United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, TUESDAY, JUNE 8, 1999 No. 80

# House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. GIBBONS).

## DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
*June 8, 1999.*

I hereby appoint the Honorable JIM GIBBONS to act as Speaker pro tempore on this day.

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

## MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from Texas (Mr. DOGGETT) for 5 minutes.

## THE ABUSIVE TAX SHELTER SHUTDOWN ACT OF 1999

Mr. DOGGETT. Mr. Speaker, long ago, Will Rogers suggested that, ''people want just taxes even more than they want lower taxes. They want to know that every man is paying his proportionate share according to his wealth.''

Today, some of our worst tax inequities arise from those who use abusive tax shelters to exploit loopholes in the Tax Code. To stop these, and to make our tax system more fair and just, I am introducing the Abusive Tax Shelter Shutdown Act of 1999.

Forbes Magazine, which proudly proclaims itself ''The Capitalist Tool,'' recently reported on, as the cover of the magazine says, what are called ''Tax Shelter Hustlers: Respectable accountants are peddling dicey corporate tax loopholes.'' Here on the cover, we see the fellow with the fedora standing in the shadows. Unlike those supermarket tabloid stories about UFO abductions, with this particular cover, the substance inside actually lives up to the teaser on the cover. It is true that most abusive tax shelters are already against the law. The problem is that every time we shut down one, more spring up. That is not by accident because, as Forbes also reported, some of the Big 5 accounting firms actually have teams of staffers, and my guess is that most of them dress a little better than this fellow does, who are out there and have as their job to come up with one new tax shelter every single week.

Deploring what he calls the ''energy, creativity and viciousness'' of these so-called ''shelter shops,'' Calvin Johnson, a professor of tax law at the University of Texas, has labeled these hustling operations ''skunk works'' because of the sorry odor surrounding their fouling of our tax system. The literal hustling of improper tax shelters is so commonplace that one representative of a Texas-based multinational corporation has recently indicated that he gets a cold call every day from someone hawking or hustling one of these shelters.

Some are even called black box proposals. They are kept under wraps and they are not offered to any but a select few so as to avoid public notoriety. As a partner at one national firm boasted, ''A whale cannot get harpooned unless it surfaces for air.''

What a whale-sized gulp of arrogance toward honest taxpayers everywhere who dutifully file our returns on April 15 and who have to make up for the taxes that the big boys dodge.

My legislation will curtail egregious behavior without impacting legitimate business deals. It will eliminate the well-justified feeling that these high rollers are cheating and gaming the system, a feeling which leads to distrust and disrespect on behalf of our taxpaying public.

This bill seeks to shut down abusive tax shelters by prohibiting loss generators. These are transactions that lack any legitimate business purpose that are ginned up just to obtain another tax loss, credit or deduction in order to dodge taxes.

The second thing the bill does is it says that a company which thinks it has a proper shelter will be required to provide complete, clear and concise disclosure, verified by a corporate officer. This does not make them forfeit their buried pirate treasure but on these complex transactions it does require them to give up the map where X marks the spot of the treasure.

These disclosure provisions were drafted based on the sound advice of tax practitioners; not the kind of practitioner that is proud to define their success by having another loophole named after them, but the thoughtful commentary of the tax section of the American Bar Association.

The third provision is directed to the penalty for tax dodging, and we tighten and increase the penalty for such tax dodging. Just getting some thick carpet, downtown lawyer to bless what the accounting department has contrived with the help of these tax shelter hustlers is no longer going to be sufficient to save a corporation from penalties if it has clearly stepped over the line with an abusive tax shelter.

These abusive tax shelters have grown and have become so extensive that some experts estimate that they account for $10 billion a year in lost



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tax revenue. Typical is a recent ad selling a guide to offshore tax shelters that ran in the Wall Street Journal. Featuring a happy, smiling, bikini-clad couple, sipping cocktails on the beach, obviously enjoying the good life at someone else's expense, the ad promised, ''Live simply and easily make a tax-free fortune using the world's most exotic places,'' and you can do all this, it claimed, ''in complete privacy and full protection from everyone, including your spouse, competitors, partners and more.''

Such schemes suggest the challenge that we face. Surely if locally owned businesses in central Texas can play by the rules, the big boys should, too. The Abusive Tax Shelter Shutdown Act is not a panacea but it will help law enforcement close some loopholes, eliminate the sham transactions and stop the hustlers.

As we say in Texas, move 'em out and shut 'em down.

## TURKEY MUST ACCEPT KURDISH PEACE OFFER

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

Mr. PALLONE. Mr. Speaker, there are some who call it the ''trial of the century.'' Abdullah Ocalan, the imprisoned Kurdish rebel leader, is on trial before a Turkish military tribunal. The trial could hardly be called fair. Mr. Ocalan, who faces the death penalty if convicted, has been denied access to his lawyers. His legal team has faced a pattern of harassment and threats.

The Turkish government and media have stirred up nationalistic passions against Mr. Ocalan. If the Turkish government forges ahead with legally railroading Mr. Ocalan and the threat to hang him is carried out, the result would be disastrous for all the people of the region. Yet interestingly enough, the trial of Mr. Ocalan has created a potentially positive and long overdue opening towards reconciliation between the Turkish and Kurdish peoples.

Standing in the dock at his show trial, Mr. Ocalan made a brave plea for a negotiated, Democratic solution to the Kurdish question. Mr. Ocalan's organization, the Kurdish workers's party known as the PKK, has announced its support for Mr. Ocalan's peace offer. With the media attention that the trial is attracting, putting the Kurdish issue in the spotlight to an almost unprecedented degree, Turkey could vastly improve its international standing by simply agreeing to begin negotiations with the Kurdish leaders but, sadly, Mr. Speaker, so far the Turkish government has rejected the path to peace insisting that it will not negotiate with Mr. Ocalan or any leaders of the Kurdish movement.

Yesterday's Washington Post had an editorial entitled, ''Turkey's Kurdish Opening,'' which begins with these words: ''Turkey may have a once in a generation opening to treat its national cancer, the problem of its aggrieved Turkish minority.''

The editorial in the Post, a paper that has previously shown sympathy to the Turkish point of view on a number of issues, notes that the Turkish policy of relentless military and political attack on the Kurdish movement dooms Turkey to a conflict that sets it at odds with the human Democratic values of the western nations whose company it most values.

That is the bind, Mr. Speaker, that Turkey has put itself into. Turkey is a member of NATO and has sought membership in the European Union, so far unsuccessfully. At the same time, Turkey continues not only to wage a dirty war against a minority community within its borders but to repress and essentially deny the existence of a distinct Kurdish identity, language or culture.

In the meantime, Turkey's economic development, levels of education, infrastructure, development and standard of living, lag far behind European standards while scarce resources are squandered on its ongoing war against the Kurds. It is a cycle that must be broken.

As The Washington Post editorial concludes, ''Friends of Turkey must hope it can muster the courage to broaden its perspective and to conduct an honest exploration of the Ocalan initiative.''

Mr. Speaker, two recent articles in the New York Times suggest unfortunately that the Turkish political and military establishment is a long way from making this major leap. Last Friday, it was reported that Turkey's best known human rights advocate, Akin Birdal, entered prison to serve a 9½ month sentence for giving speeches judged subversive.

What was his subversive activity? Mr. Birdal, chairman of the Human Rights Association, has repeatedly urged the Turkish state to reach a peaceful settlement with Kurdish rebels. Now, as the article reports, such statements constitute support for terrorism under Turkish law. This same law has recently been used to convict two journalists, a university professor and an aide to Mr. Birdal. While some brave Turks, including the country's top judge, have called for repeal of the law, the hardline regime refuses to give in.

Mr. Speaker, in an effort to encourage the U.S. Government to play a constructive role in heading off the crisis in Turkey, my colleague, the gentleman from California (Mr. FILNER) and I, are circulating a letter this week asking our colleagues to sign a letter to President Clinton urging his intervention to implore that the Turkish authorities show some basic fairness in trying Mr. Ocalan and to spare his life. Seeking a fair trial for Mr. Ocalan should be the first step in our efforts to press Turkey to enter into negotiations to achieve a political solution to this tragic struggle.

Mr. Ocalan and his Kurdish organization have offered an olive branch to the Turkish government. It would be both the decent and the smart thing to do for Turkey to accept this good faith offer and to embark on the path of peace.

In fact, Mr. Speaker, Mr. Ocalan made several previous cease-fire offers prior to his arrest—all of which were summarily rejected by the Turkish government and military officials.

An article in Sunday's New York Times further describes the hardening of official attitudes in Turkey. According to the article, the Turkish Interior Ministry has issued a directive listing terms that must be used when discussing Mr. Ocalan, his movement or Kurds in general. The rules are binding on all reporters for state-run news agencies. It represents another example of the ongoing pattern of inciting nationalistic fear and distrust of the PKK, while trying to blind the Turkish people to the Kurds, their history, their culture and the validity of their struggle.

Mr. Speaker, the Turkish regime refuses to even acknowledge the Kurds' existence, referring to them as ''mountain Turks,'' prohibiting all expression of Kurdish culture and language in an effort to forcibly assimilate them, while jailing, torturing and killing Kurdish leaders. The Government of Turkey's undeclared war on the Kurds has claimed close to 40,000 lives and caused more than 3 million people to become refugees.

## RECESS

The SPEAKER pro tempore. There being no further requests for morning hour debates, pursuant to clause 12, rule I, the House will stand in recess until 10 a.m.

Accordingly (at 9 o'clock and 11 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. SHAW) at 10 a.m.

## PRAYER

The Reverend Dr. Peter M. Kurowski, St. Paul's Lutheran Church, California, Missouri, offered the following prayer:

Let us pray. Lord God, enlighten us to see that unless You build the house, in vain the artisans toil; and unless You stand sentry upon a nation, in vain do our guardians watch. Open our eyes to see Your awesome fingerprints in creation, Your amazing footprints in the realm of redemption, and Your architectural imprints upon the documents which helped to give birth to this Republic. May these revelations move citizens everywhere to walk humbly, do justice, and show compassion. Inspire a desire in Americans everywhere to absorb the Biblical book of Ecclesiastes so that as a nation we do

not repeat the melancholy moments in history. We ask this in the name of the Wisdom of the ages, the Savior of sinners, Jesus Christ. Amen.

## THE JOURNAL

The SPEAKER pro tempore (Mr. SHAW). 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.

Mr. GIBBONS. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Chair's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

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

Mr. GIBBONS. 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. Pursuant to clause 8 rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

## PLEDGE OF ALLEGIANCE

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

Mr. KNOLLENBERG 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.

## INTRODUCING THE GUEST CHAPLAIN

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

Mr. SKELTON. Mr. Speaker, I take this opportunity to introduce to the House the guest chaplain who is with us today, the Reverend Dr. Peter M. Kurowski. The Reverend is affectionately referred to as ''Pastor Pete'' by his congregation at St. Paul's Lutheran Church in California, Missouri, which is located in Missouri's Fourth Congressional District.

In recent years, I have had the privilege of getting to know Pastor Pete through our discussions of history and the Missouri Tigers. I have found his spiritual guidance to be uplifting as well as inspirational. Pastor Pete, along with his wife of 25 years, Janice, continue to make such an outstanding contribution to their communities.

A native of Green Bay, Wisconsin, Pastor Pete has attended Oshkosh State University, Concordia College and Fort Wayne Senior College. He later attended Concordia Seminary in St. Louis, Missouri.

He has served congregations in St. Louis, Missouri, Joylston, Illinois, and New Orleans, Louisiana, prior to serving the California, Missouri community.

Pastor Pete is the author of the book, Lifelines of Love, and has done script writing for the Lutheran Layman League animated video ''Red Boots for Christmas.'' He has also written a number of theological and sports articles for various periodicals.

I am truly proud to have such a distinguished leader from California, Missouri give the opening prayer to my colleagues here in the House this morning.

## VOTE ''NO'' ON H.R. 45, NUCLEAR WASTE POLICY ACT OF 1999

(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 Committee on Commerce recently amended H.R. 45, the Nuclear Waste Policy Act of 1999 to exempt the $8 billion Nuclear Waste Fund from the Budget Enforcement Act. So what does this mean? Well, this move to take the nuclear waste budget off-budget would open the floodgates for unrestricted, uncontrolled spending.

By taking H.R. 45 off-budget, we will permit funding increases without the necessary offsets and provide for little or no congressional oversight and accountability, all in the name of nuclear waste.

By fragmenting the budget to accommodate nuclear waste interests, we would set a dangerous precedent that every other trust fund would undoubtedly attempt to follow.

As Members of Congress, we should be concerned about any erosion of our commitment to budget discipline. Let us not forget that there are several hundred trusts and special funds in existence today, with only Social Security and the Postal Service receiving this special status of off-budget.

I would encourage my colleagues to uphold their commitment to fiscal responsibility and vote ''no'' on H.R. 45. Let us not make nuclear waste more important than our Social Security, Medicare, seniors and children.

## CRA IS A VITAL SUCCESS STORY

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

Mr. VENTO. Mr. Speaker, the Community Reinvestment Act is a success. Community reinvestment means banks responding to creditworthy applicants in their local neighborhoods or towns. Congress must maintain this vital policy, not undercut it.

CRA means safe and sound business for financial institutions. That is the key requirement of the 1977 law. CRA's bank success is meeting people opportunities that safe and sound business represents.

In my home district, the University National Bank is serving Frogtown, an inner city community in St. Paul. This bank has received an outstanding CRA rating for its efforts.

Amazingly, over 70 percent of the loans in University Bank's portfolio qualify for CRA. Of the millions of dollars these loans represent, they have had losses totaling only $300. These loans happened because every year University Bank officers are required to make 500 calls, person-to-person, getting outside the bank.

In telling the story of improving the urban community, Bill Reiling, the owner and president of the University National Bank, states and I quote, ''Behind every statistic is a human success story with repercussions that echo and multiply a dozen-fold. How do you measure the impact of a successful new retail business that brings a new job base? How do you measure the positive effect of revitalizing a decaying neighborhood?''

Mr. Speaker, that is CRA. That is how we measure it.

## EGYPT

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

Mr. PITTS. Mr. Speaker, I rise today out of concern for what is happening in the country of Egypt. Our State Department's Country Reports this year detail security and police abuses against citizens from minority backgrounds.

The Reports detailed one horrifying situation in which police brutalized over 1,200 Egyptian Coptik Christians in the village of El-Kosheh. The official Egyptian report of the incident, in response, states that there was no torture or abuse.

Mr. Speaker, look at these photos. We can see the wounds made on this man's flesh. We can see in the faces of the little children who were dashed to the ground and beaten while in their mothers' arms.

The apparent unwillingness of the Egyptian Government to punish police officers involved in these human rights violations, or even admit that these violations occurred is very unfortunate.

Recent news reports suggest that the police officers involved in these human rights violations were not only not punished but rewarded by the government.

I urge the Egyptian Government to take serious measures to correct police brutality and correct the injustices perpetrated against the minorities in El-Kosheh.

## COMMUNITY REINVESTMENT ACT HAS BEEN SUCCESSFUL

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

Mr. LAFALCE. Mr. Speaker, the Community Reinvestment Act was created by the Congress in 1977 to combat discrimination by encouraging federally insured financial institutions to help meet the credit needs of the communities they serve. I am here today to report that the Community Reinvestment Act, or CRA, has been a tremendous success.

CRA's success results from the effective partnerships of municipal leaders, local development advocacy organizations, and community-minded financial institutions. Working together, the CRA has proven that local investment is not only good for business but critical to improving the quality of life for low- and moderate-income residents in the communities financial institutions serve.

We will be hearing about other CRA success stories in the next few weeks, and I want to applaud the financial services industry for their extraordinary record of meeting their CRA obligations. At present, it is estimated that almost 98 percent of all financial institutions have achieved a satisfactory or better CRA compliance. We need to keep and strengthen CRA.

