits—SSA now cuts off payment of as much as $400. Participation in these data-sharing contracts is strictly voluntary; they do not involve any unfunded federal mandates. According to an estimate by SSA's Inspector General, this initiative could help save taxpayers as much as $3.46 billion through the year 2001.

While we should certainly be proud of this achievement Mr. Speaker, our work in this area is far from finished. During the 105th Congress, the House passed by follow-up legislation, The Criminal Welfare Prevention Act, Part II (H.R. 530), as part of The Ticket to Work and Self-Sufficiency Act (H.R. 3433). This proposal would encourage even more sheriffs to become involved in fraud-prevention by extending the $400 incentive payments to intercepted Social Security (OASDI) checks as well. Regrettably, this proposal was not taken up by the Senate. For this reason, I am re-introducing The Criminal Welfare Prevention Act, Part II today, and will continue to push for the enactment of this important initiative.

At the same time, I will also be working to enact a somewhat broader proposal. The Criminal Welfare Prevention Act, Part III, which I first introduced during the 105th Congress as H.R. 4172. This legislation would simply require SSA to share its prisoner database with other federal departments and agencies—such as the Departments of Agriculture, Education, Labor, and Veterans' Affairs—to help prevent the continued payment of other fraudulent benefits to prisoners. While we do not have reliable information about how many prisoners are receiving food stamps, education aid, and VA benefits for which they are ineligible, it is likely that many do. SSA's prisoner database provides us with the perfect tool to help identify and terminate inappropriate benefits issued through other federal and federally-assisted spending programs.

While SSA already has the authority to share its prisoner database with other agencies under a provision of the original Criminal Welfare Prevention Act—and while President Clinton has issued an executive memorandum ordering the SSA to do so—I believe it is important for Congress to codify this requirement into law. Because fraud prevention has not historically been a top priority at SSA, Congress should act swiftly to ensure that we permanently stamp out inmate fraud in all its forms. After all, taxpayers already pay for inmates' food, clothing, and shelter. It is simply outrageous that prisoners may be receiving fraudulent ''bonus'' checks each month as well.

Mr. Speaker, I would urge all of my colleagues—on both sides of the aisle—to cosponsor both of these important pieces of legislation. I hope that Congress will not promptly on these proposals to help remind inmates that crime isn't supposed to pay.

THE MAILBOX PRIVACY PROTECTION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. PAUL. Mr. Speaker, I rise to introduce H.J. Res. 55, the Mailbox Privacy Protection Act, a joint resolution disapproving a Postal Service Regulation which tramples on the privacy of the two million Americans who rent mailboxes from Commercial Mail Receiving Agencies. Under this regulation, any American currently renting, or planning to rent, a commercial mailbox will have to provide the receiving agency with personal information, including two items of valid identification, one of which must contain a photograph of the applicant and one of which must contain a ''serial number—traceable to the bearer.'' Of course, in most cases that number will be today's de facto national ID number—the Social Security number.

The receiving agency must then send the information to the Post Office, which will maintain the information in a database. Furthermore, the Post Office authorizes the Commercial Mail Receiving Agencies to collect and maintain photocopies of the forms of identification presented by the box renter. My colleagues might be interested to know that the Post Office is prohibited from doing this by the Privacy Act of 1974. I hope my colleagues are as outraged as I am by the Post Office's mandating that their competitors do what Congress has forbidden the Post Office to do directly.

Thanks to the Post Office's Federal Government-granted monopoly on first-class delivery service, Americans cannot receive mail without dealing with the Postal Service. Therefore, this regulation presents Americans who wish to receive mail at a Commercial Mail Receiving Agency with a choice: either provide the federal government with your name, address, photograph and social security number, or surrender the right to receive communications from one's fellow citizens in one's preferred manner.

This regulation, ironically, was issued at the same time the Post Office was issuing a stamp honoring Ayn Rand, one of the twentieth century's greatest champions of liberty. Another irony connected to this regulation is that it comes at a time when the Post Office is getting into an ever increasing number of enterprises not directly related to mail delivery. So, while the Postal Service uses its monopoly on first-class mail to compete with the private sector, it works to make life more difficult for its competitors in the field of mail delivery.

This regulation also provides the Post Office with a list of all those consumers who have opted out of the Post Office's mailbox service. Mr. Speaker, what business in America would not leap at the chance to get a list of their competitor's customer names, addresses, social security numbers, and photographs? The Post Office could even mail advertisements to those who use private mail boxes explaining how their privacy would not be invaded if they used a government box.

Coincidentally, this regulation will also raise the operating cost on the Post Office's private competitors for private mailbox services. Some who have examined this bill estimate that it could impose costs as high as $1 billion on these small businesses during the initial six-month compliance period. The long-term costs of this rule are incalculable, but could conceivably reach several billion dollars in the first few years. This may force some of these businesses into bankruptcy.

During the rule's comment period, more than 8,000 people formally denounced the rule, while only 10 spoke generally favor of it. However, those supporting this rule will claim that the privacy of the majority of law-abiding citizens who use commercial mailboxes must be sacrificed in order to crack down on those using commercial mailboxes for criminal activities. However, I would once again remind my colleagues that the Federal role in crime, even if the crime is committed in ''interstate commerce,'' is a limited one. The fact that some people may use a mailbox to commit a crime does not give the Federal Government the right to treat every user of a commercial mailbox as a criminal. Moreover, my office has received a significant number of calls from battered women who use these boxes to maintain their geographic privacy.

I have introduced this joint resolution in hopes that it will be considered under the expedited procedures established in the Contract with America Advancement Act of 1996. This procedure allows Congress to overturn onerous regulations such as the subject of this bill. Mr. Speaker, the entire point of this procedure to provide Congress with a means to stop federal actions which pose an immediate threat to the rights of Americans. Thanks to these agency review provisions, Congress cannot hide and blame these actions on the bureaucracy. I challenge my colleagues to take full advantage of this process and use it to stop this outrageous rule.

In conclusion Mr. Speaker, I ask my colleagues to join me in cosponsoring the Mailbox Privacy Protection Act, which uses the Agency Review Procedures of the Contract with America Advancement Act to overturn Post Office's regulations requiring customers of private mailboxes to give the Post Office their name, address, photographs and social security number. The Federal Government should not force any American citizen to divulge personal information as the price for receiving mail. I further call on all my colleagues to assist me in moving this bill under the expedited procure established under the Congressional Review Act.

CONGRATULATIONS TO THE CITY OF LEBANON ON ITS SESQUICENTENNIAL BIRTHDAY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. SKELTON. Mr. Speaker, let me take this opportunity to congratulate the City of Lebanon and Laclede County on its Sesquicentennial birthday.

Through the 1830's and 1840's pioneers chiefly from North Carolina, Tennessee, and Kentucky filtered in to fertile little valleys along streams and creeks in an Laclede County, Missouri. These settlers were farmers with only the bare necessities, and few tools, who relied upon their energy, efficiency and resourcefulness to overcome deficiencies.

In 1849 Laclede County was organized out of three neighboring counties, Pulaski, Wright, and Camden. A donation of 50 acres of land by Berry Harrison and James Appling established the county seat on what is now Old Town hill. A courthouse, jail, general store, and various office buildings were eventually added to this beautiful setting.

The county changed with the arrival of the Frisco railroad. The railroad was established three quarters of a mile out on the muddy prairie, which caused the railroad to be located a quarter of a mile outside of the town. Businesses eventually moved toward the railroad and in a couple of years a new business center grew up and Old Town became simply the first ward of new Lebanon. Small towns grew up and along the railroad each taking its quota of trade that the first years had given to Lebanon.

After 150 years Laclede County can boast of prosperous farms, schools within the reach of every child, churches for every community, and prosperity over the entire county.

Mr. Speaker, I wish to extend my congratulations to the residents of the city of Lebanon and Laclede County. It is with great pride that I honor their achievements on their Sesquicentennial birthday.

CRISIS IN KOSOVO (ITEM NO. 5), REMARKS BY DAVID SWARTZ, FORMER AMBASSADOR TO BELARUS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. KUCINICH. Mr. Speaker, on May 6, 1999, I joined with Representative JOHN CONYERS, Representative PETE STARK, and Representative CYNTHIA MCKINNEY to host the third in a series of Congressional Teach-In sessions on the Crisis in Kosovo. If a peaceful resolution to this conflict is to be found in the coming weeks, it is essential that we cultivate a consciousness of peace and actively search for creative solutions. We must construct a foundation for peace through negotiation, mediation, and diplomacy.

Part of the dynamic of peace is a willingness to engage in meaningful dialogue, to listen to one another openly and to share our views in a constructive manner. I hope that these Teach-In sessions will contribute to this process by providing a forum for Members of Congress and the public to explore alternatives to the bombing and options for a peaceful resolution. We will hear from a variety of speakers of different sides of the Kosovo situation. I will be introducing into the CONGRESSIONAL RECORD transcripts of their remarks and essays that shed light on the many dimensions of the crisis.

This presentation is by David Swartz, former Ambassador to Belarus. He is a retired foreign service officer and Director of the International Institute of the U.S. Department of Agriculture Graduate School. His other foreign-service posts included Rotterdam, London, Moscow, Kiev, Zurich, Calgary and Warsaw. He is the author of ''Redirecting the CIA: Keep Agency Out of Policymaking, Make Ambassador Boss Overseas'' (Foreign Service Journal, February 1996).

Ambassador Swartz explains how United States policy in Bosnia contributed to NATO's current dilemma in Kosovo. He also states a clear position on a central question: Does the United States have an overriding national interest in the resolution of strife in the Balkans? Ambassador Swartz's comments may be controversial to some, but they represent a valuable contribution to our ongoing debate.***HD***Presentation by David Swartz to Congressional Teach-In On Kosovo

I think my role today is going to be controversial. And if ever there was a conflict that was controversial this one certainly is. So I'm pleased to be here. Some of what I'm going to say is going to offend some people and possibly some of it will offend everybody, I don't know. But at least is may serve as a catalyst to help get the discussion going as we move along. But I am being deliberately provocative in some places so I warn you in advance and ask your indulgence.

I do wish to express my thanks for the opportunity to present may statement this afternoon on U.S.-Kosovo policy. My statement, while critical, is non-partisan. It reflects the general reality , in my view at least, that U.S. polices in the Balkans over the past eight years have reflected bipartisanship, just as criticisms of Administration policy, particularly with regard to the Yugoslavia war, have also tended to be bipartisan.

The two key desiderata driving my views on U.S. actions in that region and in the Kosovo region are these: First, human suffering must be minimized. And that's way ahead of any other. But the second one is: clear U.S. national interests justifying involvement must be present. Our policies in my view reflect deficiencies on both counts. I will very briefly touch on three aspects of that problem. One, how we got to where we are. Two, why current policy is wrong. And three, what next. Three is perhaps being developed as well speak.

First, how we got where we are. American involvement in the post-communist Balkan turmoil stems in large part in my view from a questionable policy of premature diplomatic recognition of groups asserting sovereignty, particularly Bosnia, in the early 1990's. Some groupings in the then-Yugoslavia could genuinely be considered ripe for independence, most especially Croatia, and Slovenia, possibly to a lesser extent Macedonia. Bosnia, however, could by no reasonable standard be considered a nation-state.

What is Bosnia? Who are Bosnians? What is their history, language, literature, religion? What can we point to that is uniquely Bosnian? It seems to me that creation of a multiethnic state is complicated under the best of circumstances, and Bosnia in the early 90's was not the best of circumstances. At a minimum, a la Switzerland, the disparate groups must have a common desire to join together in some higher level of governance than just the individual groupings they find themselves in. So in Bosnia a so-called country was cobbled together and we know the result: ethnic cleansing, massacres, artificiality imposed at Dayton, and peace maintained solely through the possibly permanent presence of armed forces of external powers. Far from fostering stability in the former Yugoslavia, I would argue that the Bosnia so-called settlement has served to institutionalize instability. If U.S. involvement in Bosnia was the proximate cause of our current troubles, highly superficial understanding by our policy makers of the centuries of passions, hatreds, vendettas, indeed genocide throughout the Balkans was a more deep-seeded problem. If we knew nothing else, we should have known that there are no good guys in the region, and that therefore aligning ourselves in one or another direction was fraught with danger.

This truism applies equally to our current dilemma in Kosovo. With specific regard to Mr. Milosevic in Kosovo, the United States' misreading of his intentions is nothing short of shocking. If intelligence and diplomatic analysis are good for anything at all, they must serve the critical function of providing policy makers with accurate prognoses of the intentions of adversaries. We can forgive White House ignorance about Milosevic's likely response to a forced dictate over Kosovo, and perhaps even that of our Secretary of State. However, certainly at a minimum, emissary Richard Holbrooke and his well-meaning but judgment-impaired staff, with the hundreds of hours they spent in direct contact with Milosevic, should have been able to discern his intentions, once it became clear to him that the United States' intentions were to carve away his authority in Kosovo. At that point, the nonsensical idea that Milosevic would cave under the threat of bombing should have been discarded once and for all. Tragically, it wasn't.

My second point: Why our policy is wrong. And this brings me back to my two basic desiderata: Minimizing human suffering, and advancing clearly identified U.S. interests. A powerful argument has been made in some circles, an argument that I find somewhat persuasive, perhaps not completely, that the least human suffering in the former Yugoslavia would have resulted from the outside world not involving itself at all in the internal civil strife. Yes, there would have been oppression, yes there would have been killing, but in the end, the argument goes, a level of coexistence would eventually have been reached, no doubt for the moment at least with Serbia in full charge, in which life would have gone on for the masses. Not freedom, perhaps, not automony, certainly, but at least basic life. With outside support first for Bosnian independence, a wholly unsustainable proposition over the long run, and then for an imposed Kosovo settlement, even more implausible, great violence resulted, and continues.

What are U.S. interests? I am not persuaded that we have any overriding interests

in the Balkan strife and certainly none that would justify the course of action on which we are embarked. The NATO credibility argument is not persuasive. Had the alliance led by the U.S. not constantly threatened Milosevic with military action if he did not submit himself to NATO's demands, we would not have found ourselves in the put-up-or-shut-up corner. Expansion of the conflict to say, Turkey or Greece, or Turkey and Greece, is equally implausible. Clearly the conflicts are limits to the territory of the former Yugoslavia, and Milosevic' desire to reassert his and Serbia's domination. Support for human rights is indeed a laudable national interest, but as suggested above, our intervention in the region has had the opposite of the desired effect.

Where we do have strong national interests are vis a vis Russia, and there the Kosovo is quite possibly going to result in, if not permanent, at least long-lasting damage to reformist elements in Russian politics on whom we count for achieving societal transformations there. Or alternatively, as now seems quite likely, if Russian involvement in the settlement takes place, that might well lead to a diluted result bearing little resemblance to our stated conditions when we began this war. Or both of those might happen.

My third point: What next? Having embarked on what in my judgment is a foolish and ill-considered air war, it seems to me that the U.S. now has only two options: Stop the bombing, cutting whatever deal the Russians can broker for us, that now seems to be underway, perhaps, or immediately and massively escalate, with the specific twin goals of removing Milosevic and eliminating all Serbian fighting units in Kosovo. The first option is the one I prefer, because as I said at the outset I believe minimizing human suffering must be the goal. Each day of bombing is accompanied by more ethnic cleansing, raping and summary executions of Kosovars. It of course also leads to casualties among Serbia's civilian population. Forty-plus days of bombing have seemingly not stopped Milosevic's evil in Kosovo one whit, indeed, have accelerated it. The cessation of bombing is of course fraught with danger, since it will mean an outcome, no doubt far short of our stated objectives when we began this war, it will mean a resurgent Russia on the world scene, which might not be a bad thing, but that Russia could well be far different from the one we had hoped for, and now a truly credibility-deficient NATO. But we should have thought of those matters earlier, and in the meantime, each day brings more casualties.

I for one have reached my tolerance level of the daily dosage of atrocity stories juxtaposed with confident NATO spokespersons detailing the quote-unquote in the air war the previous night's 600 sorties have resulted in, where clearly the latter has not diminished the former.

The other option is massive force now. I do not advocate this course, but it seems to me the only other viable option. Paratroopers dropped in throughout Kosovo, going after Milosevic himself on the grounds of his long-overdue designation as a wanted war criminal. The other NATO partners will balk, and the U.S. should be ready to act alone, wasting no more time. Yes, this approach will result in still more deaths, and other atrocities among the suffering Kosovars, but at least the end of the agony will be sooner than with our present incomprehensible approach.

In sum, the U.S. should not be engaged in this war in the first place, but since it is, we must either win it quickly, or get our quickly. Otherwise the lives of many, many more innocent people will be on our American conscience.