## READINESS AND MORALE A PROBLEM WITH U.S. MILITARY

(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, President Clinton has created a national security emergency by spreading our troops all over the world while neglecting the defense budget.

From 1960 until 1991, American troops were deployed 10 times. Since the Cold War, our fighting forces have been called into action an astonishing 26 times. Strangely enough, this increased activity has occurred during a period in which our military has shrunk by 40 percent.

Mr. Speaker, the defense bill the House will consider later this week addresses the problems of troop readiness and troop morale by providing the resources to ensure that American troops are the best trained and best equipped in the world.

This important bill also provides funding to facilitate the deployment of a national missile defense system that will protect the American people from a ballistic missile attack launched by a rogue nation.

Mr. Speaker, this legislation replenishes our military, strengthens our national security, and enhances our ability to carry out foreign policy objectives. I urge all my colleagues to support it.

## PEACE AGREEMENT IN KOSOVO

(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, about 40 days ago an 11-member bipartisan congressional delegation, led by my good friend, the gentleman from Pennsylvania (Mr. WELDON), went to Vienna in search of a structure of peace which could be put together with leaders of the Russian Duma, a peace plan which, hopefully, would lead to an end to the war in the Balkans. That was 40 days ago.

One of the principles in this plan was the following: Article 4. The humanitarian crisis will not be solved by bombing. A diplomatic solution to the problem is preferable to the alternative of military escalation.

Unfortunately, in the ensuing 40 days we saw an intense military escalation which resulted in the deaths of countless innocent civilians.

One of the articles in this plan that was put together called on the interested parties to find practical measures for a parallel solution to three tasks, without regard to sequence: the stopping of the bombing, the withdrawal of Serbian armed forces from Kosovo, and the cessation of the military activities of the KLA.

That is where the G–8 is headed now. But they should have stopped the bombing, and they should not today be threatening Belgrade with further bombing if there is not a signature on the dotted line today.

## AMERICAN TAXPAYERS ARE NOT UNDERTAXED

(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, every once in a while in politics the truth slips out. Sometimes the so-called political pros call it a gaffe. Well, we have a perfect example of a gaffe by the leader of the Democratic Party in this body in the House, the gentleman from Missouri (Mr. GEPHARDT).

The gentleman spoke to a group the other day and he said, and I quote, ''You've got to have a combination of taking it out of the defense budget and raising revenue. We can argue about how to do that, closing loopholes or even raising taxes to do it.''

Well, maybe the other side can argue about how they want to raise taxes, but Republicans in this House are arguing about how to cut taxes, not raise them. The American people are overtaxed, not undertaxed.

Let us get together and cut taxes across the board on all Americans, and let us get rid of this horrible tax, the death tax, where the Federal Government can take up to 55 percent of what Americans earn during the course of their lives, even though they have been taxed for that over and over again over the course of their lives.

Let us cut taxes, not talk about raising them.

## NATIONAL HOMEOWNERSHIP WEEK

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

Ms. SANCHEZ. Mr. Speaker, today I rise to discuss homeownership in America. Buying a home is a dream for many Americans. People want a place where they can raise their children, where neighbors come together to form a safe community, and ultimately, where they can comfortably grow older.

A memory I have from when I was young was my grandmother. She came to this country. She worked 7 days a week, every day that I can remember, walking half a mile to get on the bus and go to work. She was a restaurant worker. She would come back late at night after dark. I lost her a few years ago. The last few things she said to me was she had two dreams she did not accomplish in the United States: one, to visit the Pope; and two, to own her own home.

This week is National Homeownership Week and it is a time that we can appreciate the growth our Nation has made in homeownership, and it is also when we realize how much more we have to do to help people own that little piece of the American dream, their own home.

I hope that this week we all gather together and work very hard to ensure that there are ways, like CRA and other ways, to help people become homeowners in the United States.

## AMERICAN NUCLEAR TECHNOLOGY SECRETS STOLEN BY CHINA

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

Mr. WELDON of Pennsylvania. Mr. Speaker, I say to Bill Richardson, tell the truth. He has been traveling around America and this city saying that when he found out, this administration, that China stole the secrets to our nuclear weapons, the W–88 and the W–87, that he took aggressive steps in 1995 to change that. Tell the truth, Bill Richardson.

U.S. News and World Report, special feature, July 31, 1995, Hazel O'Leary leaked the plans, which are in this magazine, for the W–87 nuclear warhead.

Tell the truth, Bill Richardson. It was this administration that publicly released the documented evidence relative to our W–87 warhead in U.S. News and World Report, July 31, 1995.

Tell the truth, Bill Richardson.

## AMERICA SHOULD GUARD AMERICAN BORDERS

(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, 90 percent of all crime in America is drug related. Eighty percent of all heroin, 80 percent of all cocaine comes across the Mexican border. To boot, only three out of every 100 trucks coming from Mexico are even inspected.

It is so bad, experts now admit it is even possible for terrorists to smuggle nuclear weapons across our border. And after all this, the White House wants to send 7,000 American soldiers to guard the borders of Yugoslavia.

Beam me up here. Europe should be guarding the borders of Europe and Yugoslavia. America should be guarding the borders of America for the American people. Think about that.

I yield back this weak and foolish national security policy we have in place.

## SOCIAL SECURITY SURPLUS

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

Mr. SMITH of Michigan. Mr. Speaker, the challenge before this body this week and the next several weeks is passing 13 appropriation bills. The challenge is based on whether or not we are going to stick by the promise that we made in the balanced budget agreement of 1997. At that time most of the Democrats and most Republicans voted for that balanced budget agreement.

That balanced budget agreement included setting caps on future spending. Keeping that commitment means that for the next fiscal year we will not be spending any of the Social Security surplus.

Now the question is—can we keep that commitment? Can we keep that promise? Last week we passed what we called a lockbox, again stating that we are not going to spend the Social Security surplus dollars for other government spending programs. Let us keep our commitment. Let us keep our promise to the American people. Let us not jeopardize current and future Social Security recipients by caving in to the big spenders.

## GUN SAFETY LEGISLATION

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

Ms. DELAURO. Mr. Speaker, 2 weeks ago the Republican leadership in this House told us that we could not vote on gun safety legislation before we left for the Memorial Day break because we needed to have a hearing in committee, needed to go through the proper legislative process.

Ah-ha. Well, now they are bringing this legislation to the floor with no hearings and with no markup. So what was the 2-week delay all about? It was about giving the NRA a head start. We took the Republican leadership at their word that they would play it straight with gun safety legislation. But now it appears that they spent the last 2 weeks scheming with the NRA to bring down gun safety legislation.

With their 2-week head start, the NRA has launched a 2-week campaign of fear. They have spent more than a million dollars in the last several days to kill gun safety legislation.

I am here today to ask to plead with the Republican leadership in this body to stop playing games with gun safety. This debate is about protecting our children. Thirteen children a day are killed by gunfire in the United States of America. This is about saving kids' lives.

This vote on gun safety is deadly serious. There is no more room for political games. Let us stop the games. Let us pass gun safety legislation for our families and for our children.

## U.S. MILITARY SHOWING SEVERE SIGNS OF STRAIN

(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, American military success in Kosovo has shown once again that American forces are second to none in the world. Our brave pilots and many thousands who work around the clock to support them deserve our highest praise and our deep gratitude.

However, the military operation in Kosovo has also exposed the problem in our national defense structure that we need that needs immediate attention. Our military is undermanned, overextended, and showing severe signs of strain after having to do more with less for too long.

The defense appropriations bill on the House floor later this week is an excellent first step to reverse the trend and to end the damage to the short-changing of the U.S. military. I urge its support.

## COMMEMORATING LIVES OF D.C. FIREFIGHTERS

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

Ms. NORTON. Mr. Speaker, I rise this morning to commemorate the lives of two brave young firefighters who gave their lives in a fire in the District while Congress was out of session. Both firefighters were born and raised in the Nation's Capital.

The loss is not only to their families but to the Congress of the United States and to this city, where D.C. firefighters prepare every day to do what is necessary to protect both hometown Washington and official Washington, including the Members of this House.

Anthony Phillips of Engine Company No. 10 worked the busiest fire house in the Nation. Only 30 years old, he was the father of two boys, one 21 months old, the other 6 years old. Firefighter Phillips married his childhood sweetheart, Lysa. They were a deeply loving couple and family.

Louis Matthews of Engine Company No. 26 was only 29 years old but served 7 years as a D.C. firefighter. He leaves a loving family, including his mother, Cassandra Shields, and two young children.

Members of this body have been mindful of the risks firefighters face and the sacrifices that their families could be called upon to make. I am grateful that the 105th Congress passed my bill, the Officer Brian Gibson Tax Free Pension Equity Act, that allows the families of firefighters killed in the line of duty to receive survivors' benefits tax free. They did their duty, and I am grateful that we did ours.

## SPIRIT OF FREEDOM AWARD

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

Mr. DEMINT. Mr. Speaker, last Thursday I presented to Mobile Meals of Spartanburg, South Carolina, the first Spirit of Freedom Award. Every day Mobile Meals volunteers deliver as well as prepare over 1,700 meals to needy people in my district, all without government funding. The people at Mobile Meals have shown me that freedom comes from the able hands of local people, people who take responsibility for themselves and their communities.

Here in Washington, we can either protect or take away those freedoms. I believe it is our role in Congress to be the guardians of freedom. That is why we are working to return dollars, decisions and freedoms to the hands of local people.

I thank Mobile Meals for showing us that freedom begins at home.

## RAISING ELIGIBILITY AGE OF MEDICARE RECIPIENTS

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

Mr. SANDERS. Mr. Speaker, this Nation already has the most unfair distribution of wealth and income in the entire industrialized world.

Given that reality, it is absurd that some in Congress are talking about giving huge tax breaks to some of the wealthiest people in this country while at the same time they are talking about raising the eligibility age of Medicare to 67, charging a 10-percent copayment fee for home health care, and voucherizing Medicare, which would mean more out-of-pocket expenses for seniors in this country.

Mr. Speaker, 111 members of Congress have written to the President. We have urged him, do not raise the eligibility age of Medicare to 67, do not

charge a 10-percent copayment fee on home health care to some of the weakest and most vulnerable people in this country, and do not force seniors to pay more out-of-pocket for their health care costs.

I urge all Members of this body to join us.

## DEPARTMENT OF DEFENSE AUTHORIZATION BILL

(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, military readiness is the kind of thing that requires long-term planning and long-term commitment. Decisions made today about our military forces do not show up until years down the road. That is why it is easy for shortsighted or politically motivated leaders to shortchange our military for a few years because future generations will have to pay the price.

Similarly, the defense buildup that President Reagan made his top priority paid huge dividends only after he left office. The Soviet Union fell shortly after he left, and President George Bush reaped the benefits of our extraordinary military prowess in the Gulf War in 1991.

In my judgment, and in the opinion of many military experts, this administration has shortchanged our military systematically over the past 6 years. Our commitments grow, but the resources are just not there to meet them.

This House will soon have the opportunity to take action to change this course. I urge my colleagues on both sides of the aisle to support the DOD authorization bill.

## SCHOOL SAFETY AND GUN VIOLENCE

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

Ms. WOOLSEY. Mr. Speaker, how much longer do families have to live in fear before Congress acts? How many more memorials must our Nation have before Congress passes sensible gun control? Those are the questions.

It appears that the answer is that some politicians would rather have the National Rifle Association invest in them than for our Congress to invest in our children's future, investing with a sensible gun control measure.

Millions of families across the Nation agree that we need to tighten gun control laws. So it is time for the House to act. The Senate has done the right thing. Now the House must do the same. If that means coming to the floor every day demanding that the Republican leadership bring debate on child safety locks, on background checks at gun shows, and a prohibition on the import of large magazines, so be it, we are going to do it.

We must pass gun safety legislation, we must make our schools safe, and we must do it now.

## CHINA HAS AMERICAN NUCLEAR WEAPONS TECHNOLOGY

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

Mr. EHLERS. Mr. Speaker, I suspect I am one of the few individuals in this House who has worked at a nuclear weapons laboratory. I did this for one summer while I was a graduate student at Berkeley at the University of California. And I found it to be a very good experience to work at a nuclear weapons laboratory, even though my work was primarily on unclassified science.

What impressed me is that the individuals that worked at that laboratory were extremely security conscious and they were very concerned about any leaks of information about nuclear weapons. We seem to have lost that. We have lost that culture ever since the Berlin Wall fell.

But what is dismaying to me is the reaction of the White House to the discovery that the Chinese have managed to obtain information about our nuclear weapons. The spin doctors have gone to work full-time. The President's men seem to be more concerned with blaming the Bush and Reagan administration than with taking responsibility and trying to correct the problem as they should be doing.

□ 1030

It is the mark of strong individuals to take responsibility for the mistakes that they have made and to correct them, and I expect no less of the President and his aides. We do have leaks, we have to cure them, and it is absolutely essential that those individuals who are responsible take responsibility, correct the problem, and solve it.

## SUPPORT GUN CRIME PROSECUTION ACT

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

Mr. UDALL of New Mexico. Mr. Speaker, today along with the gentlewoman from New York (Mrs. MCCARTHY) and the gentleman from Kansas (Mr. MOORE) and other cosponsors, I introduce a bill that will put at least one Federal prosecutor in every State.

There is no question that our Nation is facing a growing scourge of gun violence that is holding an increasing number of our communities under siege. Crimes committed with firearms are among the most heinous and should be prosecuted as quickly and forcefully as possible.

While the Federal government has in the past approached the problem of gun violence by passing new Federal laws and putting more cops on the beat, there is nothing that can be done to attack the problem if our prosecutors do not have the resources they need to enforce existing laws. Simply put, we must give them the resources they need to fully enforce existing gun laws. That is why we have introduced the Gun Crime Prosecution Act of 1999.

This legislation will give every United States Attorney for each judicial district an additional Assistant U.S. Attorney position whose sole purpose would be the prosecution of crimes committed with a firearm. Specifically, each new prosecutor position would give priority to violent crimes and crimes committed by felons by committing a full-time position within the United States Attorney's office to prosecuting gun crimes. We will be giving our prosecutors the tools they need to enforce the laws that already exist in the statute.

Mr. Speaker, I ask my colleagues to support this bill.

## A BETTER WAY

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

Mr. HAYWORTH. Mr. Speaker, I listened with great interest to my neighbor from New Mexico offer a point which I think cannot be stated enough. You see, it is not enough to pass laws in Congress. The fact is, prosecutors and those who would uphold the law need to enforce existing laws and need to obey existing laws.

Mr. Speaker, that is one of the things I heard time and again visiting with my constituents in the Sixth Congressional District of Arizona. I know that different Members of this body spent their district work periods in different ways. For example, the minority leader of this body, the gentleman from Missouri (Mr. GEPHARDT), spent time in Philadelphia bragging about how my friends on the left might take control of this institution in the year 2000.

Here is what the minority leader said:

''You've got to have a combination of taking it out of the defense budget and raising revenue. We can argue about how to do that. We can close loopholes or even raise taxes to do it.''

There is the candor attack, the honesty episode from the minority leader. Cut defense and raise taxes. That is their prescription for the future? Mr. Speaker, there is a better way.

## PLAUDITS TO COX COMMITTEE

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

Mr. COOKSEY. Mr. Speaker, I think every single Member of this body owes a debt of gratitude to the gentleman from California (Mr. COX) my Republican colleague. The gentleman from

California headed the Select Committee on China and has been an outstanding example of even temperament, fair-mindedness and bipartisanship in his handling of the House investigation of Chinese espionage at our nuclear laboratories.