PREVENTING ABUSE OF THE HOSPITAL PAYMENT SYSTEM: INTRODUCTION OF MEDICARE MODERNIZATION NO. 5

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. STARK. Mr. Speaker, in the Balanced Budget Act of 1997, Congress provided that for 10 hospital diagnosis related groups (DRG's), we would not pay the full DRG if the patient was discharged to further treatment in a nursing home, home health agency, or to a rehab or long-term-care hospital. I include at the end of my statement the conference report language describing this provision. Note that as originally passed by the House and Senate, it applied to all hospital discharges—not just 10 DRG's.

The administration and the Congress were worried that some hospitals have been gaming the Medicare hospital prospective payment system. They have been discharging patients early to downstream treatment facilities (which they often own), collecting the full DRG payment, and requiring Medicare to pay for longer and more expensive treatments in these downstream facilities.

Many of the nation's hospitals are lobbying for the repeal of this discharge provision—even though repeal would cost Medicare billions of dollars in the years to come. The intensity of the lobbying on this issues shows that early discharge to subsidiaries has become a major strategy of many hospitals. It may have been part of the Columbia/HCA scheme to maximize Medicare revenues.

Mr. Speaker, I think we should return to our earlier decision and apply the policy to all discharges, not just 10 DRG's.

The HHS inspector general has found that hospitals that own nursing homes discharge patients much earlier than average, and the patient then stays in the nursing home longer than average—an extra 8 days (OEI–02–94–00320). The OIG has also found that patients' stays are shorter when they are discharged to a home health agency. With about half the nation's hospitals owning a home health agency, this is another way to double dip.

The bill I am introducing will save Medicare billions of additional dollars in the years to come, and it will remove a temptation to abuse patients by pushing them out of hospitals too soon.

I hope that this legislation—one of a series of bills I am introducing to modernize Medicare and make it more efficient—will be enacted as part of our efforts to save Medicare for the Baby Boom generation.

CERTAIN DISCHARGE TO POST ACUTE CARE

Section 10507 of the House bill and Section 5465 of the Senate amendment

CURRENT LAW

PPS hospitals that move patients to PPS-exempt hospitals and distinct-part hospital units, or skilled nursing facilities are currently considered to have ''discharged'' the patient and receive a full DRG payment. Under current law, a ''transfer'' is defined as moving a patient from one PPS hospital to another PPS hospital. In a transfer case, payment to the first PPS hospital is made on a per diem basis, and the second PPS hospital is paid the full DRG payment.

HOUSE BILL

Defines a ''transfer case'' to include an individual discharged from a PPS hospital who is: (1) admitted as an inpatient to a hospital or distinct-part hospital unit that is not a PPS hospital for further inpatient hospital services; (2) is admitted to a skilled nursing facility or other extended care facility for extended care services; or (3) receives home health service from a home health agency if such services directly relate to the condition or diagnosis for which the individual received inpatient hospital services, and if such services were provided within an appropriate period, as determined by the Secretary in regulations promulgated no later than September 1, 1998. Under the provision, a PPS hospital that ''transferred'' a patient would be paid on a per diem basis up to the full DRG payment. The PPS-exempt hospital or other facility would be paid under its own Medicare payment policy.

Effective Date. With respect to transfer from PPS-exempt hospitals and SNFs, applies to discharges occurring on or after October 1, 1997. For home health care, applies to discharges occurring on or after October 1, 1998.

SENATE AMENDMENT

Similar provision, except defines a transfer case as including the case of an individual who, immediately upon discharge from and pursuant to the discharge planning process of a PPS hospital, is admitted to a PPS-exempt hospital, hospital unit, SNF, or other extended care facility. The provision does not include home health services in the definition of a transfer.

CONFERENCE AGREEMENT

The conference agreement would provide that for discharges occurring on or after October 1, 1998, those that fall within a specified group of 10 DRGs would be treated as a transfer for payment purposes. The Secretary would be given the authority to select the 10 DRGs focusing on those with high volume and high post acute care. The provision would apply to patients transferred from a PPS hospital to a PPS-exempt hospital or unit, SNF, discharges with subsequent home health care provided within an appropriate period (as defined by the Secretary), and for discharges occurring on or after October 1, 2000, the Secretary may propose to include additional post discharge settings and DRGs to the transfer policy.

Payments to PPS hospitals would be fully or partially based on Medicare's current payment policies applicable to patients transferred from one PPS hospital to another PPS hospital (per diem rates). The Secretary would determine whether the full transfer policy or a blended payment rate (50% of the transfer per diem payment and 50% of the total DRG payment) would apply based on the distribution of marginal costs across days, so that if a substantial portion of the costs of a case are incurred in the early days of a hospital stay the payment would reflect these costs. For FY 2001, the Secretary would be required to publish a proposed rule which included a description of the effect of the transfer policy. The Secretary would be authorized to include in the proposed rule and final rule for FY 2001 or a subsequent fiscal year, a description of additional post-discharge services that would result in a qualified discharge and diagnosis-related groups

specified by the Secretary in addition to the 10 diagnosis-related groups originally selected under this policy.

The Conferees are concerned that Medicare may in some cases be overpaying hospitals for patients who are transferred to a post acute care setting after a very short acute care hospital stay. The Conferees believe that Medicare's payment system should continue to provide hospitals with strong incentives to treat patients in the most effective and efficient manner, while at the same time, adjust PPS payments in a manner that accounts for reduced hospital lengths of stay because of a discharge to another setting.

The Conferees expect that the application of the Transfer policy to 10 high volume/high post-acute use DRGs will provide extensive data to examine hospital behavioral effects under the new transfer policy

THE CRA SUNSHINE ACT OF 1999

HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. McCOLLUM. Mr. Speaker, I am pleased to introduce the CRA Sunshine Act of 1999. This is a modest effort to reform the Community Reinvestment Act (CRA) and bring more openness to it.

CRA groups have reported over $9 billion in cash payments received or pledged by banks as a result of CRA activities. A total of $694 billion in CRA commitments have been made or pledged due to CRA. While these pledges are made and collected as a direct result of federal legislation, the details of these payments are often unknown because many agreements include confidentiality clauses. Congress never intended that CRA dollars be used for anything other than investing in low and moderate income areas. There is concern that some CRA dollars are being used by CRA activists to pay for consulting fees, hiring contracts, administrative fees, and other nonloan activities. By shining light on the details of agreements made pursuant to CRA, this Act would remove the mystery from deals between banks and CRA organizations while ensuring that CRA truly benefits those that it was designed to benefit.

I encourage my colleagues to join me in supporting this important legislation.

INTRODUCTION OF THE BANKING PRIVACY ACT

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. INSLEE. Mr. Speaker, I rise today, with many of my colleagues, to introduce the Banking Privacy Act. We recognize the threat to consumer privacy and want to return control over an individual's personal financial information back to the consumer.

My constituents are shocked when I tell them that their banking transaction experiences are not private. With certain exceptions, financial institutions may legally share all of the information about you and your bank account activity with affiliated businesses—or anyone else, for that matter. This shared information includes the amount of each check that you write, to whom each check is written, the date of each check, the amount and date of any deposits into your account, and any ''outside information'' available, such as information submitted on your initial application for an account. Under existing law, financial institutions are not obligated to honor your request to restrict the dissemination of this personal information.

I became interested in banking privacy laws after reading a letter from a constituent who was upset about his bank's plans to share his private financial records. I was shocked to learn of the stunning absence of statuary protections of consumer privacy. Suppose banks, insurance companies, and securities firms become affiliated, something that will occur more frequently in the future. Will a bank tip off affiliated stock brokers every time their consumers have a sudden increase in their bank account balance, causing the consumer to be subjected to even more telemarketing calls? Will banks ''profile'' their customers after reviewing their financial information, then have affiliates telemarket products to those customers? Will life insurance companies affiliated with banks review personal checking records for indications of risky behavior, then increase rates based on that information? Under current law, there is nothing to prevent these types of situations.

As Congress moves to modernize the financial services industry and allow the lines between banks, securities firms, and insurance companies to blur, financial institutions gain a new profit incentive by sharing customers' personal financial information. Customers who prefer to keep their financial information private have no recourse.

The Banking Privacy Act is a first step to return control over an individual's personal financial information back to that consumers. The Act applies to federally insured depository institutions, their affiliates and financial institutions covered under the Bank Holding Company Act.

Currently, under the Fair Credit Reporting Act, banks must disclose to their customers their privacy policies to customers and make allowances to opt-out of certain types of information sharing practices. Specifically excluded from this law is customer ''transaction and experience'' information.

Transaction and experience information is information about a checking or savings account, information contained on an account application, or even purchasing patterns deduced through a customer's checking account—''account profiling.'' Transaction and experience information may be shared with affiliated companies or even sold to third parties for marketing purposes. There is no law to prevent such activity from taking place.

The information is currently used to market financial services to customers based on their financial patterns. Banks routinely perform this type of information sharing. However, as we move to modernize the financial industry, there will be greater demand for this type of personal account information to market products and services to a targeted group of consumers.

For example, it is not impossible to imagine that a bank holding company learned that a customer received a life insurance settlement and then made that information available to a securities firm or data broker to market services to that customer. While many consumers will appreciate the benefit of this information sharing, the decision to share the information belongs in the hands of the consumer and not the financial institution.

Customers should be able to opt-out of information sharing policies in their banks and financial institutions. The Banking Privacy Act will require banks and financial institutions to disclose their privacy policies and allow consumers to opt-out of information sharing plans—including transaction and experience information.

The Banking Privacy Act will not affect the routine operations of a bank. There are specific exemptions in the bill relating to the day to day practices that banks have in place which do not impact consumer privacy. The bill will protect consumers from unwanted marketing based on their intimate financial details and give consumers control over the use and sharing of their financial information.

Federally insured depository institutions have an obligation to help take a stand for consumer privacy. The government provides a safety net for the banks in the form of insurance and safety provisions. These same banks have to provide a safety net for taxpayer privacy.

Financial privacy should not be sacrificed at the altar of financial industry modernization. Americans have the right to freedom of speech and freedom of religion, and we ought to have the right to freedom from prying eyes into our personal financial business. Financial institutions should not be allowed to share private financial information without customer consent. The Banking Privacy Act is a necessary and practical response to the erosion of financial privacy and the potential explosion in cross-marketing among affiliated financial institutions.

I want to also thank and commend my colleagues for joining me as cosponsors of the Banking Privacy Act. Representatives MICHAEL CAPUANO, BOB FILNER, MAURICE HINCHEY, JOSEPH HOEFFEL, PAUL KANJORSKI, BARBARA LEE, JIM MCDERMOTT, LYNN RIVERS, BERNIE SANDERS, JAN SCHAKOWSKY and PETE STARK have all cosponsored this bill and I appreciate their assistance.

I urge my colleagues to support and pass the Banking Privacy Act.

IN MEMORY OF PAUL N. DOLL

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. SKELTON. Mr. Speaker, it is with deep sadness that I inform the House of the death of Paul N. Doll of Jefferson City, Missouri.

Paul Doll was born on April 4, 1911, in Hamilton, Missouri, a son of Ernest E. and Emma Louise Colby Doll. He was a 1928 graduate of Hamilton High School and a 1932 graduate of Kidder Junior College. He received a bachelor's degree in 1936 and a master's degree in 1937 in agricultural engineering from their University of Missouri-Columbia. In 1984, he received an honorary doctorate from the University of Missouri.

Doll's career in public service and agriculture began immediately after his graduation in 1937. He was a county extension agent

with the University of Missouri Extension Service for several counties from 1937 to 1944. A resident of the Jefferson City area since 1944, he was employed with the Missouri Department of Resources and Development from 1944 to 1947. He was manager of the Missouri Limestone Producers Association from 1947 to 1954. From 1954 until his retirement in 1976, he was executive director of the Missouri Society of Professional Engineers.

Paul Doll was also active in the community. He was an elder of the First Presbyterian Church, treasurer of the Presbyterian Synod and president of the Men of the Presbyterian Synod. He was past president of the Jefferson City Rotary Club and a district governor of Rotary International. He was a member of Alpha Gamma Rho and Tau Beta Pi fraternities. Active in many University of Missouri organizations, Paul Doll was a board member and past officer of the Agricultural Engineering Council and a board member of the Engineering Advisory Council and the Alumni Alliance. A member of the Alumni association, he received its Distinguished Service Award in 1979. He also was a registered lobbyist for MU.

Mr. Doll was an Eagle Scout and merit badge counselor for the Boy Scouts of America; board member and committee chairman of the Jefferson City Engineers Club; board member of the Central Missouri United Way; volunteer for Meals on Wheels; chairman of the Greater Jefferson City Committee; and a registered engineer in Missouri.

Paul Doll is survived by his wife, Mary R. ''Meg'' Doll; his son, Robert; two daughters, Mary Beth Huser and Anne C. Comfort; and eight grandchildren. I know that this body joins me in expressing sympathy to the family of this great Missourian.

IN MEMORY OF MR. OSCAR CROSS OF PADUCAH, KENTUCKY

HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. WHITFIELD. Mr. Speaker, I rise today in tribute to the life and legacy of Mr. Oscar Cross of Paducah, Kentucky, whose passing on April 20, 1999 at the age of 92 ended his long and productive investment in great causes, high ideals and humanitarian service.

Mr. Cross was not a man of material wealth. Undeterred, he built a legacy of leadership built on the wisdom of one of his favorite adages: ''If you don't have money, you have time.'' He gave unstintingly of his time, his energy and his vision of a better community in which none were left behind.

Mr. Cross was a founder of the Paducah Boys & Girls Club that now bears his name. He was a tireless advocate of young people and helped provide a sheltering hand for generations of boys and girls who found protection, love, guidance and inspiration as the result of his efforts.

In a front-page account of his funeral service, The Paducah Sun observed, ''On the day that had been declared Oscar Cross Day by the city of Paducah to commemorate his legacy, hundreds of mourners turned out to pay their last respects to one of the city's greatest humanitarians. Nearly 500 people gathered at First Baptist Church Sunday afternoon for the funeral of the legendary humanitarian. Both blacks and whites filled the church to celebrate, not mourn the life and contributions Cross made.''

Dhomynic Lightfoot, president of the Boys and Girls Club, was quoted as saying, ''Having people of different colors, cultures and backgrounds here to celebrate (his life) is a contribution to Mr. Cross. The perceptions that he broke were astronomical.''

In a fitting eulogy, Reverend Raynaldo Henderson, pastor of the Washington Street Missionary Baptist Church, used a parable to illustrate Mr. Cross's faith in young people and in God. ''Whoever gets the Son, gets it All! Do you want peace? Get the Son! Do you want joy? Get the Son! Whoever gets the Son, gets it all!'' he said.

Mr. Speaker, in further tribute to his remarkable life, I place before the House of Representatives and the Nation for inclusion in the Congressional Record a poem favored by Mr. Cross and a letter written to me by Mr. Clarence E. Nunn, Sr., executive director of the Boys and Girls Club.

THE HOUSE BY THE SIDE OF THE ROAD

''HE WAS A FRIEND TO MAN, AND LIVED IN A HOUSE BY THE SIDE OF THE ROAD.''

HOMER

There are hermit souls that live withdrawn,
In the peace of their self-content;
There are souls, like stars, that dwell apart,
In a fellowless firmament;
There are pioneer souls that blaze their paths, Where highways never ran;
But let me live by the side of the road. And be a friend to man.
Let me live in a house by the side of the road, Where the race of men go by—
The men who are good and the men who are bad, As good and as bad as I.
I would not sit in the scorner's seat, Or hurl the cynic's ban;
Let me live in a house by the side of the road, And be a friend to man.
I see from my house by the side of the road,
By the side of the highway of life,
The men who press with the ardor of hope,
The men who are faint with the strife.
But I turn not away from their smiles nor their tears—Both parts of an infinite plan;
Let me live in my house by the side of the road, And be a friend to man.
I know there are brook-gladdened meadows ahead, And mountains of wearisome height,
That the road passes on through the long afternoon, And stretches away to the night.
But still I rejoice when the travelers rejoice,
And week with the strangers that moan,
Nor live in my house by the side of the road,
Like a man who dwells alone.
Let me live in my house by the side of the road, Where the race of men go by—
They are good, they are bad, they are weak, they are strong,
Wise, foolish—so am I.
Then why should I sit in the scorner's seat,
Or hurl the cynic's ban?—
Let me live in my house by the side of the road, And be a friend to man.

Sam Walter Foss.

OSCAR CROSS BOYS & GIRLS CLUB OF PADUCAH,
Paducah, KY, May 17, 1999

DEAR CONGRESSMAN WHITFIELD, I am enclosing a brief history of Oscar Cross, the founder of the Oscar Cross Boys & Girls Club of Paducah, who was killed in an automobile accident on Tuesday, April 20, 1999. The Paducah community and untold numbers of men and women across the nation owe a huge debt to Mr. Cross for the countless acts of unconditional love and service to mankind he performed while living.