Although there is considerable evidence that the administration has been selectively leaking the most sensational stories to the New York Times, the Cox Committee has been a tomb. No one has accused Chairman COX or anyone on his staff of leaking information about his long-awaited report, an extraordinary achievement in Washington.

Thus far, public statements by the gentleman from California have been judicious and moderate and he has bent over backwards not to be partisan, even though most of the espionage occurred during the periods 1994 and 1995. Instead, he has focused on what can be done about the problems at our Energy Department laboratories.

CHRIS COX, well done. The American people have benefitted greatly from your outstanding work on this extremely important issue.

## COMMENTS ON COX COMMITTEE

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

Mr. STEARNS. Mr. Speaker, recently Secretary of Energy Bill Richardson stated, ''I can assure the American people that their nuclear secrets are now safe at the labs.'' Somehow I do not think the American people believe him.

In fact, the unanimous conclusion of the Cox Committee is also at odds with the Secretary's reassurance. The committee concludes that ''such thefts almost certainly continue to the present day.''

I am quite distressed at the reaction of the administration's spokesmen who even to this very day are downplaying the significance of the Cox report finding. And, of course, they are changing the subject.

The big news is not that our nuclear secrets were stolen. The incomprehensible news is what this administration has done about it when it was discovered in 1995 that the crown jewel of our nuclear arsenal, the W–88, was stolen by the Communist Chinese.

No one told the President.

The Justice Department denied the FBI's request for a wiretap on the clear and obvious suspect.

The issue, my colleagues, is what was done in 1995, 1996, 1997, 1998 and 1999.

## THE JOURNAL

The SPEAKER pro tempore (Mr. SHAW). Pursuant to clause 8 of rule XX, the pending business is the question de novo of the Speaker's approval of the Journal.

The question is on the Speaker's approval of the Journal of the last day's proceedings.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 355, nays 46, answered ''present'' 1, not voting 31, as follows:

[Roll No. 170]

YEAS—355

Abercrombie
Ackerman
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
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boyd
Brady (PA)
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Cramer
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Klink
Knollenberg
Kolbe
Kuykendall
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pascrell
Paul
Payne
Pease
Pelosi
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Talent
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Upton
Velazquez
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Weygand
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—46

Aderholt
Bilbray
Borski
Brown (FL)
Brown (OH)
Clay
Costello
Crane
DeFazio
English
Etheridge
Filner
Gephardt
Gibbons
Green (TX)
Gutierrez
Gutknecht
Hastings (FL)
Hefley
Hilliard
Hutchinson
Kucinich
LaFalce
Lewis (GA)
LoBiondo
Martinez
Moran (KS)
Oberstar
Pallone
Pastor
Peterson (MN)
Pombo
Ramstad
Riley
Sabo
Stupak
Sweeney
Tancredo
Tanner
Taylor (MS)
Thompson (CA)
Thompson (MS)
Udall (NM)
Vento
Visclosky
Weller

ANSWERED ''PRESENT''—1

Scarborough

NOT VOTING—31

Boucher
Brown (CA)
Cannon
Chenoweth
Coburn
Coyne
Danner
Diaz-Balart
Dingell
Frost
John
Kilpatrick
Kingston
Kleczka
Lee
Linder
Lipinski
McCollum
Obey
Pickett
Rangel
Rohrabacher
Rush
Sanders
Schaffer
Schakowsky
Smith (MI)
Tiahrt
Waters
Wise
Young (AK)

☐ 1056

So the journal was approved.

The result of the vote was announced as above recorded.

Stated for:

Ms. LEE. Mr. Speaker, on rollcall No. 170, I was unavoidably absent from the Journal vote. Had I been present, I would have voted ''yes.''

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
*Washington, DC, June 8, 1999.*

Hon. J. DENNIS HASTERT,
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a Certificate of Election received from the Honorable M.J. ''Mike'' Foster, Jr., Governor, State of Louisiana, indicating that, at the Special Election held on May 29, 1999, the Honorable David Vitter was duly elected Representative in Congress for the First Congressional District, State of Louisiana.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
*Clerk.*

□ 1100

## SWEARING IN OF THE HONORABLE DAVID VITTER, OF LOUISIANA, AS A MEMBER OF THE HOUSE

The SPEAKER. Will the Representative-elect and the members of the Louisiana delegation present themselves in the well.

Mr. VITTER appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations. You are now a Member of the United States Congress.

## WELCOME TO THE HONORABLE DAVID VITTER

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

Mr. TAUZIN. Mr. Speaker, it is with extreme pleasure that the Louisiana delegation presents to you the newest member of our delegation, the newest Member of the American House of Representatives, Mr. DAVID VITTER.

DAVID is extremely well qualified to join this body. Unlike the Member in the well, who graduated from Harvard on the Bayou in Louisiana, DAVID actually got his education at Harvard University. He is a Rhodes Scholar. He and his lovely wife, Wendy, are the parents of three beautiful children, including a young set of twins. Their three daughters are here today to celebrate this day with them. Like CHRIS JOHN in our delegation, they are the parents of twins, and we are real excited to have him and his family join our delegation.

Ladies and gentlemen, Mr. Bob Livingston is here, a former member, as you know, and Mr. Jimmy Hayes is here from Louisiana, also to welcome DAVID.

Would you please join me in welcoming again the newest member of the Louisiana delegation and the newest Member of our House of Representatives here in Washington, D.C., Mr. DAVID VITTER.

## SERVING LOUISIANA WITH HONOR, HUMILITY, AND AWE

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

Mr. VITTER. Mr. Speaker, ladies and gentlemen of the House, distinguished Congressman TAUZIN and other members of the Louisiana delegation, I am honored, humbled, awestruck to stand before you today.

My goal in the years ahead is simply this: to become at ease and comfortable with you as I become a respected colleague and friend; to become at ease and comfortable with the ways of the House as I become an effective Congressman; but never to become so at ease and comfortable that I lose these feelings of honor, of humility, of awe. And how could I? This is the people's House. You, we, are the people's representatives, a vital part of the most powerful and moral political experiment in human history.

I look forward to always honoring you as the people's representatives and to working constructively with you on the people's business.

In closing, I would like to recognize the forces that have brought me here today: God; family, led by my parents and wife; friends; and, of course, the wonderful people of Louisiana's First Congressional District. They are here today, they are here always, and I thank them from the depths of my heart.

## EDUCATION LAND GRANT ACT

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 189 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 189

*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. 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. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of question shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. SHAW). The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

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

Mr. Speaker, H. Res. 189 is an open rule providing 1 hour of general debate, divided equally 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 considered as read.

Members who have preprinted their amendments in the record prior to their consideration may be given priority in recognition to offering their amendments if otherwise consistent with House rules.

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.

Mr. Speaker, H.R. 150, the Education Land Grant Act, is the product of tireless efforts of my colleague, the gentleman from Arizona (Mr. HAYWORTH). The gentleman is looking for innovative ways to provide educational resources for State and local governments.

Like many western States, Arizona has scarce non-Federal resources within the National Forest land system, making it very expensive and cost-prohibitive for school districts to buy land

needed to expand or build the necessary school facilities.

The gentleman from Arizona (Mr. HAYWORTH) recognized this clearly when he had to fight to convey 30 acres of Forest Service land to the Alpine School District for the purpose of building new school facilities during the 104th Congress. The Education Land Grant Act would codify this process for all Forest Service land. This legislation authorizes the Secretary of Agriculture to convey Forest Service lands for educational purposes, as long as the school is publicly funded, the conveyance serves the public interest, and the land is not environmentally sensitive or needed for the purpose of the National Forest System.

□ 1115

This process mirrors the Recreation and Public Purposes Act, which allows Congress to sell or lease Bureau of Land Management land to State and local governments, and qualified nonprofit organizations for public purposes.

I am proud of the work my colleague, the gentleman from Arizona (Mr. HAYWORTH) has done.

Mr. Speaker, I urge support for the rule and the underlying legislation, and I reserve the balance of my time.

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

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

Ms. SLAUGHTER. Mr. Speaker, today we return to the Education Land Grant Act, which was scheduled for consideration a few weeks ago but postponed until today. The bill was reported on a voice vote from the Committee on Resources. It is a relatively straightforward bill and enjoys bipartisan support.

Although I know there are Members who have objections which will be raised in the ensuing debate, it will be ably handled on our side by my good friend, the gentleman from California (Mr. GEORGE MILLER).

Mr. Speaker, this is a request for an open rule on a bill which could easily be handled on the suspension calendar, and an open rule which was granted only after the Democrat efforts to bring forward the juvenile justice bill were defeated on a party line vote.

Mr. Speaker, this weekend I had the privilege to attend my granddaughter's high school graduation and to hear her give a commencement address welcoming her classmates to the last day of their childhood and the first day of the rest of their lives.

She stated:

> We have come to an intersection with no signs, our past beeping loudly at us and a foggy road ahead. Some of us are struggling wildly to go into reverse, which in life is utterly impossible. We are hesitantly facing our future, an unnerving task for we know not what the future holds. But take comfort, the beauty of the future lies not in its planning, but in its spontaneous creation.

Mr. Speaker, I was just like thousands of other parents and grandparents who attended the graduation ceremonies over the past few weeks. There we were, watching our kids, our grandkids, the kid next door who only last week it seems was learning to ride without training wheels, and is now about to claim his or her future.

Sadly, so many, far, far too many children in recent years have gone through that rite of passage forever tinged by violence inside their school walls. In some instances, the classes following these children will have learned not only the fire drill but the evacuation drill, in case a classmate has a gun.

A columnist in my hometown paper, the Democrat and Chronicle in Rochester, New York, observed that we have had so many school shootings that we can now rank them in order of the carnage which was created. It is so sad I can hardly speak to it, but in homes across this country, families are being forced to have exactly that discussion.

Mr. Speaker, if Members do not believe the threat is real, ask the mere child who came to me recently wondering how to find a bulletproof vest.

Mr. Speaker, let us not get complacent on the issues of gun violence and juvenile justice. Let us not let another graduation day pass without action by this House to reduce violence and to help our troubled children.

Mr. Speaker, that is still a debate which this House needs, which I encourage the leadership to allow, and which America wants. Instead of or at least in addition to the debate on the Education Land Grant Act, let us have a constructive and bipartisan debate on our response to the growing crisis of school violence.

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

Mr. SESSIONS. Mr. Speaker, continuing debate on H.R. 150, I yield such time as he may consume to the gentleman from Utah (Mr. HANSEN), the chairman of the Subcommittee on Public Lands and National Parks.

Mr. HANSEN. Mr. Speaker, I thank my friend, the gentleman from Texas, for yielding time to me.

Mr. Speaker, I rise in support of the rule for H.R. 150. H.R. 150 is an important piece of legislation that will help schoolchildren in rural communities throughout this country.

The Education Land Grant Act will allow publicly-funded education entities to acquire Forest Service land at nominal cost for school facilities. This will help many of the cash-strapped communities that are hemmed in by government land to provide an education for their children.

Mr. Speaker, this is an important bill that will help the Nation's children. I would like to thank the minority for working with us to fine-tune this legislation, and I look forward to the discussion on H.R. 150 on the floor. I support the rule, and hope that my colleagues will do likewise.

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

Mr. SESSIONS. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. Mr. Speaker, I rise today in support of the rule and the underlying legislation, H.R. 150. I want to thank the gentleman from Texas for yielding time to me to speak on this bill, and I want to congratulate the gentleman from Arizona (Mr. HAYWORTH) for his vision and forthrightness and commitment in bringing this bill before the floor.

Mr. Speaker, I represent the Second Congressional District of Nevada. It has numerous communities that are land-locked by the Federal government, Federal land, including Forest Service lands. We have several rural communities that have very little private land from which to expand or build new schools.

For example, let me take one of the counties which I represent. It has an area of approximately 10,000 square miles. That is bigger than the State of Maine. It has 98 percent of that land being owned, operated, and managed by the Federal government. That leaves 2 percent of 10,000 square miles to pay for education, for the infrastructure, highways, for police and fire services, and all of the other county and local community needs. They are not able to reach out and improve their economic and financial base without H.R. 150.

Let me say that that 2 percent is not enough to support many of these counties. What we are asking for here is 80 acres at a maximum, that is 80 acres for this one county out of 10,000 square miles; 80 acres, not a lot. Without this legislation, there is no chance for these people to build new schools, to expand their community for their children, and to improve the future for their children.

H.R. 150 is a commonsense proposal to enhance the education of our children, not just in Nevada, not just in Arizona, but across America, as well.

I urge my colleagues to support H.R. 150, the rule and the underlying bill. Again, I want to congratulate the gentleman from Arizona (Mr. HAYWORTH).

Mr. SESSIONS. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank my colleague, the gentleman from Texas (Mr. SESSIONS), a member of the Committee on Rules, for yielding time to me.

I also thank my colleague, the gentlewoman from New York (Ms. Slaughter) for her remarks, such as they pertain to this particular piece of legislation.

Mr. Speaker, today we have the opportunity to come together as Americans, not as Democrats or as Republicans but as Americans, to pass an important piece of legislation that will make it easier for economically-challenged communities to provide educational facilities for our children.

The title of this bill says it all: The Education Land Grant Act. This act would allow school districts around the country to apply for conveyances of small tracts of Forest Service land at nominal cost to build, renovate, or expand their educational facilities.

Currently only school districts near Bureau of Land Management land can apply for conveyances under the Recreation and Public Purposes Act, or R&PPA. Modeled after the R&PPA, my legislation simply adds Forest Service lands to this equation.

Mr. Speaker, the idea for this legislation grew out of work I was honored to do in the 104th Congress during my first term here representing the Sixth Congressional District of Arizona. At that time the Alpine School District in eastern Arizona was in desperate need of new school facilities. This district lies within Apache County in the eastern part of the State, near our border with New Mexico.

Eighty-five percent of Apache County, Arizona, is federally-controlled land. That limited what could be raised in property taxes, so the school district was dependent on proceeds from timber harvesting. However, due to lawsuits, logging had been halted. Consequently, the timber receipts that had gone toward funding the schools all but dried up.

The Alpine School District faced a dilemma. It could not afford both the cost of land, estimated to be $225,000, and the cost of new school facilities. So I introduced legislation which was signed into law that conveyed 30 acres of Forest Service land to the Alpine School District so that the people there could use that land for the construction of new school facilities.

Construction of those facilities proceeds, and I am pleased to report that when the children of Alpine return to school this fall, the facilities will be completed.

The legislation we consider today sets up a national mechanism for school districts to apply to the Secretary of Agriculture for Forest Service land without having to come to Congress to draw up a specific bill for a special remedy, as the people of Alpine did.

However, the Education Land Grant Act authorizes the Secretary of Agriculture to convey Forest Service land only if certain specific conditions are met:

First, the entity seeking the conveyance must use the land for a public or publicly-funded elementary or secondary school.

Second, the conveyance must serve the public interest.

Third, the land cannot, cannot be environmentally sensitive or needed for purposes of the National Forest system.

Finally, the total acreage to be conveyed will be limited to the amount reasonably necessary for the proposed use, but not to exceed 80 acres.

It also provides that conveyances under this legislation shall be made for a nominal cost using guidelines established under the R&PPA for approximately $10 an acre. The bill would provide expedited review of applications by requiring the Secretary of Agriculture to acknowledge the receipt of an application within 14 days.

A final determination about whether to convey the land must be made within 120 days unless the Secretary of Agriculture submits a written notice to the applicant explaining the delay.

Passage of this bill will be a boon for rural areas throughout our Nation, but especially in the West and in the South, where there is a large amount of federally-controlled land.

For example, Gila County, Arizona, a county in my district which is approximately the size of the State of Connecticut, only finds 3 percent of its land mass privately owned. In other words, 97 percent of Gila County, Arizona, is under the control, the ownership, if you will, of some governmental entity.