For several years, Mr. Cross worked as a janitor at the courthouse in Paducah, and the courthouse became the initial meeting place for the newly organized Jr. Legion Boys Club formed by Mr. Cross and a few local young men in 1950. In 1953, the organization united with the Boys Clubs of America. It was the first African-American club and is the second oldest Boys & Girls Club in Kentucky. The dream of operating a safe, drug-free environment for kids became a reality for Mr. Cross after many days and nights of soul-searching, praying and rising above the obstacles of segregation and separatist attitudes.

When he was refused access to a larger building and better facilities for his ''boys'' he sought other creative ways to obtain his goals. He and several club members cleaned and sold used bricks in order to secure the necessary funds to purchase the current club location on Jackson Street. Each time a door was slammed in his face, he invented ''windows'' of opportunity until he was able to achieve his mission. His tenacity and perseverance enabled him to see his vision of a facility for the youth of Paducah become a reality and in 1987, the library named in honor of Delbert Shumpert, a talented athlete and former club member, was erected on the site of the current boys & girls address.

Throughout his lifetime, Mr. Cross received innumerable awards, certificates and letters of recognition, far too many to list in this letter. However, a few of his recognized achievements include: The Bronze Keystone Award from the Boys & Girls Club of America for 25 years of service (the first black to receive this award), Kentucky Colonel Award, a Duke of Paducah Award, certificate of merit from the Paducah Area Chamber of Commerce, certificate of appreciation from the 4-H Club of Paducah Community College, the Lucy Hart Smith-Atwood S. Wilson Award from the Human Relations Committee of the Kentucky Education Association and many, many others. His most recent honor came three days before his death from Kappa Alpha Psi, a community service fraternity, for his humanitarian efforts.

His legacy of ''never give up in the face of adversity'' is something that will be treasured and remembered by all who had the privilege of knowing him for the brief 92 years he spent with us. Until his death he continued to be an active vital member of the club, continuing to look for financial opportunities and ways to develop our young people so that they would realize there are alternatives to the streets. He was and is a remarkable man and an excellent role model.

Sincerely,

CLARENCE L. NUNN, SR.,
Executive Director.

CALLING FOR MILOSEVIC TO BE HELD RESPONSIBLE FOR HIS ACTIONS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. SMITH of New Jersey. Mr. Speaker, today I am joined by my friend and colleague, Representative BILL PASCRELL and 14 other cosponsors in introducing a resolution which declares the conviction of this Congress that Slobodan Milosevic is responsible for war crimes, crimes against humanity, and genocide in the former Yugoslavia. His actions in that region cannot be excused by anything which Serbia's neighbors or the international community has done. His victims demand justice. Unfortunately, the United States Government may not be doing all that it can to provide evidence to the International Criminal Tribunal in The Hague to have Milosevic publicly indicted.

In the 105th Congress, there was near unanimous support for H. Con. Res. 304 and its Senate companion, S. Con. Res. 105. But in the past year little has been done to advance the just cause of ascribing blame to this man. Instead, we have had to watch as more atrocities have been committed in Kosovo, but no evident attempts to hold Milosevic personally and fully responsible for his actions. This is the reason that this resolution, which updates those passed last Congress, must again be considered by this body.

During the Bosnian phase of the Yugoslav conflict, from 1992 to 1995, Slobodan Milosevic was able to incite extreme nationalist feelings among Serbs, and he used that as basis to commit acts of genocide against non-Serb civilians. From early 1998 to the present, the same thing has been happening in Kosovo. As the resolution points out, about 4 million people have been displaced during the Yugoslav conflicts, including 1.5 million Kosovar Albanians, most of the latter since late March. Hundreds of thousands have been killed, some by mass executions and others by reckless shelling of towns and villages. Tens of thousands have been raped and tortured, often in detention centers and concentration camps. Vestiges of a people's daily lives, from their mosques to their local registration papers, are destroyed. Read the definition of genocide from the Genocide Convention itself, and read what happened in Bosnia and what is happening today in Kosovo.

Clearly, this is genocide.

The Helsinki Commission, which I Chair, has heard testimony from many witnesses—including lawyers, doctors, humanitarian relief aid workers, and diplomats who have had extensive firsthand experience in the region—and they have testified to this fact. As a result, in addition to last year's resolution, I recently wrote to President Clinton urging that prosecution of war criminals not be placed on the negotiating table as a bargaining chip to be thrown away, and urging that the U.S. Government use the resources at its disposal to help the Tribunal issue an indictment of Milosevic. Just two weeks ago, the Commission held a hearing on a variety of legal actions stemming from the genocide in Bosnia-Herzegovina and Kosovo.

Many of us in this body have witnessed firsthand stories from ethnic Albanians who escaped their homeland into Macedonia and Albania. These traumatized people now sit in refugee camps, their entire lives left behind, with an uncertain future.

Mr. Speaker, all those involved in war crimes, crimes against humanity and genocide in the former Yugoslavia must be held accountable for their roles. The evidence is overwhelming. As the head of his country, Milosevic must be among them. We must ask ourselves why he has done nothing other than give medals to those who have engaged in terrible crimes in Kosovo if he himself is not responsible for those crimes. He is at minimum responsible as Head of State for stopping these crimes from occurring. He is at least responsible for giving soldier the license to get away with raping, killing and cleansing the people of Kosovo. And he is likely responsible for directing his security forces and paramilitary associates to commit such acts.

Mr. Speaker, with this resolution we are putting the House on record as saying: The ethnic cleansing in Bosnia-Herzegovina and Kosovo was no accident but part of Belgrade's policy. There can be no true peace in the Balkans that excludes justice. It is in U.S. national interest to assist those who can provide justice, and that our government must therefore do more to help the Tribunal develop a case against Slobodan Milosevic.

As Mark Ellis of the American Bar Association's Coalition for International Justice, who provided testimony at one of our hearings on Kosovo, recently stated, ''Inevitably, lasting peace will be linked to justice, and justice will depend on accountability. Failing to indict Milosevic in the hope that he can deliver a negotiated settlement makes a mockery of the words 'Never Again.'" Let's affirm that we really do mean ''Never Again'' by again passing a resolution which states our belief that Milosevic is responsible for war crimes, crimes against humanity and, yes, genocide.

For the RECORD, Mr. Speaker, I want to submit an article by Mark Ellis from the May 9, 1999, Washington Post and the letter I sent to President Clinton which further illustrate the culpability of Slobodan Milosevic.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Washington, DC, March 31, 1999.

HON. WILLIAM JEFFERSON CLINTON,

President of the United States, The White House, Washington, DC.

DEAR MR. PRESIDENT: I request that you direct all federal agencies that may hold information relevant to a possible indictment of Slobodan Milosevic, President of Serbia and Montenegro, to provide the evidence of war crimes, crimes against humanity, and genocide to the International Criminal Tribunal for the Former Yugoslavia (ICTY) in The Hague. The United States should make it a high priority to assemble this information, review and where necessary declassify it, and provide the documentation in the most expeditious manner possible to the prosecutor's office at the Tribunal. I respectfully suggest that you should include in your directive instructions to agency heads to reprogram funds and reassign personnel as necessary to permit immediate and effective implementation of this requested directive.

As the sponsor of H. Con. Res. 304, expressing the sense of the Congress regarding the culpability of Slobodan Milosevic for war crimes, crimes against humanity, and genocide in the former Yugoslavia, that was adopted by the House by a record vote of 369 to 1 on September 14, 1998, I was startled and surprised to learn that the United States has not made an effort to gather information on Milosevic as the House and Senate requested. The attached article entitled ''CONFLICT IN THE BALKANS: THE TRIBUNAL; Tactics Were Barrier To Top Serb's Indictment,'' by Raymond Bonner, appeared in the March 29, 1999, edition of The New York Times. The article notes:

The Clinton administration could hardly have taken the initiative to build a case against Milosevic, one senior administration official explained Sunday, after it adopted the policy in late 1994 of working with the Serbian leader to bring about an end to the war in Bosnia. ''We, the United States government, have been the largest source of information for the tribunal, but we have never compiled dossiers with the aim of indicting Milosevic, or any specific individual,'' said this official, who spoke on condition of anonymity. ''The indictment of Milosevic would require a policy change by the United States,'' he added.

If this report is accurate, it is past time for U.S. policy to include the pursuit of a public indictment of Milosevic by the ICTY. Issuance of a Presidential directive establishing such a policy, supported by adequate resources to assure its immediate and effective implementation, is clearly justified by the reports of the Helsinki Commission has received about actions by Yugoslav Army, paramilitary, and police forces under Milosevic's command in Kosovo that probably constitute war crimes, crimes against humanity, and genocide. Congress has already expressed its overwhelming support for such a course of action by adopting both H. Con. Res. 304 and S. Con. Res. 105 (copy attached) last year.

I look forward to learning what direction you have given the policy-level officers of the United States government concerning this issue.

Sincerely,

CHRISTOPHER H. SMITH,

Chairman.

[From the Washington Post, May 9, 1999]

WAR CRIMINALS BELONG IN THE DOCK, NOT AT THE TABLE

(By Mark S. Ellis)

Just a few weeks ago, I stood among a sea of 20,000 desperate people on a dirt airfield outside Skopje, Macedonia, listening to one harrowing story after another. I had come to the Stenkovec refugee camp to record those stories and to help set up a system for documenting atrocities in Kosovo.

As I collected their accounts of rape, torture and executions at the hands of Serbian troops, I was struck by the refugees' common yearning for justice. They wanted those responsible for their suffering to be held accountable. Their anger was not only directed at the people they had watched committing such savagery, but at the political leaders—and Yugoslav President Slobodan Milosevic in particular—who had orchestrated the misery and continue to act with impunity.

The means exist to hold Milosevic and his underlings accountable. In recent weeks, there have been calls from members of Congress for his indictment by the International Criminal Tribunal for the Former Yugoslavia, and Undersecretary of State Thomas Pickering has said that the United States is gathering evidence that could lead to his indictment. And there is plenty of evidence. In the Kosovo town of Djalovica, for example, residents carefully documented the Serbian barbarity for investigators, recording the details of each murder, each rape, each act of violence, before they fled the city. The time has come to act on the testimony of these and other witnesses.

To do so, of course, flies in the face of last week's much ballyhooed optimism about reaching a negotiated settlement with Milosevic. However eager the Clinton administration might be to reach a political and diplomatic solution, we should remember that those who have recently suffered under Serbian attacks reject outright the notion that justice must sometimes be forfeited for the sake of diplomatic expediency. During the Bosnian conflict, accountability was sacrificed on the dubious premise that negotiating with someone who is widely regarded as a war criminal is a legitimate exercise in peace-making. We shouldn't make that mistake a second time around. Milosevic's broken promises still echo among the charred ruins and forsaken mass grave sites that defile the landscape of Bosnia.

If Milosevic had been indicted for the mass killings and summary executions that the Bosnian Serbs—with backing from Serbia—are accused of carrying out, would he have acted so brazenly to ''cleanse'' Kosovo of its ethnic Albanians? Nobody knows. At the very least an indictment would probably have deterred him; and apprehension and a trial would have stopped him. But there should be no uncertainty about what occurs when Milosevic is allowed to act unencumbered. The time has come for the international war crimes tribunal to help put an end to that.

Inaugurated by the United Nations on May 25, 1993, and based in The Hague, the Yugoslav war crimes tribunal has, to date, tried just 16 defendants. With a staff of more than 750 and an annual budget of more than $94 million, it has the resources—and the authority—to indict Milosevic. Indeed, failure to indict would reveal the tribunal's impotence in the face of political controversy, and prove that this institution of international law and justice is merely an expensive and irrelevant relic.

How difficult would it be to indict Milosevic? Not difficult at all. Under the tribunal's statute, the office of the prosecutor need only determine ''that a prima facie case exists.'' that's to say that the prosecutor must gather evidence sufficient to prove reasonable grounds that Milosevic committed a single crime under the tribunal's extensive jurisdiction.

With this in mind, the chances of Milosevic being held accountable increase with the arrival of each new group of refugees driven from their homes in Kosovo. Their remarkably consistent testimony is providing crucial information—now being gathered by representatives of the tribunal as well as by human rights organizations—about what has actually taken place in Kosovo. These first-hand accounts are indispensable in building a case against Milosevic—and the refugees I interviewed during the days I was there are willing to testify about what they saw.

But with refugees flooding out of Kosovo and some being relocated in distant countries, the prosecutor's office must ensure that testimony is taken swiftly, legally and professionally. The lack of access to Kosovo by independent journalists and human rights monitors and the extreme instability of refugee life heighten the importance of collecting these accounts while they are still fresh in people's minds. Yet the prosecutor's office was slow to act. A full five weeks went by before the tribunal sent a corps of investigators to the region.

What crimes should the Yugoslav president be indicted for? The tribunal's statute provides jurisdiction over ''serious violations of international humanitarian law'' including both ''crimes against humanity'' and ''genocide,'' the most abhorrent of all. Milosevic should be indicted for both.

Crimes against humanity are defined as ''systematic and widespread'' and directed at any civilian population; they include murder, extermination, imprisonment, rape and deportation. They are distinguished from other acts of communal violence because civilians are victimized according to a systematic plan that usually emanates from the highest levels of government.

In Kosovo, the forced deportation of ethnic Albanians by the Yugoslav army and the Serbian Interior Ministry police force is an obvious manifestation of such crimes. The refugees with whom I spoke described being robbed, beaten, herded together and forced to flee their villages with nothing but the clothes they were wearing. By confiscating all evidence of the ethnic Albanians' identity—passports, birth certificates, employment records, driver's licenses, marriage licenses—the Serbian forces also severed the refugees' links with their communities and land in Kosovo. This attempt to make each ethnic Albanian a non-person is itself a crime against humanity. Emerging evidence of mass killings, summary executions and gang rape lends further credence to the widespread and systematic nature of these crimes.

As to the crime of genocide, the tribunal's statute rests on the 1948 Convention on the Prevention and Punishment of Genocide, which defines genocide as ''acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.'' Arising as it did from the extermination of the Jews in Nazi Germany, the convention invites comparison with the Holocaust and is intended to prevent such heinous crimes from happening again. This tragedy has not reached that perverse level of brutality but, like earlier efforts to eliminate an entire people—whether the Jews, the Armenians or the Tutsis—it should be prosecuted as a crime of genocide.

The convention addresses intent, and stipulates that acts designed to eliminate a people—in whole or in part—constitute genocide. Among other acts covered by the convention, crimes of genocide include ''(a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.''

In the former Yugoslavia, acts of genocide have been perpetrated through the abhorrent policy of ethnic cleansing—that is, making areas ethnically homogenous by expelling entire segments of the Kosovar population and destroying the very fabric of a people.

Ethnic cleansing does not require the elimination of all ethnic Albanians: it may target specific elements of the community that make the group—as a group—sustainable. The abduction the execution of the intelligentsia, including public officials, lawyers, doctors and political leaders, for example, is part of a pattern of ethnic cleansing and could constitute genocide, as could targeting a particular segment of the population such as young men. It is clear from the refugees who have been interviewed that these acts are being systematically committed in Kosovo.

An often overlooked but important element of the 1948 convention is that an individual can be indicated not only for committing genocide, but also for conspiring to commit genocide, inciting the public to commit genocide, attempting to commit genocide or for complicity in genocide. The Point is that criminal responsibility extends far beyond those who actually perform the physical acts resulting in genocide. In short, the political architects such as Milosevic are no less responsible than the forces that carry out this butchery. There is no immunity from genocide.

Prosecuting Milosevic will require relying on a legal strategy based on the concept of ''imputed command responsibility.'' Under this theory, Milosevic can be held responsible for crimes committed by his subordinates if he knew or had reason to know that crimes were about to be committed and he failed to take preventive measures of to punish those who had already committed crimes.

Since it is unlikely that Milosevic has allowed documentary evidence to be preserved that would link him to atrocities in Kosovo, the prosecutor's office will have to rely heavily on circumstantial evidence to build its case. This means identifying a consistant ''pattern of conduct'' that links Milosevic to similar illegal acts, to the officers and staff involved, or to the logistics involved in carrying out atrocities. The very fact that atrocities have been so widespread, flagrant, grotesque and similar in nature makes it near certain that Milosevic knew of them; despite his recent protestations to the contrary, it defies logic to suggest that he could be unaware of what his forces are doing.

What will the consequences be if the Yugoslav president is indicted? First an indictment would send a clear message that the international community will not negotiate or have contact with a war criminal. It is current U.S. policy not to negotiate with indicted war crimes suspects. And so it should be. Milosevic would be stripped of international statute except as a fugitive from justice. This might, in turn, open an avenue for Serbians to once again distance themselves from their leader's regime. Second, an indictment would likely result in an ex parte hearing in which the prosecutor's office could present its case in open court—without Milosevic being there. By establishing a public record of Milosevic's role in the crimes committed, such a hearing would be cathartic for both victims and witnesses, and also for citizens long denied access to the truth. Finally, the tribunal would issue an international arrest warrant making it unlikely that Milosevic would venture outside his country's borders.