That is why in the West private land, when we can find it, like in Gila County, only 3 percent, is extremely expensive. Not only that, but the West also confronts the problem and the challenge of rapidly growing populations. In fact, Arizona, Utah, and Nevada are the three fastest growing States in the Nation. This means there will be more demand to build school facilities but less land to do it on.

The Education Land Grant Act is one of the ways we can alleviate some of the West's growing pains and at the same time help our children receive the education they need and deserve.

Mr. Speaker, my colleagues on both sides of the aisle have continually talked about the importance of education and the future of our children. H.R. 150 is a commonsense proposal on which we can all agree because it will allow economically-strapped school districts throughout the United States to put the money where it counts, in the classroom, helping teachers teach, helping children learn. This is a goal I believe we all support, Mr. Speaker.

I hope this House will strongly support the rule and this bipartisan, commonsense legislation.

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

Mr. SESSIONS. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1130

The SPEAKER pro tempore (Mr. SESSIONS). Pursuant to House Resolution 189 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. 150.

□ 1130

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. 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, with Mr. SHAW 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 Utah (Mr. HANSEN) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from Utah (Mr. HANSEN).

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

Mr. Chairman, I rise in strong support of H.R. 150, the Education Land Grant Act. H.R. 150 is a good piece of legislation that will help school children in rural communities throughout the country. I commend the gentleman from Arizona (Mr. HAYWORTH) for his hard work on this bill.

The Education Land Grant Act was designated to alleviate the problem that may help small Western communities. These towns are often hemmed in by government-owned lands such as BLM land, Indian reservations, national forests, State land, national monuments, national parks, et cetera.

Since so much of this land base in these areas is nontaxable government land, they often find it difficult to afford school facilities. The little private land that does exist in these areas tends to be very expensive. This often makes land acquisition for school facilities cost-prohibitive.

Those communities that are fortunate enough to have a suitable parcel of BLM land near their town can get land at a nominal cost for school facilities through the Recreation and Public Purposes Act. Unfortunately, those communities that are next to a suitable parcel of forest land do not have this option because the Recreation and Public Purposes Act does not apply to Forest Service lands.

H.R. 150 was designed to help these towns and cities surrounded by or adjacent to Forest Service land. They would be able to buy parcels of land for school facilities from the Forest Service at nominal cost. This will allow many of these cash-strapped communities to build more adequate education facilities for their children.

I would like to thank the minority for working closely with us on this legislation. The legislation we have before us today is much improved and something I believe we should all support.

I understand that the administration has some concerns with this legislation. In particular, they object to the

concept of selling Forest Service lands at less than full market value. While I understand their concerns, I think it is important to note who it is that we are trying to help. We are talking about schoolchildren. We are talking about giving school districts a little land to build an elementary school or a playground for the children.

This is a good cause and a very good idea. H.R. 150 is simple legislation that resolves a difficult problem for rural school districts. I urge all of my colleagues to support H.R. 150.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. GEORGE MILLER of California. Mr. Chairman, as introduced, H.R. 150 had significant problems. The bill would have amended the Recreation and Public Purposes Act to provide for the transfer of national forest lands to local education entities for use as elementary and secondary schools, including public charter schools.

At the Committee on Resources hearing on H.R. 150, the administration testified in opposition to the bill. While they supported the objective of making Federal lands available in certain circumstances for public purposes, they testified that the legislation was burdensome.

One of the problems with the bill was that the Recreation and Public Purposes Act was designed to apply to public lands only. H.R. 150 tried to shoehorn national forest lands into that law and it was not a very good fit. The problem was not only with using the Recreation and Public Purposes Act, but also the fact that the bill sponsor was seeking waivers or changes to the normal requirements of land conveyances.

We should not be setting different requirements for school lands than applied to public lands used for hospitals or other public purposes. Further, we had no definition of a public charter school and, as such, we did not know what such use would entail.

During the Committee on Resources' consideration of H.R. 150, an amendment in the nature of a substitute was adopted and made substantial improvements to this legislation. As reported by the Committee on Resources, the bill is now a freestanding measure that provides discretionary authority to the Secretary of Agriculture to make available certain national forest system lands at nominal cost to qualifying entities for use as elementary and secondary schools and related facilities.

The bill requires that in order to make such a conveyance, the Secretary must determine that, one, the land will be used for the intended purposes, two, that the conveyance will serve the public interest, three, that the land to be conveyed is not otherwise needed for the national forest system, and four, the total acreage to be conveyed does not exceed the amount reasonably necessary for the proposed use.

In any event, the conveyance is limited to 80 acres, and the mineral rights are reserved to the United States. In addition, the committee amendment includes the reverter clause that would be applicable if the lands were to be used, without consent of the Secretary, for use other than the use for which the lands were not conveyed.

Mr. Chairman, H.R. 150, as amended by the Committee on Resources, is a significant improvement from the bill as it was introduced. Although the administration objects to the bill because the lands are authorized to be conveyed for less than full cost, I do not think that what the bill provides in this case is unreasonable, given the discretionary nature of the bill and the public interests being served.

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

Mr. HANSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona (Mr. HAYWORTH), the author of this legislation, and compliment the gentleman for doing such an excellent job on this very necessary bill.

Mr. HAYWORTH. Mr. Chairman, I thank the gentleman from Utah (Mr. HANSEN) for yielding to me. I also thank the gentleman from California (Mr. GEORGE MILLER) because, as I have learned since coming to this institution, good legislation is often a collaborative process.

I would simply say in response to a couple of points raised by the administration and the Forest Service, it is precisely because so many rural communities find themselves enclosed by federally controlled land are so economically strapped, so economically challenged, so economically disadvantaged that we brought this legislation forward.

Fair market value in this case cannot apply, nor should it apply; and this bill rectifies that at a nominal cost to allow these communities to concentrate their resources where they are best utilized, in the education of our children, by helping teachers teach, helping children learn, and helping local communities within their discretion use this as another tool to empower parents, to empower these varied communities.

The irony of the Forest Service opposition I think speaks volumes, sadly, of the fact that ofttimes there are two Americas. There is the America that is the cause celebre of the news magazines, of the media events, of the cries on our National Mall to remember the children, to care for the children.

Mr. Chairman, folks from the Sixth District of Arizona in remote communities, folks from rural America, do not often get the chance to come to Washington and engage in a photo op. They do not often get the chance to have officials from the administration come with hordes of media to cover an hour in a schoolroom.

But, Mr. Chairman, do rural children not count as much as those in the city? Do those who find their industry shut and their way of life abandoned not have the same rights as those who are easily accessible by the national media and so many opportune photo experiences? I say yes.

Mr. Chairman, I believe Members on both sides of the aisle, rhetoric notwithstanding, understand full well our responsibility to children, whether they reside in a cosmopolitan place such as the Bay area of California or a rural location such as Apache County, Arizona.

Mr. Chairman, I have often said that Mark Twain had it right. History does not repeat itself, but it rhymes. With this new Education Land Grant Act, we will reaffirm one of the greatest examples that has gone before.

Another Republican member of the Committee on Ways and Means, Justin Smith Morrill, in the 1860s brought similar legislation to the floor of this body. Indeed, in the presidential campaign of 1860, it is often obscured because of the terrible Civil War that followed, but a one-term Member, former Member of this body, a man named Abraham Lincoln, told Congressman Morrill that his land grant act would be one of the pillars of the Lincoln administration.

What the Morrill land grant act did for institutions of higher learning, granting back to our States federally controlled land for the establishment of institutions of higher learning with concentration in the agricultural and mechanical arts, what that act did to make higher education available to all Americans is what we seek to do today with this land grant act, for schools K through 12, for those who find themselves embattled and at an economic disadvantage, without the voices of the special interests in Washington, to step up and put them on the cover of ''Time'' or ''Newsweek,'' or speak about the challenges they face, to say to rural America, this Congress recognizes the needs that you have.

Mr. Chairman, bipartisan passage of this legislation is essential because the impact of this legislation will literally be ground breaking because it will empower local districts. It will give them the opportunity to have another tool at their disposal to educate their children as they see fit.

That is why today I come to the floor of this House and I ask my colleagues to join me, not as Democrats or as Republicans, but as Americans, in offering this opportunity so that we can end the days that existed before, so that individual Members of Congress do not have to come with a bill exclusively designed for a school district in their area and hope that it is attached like an ornament on a Christmas tree to a larger piece of legislation and end up with a crazy quilt that exists at the

discretion of this House and at the whims of the legislative winds that may blow.

This legislation strikes a powerful blow on behalf of America's children, and its impact will be far-reaching and have consequences that the pundits may ignore and the spinmeisters may do their best to sweep aside, but will not soon be forgotten in the classrooms of rural America.

I ask my colleagues to join me in passage of this legislation.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as I said before, we do not deny the bill has been, we believe, substantially improved with the substitute, as proposed, to the bill, as amended. We have no problem with this.

I would say I do not think this bill is going to solve the education problems in this country. There is much for this Congress to do. While we are happy to help pass this legislation, we wish that the majority would get on with the rest of the agenda that the people in this country want with respect to schools, and clearly part of that is to protect our students and schools from violence. We wish that before the break you had taken up the legislation dealing with background checks at gun shows, child safety locks, and other measures to try to prevent the easy access and irresponsible access of young people to guns that have played out in the tragic incidents, oft too often, in this country.

□ 1145

We appreciate that this legislation may impact 40, 50, maybe 60, 70 districts that may have access to some lands, but there are millions of students that are in schools that are crumbling, that are not ready for the next century, that have not been wired, and we really think that the Federal Government ought to participate in helping, whether it is through the Tax Code or whether through loans or grants, to rebuilding some of these crumbling schools in America that are both urban and rural so that children can have a decent setting in which to learn and in which knowledge can be conveyed and can be acquired by these children.

So this is an interesting piece of legislation, but it falls far short of what the country expects out of this Congress with respect to the children's education in this Nation. And we would hope at some point, since we are only working a couple of hours a week around here, that we would find time to address that legislation and deal with the issue of revitalizing the infrastructure of education in this country.

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

Mr. HANSEN. Mr. Chairman, I yield myself such time as I may consume to concur with what the gentleman from Arizona said regarding this bill before us. I do not think that people who come from the large metropolitan areas or the large heavily populated States realize the problems we have in some of rural America. Many States, and we can look at a lot of the western States in particular and some in the south, where there is a small community surrounded by government land. I come from one of those communities myself where all of a sudden the Forest Service or BLM land has you hemmed in and communities can do nothing. They cannot touch it or do anything with it. Then, when they want to expand for a playground or expand their school, they have to come up against this bureaucracy of how do we do it.

Nothing is more difficult, Mr. Chairman, in America than trying to figure out a way to get the Federal Government to trade, barter, or somehow buy some Federal land. It goes through the biggest fudge factory there is in America, and communities are lucky if they get it done. It normally takes 11 years before they even look at it. Therefore, this is an overdue piece of legislation.

At this particular time we have a President of the United States and Vice President of the United States, and last Thursday the minority leader of the Democratic side, talking about the need for education, but we are not seeing too much happening around here. This is the first time this term, in my mind, that we have seen something that substantially helps schoolchildren.

I commend the gentleman from Arizona for taking it upon himself to do it. I know he had some tough fights in committee to get it to this point, but finally we will get something that will help these little communities that are a forgotten part of America. Everyone thinks of the New Yorks and the San Franciscos and the L.A.s, but they do not think of the little Apache areas or Farmington, Utah, or some other little place in Wyoming. Finally, we are doing something for those folks. I commend the gentleman.

Mr. THOMAS. Mr. Chairman, I support H.R. 150, the Education Land Grant Act, because it will help children in my district in Kern County, California, to continue to attend their school situated on federally owned land in the Los Padres National Forest. Passage of this bill will finally give the U.S. Forest Service the authority to dedicate 10 acres of land currently used by the Frazier Park Elementary School for continuation of this school's operation.

Many schools in the rural West were built on land owned by the U.S. Forest Service. There is often no other choice because the communities are surrounded by government owned land—"land-locked". However, under current regulations, these schools are facing skyrocketing lease prices from the Forest Service's new land value assessment methods. Many schools are finding it almost impossible to remain open because of being hit by the higher leases. Yet, it makes no sense for the federal government to dedicate billions to general education while strangling specific schools that operate on federal land.

Frazier Park Elementary is a good example of a rural school the bill could aid. Imbedded within the Los Padres National Forest, the school is now facing a financial crisis. Since 1975, the School has leased and developed land from the Forest Service. Like many leaseholders, their property has been reevaluated by the Forest Service, and the lease has gone up by 1300% in one year from $1,290 per year to $17,750 per year.

Does it make sense to take education dollars from isolated, rural schools to put into the coffers of a federal land agency? Local Forest Service officials have repeatedly lamented that they had no authority to dedicate the land to the school district. Passage of this bill will finally give the Forest Service the authority and direction from Congress to make such a dedication in the case of Frazier Park Elementary School.

The Education Land Grant Act provides real and immediate assistance to school districts like Frazier Park Elementary School that are asking for our help. I urge my colleagues to stand and join me in voting for this bill and provide a resounding answer that we do support education for our children.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for purposes of amendment and is considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 150

*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 ''Education Land Grant Act''.*

***SEC. 2. CONVEYANCE OF NATIONAL FOREST SYSTEM LANDS FOR EDUCATIONAL PURPOSES.***

*(a) AUTHORITY TO CONVEY.—Upon application, the Secretary of Agriculture may convey National Forest System lands for use for educational purposes if the Secretary determines that—*

*(1) the entity seeking the conveyance will use the conveyed land for a public or publicly funded elementary or secondary school, to provide grounds or facilities related to such a school, or for both purposes;*

*(2) the conveyance will serve the public interest;*

*(3) the land to be conveyed is not otherwise needed for the purposes of the National Forest System; and*

*(4) the total acreage to be conveyed does not exceed the amount reasonably necessary for the proposed use.*

*(b) ACREAGE LIMITATION.—A conveyance under this section may not exceed 80 acres. However, this limitation shall not be construed to preclude an entity from submitting a subsequent application under this section for an additional land conveyance if the entity can demonstrate to the Secretary a need for additional land.*

*(c) COSTS AND MINERAL RIGHTS.—A conveyance under this section shall be for a nominal cost. The conveyance may not include the transfer of mineral rights.*

*(d) REVIEW OF APPLICATIONS.—When the Secretary receives an application under this section, the Secretary shall—*

*(1) before the end of the 14-day period beginning on the date of the receipt of the application, provide notice of that receipt to the applicant; and*

*(2) before the end of the 120-day period beginning on that date—*

*(A) make a final determination whether or not to convey land pursuant to the application, and notify the applicant of that determination; or*

*(B) submit written notice to the applicant containing the reasons why a final determination has not been made.*

*(e) REVERSIONARY INTEREST.—If at any time after lands are conveyed pursuant to this section, the entity to whom the lands were conveyed attempts to transfer title to or control over the lands to another or the lands are devoted to a use other than the use for which the lands were conveyed, without the consent of the Secretary, title to the lands shall revert to the United States.*

The CHAIRMAN. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that has been 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 demand for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any proposed question that immediately follows another vote, provided the time for voting on the first question shall be a minimum of 15 minutes.

Are there any amendments to this bill?

If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCHUGH) having assumed the chair, Mr. SHAW, 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. 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, pursuant to House Resolution 189, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 14, as follows:

[Roll No. 171]

YEAS—420

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
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
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 (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—14

Bliley
Boucher
Brown (CA)
Chenoweth
Crane
Kilpatrick
Kingston
Lee
McCollum
Pickett
Rush
Smith (MI)
Waters
Weldon (PA)

□ 1213

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read:

''A bill to authorize the Secretary of Agriculture to convey National Forest System lands for use for educational purposes, and for other purposes.''

A motion to reconsider was laid on the table.

Stated for:

Mr. SMITH of Michigan. Mr. Speaker, on rollcall No. 171, I was inadvertently detained in a meeting with AARP re Social Security. Had I been present, I would have voted ''yes.''

Ms. LEE. Mr. Speaker, on rollcall No. 171, I was unavoidably absent from the vote on H.R. 150. Had I been present, I would have voted ''yes.''

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to official business in the 15th Congressional District of Michigan, I was not able to record my vote for two measures considered in the U.S. House of Representatives today. Had I been present, I would have voted ''aye'' for rollcall number 170, and I would have voted ''aye'' for rollcall number 171.

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 to include tabular and extraneous material on H.R. 1906.

The SPEAKER pro tempore (Mr. LAHOOD). 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 further consideration of the bill, H.R. 1906.

□ 1215

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 further 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. When the Committee of the Whole rose on Wednesday, May 26, 1999, the amendment by the gentleman from Oklahoma (Mr. COBURN) had been disposed of and the bill was open for amendment from page 13, line 1, to page 14, line 19.

Are there further amendments to this portion of the bill?

Mr. SKEEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the Committee of the Whole has had this bill under consideration for 2 days. We have consumed about 11 hours of floor time so far. We have disposed of 10 amendments by recorded votes and we have reached page 14 of a 70-page appropriations bill. I believe that this is a record for this bill. I rise to make the point that the membership has been very strong in its support of the Committee on Appropriations and of the votes cast on the 10 amendments; over 70 percent have supported the committee's recommendations and less than 30 percent have opposed them. I want to take this opportunity to thank the membership for supporting our work and to ask for its continued support.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would just like to inform the House that we are going to proceed forward on this bill today. It is our hope, in view of the crisis in rural America, we can move through it expeditiously. We look forward to working with the gentleman from New Mexico (Mr. SKEEN) and to try to move through the amendments that remain. I think further delay is not in the interest of the Nation. We would like to move this bill to conference as quickly as possible. We look forward to proceeding with the amendments in order. I look forward to the first amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For establishment of a Native American institutions endowment fund, as authorized by Public Law 103–382 (7 U.S.C. 301 note), $4,600,000.

EXTENSION ACTIVITIES

Payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa: for payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, $276,548,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $2,060,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $58,695,000; payments for the pest management program under section 3(d) of the Act, $10,783,000; payments for the farm safety program under section 3(d) of the Act, $3,000,000; payments for the pesticide impact assessment program under section 3(d) of the Act, $3,214,000; payments to upgrade research, extension, and teaching facilities at the 1890 land-grant colleges, including Tuskegee University, as authorized by section 1447 of Public Law 95–113 (7 U.S.C. 3222b), $8,426,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, $908,000; payments for a groundwater quality program under section 3(d) of the Act, $9,561,000; payments for youth-at-risk programs under section 3(d) of the Act, $9,000,000; payments for a food safety program under section 3(d) of the Act, $7,365,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, $3,192,000; payments for Indian reservation agents under section 3(d) of the Act, $1,714,000; payments for sustainable agriculture programs under section 3(d) of the Act, $3,309,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101–624 (7 U.S.C. 2661 note, 2662), $2,628,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326 and 328) and Tuskegee University, $25,843,000; and for Federal administration and coordination including administration of the Smith-Lever Act, and the Act of September 29, 1977 (7 U.S.C. 341–349), and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301 note), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, $12,741,000; in all, $438,987,000: *Provided,* That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension competitive grants programs, including necessary administrative expenses, $10,000,000.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service, the Agricultural Marketing Service, and the Grain Inspection, Packers and Stockyards Administration, $618,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947 (21 U.S.C. 114b–c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426–426b); and to protect the environment, as authorized by law, $444,000,000, of which $4,105,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: *Provided,* That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further,* That this appropriation shall be available for field 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: *Provided further,* That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further,* That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, and section 102 of the Act of September 21, 1944, and any unexpended balances of funds transferred for such emergency purposes in the next preceding fiscal year shall be merged with such transferred amounts: *Provided further,* That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased

buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2000, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

Of the total amount available under this heading in fiscal year 2000, $87,000,000 shall be derived from user fees deposited in the Agricultural Quarantine Inspection User Fee Account.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $7,200,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, including field 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 $90,000 for employment under 5 U.S.C. 3109, $49,152,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: *Provided,* That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE LEVEL

Not to exceed $60,730,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided,* That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Appropriations Committees.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $12,443,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937 and the Agricultural Act of 1961.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,200,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, including field 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 $25,000 for employment under 5 U.S.C. 3109, $26,448,000: *Provided,* That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $42,557,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided,* That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Appropriations Committees.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $446,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, $652,955,000, and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102–237: *Provided,* That this appropriation shall not be available for shell egg surveillance under section 5(d) of the Egg Products Inspection Act (21 U.S.C. 1034(d)): *Provided further,* That this appropriation shall be available for field 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 $75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further,* That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, $572,000.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs administered by the Farm Service Agency, $794,839,000: *Provided,* That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further,* That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further,* That these funds 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 $1,000,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5101–5106), $4,000,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of: (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer; or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968 (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, $450,000, to remain available until expended (7 U.S.C. 2209b): *Provided,* That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of the farmer's willful failure to follow procedures prescribed by the Federal Government: *Provided further,* That this amount shall be transferred to the Commodity Credit Corporation: *Provided further,* That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928–1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $559,422,000, of which $431,373,000 shall be for guaranteed loans; operating loans, $2,295,284,000, of which $1,697,842,000 shall be for unsubsidized guaranteed loans and $97,442,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $1,028,000; for emergency insured loans, $53,000,000 to meet the needs resulting from natural disasters; and for boll weevil eradication program loans as authorized by 7 U.S.C. 1989, $100,000,000.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, $7,243,000, of which $2,416,000 shall be for guaranteed loans; operating loans,

$61,825,000, of which $23,940,000 shall be for unsubsidized guaranteed loans and $8,585,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $21,000; and for emergency insured loans, $8,231,000 to meet the needs resulting from natural disasters.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $214,161,000, of which $209,861,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 6933), $70,716,000: *Provided,* That not to exceed $700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act, such sums as may be necessary, to remain available until expended (7 U.S.C. 2209b).

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 2000, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be $14,368,000,000 in the President's fiscal year 2000 Budget Request (H. Doc. 106–3)), but not to exceed $14,368,000,000, pursuant to section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11).

OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 2000, the Commodity Credit Corporation shall not expend more than $5,000,000 for expenses 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: *Provided,* That expenses shall be for operations and maintenance costs only and that other hazardous waste management costs shall be paid for by the USDA Hazardous Waste Management appropriation in this Act.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, $693,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation, exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $654,243,000, to remain available until expended (7 U.S.C. 2209b), of which not less than $6,124,000 is for snow survey and water forecasting and not less than $9,238,000 is for operation and establishment of the plant materials centers: *Provided,* That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further,* That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further,* That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): *Provided further,* That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 in demonstration projects: *Provided further,* 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 $25,000 shall be available for employment under 5 U.S.C. 3109: *Provided further,* That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e–2).

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1009), $10,368,000: *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), and not to exceed $110,000 shall be available for employment under 5 U.S.C. 3109.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954 (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $99,443,000, to remain available until expended (7 U.S.C. 2209b) (of which up to $15,000,000 may be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701 and 16 U.S.C. 1006a)): *Provided,* That not to exceed $47,000,000 of this appropriation shall be available for technical assistance: *Provided further,* 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 $200,000 shall be available for employment under 5 U.S.C. 3109: *Provided further,* That not to exceed $1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607), the Act of April 27, 1935 (16 U.S.C. 590a–f), and the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $35,265,000, to remain available until expended (7 U.S.C. 2209b): *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 $50,000 shall be available for employment under 5 U.S.C. 3109.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, $588,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E, 381G, 381H, 381N, and 381O of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009f), $666,103,000, to remain available until expended, of which $34,387,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $579,216,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act; and of which $52,500,000 shall be for the rural business and cooperative development programs described in sections 381E(d)(3) and 310B(f) of such Act: *Provided,* That of the amount appropriated for rural community programs, $5,000,000 shall be made available for hazardous weather early warning systems; and $6,000,000 shall be available for a Rural Community Development Initiative: *Provided further,* That of the amount appropriated for the rural business and cooperative development programs, not to exceed $500,000 shall be made available for a grant to a qualified national organization to provide technical assistance for rural transportation in order to promote economic development; and $5,000,000 shall be made available for partnership technical assistance grants to rural communities: *Provided further,* That of the amount appropriated for rural utilities programs, not to exceed $20,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of such Act; not to exceed $20,000,000 shall be for water and waste disposal systems for rural and native villages in Alaska pursuant to section 306D of such Act; not to exceed $16,215,000 shall be for technical assistance grants for rural waste systems pursuant to section 306(a)(14) of such

Act; and not to exceed $5,300,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further,* That of the total amount appropriated, not to exceed $45,245,000 shall be available through June 30, 2000, for empowerment zones and enterprise communities, as authorized by Public Law 103–66, of which $2,106,000 shall be for rural community programs described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act; of which $34,704,000 shall be for the rural utilities programs described in section 381E(d)(2) of such Act; of which $8,435,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: *Provided further,* That any obligated and unobligated balances available from prior years for the ''Rural Utilities Assistance Program'' account shall be transferred to and merged with this account.

AMENDMENT NO. 12 OFFERED BY MR. SANDERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. SANDERS:

Page 35, line 7 (relating to the rural community advancement program), insert after the dollar amount the following: ''(increased by $3,000,000)''.

Page 53, line 7 (relating to ocean freight differential grants), insert after the dollar amount the following: ''(reduced by $3,000,000)''.

Mr. SANDERS. Mr. Chairman, the amendment I am offering would provide $1 million in the rural community advancement program in order to fund a national pilot program to promote agritourism. The purpose of this program is to provide another means of income for America's struggling family farmers. I think the plight of the family farmer in America is well documented and I do not need to get into it at this time. But I believe that the body here knows that many, many thousands of hardworking family farmers are struggling to keep their farms afloat and to keep their heads above water. I am impressed with the work done in the chairman's home State of New Mexico with agritourism, and I know the gentleman from New Mexico has been very active in this program. I think it would be very useful to farmers in the State of Vermont and farmers throughout this country to expand this general concept into a national program. The concept here is that in States throughout this country, tourism brings in substantial sums of money. One of the reasons people come to the State of Vermont or come to many of the other beautiful States in this country is because of the work done by family farmers in keeping the land open and keeping our landscape beautiful.

Unfortunately, in many areas throughout the State, the farmers themselves do not substantially benefit from the tourism that comes into rural areas. So it seems to me that if we could get a pilot program developed at the Federal level by which States can develop their own innovative programs, this would be a means by which tourism dollars can come into the hands of farmers and I think would well serve rural America.

My understanding, Mr. Chairman, is that the chairman of the committee has agreed to accept this amendment. I am very grateful to him for that.

Mr. SKEEN. Mr. Chairman, if the gentleman will yield, this amendment has a lot of value for the rural parts of the United States. We have a program in New Mexico that was patterned after the same one that the gentleman is headed for. We accept the amendment.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. I thank the gentleman for yielding. I just wanted to rise in support of this important amendment and to say that we would certainly want to encourage the Department of Agriculture to do as good a job as possible on linking many of the rural events around the country, many of our special fairs, rural shows, whether it is equipment, whether it is planting or whatever it might be. This is an incredible display of American innovation and creativity. I just really want to compliment the gentleman from Vermont (Mr. SANDERS) for seeing this opportunity which can benefit Vermont, an incredible State. I am so happy to have traveled there myself, just the sheer beauty of it would be of interest to our own people and people from abroad, but all of the counties and townships and communities across the country that are bringing forth their wares and their culture and to make this more open and available to people who are touring. I just think the gentleman has an excellent idea and support this amendment.

Mr. SANDERS. I thank both the chairman and the ranking member very much for their support. The bottom line is that we are all fighting very hard to see that our family farmers survive. Agritourism is one way we can get some cash into the pockets of our family farmers. I thank both the chairman and the ranking member for their support.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $4,537,632,000 for loans to section 502 borrowers, as determined by the Secretary, of which $3,200,000,000 shall be for unsubsidized guaranteed loans; $32,400,000 for section 504 housing repair loans; $100,000,000 for section 538 guaranteed multi-family housing loans; $25,000,000 for section 514 farm labor housing; $120,000,000 for section 515 rental housing; $5,152,000 for section 524 site loans; $7,503,000 for credit sales of acquired property, of which up to $1,250,000 may be for multi-family credit sales; and $5,000,000 for section 523 self-help housing land development loans.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $133,620,000, of which $19,520,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $9,900,000; section 538 multi-family housing guaranteed loans, $480,000; section 514 farm labor housing, $11,308,000; section 515 rental housing, $47,616,000; section 524 site loans, $4,000; credit sales of acquired property, $874,000, of which up to $494,250 may be for multi-family credit sales; and section 523 self-help housing land development loans, $281,000: *Provided,* That of the total amount appropriated in this paragraph, $9,829,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103–66, empowerment zones as authorized by Section 951 of the Taxpayer Relief Act of 1997 (Public Law 105–34), enterprise communities as authorized by Division A, Title VII, Section 766 of the Fiscal Year 1999 Omnibus Appropriations Act (Public Law 105–277), and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further,* That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 2000, they shall remain available for other authorized purposes under this head.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $377,879,000, which shall be transferred to and merged with the appropriation for ''Rural Housing Service, Salaries and Expenses''.

AMENDMENT NO. 18 OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Ms. KAPTUR:

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'.''.

Ms. KAPTUR. Mr. Chairman, this amendment relates to a special effort for outreach for our socially disadvantaged farmers. Members might recall, last year we made an effort to try to help the Department of Agriculture to resolve former civil rights problems that existed with loan programs and programs that were there to reach many of the small-scale farmers and ranchers, those grants that go through our 1890 and 1862 land grant institutions, American Indian community colleges, Hispanic- and Latino-serving institutions, as well as all minorities involved in agriculture. I think we did a good job of it. We took the unusual step of waiving statutes of limitation to allow complaints involving racial discrimination to move forward. This

amendment this year would not increase the budget but would merely allow the Secretary of Agriculture to transfer up to $7 million from the rural housing salaries and expenses account to this program. If the Secretary uses the full authority to do that, that would mean that this outreach program for socially disadvantaged farmers would be brought up to the $10 million request level by the administration for fiscal year 2000. This program is important, because it provides technical and managerial assistance to small-scale farmers and ranchers. There is a particular emphasis in the program on farmers from minority groups, but the program is not just limited to racial or ethnic minorities. It is carried out through grants to colleges and universities, including the 1890 and 1862 land grant institutions, American Indian community colleges and Hispanic- and Latino-serving institutions as well as through grants to community-based organizations throughout our country. These institutions and organizations in turn provide intensive training and management assistance to small farmers and ranchers. This assistance includes, for example, preparing individualized farm plans, helping in upgrading accounting systems, and applying for credit, aid and better understanding and taking advantage of USDA programs and services.

This outreach is especially crucial now because of the crisis afflicting rural America. And it is vital to helping small and minority farmers and ranchers weather these hard times and stay on the land. I think it also adds to an important civil rights sensitivity that we need to continue pressing at the U.S. Department of Agriculture.

I want to compliment Secretary Glickman and his staff for being open to the efforts of this Congress to serve all of America. For these reasons, I am pleased to offer this amendment. I greatly appreciate the support of the gentleman from New Mexico for this initiative, and I urge adoption of the amendment.