When I watched the bus loads of new arrivals enter the Stenkovec camp, I saw a small girl's face pressed against the window. Her hollow eyes seemed to stare at no one. History was being repeated. In his opening statement at the Nuremberg trials in 1945, U.S. chief prosecutor Robert H. Jackson said, ''The wrongs which we seek to condemn and punish have been so calculated, so malignant, and so devastating that civilization cannot tolerate their being ignored, because it cannot survive their being repeated.'' Jackson was expressing the hope that law would somehow redeem the next generation and that similar atrocities would never again be allowed. Today, we must hold personally liable those individuals who commit atrocities in the former Yugoslavia. To negotiate with the perpetrators of these crimes not only demands the suffering of countless civilian victims, it sends a clear message that justice is expendable, that war crimes can go unpunished. Inevitably, lasting peace will be linked to justice, and justice will depend on accountability. Failing to indict Milosevic in the hope that he can deliver a negotiated settlement makes a mockery of the words ''Never Again.''

THE HEALTH INFORMATION PRIVACY ACT OF 1999

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. WAXMAN. Mr. Speaker, I am pleased to join Reps. GARY CONDIT, ED MARKEY, JOHN DINGELL, SHERROD BROWN, JIM TURNER, and my other colleagues in introducing the Health Information Privacy Act of 1999. There is an urgent need for Congress to enact legislation to protect the privacy of medical records. We have worked hard to develop a consensus approach to achieve this goal.

Health records contain some of our most personal information. Unfortunately, there is no comprehensive federal law that protects the privacy of medical records. As a result, we face a constant threat of serious privacy intrusions. Our records can be bought and sold for commercial gain, disclosed to employers, and used to deny us insurance. There have been numerous disturbing reports of such inappropriate use and disclosure of health information.

When individual have inadequate control over their health information, our health care system as a whole suffers. For example, a recent survey by the California HealthCare Foundation found that one out of every seven adults has done something ''out of the ordinary'' to keep health information confidential, including steps such as giving inaccurate information to their providers or avoiding care together.

The Health Information Privacy Act would protect the privacy of health information and ensure that individuals have appropriate control over their health records. It is based on three fundamental principles. First, health information should not be used or disclosed without the authorization or knowledge of the individual, except in narrow circumstances where there is an overriding public interest. Second, individuals should have fundamental rights regarding their health records, such as the right to access, copy, and amend their records, and the opportunity to seek protection for especially sensitive information. Third, federal legislation should provide a ''floor,'' not a ''ceiling,'' so that states and the Secretary of Health and Human Services can establish additional protections as appropriate.

Congress faces an August 21 deadline for passing comprehensive legislation to protect the privacy of health information. I am very pleased to have come together with Mr. CONDIT, Mr. MARKEY, Mr. DINGELL, Mr. BROWN, and Mr. TURNER in developing this commonsense legislation. These members have been leaders in health care and privacy issues for years. As a result of their expertise and insight, I believe we have produced a consensus bill that colleagues with a wide spectrum of perspective can support.

A recent editorial in the *Los Angeles Times* exhorted Congress to ''fulfill its promise to pass the nation's first medical privacy bill.'' It called for legislators in both houses to ''embrace [this] compromise language'' that my colleagues and I have drafted.

I hope that my colleagues will join me in cosponsoring this legislation, and I look forward to working with them to ensure that Congress meets its responsibility to address this important issue.

INTRODUCING LEGISLATION TO AWARD A CONGRESSIONAL GOLD MEDAL TO REV. THEODORE HESBURGH, C.S.C.

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. ROEMER. Mr. Speaker, I rise today to introduce legislation to award a Congressional Gold Medal to Rev. Theodore Hesburgh, C.S.C. I introduce this bill with Representatives PETER KING, JOHN LEWIS, PETE VISCLOSKY, MARK SOUDER, ANNE NORTHUP and 85 original cosponsors in the U.S. House of Representatives. It is my understanding that a companion bill will be introduced in the U.S. Senate later today.

This bipartisan legislation recognizes Father Hesburgh for his many outstanding contributions to the United States and the global community. The bill authorizes the President to award a gold medal to Father Hesburgh on behalf of the United States Congress. It also authorizes the U.S. Mint to strike and sell duplicates to the public.

The public service career of Father Hesburgh, president emeritus of the University of Notre Dame, is as distinguished as his many educational contributions. Over the years, he has held 15 Presidential appointments and he has remained a national leader in the fields of education, civil rights and the development of the Third World. Highlighting a lengthy list of awards to Father Hesburgh is the Medal of Freedom, our Nation's highest civilian honor, bestowed on him by President Johnson in 1964.

Mr. Speaker, justice has been the primary focus of Father Hesburgh's pursuits throughout his life. He was a charter member of the U.S. Commission on Civil Rights, created by Congress in 1957 as a compromise to end a filibuster in the U.S. Senate to prevent passage of any and all legislation concerning civil rights in general and voting rights in particular. Father Hesburgh chaired the commission from 1969 to 1972, until President Nixon replaced him as chairman because of his criticism of the Administration's civil rights record.

Father Hesburgh stepped down as head of the University of Notre Dame in 1987, ending the longest tenure among active presidents of American institutions of higher learning. He continues in retirement much as he did as the Nation's senior university chief executive officer—as a leading educator and humanitarian inspiring generations of students and citizens, and generously sharing his wisdom in the struggle for the rights of man.

I am personally grateful to Father Hesburgh for his friendship and guidance during my years as a student at the University of Notre Dame. My family shares my gratitude. My grandfather, William Roemer, was a professor of philosophy during the early years of Father Hesburgh's presidency, and my parents, Jim and Mary Ann Roemer, also worked during his tenure at the University.

Mr. Speaker, I once asked Father Hesburgh for advice about how to raise a happy and healthy family with children. His reply was helpful, insightful and advice I continue to follow today: ''Love their mother.'' I strongly believe Father Hesburgh's response here was just one of many shining examples illustrating that his contributions to family values in American society are as numerous and meaningful as his devoted contributions to human rights, education, the Catholic Church and the global community.

Mr. Speaker, today is Father Hesburgh's 82nd birthday, and I believe that this is the most appropriate time for Congress and the entire Nation to join me in recognizing this remarkable man and living legend of freedom in America. I strongly encourage my colleagues to support this bipartisan legislation and urge the House of Representatives to pass this important measure.

RUTH HYMAN TESTIMONIAL DINNER AT THE JEWISH COMMUNITY CENTER OF MONMOUTH COUNTY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. PALLONE. Mr. Speaker, on Tuesday, June 3, 1999, the Jewish Community Center of Greater Monmouth County in Deal, NJ, will honor one of our leading citizens, Ms. Ruth Hyman, with a Testimonial Dinner. I am pleased to add my voice to the chorus of praise for this exceptional lady.

Mr. Speaker, it is rare to see someone who has made such an impact on her community as Ruth Hyman has. Through her professional work, civic commitments, wide-ranging network of friendships and a unique personal flair, she has made a deep and lasting impression. Her accomplishments include her apparel business, Ruth Hyman Fashions, and a lifetime of work with numerous Jewish community organizations. Ruth is currently the President of the Long Branch, NJ, Hadassah, a Benefactor and Board Member of the Jewish Community Center, Board Member of the Jewish Family and Children's Service, and Member of Congregation of Brothers of Israel. She was the first Chairperson of the Women's Business and Professional Division of the Jewish Federation. Some of her other affiliations and leadership positions include, Past President and International Life Member of American Red Magen David for Israel, life member of Daughters of Miriam, AMIT, B'nai Brith, Past President of Deborah, and Life Member of the Central New Jersey Home for the Aged. She is also Chairperson of the Women's Division of Israel Bonds, a position she has held for the past 25 years.

All of this hard work has not gone unnoticed, Mr. Speaker. Ruth has been presented with the Hadassah National Leadership Award and the Service Award from the Jewish Federation's Women's Campaign, and she was selected as Chai Honoree and Woman of the Year of the Long Branch Chapter of Hadassah. She was chosen by the Jewish Federation as Lay Leader of the Year. She has been presented with the State of Israel Bonds Golda Meir Award, the Service Award from the Jewish Federation Women's Campaign, and the State of Israel Bonds Ben Gurion Award.

In addition to her major contributions at the Jewish Community Center, Ruth is founder of Hadassah Hospital at Ein Kerem, Israel, and the Mt. Scopus Hospital, where her name is inscribed on the hospital's Pillar of Hope.

Mr. Speaker, as everyone who has known her will attest, Ruth Hyman's hard work for the community emanates from her sincere warmth and generosity. It is an honor to join with the JCC in paying tribute to her, for who she is and what she's done.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. BECERRA. Mr. Speaker, on May 24, 1999, I was unavoidably detained during two roll call votes: number 145, on the Motion to Suspend the Rules and Pass H.R. 1251, Designating the Noal Cushing Bateman Post Office Building; and number 146, on the Motion to Suspend the Rules and Pass H.R. 100, to Establish Designations for U.S. Postal Service Buildings in Philadelphia, Pennsylvania. Had I been present for the votes, I would have voted ''aye'' on roll call votes 145 and 146.

IN HONOR OF THE FIELD MUSEUM'S DEDICATION OF THE SIDNEY R. AND ADDIE YATES EXHIBITION CENTER

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Ms. SCHAKOWSKY. Mr. Speaker, I am very pleased to celebrate the dedication of the Sidney R. and Addie Yates Exhibition Center located at the Field Museum of Natural History in Chicago, IL, on May 27, 1999. The Center is so named because of the tremendous contributions that Congressman Yates and his wife, Addie, made over the years in support of the arts, humanities, and the environment.

There is no greater champion of the arts, humanities, and environment than Congressman Sidney Yates, and there is no greater champion of Congressman Yates than his lifelong mate, Addie. In her own right, Addie has contributed greatly to causes close and dear to her heart. She spearheaded the wonderful exhibit, ''The Children's Wall of Remembrance,'' in the U.S. Holocaust Memorial Museum, commemorating the nearly 1.5 million children who perished in the Holocaust. Through her efforts, hundreds of thousands of American children were educated about the Holocaust and expressed this learning by painting tiles, which eventually found their way to this, now famous, Wall of Remembrance.

Congressman Yates' illustrious 48-year career in the House included saving the arts and humanities from drastic budget cuts in the 1980's, helping to establish the National Holocaust Museum here in Washington, DC, empowering the Department of Interior to safeguard more public lands and the rights of Native Americans, and protecting the Tongass National Forest from logging. The field Museum's state-of-the-art new exhibition center will be a lasting tribute to the work of Mr. Yates.

Located on Chicago's beautiful lakefront, the Field Museum is one of the city's crown jewels. Since its founding in 1893, the Field Museum has been a leader in the natural sciences, conducting world-class research in disciplines such as anthropology, biology, agriculture, ecology and sociology. The Field's collection of over 20 million specimens, including its recent acquisition of ''Sue'', the largest and most complete Tyrannosaurus Rex ever found, serve to both educate and astound the visiting public.

The Sidney R. and Addie Yates Exhibition Center will serve as a permanent tribute to the Congressman in Chicago. It will be seen by the millions of visitors who make the Museum their destination for cultural programming. The facility will offer new and unique temporary exhibits, such as the current exhibit, ''The Art of Being Kuna: Layers of Meaning Among the Kuna of Panama,'' which will instruct and delight visitors from Chicago, the nation, and the world.

While we miss Sid Yates, we will never forget the legacy he left behind, nor will the millions of visitors to the Field who will gaze and look in wonderment at the exhibits placed in the Center named for Sid and Addie Yates.

CONFERENCE REPORT ON H.R. 1141, 1999 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. DIXON. Mr. Speaker, I rise to reluctantly support this conference report, as well as commend Chairman YOUNG, Mr. OBEY, and the conferees for their hard work in bringing this difficult bill to the floor. Clearly, many of my colleagues share my ambivalence about this legislation. As a body, we seem to be all over the place on this measure. Some of my friends on the Republican side voted earlier this month to oppose NATO intervention in Kosovo; now they support doubling the President's Kosovo budget request. My Democratic colleagues support funding to provide relief to tornado victims in Oklahoma, hurricane victims in Central America, and refugees in Kosovo; however, they balk at the bill's environmental riders and inflated defense spending. Members on both sides of the aisle decry emergency designation of non-emergency items, but we have a bipartisan inability to admit that our current budget caps are unrealistic and unworkable.

I have great concerns over portions of this legislation; however, on balance, Mr. Speaker, I believe that the need for much of the funding is real and outweighs my reservations. Given the situation in Kosovo three months ago and our commitment to the defense of Europe, I believe that President Clinton made the right decision to join our NATO allies in acting against Milosevic's ethnic cleansing campaign. The responsibility to allocate dollars to pay for the military campaign falls on the Congress. While the increases over the President's request for Kosovo should be addressed in the regular 2000 appropriations process, we need to move forward to commit these funds.

I strongly support emergency funding for non-defense items in the supplemental. The Congress has moved expeditiously, as is our tradition, to address the destruction caused by recent tornadoes in Oklahoma and Kansas. H.R. 1141 also includes long overdue relief to Central America still struggling in the aftermath of Hurricane Mitch. Sorely needed relief is being supplied to America's farmers.

Today's vote to provide $100 million in military assistance and economic support to Jordan coincides with the visit of King Abdullah. These funds will enable that nation to assist in the Middle East peace process, pursuant to the Wye River agreement. There is renewed optimism that the recent elections in Israel can help reinvigorate that process.

This bill also includes some important legislative provisions. The repeal of the June 15th funding cutoff for the Departments of Commerce, Justice, and State and the Federal Judiciary, included in the fiscal 1999 omnibus bill, ensures that essential government functions no longer face shutdown. The bill grants the Department of Justice the authority to make restitution to Japanese Americans and Latin Americans of Japanese descent who were forcibly detained in the United States during World War II, but whose claims have not been settled. Settlement of these claims will close a shameful episode in this great nation's history.

The Republican majority continues to use appropriations bills to pass damaging environmental provisions. This time we have Senate provisions to protect narrow special interests at the expense of the environment. We continue to delay reforms to the 1872 mining law and changes in oil valuation which ensure that the government receives reasonable royalties from drilling on federal land. I urge my colleagues to vote to recommit this legislation so that the bill's onerous environmental provisions can be removed.

So, while I share the reservations voiced by many of my colleagues, I believe we need to move forward with the important work H.R. 1141 funds.

PERSONAL EXPLANATION

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. NEY. Mr. Speaker, I commend the following statement to my colleagues. When I was traveling back to Washington, D.C. on May 24, 1999, H.R. 974, the District of Columbia College Access Act, was passed by voice vote. Due to the fact that I was commuting and the vote took place before the 6 p.m. scheduled time, I missed the voice vote. I would like to make it known for the record that had I been present, I would have asked for a recorded vote and voted against this bill. I do not feel that students in the District of Columbia should be made ''exceptions'' when it comes to paying in-states fees at any state institution. This privilege is not granted to students in this country who choose to attend a state college outside of their residential state.

CROATIAN SONS LODGE NUMBER 170 OF THE CROATIAN FRATERNAL UNION CELEBRATES ITS 92ND ANNIVERSARY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to congratulate the Croatian Sons Lodge Number 170 of the Croatian Fraternal Union on the festive occasion of its 92nd Anniversary and Golden Member banquet on Sunday, June 6, 1999.

This year, the Croatian Fraternal Union will hold this gala event at the Croatian Center in Merrillville, Indiana. Traditionally, the anniversary celebration entails a formal recognition of the Union's Golden Members, those who have achieved fifty years of membership. This year's honorees who have attained fifty years of membership include: Frances Joan Banchy, Willard A. Conway, Thomas Fadlevic, Marie Flynn, Edward W. Fritz, Frank Grishka, Steve Massack, Violet Mae Mikulich, John Mlacak, Mary Patterson, Marian P. Ritter, and Mike Svaco.

These loyal and dedicated individuals share this prestigious honor with approximately 300 additional Lodge members who have previously attained this status.

This memorable day will begin with a morning mass at Saint Joseph the Worker Catholic Church in Gary, Indiana, with the Reverend Father Benedict Benakovich officiating. In the afternoon, there will be a program featuring a guest speaker, Mr. John Buncich, Sheriff of Lake County, Indiana. The festivities will be culturally enriched by the performance of several Croatian musical groups. The Croatian Glee Club, ''Preradovic,'' directed by Brother Dennis Barunica, and the Hoosier Hrvarti Adult Tamburitza Orchestra, directed by Edo Sindicich, will both perform at this gala event. The Croatian Strings Tamburitzans and Junior Dancers directed by Dennis Barunica, and the Adult Kolo group, under the direction of Elizabeth Kyriakides, will provide additional entertainment for those in attendance. A formal dinner banquet at 4 o'clock in the afternoon will end the day's festivities.