Mr. SKEEN. Mr. Chairman, I support the adoption of the gentlewoman's amendment. I thank her for her concern. The committee has increased funding for civil rights programs at USDA in the past several years but progress has fallen far short of their expectation.

□ 1230

The 2501 program has been moved within the bureaucracy several times, and it has never been audited. I believe the committee should look carefully at this program again next year to make sure that eligible farmers and ranchers get the full benefit of this particular amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, as amended, $583,400,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided,* That of this amount, not more than $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further,* That agreements entered into or renewed during fiscal year 2000 shall be funded for a five-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $28,000,000, to remain available until expended (7 U.S.C. 2209b): *Provided,* That of the total amount appropriated, $1,000,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103–66, empowerment zones as authorized by Section 951 of the Taxpayer Relief Act of 1997 (Public Law 105–34), enterprise communities as authorized by Division A, Title VII, Section 766 of the Fiscal Year 1999 Omnibus Appropriations Act (Public Law 105–277), and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further,* That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 2000, they shall remain available for other authorized purposes under this head.

RURAL HOUSING ASSISTANCE GRANTS

For grants and contracts for housing for domestic farm labor, very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1486, 1490e, and 1490m, $50,000,000, to remain available until expended: *Provided,* That of the total amount appropriated, $3,250,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103–66, empowerment zones as authorized by Section 951 of the Taxpayer Relief Act of 1997 (Public Law 105–34), enterprise communities as authorized by Division A, Title VII, Section 766 of the Fiscal Year 1999 Omnibus Appropriations Act (Public Law 105–277), and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones: *Provided further,* That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 2000, they shall remain available for other authorized purposes under this head.

SALARIES AND EXPENSES

For necessary expenses of the Rural Housing Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, title V of the Housing Act of 1949, and cooperative agreements, $61,979,000: *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), and not to exceed $520,000 may be used for employment under 5 U.S.C. 3109: *Provided further,* That the Administrator may expend not more than $10,000 to provide modest nonmonetary awards to non-USDA employees.

RURAL BUSINESS-COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, $22,799,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)): *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans of $52,495,000: *Provided further,* That of the total amount appropriated, $4,343,000 shall be available for the cost of direct loans for empowerment zones and enterprise communities, as authorized by Public Law 103–66, empowerment zones as authorized by Section 951 of the Taxpayer Relief Act of 1997 (Public Law 105–34), enterprise communities as authorized by Division A, Title VII, Section 766 of the Fiscal Year 1999 Omnibus Appropriations Act (Public Law 105–277), and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones, to subsidize gross obligations for the principal amount of direct loans, $10,000,000: *Provided further,* That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 2000, they shall remain available for other authorized purposes under this head.

In addition, for administrative expenses to carry out the direct loan programs, $3,337,000 shall be transferred to and merged with the appropriation for ''Rural Business-Cooperative Service, Salaries and Expenses''.

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $15,000,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $3,453,000.

Of the funds derived from interest on the cushion of credit payments in fiscal year 2000, as authorized by section 313 of the Rural Electrification Act of 1936, $3,453,000 shall not be obligated and $3,453,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $6,000,000, of which $1,500,000 shall be available for cooperative agreements for the appropriate technology transfer for rural areas program and $1,500,000 for cooperative research agreements.

SALARIES AND EXPENSES

For necessary expenses of the Rural Business-Cooperative Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926; for activities relating to the marketing aspects of cooperatives, including economic research findings, as authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $24,612,000: *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), and not to exceed $260,000 may be used for employment under 5 U.S.C. 3109.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, $121,500,000; 5 percent rural telecommunications loans, $75,000,000; cost of money rural telecommunications loans, $300,000,000; municipal rate rural electric loans, $295,000,000; and loans made pursuant to section 306 of that Act, rural electric, $1,500,000,000 and rural telecommunications, $120,000,000, to remain available until expended.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935 and 936), as follows: cost of rural electric loans, $11,922,000, and the cost of telecommunications loans, $3,210,000: *Provided,* That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $31,046,000, which shall be transferred to and merged with the appropriation for ''Rural Utilities Service, Salaries and Expenses''.

RURAL TELEPHONE BANK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out its authorized programs. During fiscal year 2000 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be $175,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), $3,290,000.

In addition, for administrative expenses necessary to carry out the loan programs, $3,000,000, which shall be transferred to and merged with the appropriation for ''Rural Utilities Service, Salaries and Expenses''.

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., $16,700,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas: *Provided,* That the costs of direct loans shall be as defined in section 502 of the Congressional Budget Act of 1974.

SALARIES AND EXPENSES

For necessary expenses of the Rural Utilities Service, including administering the programs authorized by the Rural Electrification Act of 1936, and the Consolidated Farm and Rural Development Act, and for cooperative agreements, $34,107,000: *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), and not to exceed $105,000 may be used for employment under 5 U.S.C. 3109.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Nutrition Service, $554,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; $9,547,028,000, to remain available through September 30, 2001, of which $4,611,829,000 is hereby appropriated and $4,935,199,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided,* That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further,* That up to $4,363,000 shall be available for independent verification of school food service claims: *Provided further,* That none of the funds under this heading shall be available unless the value of bonus commodities provided under section 32 of the Act of August 24, 1935 (49 Stat. 774, chapter 641; 7 U.S.C. 612c), and section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) is included in meeting the minimum commodity assistance requirement of section 6(g) of the National School Lunch Act (42 U.S.C. 1755(g)).

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $4,005,000,000, to remain available through September 30, 2001: *Provided,* That none of the funds made available under this heading shall be used for studies and evaluations: *Provided further,* That of the total amount available, the Secretary shall obligate $10,000,000 for the farmers' market nutrition program within 45 days of the enactment of this Act, and an additional $5,000,000 for the farmers' market nutrition program from any funds not needed to maintain current caseload levels: *Provided further,* That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: *Provided further,* That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of the Child Nutrition Act of 1966.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), $21,577,444,000, of which $100,000,000 shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided,* That none of the funds made available under this head shall be used for studies and evaluations: *Provided further,* That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further,* That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: *Provided further,* That funds made available for Employment and Training under this head shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) and the Emergency Food Assistance Act of 1983, $141,000,000, to remain available through September 30, 2001: *Provided,* That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

FOOD DONATIONS PROGRAMS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note); special assistance for the nuclear affected islands as authorized by section 103(h)(2) of the Compacts of Free Association Act of 1985, as amended; and section 311 of the Older Americans Act of 1965 (42 U.S.C. 3030a), $141,081,000, to remain available through September 30, 2001.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, $108,561,000, of which $5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp coupon handling, and assistance in the prevention, identification, and prosecution of fraud and other violations of law: *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 $150,000 shall be available for employment under 5 U.S.C. 3109.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES MANAGER

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954 (7 U.S.C. 1761–1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate activities of the Department in connection with foreign agricultural work, including not to exceed $128,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $137,768,000: *Provided,* That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1736) and the foreign assistance programs of the United States Agency for International Development.

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

PUBLIC LAW 480 PROGRAM ACCOUNT

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of Public Law 83–480 title I credit agreements, including the cost of modifying credit arrangements under said Act, $165,400,000, to remain available until expended.

In addition, for administrative expenses to carry out such title I credit program, and the Food for Progress Act of 1985, as amended, to the extent funds appropriated for Public Law 83–480 are utilized, $1,938,000, of which not to exceed $1,093,000 may be transferred to and merged with ''Salaries and Expenses'', Foreign Agricultural Service, and of

which not to exceed $845,000 may be transferred to and merged with ''Salaries and Expenses'', Farm Service Agency (7 U.S.C. 1691, 1701–04, 1731–36g–3, 2209b).

PUBLIC LAW 480 TITLE I OCEAN FREIGHT DIFFERENTIAL GRANTS

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon under the Agricultural Trade Development and Assistance Act of 1954, as amended, $14,000,000, to remain available until expended for ocean freight differential costs for the shipment of agricultural commodities pursuant to title I of said Act, including Food for Progress programs as authorized by the Food for Progress Act of 1985, as amended: *Provided*, That funds made available for the cost of title I agreements and for title I ocean freight differential may be used interchangeably between the two accounts (7 U.S.C. 1701b, 2209b).

PUBLIC LAW 480 GRANTS—TITLES II AND III

(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended, $837,000,000 for commodities supplied in connection with dispositions abroad pursuant to title II of said Act: *Provided*, That sums made available to carry out title II or title III of said Act shall remain available until September 30, 2003 (7 U.S.C. 1691, 1721–26a, 1727–27e, 1731–36g–3, 1737, 2209b).

Of the funds made available by this Act to carry out the Agricultural Trade Development and Assistance Act of 1954, not to exceed 15 percent of the funds made available to carry out any title of said Act may be used to carry out any other title of said Act.

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM 102 and GSM 103, $4,085,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which $3,413,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service and General Sales Manager'' and $672,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

TITLE VI

FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; $1,218,384,000, of which not to exceed $145,434,000 in prescription drug user fees authorized by 21 U.S.C. 379(h) may be credited to this appropriation and remain available until expended: *Provided*, That no more than $100,180,000 shall be for payments to the General Services Administration for rent and related costs.

In addition, mammography user fees authorized by 42 U.S.C. 263(b) may be credited to this account, to remain available until expended.

In addition, export certification user fees authorized by 21 U.S.C. 381 may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $31,750,000, to remain available until expended (7 U.S.C. 2209b).

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed $25,000 for employment under 5 U.S.C. 3109, $65,000,000, including not to exceed $2,000 for official reception and representation expenses: *Provided*, That the Commission is authorized to charge reasonable fees to attendees of Commission sponsored educational events and symposia to cover the Commission's costs of providing those events and symposia, and notwithstanding 31 U.S.C. 3302, said fees shall be credited to this account, to be available without further appropriation.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $35,800,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: *Provided*, That this limitation shall not apply to expenses associated with receiverships.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the fiscal year 2000 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 365 passenger motor vehicles, of which 361 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

Mr. WISE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is not to offer an amendment. I just want to assure the chairman and ranking member there was a statement I wanted to make very briefly concerning the Food and Drug Administration Modernization Act which was a significant reform allowing for the expedited approval of food contract substances principally used in plastic, paper and aluminum food packaging, and under this innovative program approvals which currently take unto 6 years can be accomplished in as little as 120 days while still assuring the safety of these materials. Employers in my district would benefit from this program which would speed the introduction of new packaging materials and new uses for existing ones.

I appreciate the committee's statement recognizing the value of this regulatory reform, but I am concerned that the necessary funds have yet to be appropriated since both the committee and the administration are counting on the authorization of user fees. Although the industries benefiting from this program are willing to support reasonable use of fees, an authorization by Congress this year is not guaranteed. In fact, as of today no fee authorization bill has been introduced much less discussed in any detail.

I just wanted to point this out and I say it would be a shame if this innovative new program were to fall between the cracks, and as this bill moves along, in the process I would hope that the chairman and ranking member would work to assure that at least the authorized levels of funding could be made available in the event that a fee system cannot be enacted in time for Fiscal Year 2000.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 703. Not less than $1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by the Acts of August 14, 1946, and July 28, 1954 (7 U.S.C. 427 and 1621–1629), and by chapter 63 of title 31, United States Code, shall be available for contracting in accordance with said Acts and chapter.

SEC. 704. The cumulative total of transfers to the Working Capital Fund for the purpose of accumulating growth capital for data services and National Finance Center operations shall not exceed $2,000,000: *Provided*, That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.

SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended (7 U.S.C. 2209b): Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, fruit fly program, integrated systems acquisition project, boll weevil program, up to 10 percent of the screwworm program, and up to $2,000,000 for costs associated with collocating regional offices; Farm Service Agency, salaries and expenses funds made available to county committees; and Foreign Agricultural Service, middle-income country training program.

New obligational authority for the Food Safety and Inspection Service, field automation and information management project; funds appropriated for rental payments; funds for the Native American Institutions Endowment Fund in the Cooperative State Research, Education, and Extension Service; and funds for the competitive research grants (7 U.S.C. 450i(b)), shall remain available until expended.

SEC. 706. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 707. Not to exceed $50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to Public Law 94–449.

SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar

arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 709. Notwithstanding any other provision of this Act, commodities acquired by the Department in connection with Commodity Credit Corporation and section 32 price support operations may be used, as authorized by law (15 U.S.C. 714c and 7 U.S.C. 612c), to provide commodities to individuals in cases of hardship as determined by the Secretary of Agriculture.

SEC. 710. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 711. None of the funds in this Act shall be available to pay indirect costs charged against agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 19 percent of total Federal funds provided under each award: *Provided*, That notwithstanding section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310), funds provided by this Act for grants awarded competitively by the Cooperative State Research, Education, and Extension Service shall be available to pay full allowable indirect costs for each grant awarded under the Small Business Innovation Development Act of 1982, Public Law 97–219 (15 U.S.C. 638).

SEC. 712. Notwithstanding any other provision of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 713. Appropriations for the Rural Housing Insurance Fund Program Account for the cost of direct and guaranteed loans made available in fiscal years 1994, 1995, 1996, 1997, 1998, and 1999 shall remain available until expended to cover obligations made in each of those fiscal years respectively in accordance with 31 U.S.C. 1557.

SEC. 714. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 2000 shall remain available until expended to cover obligations made in fiscal year 2000 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; the Rural Housing Insurance Fund Program Account; and the rural economic development loans program account.

SEC. 715. Such sums as may be necessary for fiscal year 2000 pay raises for programs funded by this Act shall be absorbed within the levels appropriated by this Act.

SEC. 716. Notwithstanding the Federal Grant and Cooperative Agreement Act, marketing services of the Agricultural Marketing Service; Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; and the food safety activities of the Food Safety and Inspection Service may use cooperative agreements to reflect a relationship between the Agricultural Marketing Service, the Grain Inspection, Packers and Stockyards Administration, the Animal and Plant Health Inspection Service, or the Food Safety and Inspection Service and a State or Cooperator to carry out agricultural marketing programs, to carry out programs to protect the Nation's animal and plant resources, or to carry out educational programs or special studies to improve the safety of the Nation's food supply.

SEC. 717. Notwithstanding the Federal Grant and Cooperative Agreement Act, the Natural Resources Conservation Service may enter into contracts, grants, or cooperative agreements with a State agency or subdivision, or a public or private organization, for the acquisition of goods or services, including personal services, to carry out natural resources conservation activities: *Provided*, That Commodity Credit Corporation funds obligated for such purposes shall not exceed the level obligated by the Commodity Credit Corporation for such purposes in fiscal year 1998.

SEC. 718. None of the funds in this Act may be used to retire more than 5 percent of the Class A stock of the Rural Telephone Bank or to maintain any account or subaccount within the accounting records of the Rural Telephone Bank the creation of which has not specifically been authorized by statute: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available in this Act may be used to transfer to the Treasury or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

SEC. 719. Of the funds made available by this Act, not more than $1,800,000 shall be used to cover necessary expenses of activities related to all advisory committees, panels, commissions, and task forces of the Department of Agriculture, except for panels used to comply with negotiated rule makings and panels used to evaluate competitively awarded grants: *Provided*, That interagency funding is authorized to carry out the purposes of the National Drought Policy Commission.

SEC. 720. None of the funds appropriated in this Act may be used to carry out the provisions of section 918 of Public Law 104–127, the Federal Agriculture Improvement and Reform Act.

SEC. 721. No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the Department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

SEC. 722. None of the funds appropriated or otherwise made available to the Department of Agriculture shall be used to transmit or otherwise make available to any non-Department of Agriculture employee questions or responses to questions that are a result of information requested for the appropriations hearing process.

SEC. 723. None of the funds made available to the Department of Agriculture by this Act may be used to acquire new information technology systems or significant upgrades, as determined by the Office of the Chief Information Officer, without the approval of the Chief Information Officer and the concurrence of the Executive Information Technology Investment Review Board: *Provided*, That notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be transferred to the Office of the Chief Information Officer without the prior approval of the Committee on Appropriations of both Houses of Congress.

SEC. 724. (a) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2000, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committee on Appropriations of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, or provided by previous Appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2000, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committee on Appropriations of both Houses of Congress are notified fifteen days in advance of such reprogramming of funds.

SEC. 725. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel to carry out the Fund for Rural America Program, authorized by section 793 of Public Law 104–127, with the exception of funds made available under that section on January 1, 1997.

SEC. 726. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality incentives program authorized by sections 334–341 of Public Law 104–127 in excess of $174,000,000.

SEC. 727. None of the funds appropriated or otherwise available to the Department of Agriculture may be used to administer the provision of contract payments to a producer under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for contract acreage on which wild rice is planted unless the contract payment is reduced by an acre for each contract acre planted to wild rice.

SEC. 728. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to enroll in excess of 120,000 acres in the fiscal year 2000 wetlands reserve program as authorized by 16 U.S.C. 3837.

SEC. 729. None of the funds appropriated or otherwise made available by this or any other Act shall be used to pay the salaries and expenses of personnel to carry out the provisions of section 401 of Public Law 105–185, the Initiative for Future Agriculture and Food Systems.

SEC. 730. Notwithstanding section 381A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009), the definitions of rural areas for certain business programs administered by the Rural Business-Cooperative Service and the community facilities

programs administered by the Rural Housing Service shall be those provided for in statute and regulations prior to the enactment of Public Law 104–127.

SEC. 731. None of the funds appropriated or otherwise made available by this Act shall be used to carry out any commodity purchase program that would prohibit eligibility or participation by farmer-owned cooperatives.

SEC. 732. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out a conservation farm option program, as authorized by section 335 of Public Law 104–127.

SEC. 733. None of the funds appropriated by this Act or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2001 appropriations Act.

SEC. 734. None of the funds appropriated or otherwise made available by this Act shall be used to establish an Office of Community Food Security or any similar office within the United States Department of Agriculture without the prior approval of the Committee on Appropriations of both Houses of Congress.

SEC. 735. None of the funds appropriated or otherwise made available by this or any other Act may be used to carry out the provisions of section 612 of Public Law 105–185, the National Swine Research Center.

SEC. 736. (a) None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out the emergency food assistance program authorized by section 27(a) of the Food Stamp Act (7 U.S.C. 2036(a)) if such program exceeds $99,000,000.

(b) In addition to amounts otherwise appropriated or made available by this Act, $1,000,000 is appropriated for the purpose of providing Bill Emerson and Mickey Leland Hunger Fellowships through the Congressional Hunger Center, which is an organization described in subsection (c)(3) of section 501 of the Internal Revenue Code of 1986 and is exempt from taxation under subsection (a) of such section.

SEC. 737. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just wanted to inform the membership this bill has been moving at record speeds today, and I want to express my personal appreciation to the majority for avoiding the kind of difficulty we faced on the floor the week before last on this bill. We have several Members that had wanted to offer amendments to the bill, and I think some of them did not anticipate it would have moved as swiftly as it has this afternoon, and I just wanted to make sure and put on the record that there may be some remaining amendments.

Mr. Chairman, I see the gentlewoman from Florida (Mrs. MEEK) is rising to her feet here, and there may be some other Members who were not aware until just a few moments ago that this bill would be on the floor and moving as expeditiously as it has today.

□ 1245

So I just wanted to reemphasize that point and give our Members an opportunity to come to the floor. We have attempted to call their offices and so forth.

AMENDMENT NO. 7 OFFERED BY MRS. MEEK OF FLORIDA

Mrs. MEEK of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mrs. MEEK of Florida:

Add before the short title the following new section:

SEC. ____. After March 1, 2000, none of the funds appropriated or otherwise available by this Act may be used by the Secretary of Agriculture—

(1) to permit the importation of meat or meat food products under subsections (a) and (f) of section 20 of the Federal Meat Inspection Act (21 U.S.C. 620) from any foreign country in violation of subsection (f) of such section; and

(2) to permit the importation of poultry or poultry products under subsection (a) of section 17 of the Poultry Products Inspection Act (21 U.S.C. 466) from any foreign country in violation of subsection (d) of such section.

Mrs. MEEK of Florida. Mr. Chairman, my amendment helps to protect United States consumers from unsafe foreign meat and poultry. What it does, it ensures fairness to protect our meat and our poultry products from unfair competition and it directs the United States Department of Agriculture to influence our current food safety laws.

What this amendment does is necessarily ensures that USDA will follow and enforce its laws. What it does is it will cut off funds for them for permitting the import of meat and poultry from any foreign country unless USDA determines that the inspection system of that foreign country is equivalent and actually provides a level of safety equivalent to what we require of the meat and poultry people in this country.

We want to be sure that that equivalency is established. If it is not, this amendment would certainly cut off funds to that foreign country.

Ms. KAPTUR. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I want to rise in strong support of the gentlewoman's amendment and her efforts to protect our consumers. Without question, food safety has to be a number one priority and responsibility of this committee. The National Cattlemen's Beef Association has been promoting this for a number of years. Why should not foreign meat imported into this country adhere to the same rigorous standards that our livestock producers here at home must meet?

Last year we know the Department, I think the gentlewoman referenced, allowed $3 billion, with a B, pounds of meat and poultry to be imported from 32 foreign countries on to our shores. This amendment simply requires USDA to enforce our food safety laws and protect our consumers.

I just want to make sure that the letter from the National Cattlemen's Beef Association is entered into the RECORD as part of this amendment, and I rise in strong support of the gentlewoman's amendment.

NATIONAL CATTLEMEN'S BEEF ASSOCIATION,
*Washington, DC, May 24, 1999.*

Hon. CARRIE P. MEEK,
*House of Representatives, Cannon House Office Building, Washington, DC.*

DEAR REP. MEEK: On behalf of the members of the National Cattlemen's Beef Association (NCBA), I wanted to inform you that NCBA supports the language on inspection equivalency you plan to offer to the FY 2000 House Agriculture Appropriations measure. We appreciate your staff reviewing the proposed amendment with us.

NCBA strongly supports measures that work, through sound science, to ensure the safety and wholesomeness of the U.S. food supply. In addition, we are constantly engaged in trade discussions and disputes with other countries who use the ''equivalency'' issue as a barrier to U.S. beef and other livestock products. Your proposed amendment certainly would reiterate the Secretary of Agriculture's important role in making sure that any beef, other meat, or poultry products imported into the United States adhere to the same rigorous standards that America's cattlemen and women, and other livestock producers meet.

Thank you for your leadership on this matter. We look forward to its successful inclusion in the Agriculture Appropriations package. Please let us know if we can be of assistance in this effort.

Sincerely,

DALE W. MOORE,
*Executive Director, Legislative Affairs.*

Mr. SKEEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have sent this amendment in its earlier version to the USDA but received no formal comment. We have been told that the administrator of the Food Safety Inspection Service has concerns about the amendment, but we do not know what those concerns are at this time. I think we can all agree with the heart of the amendment, that imported food ought to meet the same standard as the domestic products. There are important trade and food safety considerations here, and I would have liked some time to hear from the administration.

Nevertheless, I am prepared to support the gentlewoman's amendment, with the understanding that we will need to work together before the conference to give the administration an opportunity to be involved.

Mr. COBURN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to go on record as supporting this amendment. As a physician and as a Member of Congress from a cattle and farm State, to me it is unconscionable that we can produce cattle and butcher it in the State of Oklahoma and ship it to Kansas under great quality standards, but, at the same time, meat produced outside of this country can come anywhere in this country and not meet those same standards.

I would like to say, as a Member of Congress from a cattle producing State, that this not only makes sense from a standpoint of food safety, but also is eminently fair to our cattle producers and our consumers. This will not raise the cost. What it will do is assure that the American consumer is getting what they paid for. The imported goods coming into this country ought to have to meet the same standard as the provider of goods in this country domestically produced. So I support the amendment.

Mr. TRAFICANT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to echo those comments and I want to support very strongly the amendment offered by the gentlewoman from Florida. Her efforts in this regard will not only help with the safety standards, but, keep in mind, in the last several years, where we used to inspect trucks coming across Mexico and Canada, now you have trucks coming from Canada with Australian ground beef that is not even being inspected on some occasions.

Now, yes, this may pose some hardship on our regulatory system, but it is very much overdue and there is a tremendous economic factor involved here as well.

Our farmers have sold hogs at 7 cents a pound live weight. My God, the one thing we can do is ensure that the same hoops and hurdles our farmers have to overcome shall be the world's hurdles and hoops as well to ensure safety and quality and standardization of product.

So I want to compliment the distinguished gentlewoman. It is a great amendment and I support the amendment.

Mrs. MEEK of Florida. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Mrs. MEEK of Florida. Mr. Chairman, I just wanted to say if anyone has ever suffered from salmonella from eating unsafe meat and poultry, they would understand the significance of this amendment. Why should our consumers be subjected to this very illness-causing disease and have these foreign countries being able to bring in meats and poultry without an equivalent kind of thing?

In speaking to the USDA, the USDA cannot clearly speak to this amendment because they do not have any facts, any substantive facts, that will prove that what they are accepting is equivalent, because last year, the last time, it looks as if USDA is not really enforcing the congressional directive, and we need this tough new inspection system, and it is a key part of it, to take these samples of meet.

In closing, I want to thank the Congress, because this is a very, very essential matter to the health and welfare of our Nation.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Mrs. MEEK).

The amendment was agreed to.

AMENDMENT NO. 16 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mr. TRAFICANT:

SEC. ____. None of the funds appropriated or otherwise made available by this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 8, 1933 (41 U.S.C. 10a–10c; popularly known as the ''Buy American Act'').

SEC. ____. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be purchased using financial assistance provided using funds appropriated or otherwise made available by this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds appropriated or otherwise made available by this Act, the Federal agency providing the assistance shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. ____. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds appropriated or otherwise made available by this Act, pursuant to the debarment, suspension, and inelibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

Mr. TRAFICANT. Mr. Chairman, this deals with the ''Buy American'' provision that says in the case of any equipment or products that may be purchased using any financial assistance under this bill, it is the sense of our Congress that those receiving such assistance should purchase American-made goods. It gives a notice to that effect. Most importantly, this provision also states in its final section that if it is determined by a court or Federal agency that any person has intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription connoting the same meaning, to any product sold in or shipped to the United States that is actually not made in the United States, those people shall be ineligible to receive any contract, award or subcontract that is made available by this act. The bottom line, if you are saying it is made in America, it better be.

Finally, when we are going to spend hard-earned tax dollars of farmers that are getting hit from all ends, we should try and buy American-made goods. That just makes good sense.

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

Mr. Chairman, we thought so much of the gentleman's amendment that we made it permanent law 2 years ago. I am happy to accommodate the gentleman and put this item in the fiscal year 2000 bill as well.

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

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. DEFAZIO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. DEFAZIO:

Insert before the short title the following new section:

SEC. ____. (a) LIMITATION.—None of the funds appropriated or otherwise made available by this Act for Wildlife Services Program operations to carry out the first section of the Act of March 2, 1931 (7 U.S.C. 426), may be used to conduct campaigns for the destruction of wild animals for the purpose of protecting livestock.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided by this Act for salaries and expenses under the heading ''ANIMAL AND PLANT HEALTH INSPECTION SERVICE'' is hereby reduced by $7,000,000.

Mr. DEFAZIO. Mr. Chairman, this is an issue which the House is revisiting for the second year in a row. Last year there was a lot of confusion around this vote. I tried to make it much more explicit and simple this year.

This amendment cuts funds only for lethal predator control to protect private livestock on private or leased land in the western United States. That is what this does.

Now, we are going to hear that actually this amendment will cause brown tree snakes to invade Hawaii, it will cause tuberculosis to spread in the northern Midwest, it will cause plague in the Southwest, it will cause planes at National Airport to crash.

No. In fact, all of those other activities would be enhanced, more money would be spent on those activities, if animal damage control, wildlife services, dropped their obsession with this failing environmentally and biologically unsound wasteful subsidy of spending $10 million, and this does not even cut every penny they are spending on lethal predator control in the western United States, if they just dropped their obsession and the subsidy.

I also offer that the ranchers would come out ahead. Nothing in this

amendment would prohibit a rancher from controlling predators that are problems on their own property, owned or leased. They could go out and do it themselves. They could hire someone to do it. In some cases States would still unwisely provide subsidies to these private ranchers. But the question is, should Federal taxpayers pay for predator control services on private ranches for profit in the western United States?

If you have, as my mother did, a raccoon down the chimney, you cannot call a Federal Wildlife Services employee and ask them to remove the raccoon. If you have termites in your house, no one from the Federal Government is going to show up. They will laugh at you and tell you to call a pest control company.

So why, why is it that ranchers, private ranchers in the West, can call up a Federal agency and get a Federal employee out there pronto, who will not only kill problem predators, which the ranchers could do on their own or hire someone on their own to do, but will indiscriminately kill other wildlife, and in some cases, as happened on the northern edge of my districts, kill domestic pets and poison humans with these indiscriminate M–44 devices which cause a horrible lingering death?

□ 1300

Now, why is the Federal government paying to subsidize this activity? That is the question before us. It is very simple. In fact, if Wildlife Services stops its obsession and all the amount of energy they put into this program, they will do a better control, a better job in other States protecting against bird strikes, protecting human health and safety.

So this is a fiscally responsible amendment, an amendment that goes to cutting out an obsolete subsidy that goes to private ranchers in the West, and will also benefit environmentally in the western United States, will stop the indiscriminate destruction of nontarget wildlife. There are more coyotes now than when they started this program 68 years ago, and they are more dispersed across the country, because they are not even looking at the biology, they are ignoring previous orders of Congress to look at more effective and nonlethal predator control methods. They are not targeting the problem, they are just breaking up and dispersing the packs. Now you have coyotes in places where they have not seen them in 100 years, like Manhattan, elevators in Seattle. It actually happened. This has not been seen for a long time in this country.

It is time for this archaic and barbaric program and this subsidy to end. We have a very definitive opportunity to vote on it today. This is a very targeted amendment. Do not believe any of this other hooey about all the other problems that will be caused.

Mr. SKEEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I hope the House will vote down this amendment. It is true, there are funds in the Animal and Plant Health Inspection Service for predator control in western States. There are also funds for predator control in northern, southern, and eastern States.

There is money for research on Lyme disease and diseases spread by rats. There is money to control the spread of rabies in wild animals in the Midwest and eastern States. There is money to protect the bird population in Hawaii from devastation by the brown tree snake. There is money to protect airline passengers by controlling flocks of birds at airports. There is money to control damage to grain crops by blackbirds and to control migratory birds that feed on domestically produced fish, so those farmers can make a decent living. There is money to promote nonlethal methods of animal control. There is money for animal welfare.

Mr. Chairman, I would suggest that if we are going to go after farmers and ranchers in one area of the country and deny them help, maybe we should look at all of the programs in this country and subsidies, to shift the entire burden to the States and the private sector.

Mr. Chairman, I ask my colleagues to vote no on this amendment.

Mr. BASS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment. This is the same amendment that we passed on a Friday and then defeated on a Monday with a few phone calls having been made over the weekend. I hope Congress would have the opportunity to vote again and be on record and pass this amendment this time.

It has been said that this is a very important program. From my perspective, I think it is a waste of money. The program does not work. It essentially is money from the taxpayers' pockets to private landholders to control predators on their own property. But what is sad about it is that the program seeks to spend $20 million to solve a problem that only costs private landholders $7.2 million per year.