Mr. Speaker, I urge you and my other distinguished colleagues to join me in commending Lodge president Betty Morgavan, and all the other members of the Croatian Fraternal Union Lodge Number 170, for their loyalty and radiant display of passion for their ethnicity. The Croatian community has played a key role in enriching the quality of life and culture of Northwest Indiana. It is my hope that this year will bring renewed hope and prosperity for all members of the Croatian community and their families.

CONGRATULATIONS TO BLUE RIBBON SCHOOL RECIPIENT PRINCESS VICTORIA KA'IULANI ELEMENTARY SCHOOL

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. ABERCROMBIE. Mr. Speaker, I rise today to congratulate Princess Victoria Ka'uilani Elementary School, which has earned the prestigious Blue Ribbon Schools Award from the U.S. Department of Education.

The Blue Ribbon Schools Program identifies and gives national recognition to a diverse group of public and private schools that have been judged particularly effective in meeting local, state, and national goals. In being selected, Princess Ka'iulani Elementary School displayed the qualities of excellence that are necessary to prepare our young people for the challenges of the next century. The school demonstrates its strong leadership by providing high quality teaching, instilling policies and practices that ensure a safe environment conducive to learning, initiating strong parental and community involvement, and helping all students achieve to high standards.

The awarding of Princess Victoria Ka'iulani Elementary School as a Blue Ribbon School is made even more special by the fact that this year marks the school's centennial anniversary. The school opened its doors on April 22, 1899 and was named for the beautiful Princess Victoria Ka'iulani. The name Ka'iulani means ''Child from Heaven.'' The students come from diverse cultures and various social backgrounds in the Kalihi-Palama neighborhood of Honolulu, Hawaii. And while the neighborhood is sometimes known for gangs and drug dealing, the school has a warm and friendly environment. The school definitely exudes the spirit of ''aloha'' and ''ohana'' (family). This nurturing atmosphere helps students to believe in themselves and offers an opportunity to learn and move forward.

There are a variety of factors that contribute to the school's success. For example, at the beginning of each year, parents are given a student ready reference guide, a school profile, and a syllabus of the school's curriculum and activities. To further initiate parental involvement, a monthly parent bulletin is jointly authored by Title I, Parent-Community Networking Centers (PCNC), Primary School Adjustment Project (PSAP) and the Principal. Community involvement is also well established. Groups such as The Rotary Club of Metropolitan Honolulu, the USS Louisville, 516th Signal Brigade from the Fort Shafter Army Installation and the USS Chicago have contributed to the school's various campus beautification projects, providing access to the Internet and even assisting in classes and chaperoning field trips. Also, English Second Language Learners (ESLL) provides support to 101 students whose native language range from Vietnamese, Ilocano, Cantonese, Samoan, Tagalog, Visayan, Lao, Korean, Mandarin, Tongan, Micronesian and Fijian. In fact, students have continued to improve in Stanford Achievement Test (SAT) scores and due to a strong focus on literacy, reading levels have significantly increased over the past few years.

Again, I wish to commend and congratulate the students, teachers, parents, administration, and staff of Princess Victoria Ka'iulani Elementary School for its strong efforts and proud achievement in receiving the Blue Ribbon Schools Award.

GUAM COMMEMORATES PEACE OFFICERS MEMORIAL DAY

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. UNDERWOOD. Mr. Speaker, in 1962, President John F. Kennedy signed the law establishing National Police Week. Commemorated every year since, this seven-day period begins on a Sunday and ends on a Saturday—the last day being designated as ''Peace Officers Memorial Day.''

This special period set aside to honor the nation's law enforcement and memorialize their fallen comrades has always served to develop close bonds between officers and their colleagues from across the country. These ceremonies of recognition and remembrance bring people together and enable survivors to gain strength from others who share and understand their grief.

Here, in our nation's capital, more than 10,000 police officers, survivors and supporters gathered to attend this year's activities. As in the past years, National Police Week was a great demonstration of this grateful nation's appreciation for the service and sacrifices of peace officers.

In my home island of Guam, services were also held to recognize and remember those who have fallen. In ceremonies held annually, peace officers who have lost their lives in the line of duty were honored. The list included: Conservation Officer Francisco Isezaki, Police Officer I John M. Santos, Special Agent Larry D. Wallace, Police Officer I Francisco A. Reyes, Police Officer III Thomas M. Sablan, Police Reserve Officer Rudy C. Iglesias, Police Officer Reserve Helen K. Lizama, Police Officer I Raymond S. Sanchez, Corrections Officer I Douglas W. Mashburn, Police Officer I Eddie, A. Santos, USAF Sgt Stacey E. Levay, Police Officer I Francisco D. Taitague, Police Officer I Manuel A. Aquino, and Police Lieutenant Francisco C. Toves.

Those who have passed on within the past year were also remembered in this year's ceremonies. This list included: Col Francisco T. Aguigui, Sgt Jesus Pangelinan, Police Officer Joe Gutierrez, Detention Officer Eugene Benavente, and Police Officer Ralph Bartels.

The people of Guam join the nation in paying tribute and offering thanks for the service and sacrifices of peace officers.

TAIWAN CELEBRATES PRESIDENTIAL ANNIVERSARY

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. ACKERMAN. Mr. Speaker, I rise today to recognize and honor President Lee Teng-hui of the Republic of China on Taiwan who celebrated his third anniversary in office on May 20th, 1999. President Lee has amassed a number of accomplishments throughout the last three years.

Of all the contemporary leaders that the Republic of China has had, President Lee Teng-hui stands out due to his exceptional ability to guide his nation through the transition to a

democratic republic. Furthermore, the effects of the severe financial crisis which have affected much of Asia have been much less severe in Taiwan. This discrepancy can be attributed to President Lee Teng-hui's ability to maintain a stable democratic environment which has allowed a solid foundation for its economy to grow. In addition, he has given his people hope and optimism in Taiwan's ability to confront the future.

President Lee Teng-hui has also made great efforts in trying to reach out to his compatriots on the Chinese mainland. Unfortunately, his gestures of friendship have been answered with lukewarm responses at best from the PRC leadership. However, President Lee Teng-hui refuses to give up his hope of seeing a free and unified China in the future and continues to pursue a policy to that end. His persistence is a sign of his dedication to democracy and is greatly appreciated by the Western world, and in particular the United States.

I wish President Lee Teng-hui every success in the future. He is a respected leader of a free, prosperous and democratic country and deserves no less than our full support.

PERSONAL EXPLANATION

HON. ROBERT A. WEYGAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. WEYGAND. Mr. Speaker, because of weather-related travel difficulties, I was unfortunately detained in my district Monday, May 24, 1999 and missed several votes as a result.

Had I been here, I would have voted in the following way:

I would have voted yea on rollcall votes 145 and 146.

TRIBUTE TO CHARLES JOHN EBNER

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. LAFALCE. Mr. Speaker, I rise today to pay tribute to my good friend and cousin, Charles ''Chuck'' Ebner, on the occasion of his 75th birthday on June 7th. Chuck was born in Albany, New York, and currently resides with his wife, Laurel, in Barberton, Ohio. I would like to bring to the attention of my colleagues the dedicated service to country and community that has distinguished the life of Charles John Ebner.

In 1942, at the age of 18, Chuck enlisted in the U.S. Navy and was a ''selected volunteer'' for the U.S. Naval Armed Guard. He attended Gunnery School in Virginia and then was assigned to his first ship, the U.S.S. *China Mail*, whose mission was to transport troops to Africa.

On his second tour of duty on the *China Mail*, the ship circumnavigated the world. The long voyage embarked from the West Coast of Africa, traveling westward across the Atlantic to the Caribbean and through the Panama Canal. After crossing the South Pacific to Australia, the *China Mail* continued across the Indian Ocean and into the Persian Gulf, where it dropped off cargo in Iran. The ship passed through the Suez Canal and sailed across the Mediterranean on its return to the West Coast of Africa.

Chuck then returned to the Brooklyn Navy Yard where he prepared for his next assignment as a gunner on the U.S.S. *Carlos Carrillo*. Later he was transferred to the U.S.S. *Sacajawea*, which took part in the invasion of Leyte in the Philippines. Shortly thereafter, his ship sailed to Pearl Harbor. At the end of the war, Chuck was ordered to return to the United States where he was honorably discharged from the U.S. Navy at Lido Beach, New York on October 14, 1945.

But Chuck's patriotism and sense of duty inspired him to re-enlist in the U.S. Navy on February 13, 1947 and train to become a radioman. In that capacity, he was assigned to the U.S.S. *Prairie* and stationed at the Atlantic City Naval Air Station until his second honorable discharge on February 5, 1952.

Near the end of his military career, Chuck married Laurel Kelley on January 25, 1951. Upon his discharge, they moved to Barberton, Ohio—known as the ''Magic City.'' Chuck and Laurel have three adult children, Cathy, Linda and Jack, and have been blessed with nine grandchildren.

Chuck's commitment and dedication to his country and community did not end with his military career. During his years in Barberton, Chuck coached Little League and in 1959 joined the Barberton All Sports Boosters—on which he served as an officer for ten years and as president for three. Chuck also served as president of the Barberton Chapter of the Fellowship of Christian Athletes for five years and was the founder of the Barberton Sports Hall of Fame in 1979. Chuck was elected the first president of that organization and still serves in that position.

In 1980, Chuck was nominated for the Distinguished Service Award by the Barberton Jaycees for his sports activities in the community. He continued his strong commitment to youth and sports by organizing the Barberton Reunion Basketball game to honor the Barberton State Champs of 1976. The sold-out game raised money for the Barberton Little League, Crippled Children Circus Fund and the Barberton All Sports Boosters. Chuck also organized student dances at Barberton High and started the All Sports Banquets.

Among Chuck's many community service awards for these and other activities, he received the ''Andy Palich Outstanding Athletic Service Award'' from the Summit County Sports Hall of Fame, of which he is now a board member.

Chuck is now retired from Seiberling Rubber and from his employment as the Outside Bailiff for the Barberton Municipal Court. But he is not retired from his community. Chuck continues to dedicate even more of his time and boundless energy to promote sports among the youth of Barberton.

Mr. Speaker, I commend Chuck Ebner on his 75th birthday for his lifelong dedication and commitment not only to his country, but to his family and the youth of his community. He is a true role model for our young people. I wish him continued success and good health in the years to come.

A TRIBUTE TO MR. IRVING LITTMAN

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mrs. MEEK of Florida. Mr. Speaker, I rise today to pay tribute to Mr. Irving Littman, who will celebrate his 80th birthday on July 27, 1999. Mr. Littman served with the First Field General Hospital in the invasion of North Africa in World War II. As a sergeant at that time, it was his duty to give anesthesia in the operating room to soldiers wounded in combat. Mr. Littman was awarded many citations and medals for his four years of gallant military service to his country.

Upon return to the United States after the war, Mr. Littman became one of the youngest Lincoln-Mercury dealers in our nation. He retired to Florida. He campaigned for elected officials, and was the secretary/treasurer for the Milton Littman Scholarship Foundation, which to date has presented 236 one-thousand-dollar scholarships to worthy young students from four different high schools in Dade County.

Mr. Littman is married to his beloved wife, Mavis, and they have a loving daughter, Francine. It is a privilege to pay tribute to such a compassionate American citizens as Mr. Irving Littman on the occasion of his upcoming birthday, and I wish him many more years of health and success in the service of his community.

KOSOVO REFUGEES

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. ROTHMAN. Mr. Speaker, I am submitting today for the RECORD the enclosed article written by Mr. Leonard Cole of Ridgewood, New Jersey. Mr. Cole, who serves as the distinguished chairman of the Communal Unity Committee of United Jewish Appeal Federation of Bergen County and North Hudson and as vice chair of the Jewish Council for Public Affairs, recently returned from refugee camps in Tirana, Albania. In his article, Mr. Cole eloquently illustrates the remarkable humanitarian efforts being made by the Jewish Agency for Israel, the American Jewish Joint Distribution Committee, in association with the United Jewish Communities, to assist refugees displaced as a result of the conflict in Kosovo. I am confident that all of our colleagues will find much food for thought in this well written article.

[From the Jewish Standard, May 14, 1999]

FINDING KINDNESS AMID CHAOS

(By Leonard A. Cole)

Nearly 15 years ago, on a two-day mission to Israel, I witnessed lines of bedraggled Ethiopian Jews emerge from an El Al airplane. They had suddenly been transported from a 14th-century existence in Ethiopia to a 20th-century life in Israel. Last week, during another two-day mission, I witnessed a sad obverse. In the company of Israeli and American Jews, I visited refugees in a camp in Tirana, Albania, whose lives have been reduced to primitive survival. Among the

800,000 ethnic Albanians booted out of Kosovo, 5,000 were crowded into this Tirana camp. Living eight and nine to a tent, able to bathe once a week, they are uncertain where or if they have a future. The only heartening similarity between the experiences of the Ethiopian Jews and Kosovar Muslims has been the rapid humanitarian response by Jews and other caring people around the world. And none have shown more caring than the people of Israel.

For seven weeks, out of noble intention, NATO has been pounding Yugoslav targets with bombs and missiles. The attacks were intended to stop Yugoslav President Slobodan Milosevic's policy of murder and deportation of ethnic Albanians from his country's province of Kosovo. Milosevic's penchant for ''ethnic cleansing'' is too reminiscent of Hitler's war against the Jews for the Jewish people not to support intervention. But diplomatic and military miscalculations have become painfully apparent: the failure of NATO's firepower quickly to stop Milosevic's actions; the depressing likelihood that the bombing actually accelerated the deportations; the destruction of unintended targets, including the Chinese embassy, a hospital complex, and convoys of refugees. The unanticipated calculus was underscored for me by the sight of scores of U.S. helicopters sitting idly in Albania's major airport. Although touted as especially effective against ground targets, none has yet been used, apparently in fear that Serbian firepower was still too threatening to these low-flying craft. Exactly how the military and politicial issues will be resolved remains uncertain. What is clear, however, is that the victims of the conflict need immediate attention.

In the early hours of May 5, our plane, chartered by the Jewish Agency for Israel (JAFI), was preparing to take off from Ben-Gurion airport. We were beginning a two-day whirlwind of visits to Albania, Hungary, and back to Israel. We would be traveling through a thicket of suffering, but also witnessing efforts to alleviate that suffering. Under the auspices of the newly constituted United Jewish Communities (UJC), some two dozen representatives from North American federations had come to bear witness. Described by the UJC as a ''rescue mission,'' our venture really was more a search—a search for information, for meaning, and ultimately for ways to help.

''Leave the last 12 rows empty,'' the stewardess instructed. Along with other bleareyed passengers, I squeezed into the forward section. Our weight was needed as a balance for the supplies that had been loaded into the rear cargo area. Like 23 previous flights from Israel, eight of them chartered by JAFI, the main purpose was to deliver supplies obtained from contributions by Israelis and Jews throughout the world.

At the refugee camp, we watched as carton after carton was unloaded from trucks that had transported them from the plane. In orderly fashion the boxes were opened and the contents were distributed by representatives of various humanitarian groups, including JAFI, the American Jewish Joint Distribution committee (JDC), and Latet, an Organization of Israeli volunteers.

And it is well to remember that JAFI, JDC, and other helping agencies, in association with the UJC, are truly the point organizations for the rest of us. the money and supplies have come from federations and from individual Jews around the world. Israeli citizens alone have contributed more than $1 million in food, blankets, towels, diapers, soap, toys, and more. The Israelis built and staffed the first field hospital in a refugee camp.

Delivering supplies to the Albanian Muslims was only part of the humanitarian effort we witnessed in that part of the world. We next flew to Hungary, where we met dozens of Jews from Serbia who fled the bombings and were now guests of the Hungarian Jewish community in Budapest. On the second day of the war. Asa Zinger, head of the Jewish community in Belgrade, Yugoslavia, phoned his counterpart in Budapest, Gustav Zoltai. When told of the distress among the 3,000 Jews of Serbia, Zoltai quickly arranged for his community to receive as many of them as possible. both leaders, now in their 70s, are Holocaust survivors. ''For us,'' said Zoltai, ''it would be difficult to know of such suffering by a Jewish community and not to help.''

About 400 Jews from Serbia have become guests of the Budapest Jewish community. Since males between 14 and 65 cannot leave Serbia, families are now being split. In come cases, mothers have come with their children to Budapest; in others just the children have been sent.

But that is not all. Israel is also playing host to Muslim and Jewish refugees from the fighting areas. In fact, when we flew back to Israel that evening, 32 Yugoslav Jews who had been staying in Budapest came with us.

Some were coming as visitors, and others to make aliyah. All these efforts are also being assisted by JAFI and the JDC—that is, through resources provided by Jews everywhere.

In Israel, we visited with several of the hundreds of Kosovars and Serbs—Muslims and Jews—that the state is hosting.

Each had his own sad story, though all expressed gratitude for the kindness extended by Israelis and other Jews. Perhaps the most memorable exchange occurred when a member of the UJC delegation asked a Jewish family from Kosovo what they had expected before arriving in Israel. Anita Conforti, 22, translated her mother's answer into English: ''Warm deserts and cold people.''

What did you find after you got here?

''Paradise.''

UNION CARBIDE CORPORATION TECHNICAL CENTER IN SOUTH CHARLESTON CELEBRATES ITS 50TH ANNIVERSARY

HON. ROBERT E. WISE, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. WISE. Mr. Speaker, I would like to extend my congratulations to the Union Carbide Corporation Technical Center in South Charleston in celebration of its 50th Anniversary.

As an innovator for Union Carbide activities worldwide, the Technical Center was first occupied in April of 1949 in the Research Building. Occupants from the Union Carbide South Charleston Plant soon occupied the Technical Center.

Since that time 50 years ago, the site has grown to approximately 650 acres with approximately 125 acres developed. By offering support through research and development of technology used in the chemical industry and providing engineering for the construction of plant facilities and support to computer systems, the Technical Center offers worldwide assistance to Union Carbide manufacturing businesses.

Building upon its success as an innovator as a multinational petrochemical company, Union Carbide now provides 25 percent of the world's manufacture of polyethylene. It should come as no surprise that Union Carbide has garnered awards for three of its products and services which were primarily developed at the Technical Center. These include the UNIPOL process for polyethylene, the low-pressure OXO process, used to make alcohols and acids and finally the production of ethylene oxide and the derivatives of ethylene oxide, in which Union Carbide is the world's largest producer.

I commend Dr. William H. Joyce, CEO of Union Carbide Corporation and the employees of the Technical Center and look forward to continuing a very productive working relationship. The Technical Center, in addition to being a highly profitable and decorated organization, has been a good corporate citizen in its involvement as volunteers in the area and a good partner for the community.

I again congratulate the Union Carbide Corporation Technical Center in recognition of its anniversary and offer my wishes for continued success and prosperity.

TRIBUTE TO MS. AMANDA IANNUZZI, BRONZE CONGRESSIONAL AWARD WINNER

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. DOYLE. Mr. Speaker, I rise today in praise of an outstanding young adult from the 18th Congressional District of Pennsylvania, Ms. Amanda Iannuzzi, a Congressional Award medal recipient. Amanda's commitment to self-development and community involvement serves as an inspiration to people of all ages, and illustrates the accomplishments that come with hard work and determination.

Without motivation, however, hard work and determination are destined to remain unfulfilled ideals. Amanda's motivation breathed life into innumerable commendable acts. Not only did Amanda involve herself in volunteer work, but invested time in broadening her artistic and physical skills. While much of what is directed towards young people is prescriptive in nature, it is important to note that these acts were of Amanda's own design and were completed with her own resolve.

Upon review of Amanda's achievements, one is particularly struck by the considerable amount of time that was devoted to obtaining this award. Hundreds of hours over the course of months were invested. Clearly, Amanda recognizes the immense value of giving one's time to help others. It is my hope that your actions foreshadow a life distinguished by the pursuit of new challenges.

Congratulations Amanda! Best wishes to you for continued success.

IN TRIBUTE TO THE LATE SHEL SILVERSTEIN

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. DEUTSCH. Mr. Speaker, I rise today in tribute to the life of Shel Silverstein, acclaimed

children's author. I am deeply saddened that Shel Silverstein passed away at the age of 66 in Key West, Florida, on May 10, 1999. We mourn the loss of a man whose legacy will be remembered for years to come.

Mr. Silverstein is best known for his children's poetry, but I think it is safe to say that his poetry is enjoyable to adults as well. I, myself, am quite familiar with his works, as my daughter Danielle is a big fan of his poetry. Indeed, I am sure that many of my colleagues would recognize his work which includes Falling Up, A Light in the Attic, and Where the Sidewalk Ends.

Over the course of his career, Shel Silverstein won numerous awards for his work, including the Michigan Young Readers Award for Where the Sidewalk Ends. His books, which Shel illustrated himself, are packed with humor and colorful characters, and sold over 14 million copies throughout the course of his life. This is truly a testament to the widespread appeal of his work.

Though books such as the Giving Tree were the catalyst which led to Shel Silverstein's international acclaim, few people realize that Shel began his career in the 1950s while serving with the United States armed forces in Japan and Korea. While stationed overseas, Mr. Silverstein began drawing cartoons for ''Stars and Stripes,'' the American military publication.

Apart from his success as a writer of poetry, Shel Silverstein was also successful in his attempts to write country-western music. In 1969, Johnny Cash made the Silverstein-penned tune ''A Boy Named Sue'' into a bonafide hit. Loretta Lynn made Shel's song ''Ones on the Way'' famous as well. In 1980, Shel even recorded an album of his own called ''The Great Conch Train Robbery.'' This title clearly shows Shel's fondness for his home in Key West, as the title references the car of his friend Buddy Owen, owner of B.O.'s Fish Wagon, one of Shel's favorite places to eat.

Mr. Speaker, while Shel Silverstein's passing is a tremendous loss for our nation and the world, I can say without hesitation that his kindness and generosity will be missed especially by the Key West community. He was an extraordinary human being, but we are lucky to have so many wonderful memories of his life and work.

HONORING SISTER BRIGID DRISCOLL

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. GILMAN. Mr. Speaker, I rise today to ask my colleagues to join in honoring sister Brigid Driscoll, President of Marymount College, who, as a prominent figure from my district, has been a role model for the espousal of women's education for the last forty years. Sister Brigid, who will be retiring from her position in June, has devoted her life to Marymount College, establishing its solid foundation within the educational arena and the greater Tarrytown, New York community.

For more than twenty years as its president, and before that as an administrator and faculty member, Sister Brigid's visionary leadership has overseen Marymount's transformation from a homogeneous liberal arts college exclusively for women, to an institution that maintains a strong focus on women, while serving an inclusive population of adult and international students. She has been recognized as an outspoken supporter of state and federal financial assistance for students, as well as a public policy advocate for independent higher education.

Among Sister Brigid's many contributions to Marymount was her vision for an educational setting that would enable many people in the surrounding communities to reach their full potential through education. In 1975, Sister Brigid founded Marymount Weekend College, one of the country's first full bachelor's degree programs for working women and men exclusively in the weekend format.

Sister Brigid's leadership and interest in the community is far reaching, as is her service and expertise in the field of education. Currently, she serves as a board member of First American Bankshares, Inc., the Westchester County Association, and as a member of Women's Forum, a group of 300 leading women in the professions, arts, and business in New York whose membership is by invitation only. In the educational sector, her present directorships include Saint Mary's College in Notre Dame, Indiana, Marymount School in New York City, the National Association of Independent Colleges and Universities, and the New York State Commission of Independent Colleges and Universities.

In the past, Sister Brigid has served on the board of Axe-Houghton funds, the Statue of Liberty/Ellis Island Commission, the United Way of American Second Century Initiative, the National Board of Girl Scouts USA, Governor Mario Cuomo's task force on the General Motors Plant Closing in Tarrytown, and Governor George Pataki's Transition Team for Education. Her previous directorships include the Council of Independent Colleges, the Westchester Education Coalition, and the Association of Catholic Colleges and Universities, where she also served as a representative to the Consultation on the Apostolic Constitution on Catholic Universities in Rome.

Recently, the issue of gender bias in America classrooms has sparked a national advertising campaign supporting women's achievements in education. Sister Brigid served on the committee of the Women's College Coalition that approved the creative content for the national campaign. Before the idea of this campaign was ever conceived, Marymount College, with the full support of Sister Brigid, responded to the challenge of making the educational needs of all women and girls a priority by creating the Marymount Institute for the education of women and girls, an organization offering workshops to educators and parents in the area of gender equity.

For her dedicated and distinguished service in many areas of professional and community life, Sister Brigid has been honored by the Westchester Chapter of the National Conference of Christians and Jews, the Sleepy Hollow Chamber of Commerce, and the Saint Jude's Habilitation Institute. Governor George Pataki honored her earlier this year with the Governor's Award for Excellence from the New York State Division of Women.

Honorary Doctorates of Humane Letters have been bestowed on Sister Brigid by Siena College and Marymount Manhattan College which, in addition, presented her with the Alumni Association Award for Distinguished Life Achievement. Now, at the close of the millennium, Marymount College has conferred upon its esteemed leader the Honorary Degree of Doctor of Humane Letters. Finally, in a ceremony later this month, Sister Brigid will be granted an Honorary Doctorate of Humane Letters by the College of New Rochelle.

After hearing this brief portrait of a remarkable woman, I know that my colleagues will want to join me in honoring and commending Sister Brigid Driscoll for her many achievements. I am confident that she will remain a vital component of Marymount's commitment to achieving equality of opportunity for women.

We join with Sister Brigid's many friends, students and admirers in wishing her good health and happiness in her retirement.

INTRODUCTION OF THE CITIZEN LEGISLATURE AND POLITICAL FREEDOM ACT

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. DOOLITTLE. Mr. Speaker, today Majority Whip TOM DELAY and I are joining the chorus of calls in Congress for campaign finance reform because we agree that the current system is broken. There is something fundamentally wrong with the way political campaigns in America today are financed.

However, the reforms encompassed in the bill we are introducing today take a very different direction than most bills that have been introduced on campaign finance thus far. These bills share a common thread—they call for more government regulation into federal campaigns.

I believe that the proposals that call for greater regulation of our campaign finance system misdiagnose the problem. I submit that what has caused our failed campaign finance system is the regulation itself. If we want to deal with the real, underlying problem, we need to undo the regulations.

The Doolittle-DeLay approach is the proper remedy to what ails our campaign finance system in that it removes the regulations. Moreover, and no less important, is that this approach is consistent with the Constitution because it restores our first amendment right to engage in political speech.

In 1974, in the wake of Watergate, Congress threw a regulatory web over the campaign finance system, a system that had gone largely unregulated throughout our nation's history.

Within two years of the reform's passage, the Supreme Court, in Buckley versus Valeo, struck down major parts of the new regulatory scheme on first amendment grounds.

Since that time, the campaign finance regulators have blamed every problem involving campaign financing on the Court's decision. There are those of us, however, who believe the problem is not that which the Court struck down, but rather that which was left intact, the present campaign finance law.

The regulators would do well to remember that it was not the Supreme Court that put unreasonably low limits on how much individuals and groups could contribute to campaigns

while failing to index those limits for inflation. It was not the Supreme Court that ran roughshod over the first amendment rights of office-seekers and other citizens. And it was not the Supreme Court that stacked the deck against challengers, locking in incumbents at an unprecedented rate. No, the problem is not that the Court invalidated part of the regulators; grand scheme; the problem is that too much of their scheme remains intact.

I believe it is time we declare ''the emperor has no clothes.'' It's time to dispel the myths perpetuated by the architects of today's failed campaign finance scheme. And while the regulators devise new such schemes on how to limit participation in elections and eliminate money from campaigns, we should look at the real problems that have been caused by their regulatory approach to reform.

Today's campaign finance system requires current and prospective office-holders to spend too much time raising money and not enough time governing and debating issues. The present system has also failed to make elections more competitive and allows millionaires to purchase congressional seats. While a millionaire can write a check for whatever amount he or she wants to their election campaign, everyone else is forced to live under the same hard dollar limits that were put in place in 1974, which have not even been adjusted for inflation.

Today's system hurts voters in our republic by forcing more contributors and political activists to operate outside of the system where they are unaccountable and, consequently, less responsible. The big government reformers agree with me on this point, but their solution, of course, is more regulation. Beyond being unconstitutional, more regulation, such as banning soft money and limiting issue ads (ala Shays-Meehan), will only make the system worse. I don't often agree with my hometown newspaper, the Sacramento Bee, but last year they put out an editorial on CFR which I agreed with on many points. Speaking about the Shays-Meehan bill they said: ''It centers on two big wrong-headed reforms: prohibiting national political parties from collecting or using ''soft-money'' contributions, and outlawing independent political advertising that identifies candidates within 60 days of a federal election. That means the law would prohibit issue campaigning at precisely the time when voters are finally interested in listening—hardly congruent with free speech. Since that kind of restriction is likely to be tossed by the courts as a violation of constitutional free speech guarantees, the net effect of the changes will be to weaken political parties while making the less accountable ''independent expenditure groups'' kings of the campaign landscape.

I couldn't agree more. Because as long as we have a shred of a Constitution left, individuals will have the ability to act independently and spend as much as they have want on political causes. So, the net result of a Shays-Meehan bill would be to push political spending even farther away from the responsible candidate-centered campaign.

These are the problems we face today. And before we decide which reforms should be implemented, we need to decide where we want to go, and what kind of new system we wish to create.

To me, the answer is simple. Our goal should be a system that encourages political speech, and promotes freedom and a more informed electorate. We should strive for a system in which any American citizen can compete for and win elective office; a system that is consistent with the Constitution by allowing voters to contribute freely to the candidate of their choice.

By removing the limits on contributions, scrapping the failed presidential finance system, and providing full and immediate disclosure, the Citizen Legislature and Political Freedom Act would dramatically move us toward a desirable, constitutional, and workable campaign finance system.

HOLT-LUCAS-MOORE ''LOCK-BOX'' WILL PROTECT SOCIAL SECURITY AND MEDICARE

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 25, 1999

Mr. HOLT. Mr. Speaker, I rise today to offer, along with my colleagues, Representatives LUCAS and MOORE, legislation to safeguard two of our nation's most important programs for the elderly, Social Security and Medicare.

As I travel around my central New Jersey District, I hear constantly from people who rely on Social Security and Medicare. Congress has no greater domestic priority this year than strengthening and protecting Social Security and Medicare. Our bill would ensure that that priority is recognized in law.

The Holt-Lucas-Moore Social Security and Medicare ''lock-box'' would require that every penny of the entire budget surplus, not just the Social Security surplus, be saved until legislation is enacted to strengthen and protect Social Security and Medicare.

Any new spending increases would have to be fully offset until solvency has been extended for Social Security by 75 years and for Medicare by 30 years. This requirement would be enforced by new points of order against any budget resolutions or legislation violating this condition.

My colleagues and I believe that spending any projected budget surpluses before protecting and strengthening Social Security and Medicare would be wrong. Projected budget surpluses over the next decade offer a once-in-a-lifetime opportunity for addressing the challenges that Social Security and Medicare face. This hard-won achievement resulted from responsible steps that were taken in the past. We should not deviate from the path of responsibility now, with problems looming over the horizon for Social Security and Medicare. In fact, we should follow the old adage to ''fix our roofs when the sun is shining.'' This is in keeping with what the President has proposed.

Some portion of the surpluses outside of Social Security and Medicare will be needed to address the challenges that those programs will face. Thus, we should save Social Security and Medicare first before squandering any of the Social Security surplus, the Medicare surplus or any other government surplus.

Furthermore, paying off the public debt can make an important indirect contribution to the sustainability of Social Security and Medicare. Virtually all economists, including Federal Reserve Chairman Greenspan, argue that paying down the public debt would increase national savings, promote long-run economic growth and create a larger future economy to support a larger, retired population. Fiscal discipline has served our economy well in recent years by helping to sustain the longest peacetime expansion in United States history.

We are offering this proposal now because we are concerned about the carelessness with which some Social Security ''lock-box'' proposals are being brought to the floor, completely bypassing the normal committee process. Proposals to protect and strengthen Social Security and Medicare deserve thorough examination and careful consideration. Congress should not take short-cuts when considering changes to these hallmark programs for America's seniors.

For example, Congress is expected to consider this week the Herger-Shaw ''lock-box'' bill, which offers only the minimum protection for Social Security and Medicare. While Herger-Shaw does attempt to protect the Social Security surplus, merely doing this does nothing to extend solvency for Social Security, and it does nothing at all for Medicare. The Holt-Lucas ''lock-box'' is superior to Herger-Shaw because its lock-box is more secure and has more money in it. Holt-Lucas saves the entire surplus, not just the Social Security surplus.

Mr. Speaker, Social Security and Medicare are some of the most important and successful programs of the 20th Century. We must not forget that they provide vitally important protections for American seniors. A majority of workers have no pension coverage other than Social Security, and more than three fifths of seniors receive most of their income from Social Security.

Let's put the need of America's current and future retirees first

Tuesday, May 25, 1999

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5889–S5978

Measures Introduced: Eleven bills and three resolutions were introduced, as follows: S. 1113–1123, S.J. Res. 25–26, and S. Con. Res. 34. **Pages S5953–54**

Measures Reported: Reports were made as follows:

Special Report entitled ''Allocation to Subcommittees of Budget Totals.'' (S. Rept. No. 106–52)

S. 1122, making appropriations for the Department of Defense for the fiscal year ending September 30, 2000. (S. Rept. No. 106–53)

H.R. 1664, making emergency supplemental appropriations for military operations, refugee relief, and humanitarian assistance relating to the conflict in Kosovo, and for military operations in Southwest Asia for the fiscal year ending September 30, 1999, with amendments. **Pages S5952–53**

Measures Passed:

Fastener Quality Act Amendments Act: Senate passed H.R. 1183, to amend the Fastener Quality Act to strengthen the protection against the sale of mismarked, misrepresented, and counterfeit fasteners and eliminate unnecessary requirements, clearing the measure for the President. **Page S5978**

Department of Defense Authorization: Senate continued consideration of S. 1059, to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Pages S5889–S5948**

Adopted:

Wellstone Amendment No. 380, to expand the list of diseases presumed to be service-connected for radiation-exposed veterans. **Pages S5890, S5907–11**

Wellstone Modified Amendment No. 381, to require the Secretary of Defense to provide information and guidance to the public regarding environmental contamination at United States military installations formerly operated by the United States that have been closed. **Pages S5890, S5905–06**

By 52 yeas to 47 nays (Vote No. 142), Roth Amendment No. 388, to request the President to advance the late Rear Admiral (retired) Husband E. Kimmel on the retired list of the Navy to the highest grade held as Commander in Chief, United States Fleet, during World War II, and to advance the late Major General (retired) Walter C. Short on the retired list of the Army to the highest grade held as Commanding General, Hawaiian Department, during World War II, as was done under the Officer Personnel Act of 1947 for all other senior officers who served in positions of command during World War II. **Pages S5890–96, S5915–16**

By 87 yeas to 12 nays (Vote No. 143), Roberts/Warner Modified Amendment No. 377, relating to the legal effect of the new Strategic Concept of NATO (the document approved by the Heads of State and Government participating in the meeting of the North Atlantic Council in Washington, D.C., on April 23 and 24, 1999). **Pages S5890, S5896–S5905, S5906–07, S5916–17**

Rejected:

By 49 yeas to 50 nays (Vote No. 144), Wellstone Amendment No. 382, to require the Secretary of Health and Human Services to provide Congress with information to evaluate the outcome of welfare reform. **Pages S5890, S5911–15, S5917–18**

Specter Modified Amendment No. 383, to limit the deployment of United States ground troops in the Federal Republic of Yugoslavia. (By 52 yeas to 48 nays (Vote No. 145), Senate tabled the amendment.) **Pages S5890, S5918–28, S5938–40**

By 49 yeas to 51 nays (Vote No. 146), Gramm Amendment No. 392, to delete certain provisions relating to the safety and security of America's federal prisons. **Pages S5928–38, S5940**

Pending:

McCain/Levin Amendment No. 393, to provide authority to carry out base closure round commencing in 2001. **Page S5940**

During consideration of this measure today, Senate also took the following action:

By unanimous-consent, the following amendment was incorporated into the text of Amendment No. 377 (listed above): Warner Amendment No. 378 (to Amendment No. 377), to require the President to

submit to the Senate a report containing an analysis of the potential threats facing NATO in the first decade of the next millennium, with particular reference to those threats facing a member nation or several member nations where the commitment of NATO forces will be ''out of area'', or beyond the borders of NATO member nations. **Page S5890**

A unanimous-consent agreement was reached providing for further consideration of the bill and Amendment No. 393, and certain amendments to be proposed thereto, with a vote to occur on Amendment No. 393 at 1:45 p.m., on Wednesday, May 26, 1999. **Page S5940**

Communications: **Pages S5949–51**

Petitions: **Pages S5951–52**

Executive Reports of Committees: **Page S5953**

Statements on Introduced Bills: **Pages S5954–70**

Additional Cosponsors: **Pages S5970–71**

Amendments Submitted: **Pages S5972–74**

Notices of Hearings: **Page S5974**

Authority for Committees: **Page S5974**

Additional Statements: **Pages S5974–77**

Record Votes: Five record votes were taken today. (Total—146) **Pages S5915–18, S5940**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:52 p.m., until 9:30 a.m., on Wednesday, May 26, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5978.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—ENERGY AND WATER DEVELOPMENT

Committee on Appropriations: Subcommittee on Energy and Water Development approved for full committee consideration an original bill making appropriations for fiscal year 2000 for energy and water development programs.

APPROPRIATIONS—TRANSPORTATION

Committee on Appropriations: Subcommittee on Transportation approved for full committee consideration an original bill making appropriations for fiscal year 2000 for the Department of Transportation and related agencies.

APPROPRIATIONS—DEFENSE/EMERGENCY SUPPLEMENTAL

Committee on Appropriations: Committee ordered favorably reported the following bills:

An original bill (S. 1122) making appropriations for fiscal year 2000 for the Department of Defense; and

H.R. 1664, making emergency supplemental appropriations for military operations, refugee relief, and humanitarian assistance relating to the conflict in Kosovo, and for military operations in Southwest Asia for the fiscal year ending September 30, 1999, with amendments.

Also, committee completed its review of subcommittee allocations of budget outlays and new budget authority allocated to the committee in H. Con. Res. 68, establishing the congressional budget for the United States Government for fiscal year 2000 and setting forth appropriate budgetary levels for each of fiscal years 2001 through 2009.

NOMINATIONS

Committee on the Armed Services: Committee ordered favorably reported the nomination of Ikram U. Khan, of Nevada, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences, and 224 military nominations in the Army, Navy, Marine Corps, and Air Force.

RETAIL ELECTRICITY COMPETITION

Committee on Energy and Natural Resources: Committee held oversight hearings on State progress in retail electricity competition, receiving testimony from Marsha H. Smith, Idaho Public Utilities Commission, Boise, on behalf of the National Association of Regulatory Utility Commissioners; B.J. Helton, Kentucky Public Service Commission, Frankfort, on behalf of the Low Cost Electricity States Initiative; Roger Hamilton, Oregon Public Utility Commission, Salem; Maureen O. Helmer, New York Public Utility Commission, Albany; Benjamin F. Montoya, Public Service Company of New Mexico, Albuquerque, on behalf of the Edison Electric Institute and Alliance for Competitive Electricity; P. Chrisman Iribe, U.S. Generating Company, Bethesda, Maryland; Jan Schori, Sacramento Municipal Utility District, Sacramento, California; and Irwin A. Popowsky, Pennsylvania Office of Consumer Advocate, Harrisburg.

Hearings recessed subject to call.

NATIONAL PARKS/HISTORIC PRESERVATION/RECREATION

Committee on Energy and Natural Resources: Subcommittee on National Parks, Historic Preservation, and Recreation concluded hearings on S. 140, to establish the Thomas Cole National Historic Site in the State of New York as an affiliated area of the National Park System, S. 734, entitled the ''National Discovery Trails Act of 1999'', S. 762, to direct the Secretary of the Interior to conduct a feasibility

study on the inclusion of the Miami Circle in Biscayne National Park, S. 938, to eliminate restrictions on the acquisition of certain land contiguous to Hawaii Volcanoes National Park, S. 939, to correct spelling errors in the statutory designations of Hawaiian National Parks, S. 946, 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, and S. 955, to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase or exchange as well as by donation, after receiving testimony from Katherine Stevenson, Associate Director, Cultural Resource Stewardship and Partnerships, National Park Service, Department of the Interior; Lewis J. Bellardo, Deputy Archivist, National Archives and Record Administration; Robert S. Carr, Miami Circle Discovery, Miami, Florida; and Reese F. Lukei, American Discovery Trail Society, Virginia Beach, Virginia.

AUTHORIZATION—SUPERFUND

Committee on Environment and Public Works: Committee held hearings on S. 1090, to reauthorize and amend the Comprehensive Environmental Response, Liability, and Compensation Act of 1980, receiving testimony from Mayor Jim Marshall, Macon, Georgia, on behalf of the U.S. Conference of Mayors; Mayor Thomas Suozzi, Glen Cove, New York, on behalf of the American Communities for Cleanup Equity; Tom Curtis, National Governors' Association, Karen Florini, Environmental Defense Fund, and Red Cavaney, American Petroleum Institute, all of Washington, D.C.; Claudia Kerbawy, Michigan Department of Environmental Quality, Lansing, on behalf of the Association of State and Territorial Solid Waste Management Officials; Gordon J. Johnson, New York State Assistant Attorney General, Albany, on behalf of the National Association of Attorneys General; Bernard J. Reilly, Du Pont De Nemours E.I. & Co., Wilmington, Delaware, on behalf of the Chemical Manufacturers Association; Mark Gregor, Rochester, New York, on behalf of the National Association of Local Government Environmental Professionals; Mike Nobis, J. K. Creative Printers, Quincy, Illinois, on behalf of the National Federation of Independent Business; Mike Ford, Mike Ford Agency, Clark, New Jersey, on behalf of the National Association of Realtors; and Wilma Subra, Subra Company, New Iberia, Louisiana.

Hearings recessed subject to call.

U.S. CUSTOMS OPERATIONS

Committee on Finance: Committee resumed hearings on the enforcement activities of the U.S. Customs Service, focusing on how the Custom Services is ensuring effectiveness, integrity, and accountability in customs operations, receiving testimony from Michael C. Tarr, Acting Assistant Inspector General, William A. Keefer, Assistant Commissioner, and Vincent J. Parolisi, Director, Narcotics and Currency Inspection, both of the Office of Internal Affairs, U.S. Customs Service, all of the Department of the Treasury; Milton Mollen, Graubard, Mollen and Miller, New York, New York; Jack O. Bradshaw, Motorola, Inc., Schaumburg, Illinois; John S. Moore, Siecor Corp., Hickory, North Carolina; and Jerry Cook, Sara Lee Branded Apparel, Winston-Salem, North Carolina.

Hearings recessed subject to call.

POLITICAL AND MILITARY DEVELOPMENTS IN INDIA

Committee on Foreign Relations: Subcommittee on Near Eastern and South Asian Affairs concluded hearings on political and military developments in India and their implications for American policy, after receiving testimony from Karl Frederick Inderfurth, Assistant Secretary of State for South Asian Affairs; Frank G. Wisner, American International Group, Inc., New York, New York; and Stephen P. Cohen, Brookings Institution, Washington, D.C.

ANTI-BALLISTIC MISSILE TREATY

Committee on Foreign Relations: Committee held hearings to examine the legal status of the Anti-Ballistic Missile Treaty, receiving testimony from Douglas J. Feith, former Deputy Assistant Secretary of Defense for Negotiation Policy, and George Miron, both of Feith and Zell, and David B. Rivkin, Jr., and Lee A. Casey, both of Hunton and Williams, all of Washington, D.C.; and Michael J. Glennon, University of California School of Law, Davis.

Hearings continue tomorrow.

COPYRIGHT AND DIGITAL DISTANCE EDUCATION

Committee on the Judiciary: Committee concluded hearings to review the Library of Congress Copyright Office report on copyright and digital distance education, after receiving testimony from Marybeth Peters, Register of Copyrights/Associate Librarian for Copyright Services, United States Copyright Office, Library of Congress.

EDUCATION AND BUSINESS SUCCESS

Committee on Small Business: Committee held hearings to examine the effect of the level of academic competence achieved by high school graduates on the

success of future entrepreneurs, small businesses, and the workforce, receiving testimony from Eric Rolfe Greenberg, American Management Association, International, New York, New York; Carol L. Ball, Ball Publishing, Inc., Greenville, Ohio, on behalf of the U.S. Chamber of Commerce; Barbara Seisler Goodling, Albert Seisler Machine Corporation, Mohnton, Pennsylvania, on behalf of the National Federation of Independent Business; Edward B. Rust, Jr., State Farm Insurance Companies, Bloomington, Illinois, on behalf of the National Alliance of Business and the Business Roundtable; and Kelly Fujiwara, Lexington/Rockbridge Chamber of Commerce, Lexington, Virginia.

Hearings recessed subject to call.

COMMUNITY Y2K PREPAREDNESS

Special Committee on the Year 2000 Technology Problem: Committee concluded hearings to explore individual and community Y2K preparedness, and the media's role in providing Y2K information, after receiving testimony from Edward Yourdon, Cutter Consortium, Taos, New Mexico; Paloma O'Riley, Cassandra Project, Louiseville, Colorado; Liza K. Christian, Rogue Valley Y2K Task Force, Ashland, Oregon; Michael Nolan, City of Norfolk, Nebraska; Cathy Hotka, National Retail Federation, and Barbara Cochran, Radio-Television News Directors Association, both of Washington, D.C.; Lawrence T. McGill and Kerry Brock, both of the Media Studies Center, New York, New York; James Adams, Infrastructure Defense, Inc., Alexandria, Virginia; and Rich Jaroslovsky, Wall Street Journal Interactive Edition, New York, New York, on behalf of the Online News Association.

House of Representatives

Chamber Action

Bills Introduced: 37 public bills, H.R. 1915–1941; and 9 resolutions, H. Con. Res. 112–118 and H. Res. 187–188, were introduced. **Pages H3604–05**

Reports Filed: Reports were filed today as follows:

Suballocation of Budget Allocations for Fiscal Year 2000 (H. Rept. 106–163);

H. Res. 189, providing for consideration of H.R. 150, to amend the Act popularly known as the Recreation and Public Purposes Act to authorize disposal of certain public lands or national forest lands to local education agencies for use for elementary or secondary schools, including public charter schools (H. Rept. 106–164); and

H. Res. 190, providing for consideration of H.R. 1905, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000 (H. Rept. 106–165). **Pages H3603–04**

Recess: The House recessed at 9:27 a.m. and reconvened at 10:00 a.m. **Page H3510**

Suspensions: The House agreed to suspend the rules and pass the following measures:

The Missing, Exploited, and Runaway Children Protection Act: S. 249, amended, to provide funding for the National Center for Missing and Exploited Children, to reauthorize the Runaway and Homeless Youth Act (passed by a yea and nay vote of 414 yeas to 1 nay, Roll No. 148); **Pages H3513–21, H3538–39**

Drug Free Borders and Prevention of On-Line Child Pornography: H.R. 1833, amended, to authorize appropriations for fiscal years 2000 and 2001 for the United States Customs Service for drug interdiction and other operations, for the Office of the United States Trade Representative, for the United States International Trade Commission (passed by a yea and nay vote of 410 yeas to 2 nays, Roll No. 149); and **Pages H3521–29, H3539**

Tenth Anniversary of Tiananmen Square Massacre: H. Res. 178, concerning the tenth anniversary of the Tiananmen Square massacre of June 4, 1989, in the People's Republic of China (agreed to by a yea and nay vote of 418 yeas with none voting "nay", Roll No. 150). **Pages H3529–35, H3540**

Committee Election: The House agreed to H. Res. 188, electing Representatives Berkley and Udall of Colorado to the Committee on Small Business. **Page H3540**

Advisory Committee on the Records of Congress: The Chair announced the Minority Leader's appointment of Dr. Joseph Cooper of Baltimore, Maryland to the Advisory Committee on the Records of Congress. **Page H3540**

Agriculture, Rural Development, FDA, and Related Agencies Appropriations: The House completed general debate and began considering amendments to H.R. 1906, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year

ending September 30, 2000. Consideration will resume on May 26. **Pages H3540–84**

Agreed to:

The Coburn amendment that reduces funding for the Chief Information Officer by $500,000 (agreed to by a recorded vote of 239 ayes to 177 noes with 3 voting ''present'', Roll No. 154); and

Pages H3553–65

The Sanders amendment that reduces funding for the Agricultural Research Service by $13,000,000 and increases funding for the commodity assistance program by $10,000,000. **Pages H3580–82**

Rejected:

The Coburn amendment that sought to reduce funding for the Office of Budget and Program Analysis by $463,000 (rejected by a recorded vote of 133 ayes to 285 noes, Roll No. 152); **Pages H3550–52**

The Coburn amendment that sought to reduce funding for the Office of Budget and Program Analysis, by $231,000 (rejected by a recorded vote of 146 ayes to 267 noes, Roll No. 153); **Pages H3552–53**

The Sanford amendment that sought to reduce funding for the operation, maintenance, and repair of Agriculture buildings by $21,695,000 (rejected by a recorded vote of 143 ayes to 274 noes, Roll No. 155); **Pages H3566–73, H3582–83**

The Coburn amendment that sought to reduce funding for Departmental Administration by $3,049,000 (rejected by a recorded vote of 129 ayes to 289 noes, Roll No. 156); and

Pages H3573–78, H3583

The Coburn amendment that sought to reduce funding for the Office of the Under Secretary for Research, Education and Economics by $400,000 (rejected by a recorded vote of 139 ayes to 278 noes, Roll No. 157). **Pages H3578–79, H3583–84**

Withdrawn:

The Coburn amendment was offered, but subsequently withdrawn, that sought to reduce funding for Economic Research Service by $4,509,000.

Page H3579

H. Res. 185, the rule that is providing for consideration of the bill was agreed to earlier by a yea and nay vote of 402 yeas to 10 nays, Roll No. 147.

Pages H3536–38

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on pages H3606–07.

Quorum Calls—Votes: One quorum call (Roll No. 151), four yea and nay votes, and six recorded votes developed during the proceedings of the House today and appear on pages H3538, H3538–39, H3539, H3540, H3551–52, H3552, H3553, H3564–65, H3582–83, H3583, and H3583–84.

Adjournment: The House met at 9:00 a.m. and adjourned at 11:59 p.m.

Committee Meetings

INTERNATIONAL SOCIAL SECURITY REFORM

Committee on the Budget: Task Force on Social Security held a hearing on International Social Security Reform. Testimony was heard from Dan Crippen, Director, CBO; and public witnesses.

Y2K AND MEDICAL DEVICES

Committee on Commerce: Subcommittee on Health and Environment and the Subcommittee on Oversight and Investigations held a joint hearing on Y2K and Medical Devices: Screening for the Y2K Bug. Testimony was heard from the following officials of the FDA, Department of Health and Human Services: William Hubbard, Acting Deputy Commissioner for Policy; and Thomas Shope, Special Assistant to the Director, Office of Science and Technology, Center for Devices and Radiological Health; Joel C. Willemssen, Director, Civil Agencies Information Systems, Accounting and Information Management Division, GAO; and public witnesses.

SECURITY AND FREEDOM THROUGH ENCRYPTION

Committee on Commerce: Subcommittee on Telecommunications, Trade, and Consumer Practices held a hearing on H.R. 850, Security and Freedom through Encryption (SAFF) Act. Testimony was heard from Ronald D. Lee, Associate Deputy Attorney General, Department of Justice; Barbara McNamara, Deputy Director, NSA, Department of Defense; William Reinsch, Under Secretary, Commerce, Export Administration, Department of Commerce; and public witnesses.

EDUCATION REFORM

Committee on Education and the Workforce: Subcommittee on Early Childhood, Youth, and Families held a hearing on Education Reform: Putting the Needs of Our Children First. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Favorably considered the following measures and adopted motions urging the Chairman to request that they be considered on the Suspension Calendar: H.R. 1908, amended, to authorize the transfer of naval vessels to certain foreign countries; H. Res. 178, concerning the tenth anniversary of the Tiananmen Square massacre of June 4, 1989, in the People's Republic of China; and H. Res. 168, recognizing the Foreign

Service of the United States on the occasion of its 75th anniversary.

ETHIOPIA-ERITREA WAR

Committee on International Relations: Subcommittee on Africa held a hearing on the Ethiopia-Eritrea War: U.S. Policy Options. Testimony was heard from Susan Rice, Assistant Secretary, Bureau of African Affairs, Department of State; and public witnesses.

OVERSIGHT—FCC LICENSE TRANSFER PROCEEDINGS

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held an oversight hearing on Novel Procedures in FCC License Transfer Proceedings. Testimony was heard from Harold Furchtgott-Roth, Commissioner, FCC; and public witnesses.

METHANE HYDRATE RESEARCH AND DEVELOPMENT ACT

Committee on Resources: Subcommittee on Energy and Mineral Resources held a hearing on H.R. 1753, (and S. 330) Methane Hydrate Research and Development Act of 1999. Testimony was heard from Representative Doyle; Timothy S. Collett, Research Geologist, U.S. Geological Survey, Department of the Interior; Robert S. Kripowicz, Principal Deputy Assistant Secretary, Fossil Energy, Department of Energy; Bilal U. Haq, Division of Ocean Sciences, NSF; and public witnesses.

OVERSIGHT

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on the Role of the National Forests in the Lewis and Clark Bicentennial. Testimony was heard from Paul Brouha, Associate Deputy Chief, Forest Service, USDA; and public witnesses.

OVERSIGHT

Committee on Resources: Subcommittee on National Parks and Public Lands held an oversight hearing on New NPS Methodology used to evaluate the achievement of natural quiet restoration standards in Grand Canyon National Park. Testimony was heard from Representative Berkeley; Jackie Lowey, Deputy Director, National Park Service, Department of the Interior; David Traynham, Assistant Administrator, Policy, Planning and International Aviation, FAA, Department of Transportation; and public witnesses.

LEGISLATIVE APPROPRIATIONS

Committee on Rules: The Committee granted by voice vote a structured rule providing one hour of general debate on H.R. 1905, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000, divided equally between the chairman and ranking minority member of the Committee on Appropriations. The rule waives points of order against consideration of the bill for failure to comply with section 306 (prohibiting consideration of legislation within the Budget Committee's jurisdiction, unless reported by the Budget Committee) or section 401 (prohibiting consideration of budget related legislation, as reported, that is not subject to appropriations) of the Congressional Budget Act. The rule also waives all points of order against provisions of the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized or legislative provisions in a general appropriations bill) except as specified in the rule. The rule makes in order only the amendment printed in the Rules Committee report accompanying the resolution, and pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate. The rule waives points of order against the amendment printed in the report for failure to comply with clause 2 of Rule XXI (prohibiting unauthorized or legislative provisions in a general appropriations bill). The rule provides that the amendment made in order may be offered only by a Member designated in the report, shall be considered as read, and shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. The rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Taylor of North Carolina, Castle, Shays, Camp, Pastor, Hoyer, Farr of California, Lowey, DeLauro, and Weiner.

EDUCATION LAND GRANT ACT

Committee on Rules: The Committee granted, by voice vote, an open rule providing one hour of general debate on H.R. 150, Education Land Grant Act, equally divided between the chairman and ranking minority member of the Committee on Resources. The rule makes in order the Committee on Resources amendment in the nature of a substitute as an original bill for the purpose of amendment, which shall be open for amendment at any point. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to

reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit with or without instructions.

Testimony was heard from Representatives Hansen and Hayworth.

MISCELLANEOUS MEASURES

Committee on Science: Ordered reported amended H.R. 1655, Department of Energy Research, Development, and Demonstration Authorization Act of 1999.

The Committee also began mark up of H.R. 1742, Environmental Protection Agency Office of Research and Development and Science Advisory Board Authorization Act of 1999.

The Committee recessed subject to call.

SMALL BUSINESS REVIEW PANEL TECHNICAL AMENDMENTS ACT

Committee on Small Business: Ordered reported H.R. 1882, Small Business Review Panel Technical Amendments Act of 1999.

WELFARE TO WORK

Committee on Small Business: Subcommittee on Empowerment held a hearing on ''Welfare To Work: What Is Working, What Is Next?'' Testimony was heard from public witnesses.

TAX CODE COMPLEXITY—INDIVIDUALS AND BUSINESSES

Committee on Ways and Means: Subcommittee on Oversight held a hearing on the impact of complexity in the tax code for individual taxpayers and small businesses. Testimony was heard from W. Val Oveson, National Taxpayer Advocate, IRS, Department of the Treasury; and public witnesses.

ALLEGATIONS OF CIA INVOLVEMENT IN DRUG TRAFFICKING IN CALIFORNIA

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Allegations of CIA Involvement in Drug Trafficking in California. Testimony was heard from departmental witnesses.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D540)*

H.R. 432, to designate the North/South Center as the Dante B. Fascell North-South Center. Signed May 21, 1999. (P.L. 106–29)

H.R. 669, to amend the Peace Corps Act to authorize appropriations for fiscal years 2000 through 2003 to carry out that Act. Signed May 21, 1999. (P.L. 106–30)

H.R. 1141, making emergency supplemental appropriations for the fiscal year ending September 30, 1999. Signed May 21, 1999. (P.L. 106–31)

COMMITTEE MEETINGS FOR WEDNESDAY, MAY 26, 1999

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine the live stock industry, including mandatory pricing and country of origin labeling; and to hold a business meeting to consider S. 566, to amend the Agricultural Trade Act of 1978 to exempt agricultural commodities, livestock, and value-added products from unilateral economic sanctions, to prepare for future bilateral and multilateral trade negotiations affecting United States agriculture; S. 604, to direct the Secretary of Agriculture to complete a land exchange with Georgia Power Company; and the nomination of Thomas J. Erickson, of the District of Columbia, to be a Commissioner of the Commodity Futures Trading Commission, 9 a.m., SH–216.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, to hold hearings to examine the private sector's voluntary corporate bond price transparency initiative coordinated by the Bond Market Association (Corporate Trades 1), 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold oversight hearings on activities of the Federal Communications Commission, 2 p.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management, to hold hearings on S. 510, 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, 2:30 p.m., SD–366.

Committee on Finance: to resume hearings on Medicare reform issues, focusing on the work of the National Bipartisan Commission on the Future of Medicare, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine a protocol to reconstitute the Anti-Ballistic Missile (ABM) Treaty with four new partners, 10:15 a.m., SD–562.

Committee on Governmental Affairs: Subcommittee on International Security, Proliferation and Federal Services, to hold hearings on the report of the House Select Committee on United States National Security and Military/Commercial concerns with the People's Republic of China, 2 p.m., SD–342.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Employment, Safety and Training, to hold hearings on issues relating to mine safety and proposed legislation making mine operators and regulators responsible for listening to each other and shaping effective regulations, 9:30 a.m., SD–628.

Committee on Indian Affairs: to hold oversight hearings on Native American Youth Activities and Initiatives, 9:30 a.m., SR–485.

Select Committee on Intelligence: to hold closed hearings on pending intelligence matters, 2 p.m., SH–219.

Committee on the Judiciary: Subcommittee on Immigration, to hold hearings to examine immigrant contributions to the United States Armed Forces, 10 a.m., SD–226.

Subcommittee on Constitution, Federalism, and Property Rights, business meeting to consider S.J. Res.3, proposing an amendment to the Constitution of the United States to protect the rights of crime victims, 2 p.m., SD–226.

House

Committee on Agriculture, Subcommittee on General Farm Commodities, Resource Conservation, and Credit, hearing to review the effects of electric deregulation on rural areas and an examination of legislative proposals, 10 a.m., 1300 Longworth.

Committee on Banking and Financial Services, hearing and mark up of the following bills: H.R. 629, Community Development Financial Institutions Fund Amendments Act of 1999; and H.R. 413, Program for Investment in Microentrepreneurs Act of 1999, 10 a.m., 2128 Rayburn,

Committee on Commerce, Subcommittee on Energy and Power, to continue hearings on Electricity Competition, focusing on State Restructuring Efforts and Consumer Protection Issues, 10 a.m., 2123 Rayburn.

Subcommittee on Health and Environment, to continue hearings on H.R. 1790, Chemical Safety Information and Site Security Act of 1999, 2 p.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations hearing on a Review of the Department of Energy's Deployment of DOE-Funded Environmental Cleanup Technologies, 9:30 a.m., 2322 Rayburn.

Committee on Government Reform, Subcommittee on National Security, Veterans Affairs and International Relations, hearing on Combating Terrorism: Proposed Transfer of the Domestic Preparedness Program to the Department of Justice, 10 a.m., 2154 Rayburn.

Committee on International Relations, Subcommittee on Asia and the Pacific, hearing on The Cox Committee: Report of the Select Committee on U.S. Security and Military/Commercial Concerns with the People's Republic of China, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, to continue consideration of H.R. 102, National Youth Crime Prevention Demonstration Act; and to consider the following: H.J.Res. 33, proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States; H.R. 1907, American Inventors Protection Act of 1999; H.R. 354, Collections of Information Antipiracy Act; H.R. 1565, Trademark Amendments Act of 1999; H.R. 1761, Copyright Damages Improvement Act of 1999; and H.R. 1225, United States Patent and Trademark Office Reauthorization Act, Fiscal Year 2000, 10:15 a.m., 2141 Rayburn.

Subcommittee on the Constitution, to mark up H.R. 1691, Religious Liberty Protection Act of 1999, 2 p.m., 2237 Rayburn.

Committee on Resources, oversight hearing on Use of Land and Money Mitigation Requirement in ESA Enforcement, 10 a.m., 1324 Longworth.

Committee on Rules, to consider H.R. 1401, National Defense Authorization Act for Fiscal years 2000 and 2001, 10 a.m., H–313 Capitol.

Committee on Small Business, hearing on ''Electronic Commerce: The Benefits and Pitfalls of Conducting Business Over the Internet'', 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Ground Transportation, oversight hearing on the Office of Motor Carriers and of Bus Safety, 10 a.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, hearing on the Administration's Harbor Services Fee Proposal, 2 p.m., 2167 Rayburn.

Committee on Ways and Means, to mark up H.R. 1802, Foster Care Independence Act of 1999, 1:30 p.m., 1100 Longworth.

Next Meeting of the SENATE

9:30 a.m., Wednesday, May 26

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 1059, Department of Defense Authorization, with a vote to occur on Amendment No. 393 at 1:45 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, May 26

House Chamber

Program for Wednesday: Consideration of H.R. 1906, Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2000 (complete consideration);

Consideration of H.R. 1259, Social Security and Medicare Safe Deposit Box Act of 1999 (closed rule, two hours of general debate); and

Consideration of H.R. 1905, Legislative Branch Appropriations Act, 2000 (structured rule, one hour of general debate).

Extension of Remarks, as inserted in this issue

HOUSE

Abercrombie, Neil, Hawaii, E1088
Ackerman, Gary L., N.Y., E1088
Becerra, Xavier, Calif., E1087
Berman, Howard L., Calif., E1073, E1075
Capuano, Michael E., Mass., E1073
Deutsch, Peter, Fla., E1090
Diaz-Balart, Lincoln, Fla., E1076
Dixon, Julian C., Calif., E1087
Doolittle, John T., Calif., E1091
Doyle, Michael F., Pa., E1090
Gilman, Benjamin A., N.Y., E1091
Gutierrez, Luis V., Ill., E1074
Hall, Tony P., Ohio, E1077
Hefley, Joel, Colo., E1077
Herger, Wally, Calif., E1076, E1079
Hilleary, Van, Tenn., E1078
Holt, Rush D., N.J., E1092
Inslee, Jay, Wash., E1082
Kanjorski, Paul E., Pa., E1074
Kleczka, Gerald D., Wisc., E1073
Kucinich, Dennis J., Ohio, E1080
LaFalce, John J., N.Y., E1089
McCollum, Bill, Fla., E1082
Meek, Carrie P., Fla., E1089
Neal, Richard E., Mass., E1073
Ney, Robert W., Ohio, E1087
Pallone, Frank, Jr., N.J., E1086
Pastor, Ed, Ariz., E1076
Paul, Ron, Tex., E1079
Roemer, Tim, Ind., E1086
Rothman, Steven R., N.J., E1089
Schakowsky, Janice D., Ill., E1087
Skelton, Ike, Mo., E1080, E1082
Smith, Christopher H., N.J., E1075, E1084
Stark, Fortney Pete, Calif., E1074, E1081
Underwood, Robert A., Guam, E1088
Visclosky, Peter J., Ind., E1088
Waxman, Henry A., Calif., E1086
Weygand, Robert A., R.I., E1089
Whitfield, Ed, Ky., E1083
Wise, Robert E., Jr., West Va., E1090
Young, Don, Alaska, E1073, E1075

Congressional Record The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶Public access to the Congressional Record is available online through *GPO Access,* a service of the Government Printing Office, free of charge to the user. The online database is updated each day the Congressional Record is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available on the Wide Area Information Server (WAIS) through the Internet and via asynchronous dial-in. Internet users can access the database by using the World Wide Web; the Superintendent of Documents home page address is http://www.access.gpo.gov/su_docs, by using local WAIS client software or by telnet to swais.access.gpo.gov, then login as guest (no password required). Dial-in users should use communications software and modem to call (202) 512–1661; type swais, then login as guest (no password required). For general information about *GPO Access,* contact the *GPO Access* User Support Team by sending Internet e-mail to gpoaccess@gpo.gov, or a fax to (202) 512–1262; or by calling Toll Free 1–888–293–6498 or (202) 512–1530 between 7 a.m. and 5 p.m. Eastern time, Monday through Friday, except for Federal holidays. ¶The Congressional Record paper and 24x microfiche will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $165.00 for six months, $325.00 per year, or purchased for $2.75 per issue, payable in advance; microfiche edition, $141.00 per year, or purchased for $1.50 per issue payable in advance. The semimonthly Congressional Record Index may be purchased for the same per issue prices. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to (202) 512–1800, or fax to (202) 512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, or GPO Deposit Account. ¶Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.