Nothing in this amendment, nothing in this amendment will affect in any way the programs for technical assistance or for bird control at airports. I serve on the Committee on Transportation and Infrastructure and on the Subcommittee on Aviation. I am an instrument-rated pilot. I have flown all over the country. I can assure the Members I would do nothing that would affect the safety of our Nation's airport.

This would carve out cleanly a subsidy to private individuals to control predators in a situation whose effectiveness is clearly under considerable question.

It is true that some of the resources for this program do go to other parts of the country, but 95 percent of the funds for this program go to these western States and to these large ranchers to use for predator control.

I would suggest that we can save money by passage of this amendment. We can eliminate a practice that by even the best of interpretations is neither effective nor seemly, and I think it is an entirely inappropriate use of Federal funds.

Although I have enormous respect for all of the Members of the Committee on Appropriations who have supported this amendment, I think it is time that we eliminated this unnecessary funding from the Federal government.

Mr. WALDEN of Oregon. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. I want to talk about how my district is affected by what is going on out there. I want to share with the body some letters that I have received from people not only in the district but from the State of Oregon with regard to this.

The head of the Department of Fish and Wildlife, the director, James Greer, has written saying, ''We rely heavily on Wildlife Services as a partner in addressing the effects of wildlife and predatory animals on livestock and crops. Specifically, they provide animal damage control assistance to help resolve depredations caused by black bear, cougars, and other predatory animals. In addition, they deal with human safety threats from an increasing cougar and bear population.''

These threats are from a cougar population that is very real. ''According to a recent survey conducted by the Oregon Agricultural Statistics Service, more than $158 million of annual damage to Oregon agriculture products occurs from wildlife,'' this from Phil Ward, the director of the Department of Agriculture in Oregon.

Mr. Chairman, my district is one of the most rural districts in America. We have lots of family farms, and 55.5 percent of it is under Federal control. The refuges and all out there, we have enormous populations growing of predators. The Wallowa County School District tells me they have such a problem with cougars that they will not let the young kids off the bus until their parents are there to meet them. These are issues.

Is this amendment going to deal with all of that? Probably not. I am not up here to make extraordinary claims. But the point is in these small rural counties, in these small counties that have 1,000, 2,000, 7,000 people, this program is an integral piece in an overall package to deal with predators.

I want to show the Members a picture that does not look too damaging here, but this is a coyote and this is a lamb. The next picture in this series is probably too graphic for C-Span to show. So when Members hear about control, predator control, and that somehow that is an awful thing, the flip side of that is awful, as well. The

flip side is the maiming that is done of sheep and cattle and all; animals raised for production, admittedly, but for problems that are caused by these predators.

Mr. Chairman, I think this amendment goes too far. I think it hurts a program that is very important to the rural parts of America and that helps not just a handful of wealthy ranchers, as some might say, but probably close to 10,000 livestock producers each year are helped by this program.

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

Mr. WALDEN of Oregon. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman for yielding. Just on the photo, that was provided by the Federal government. It was actually taken at a test facility where the coyotes were starved and then put into an enclosure with sheep. It is a graphic photo, but it is not exactly representative.

Mr. WALDEN of Oregon. Reclaiming my time, Mr. Chairman, if I might, the point is illustrative, here. The gentleman knows as well as I do, and as well as anybody out in agriculture knows, the next in a series of photos like this out in the real world, not in some pen but in the real world, is the devastation that we see.

Mr. DEFAZIO. If the gentleman would further yield, and I appreciate the gentleman yielding, although we are on opposite sides of this issue, also on the total wildlife damage in agriculture in Oregon, it was $158 million. The gentleman is exactly correct. However, the damage to livestock from predators was about $1 million, and more was spent by the State and the Feds to control that than if we had actually reimbursed people. The major damage was damage to crops, $148.6 million.

That damage, interestingly enough, took place from things on which coyotes predate, such as field mice, ground squirrels, prairie dogs, et cetera, et cetera. All of their prey is causing a big problem. Now we have to start another new program to go out and control the things that the predators used to prey on because they are eating the grain and other crops.

We need to get a better vision. I think the gentleman and I could construct something that would work better. I thank the gentleman for his time.

Mr. WALDEN of Oregon. I appreciate the gentleman's comments. However, I would say that indeed, I thought I heard earlier a comment about how the coyote population was growing rapidly around. So it is hard to argue both cases at the same time.

Mr. DEFAZIO. Not at all. If the gentleman will further yield, we will talk about coyote biology.

Mr. WALDEN of Oregon. Mr. Chairman, reclaiming my time, the point here is that we have many problems in my district in terms of predators devouring livestock. This program is helpful to that as part of the bigger package that combines State and local funds to deal with it.

Sometimes it is one game person that is out there dealing with this, one predator control officer. But because they are from such small entities, the funding is all combined.

Mr. Chairman, I urge opposition to this.

Mr. STENHOLM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the DeFazio amendment, which basically guts the core funding for USDA's Wildlife Services program. This is an important program that serves the public good in a number of ways, and it should be funded at the level approved by the House Appropriations Committee.

Reducing funds for USDA's Wildlife Services will not just affect lethal predator control in the West, it will also cripple other needed activities throughout the Nation. Often the same USDA staff who help ranchers manage problems of predators may also help local airports protect human life by removing flocks of birds near runways.

I emphasize that one of the reasons why the DeFazio amendment does not work as he had intended is that we use the same people, and when we eliminate a person, that person who might be not only helping ranchers with their predator problems might also be the same person that is dealing with flocks of birds around airports. That gets overlooked in some of the concern which has been expressed here on the floor.

Make no mistake about it, this reduction in funds is not a targeted cut. Let me also add that Wildlife Services is not a Federal giveaway program. The majority of funding for the work of USDA's Wildlife Services comes from sources outside the Federal government, like State, local, and private organizations. Federal funds help to secure the basic program staff, who then are able to draw in significant funding directly from those who benefit from their work. However, without these USDA staff, it is unclear whether these outside funds will continue to be made available.

Finally, I am amazed by the argument that this program is not needed because wildlife-generated losses to property and human life are considered low by some folks. That is like arguing that childhood immunization programs are a waste of money since so few children now die from these diseases.

That is the whole point. We spend public money on preventative programs so we will not have to face the alternative. We spend money on Wildlife Services in order to avoid rabies epidemics, downed aircraft, and dead or maimed livestock. I simply do not agree that just because the program seems to be working efficiently, it should now be eliminated.

Please support the responsible and necessary management of wildlife by opposing the DeFazio amendment.

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

Mr. STENHOLM. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, I would like to offer a compromise here. The gentleman raised a number of issues in which I am vitally concerned: Airports, bird strikes, those things on which a pitiful amount of money was spent last year, inadequate.

So if the gentleman would accept the first part of the amendment, which is a limitation only for lethal predator control for livestock, and not delete the amount of money and then support that, I would be happy to actually leave the funds in if we direct the service to not waste the money on the lethal predator control.

Would the gentleman accept that?

Mr. STENHOLM. I most certainly would not, because I absolutely disagree with the intent of gentleman's amendment. Even though that sounds very reasonable, it completely overlooks one of the fundamental areas I disagree with, that we do not need to be assisting our ranchers with predator control.

The gentleman ought to come to the Seventeenth District of Texas and see what happens to livestock and what would happen under gentleman's proposal.

I just respectfully differ with the gentleman regarding what the gentleman intends and would like to do.

Mr. DEFAZIO. If the gentleman would further yield, Mr. Chairman, I was the county commissioner. We had tough times. We had to cut our match, which lost our Federal predator control agents.

All of my sheep ranchers were in and said, my God, you will not believe what is going to happen, Commissioner, if we do that. Do Members know what happened? Nothing. In fact, the predation went down over a 5-year period.

That is really interesting, that when we stop spending the money, and we heard that they did kill some predators still, but they did it in a very discriminate form on their farms without a subsidy. I have a real life example in my district, which gets these funds, where we do better without them. I thank the gentleman.

Mr. STENHOLM. That is where we have reasonable differences. I have real life experience on the other side.

But also I would point out one other major, important aspect of it. It is rabies control. This is something that is extremely important to the general population in large segments of Texas. Perhaps in this one district in Oregon it is different.

I would assure the Members, in most places of the country, the argument on the side of the Committee on Appropriations and what the gentleman from New Mexico (Mr. SKEEN) and the gentlewoman from Ohio (Ms. KAPTUR) are

suggesting is what the full House ought to do today. We ought to defeat this amendment.

Mr. BONILLA. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. BONILLA. Mr. Chairman, I rise in strong opposition to this amendment. This is a classic case of the proponents of an amendment using misinformation and emotional rhetoric to try to push their cause.

I think I heard the word earlier in one of the arguments in favor of the amendment, the word ''barbaric'' used to describe the animal damage control program that currently exists, also called Wildlife Services, now. I stand corrected.

But I ask my friends who suggest that this program might be barbaric for them to think for a second about children who might be afflicted by wildlife who are bitten by an animal afflicted by rabies.

□ 1315

When you think of the possibility of the eradication that we try to do in Texas, in Texas, for example, children playing in their yards and in States all across the country and throughout the Southwest, playing in their yards, who might be afflicted by rabies because of some coyote or some other animal that might be crossing through a playground that might be afflicted, I would suggest that that is barbaric for anyone to think that a program that exists to protect the safety of children in playgrounds, that is pretty barbaric to suggest that that program is ineffective.

Also think about we just had a plane crash last week; and although the cause was not a form of wildlife, a flock of geese or birds flying into a plane engine, it is possible that that could occur. This wildlife services program tries to address that problem and keep those passengers safe in areas, many of which are located in the Northeast and in the New England area, tries to keep those passengers safe from any kind of accident like this by providing funds to control those flocks of birds near runways and airports.

Now, I would suggest that it is barbaric for anyone to think that a program like this is not a good program that would protect the safety of families and children flying on airlines. So I would suggest that those who are proposing this kind of amendment, using misinformation and emotional rhetoric, should step back for a second and think about the safety of women and children, families of all ages from all parts of the country who might be harmed if this money is not in the budget, think about that and ask themselves if they could live with an accident occurring at an airport or live with a child dying who was afflicted with rabies because there was not enough money in the budget to support this program.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not plan on taking all of the 5 minutes, but I rise in strong opposition. I do not have a dog in this hunt. I do not represent farmers; I do not represent ranchers. I have got mostly a city area in my district.

But I want to tell my colleagues that San Diego is a series of canyons and areas where a lot of people hike, and up in the hills also. This last year we had two women joggers who were killed by mountain lions. We had requested that the Federal Government come in and help manage. Because they have not been able to hunt lions in a long time, these lions are coming into the parks, into where people picnic in private and public areas. A little child was mauled by a mountain lion, nearly died, lost an arm. Another woman was hiking, and the lion not only killed her, it ate most of her before they found her.

California also has this little rodent called, a prairie-dog-type critter, a ground squirrel. We have heard about rabies, but in California this little rodent and the fleas they carry have bubonic plague. Now think of the terror that that word brings in our past history. We need those kinds of eradications, not only on public lands, but on private as well. We cannot just take care of the public lands and then go over and let that menace ride.

So I rise in strong opposition to this. I have flown a jet out at Miramar. To tell my colleagues what an animal, a bird, will do to an airplane, this hawk went clear through my wing and broke the main spar of an F–4 Phantom that I was flying. The airplane was hard down. Luckily, I was able to land the airplane, but it totally destroyed the airplane, one hawk in the thing.

When we talk about public health, we talk about rabies, we talk about plague, we talk about lethal predators; and for this reason, I rise in strong opposition to the amendment of the gentleman from Oregon (Mr. DEFAZIO).

Mrs. CUBIN. Mr. Chairman, I move to strike the requisite number of words.

(Mrs. CUBIN asked and was given permission to revise and extend her remarks.)

Mrs. CUBIN. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

I want to talk about just a couple different areas. I represent the entire State of Wyoming. Here is a little history lesson that I would like to give.

A lot of people think that the public lands in the West are all national parks and national forests. Well, they are not. BLM land, or Bureau of Land Management land, makes up about half of the State of Wyoming, and it is owned by the Federal Government. The reason that is public land is because it is land that no one claimed when the Homestead Act expired.

Now, why did not anybody claim that land? They did not claim it because, for the most part, it does not have water on it. It is not very productive. There is alkali on it and sagebrush. It is not productive land, so it was not claimed. No one wanted it. So it was put in trust for the Bureau of Land Management. That is now what is called the public lands in the West.

Now if my colleagues stop and think about this for a minute, if my colleagues think about the ranchers and the public land that they have or the private land that they have, the private land is private because they homesteaded it because it has water on it. Then because there is water on it, there is grass, and there is feed for the cattle.

But do my colleagues know what else? There is grass and feed and water for the wildlife as well. I am talking about deer and antelope, elk, moose, bear, and all of those kinds of species that we regard very highly that we want to take care of.

Well, the USDA predator control, or Wildlife Services Program is there to protect that wildlife as well. So I think that the gentleman from Oregon's opposition to this comes from the fact that private landowners are helped by this service on their private land. But when my colleagues consider that 80 percent of the wildlife out there, the deer, antelope, elk, and so on is on private land.

And yet the public is the owner of that wildlife. I think it is our responsibility, since we are the owners of that wildlife, to help take responsibility in caring for them.

Another point I want to make, in Gillette, Wyoming, and Campbell County, we have a serious problem with rabies. Rabid skunks have gone into the City of Gillette, Wyoming, and this program is helping us with that problem.

A cougar in Casper, Wyoming, was spotted just last week very near a playground. People in a city like Casper do not necessarily have the expertise to be able to deal with this without the help of this program. So it is very shortsighted to cut this program. It is a matter of public health, and it should also be a matter of public conscience.

Mrs. EMERSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to also rise in opposition to this amendment that would severely undermine the USDA's Wildlife Services Program. While I do not have a district out in the West but rather in the Midwest, it is very rural, and it is very big, and the fact of the matter is this program is a critical resource for the farmers and ranchers in my district who face the threat of crop and livestock damage.

As a matter of fact, wildlife causes as much as $1.6 billion in damage to agriculture each year. Given the fact that our farmers, right now their entire

livelihoods are threatened with uncertain markets, unpredictable weather, some of the lowest prices we have ever seen in decades, this additional threat of losses due to wildlife is really above and beyond all the other factors. It is something that we have to be very mindful of.

I also want to make another point which is often overlooked. Our farmers and ranchers are among the best stewards of the land anywhere. They are our best conservationists. Their land provides wildlife habitat. Their production methods promote wide stewardship of that land. So let us not point the finger at the family farmer and rancher when, in fact, they are doing good things for the environment and things that are good for the American consumer.

I oppose the amendment, and I urge my colleagues to do the same.

Mrs. MORELLA. Mr. Chairman, I rise in strong support of the Bass-DeFazio amendment. The U.S. Department of Agriculture's Wildlife Services program spends millions of dollars annually to kill more than 100,000 coyotes, foxes, bears, mountain lions, and other predators in the Western United States. Although there are non-lethal alternatives. Wildlife Services chooses to shoot, poision, trap, and even club to death both target and non-target animals. This taxpayer subsidy gives ranchers a disincentive to seek alternative methods of livestock protection that might be more effective.

The USDA predator control methods are non-selective, inefficient, and inhumane. Aerial gunning, sodium cyanide poisoning, steel-jawed leghold traps, and neck snares are Wildlife Services' killing methods. These techniques have been known to kill pets and endangered and threatened species. Much of the killing is conducted before livestock is released into an area, with the expectation that predators will become a problem. However, killing wildlife to protect livestock is effective only if the individual animals who attack livestock are removed. Targeting the entire population is needlessly cruel, wastes taxpayer dollars and can be counter-productive. Studies have shown that predator populations reduced through indiscriminate killing produce larger litters to compensate and quickly rebuild to equal or greater than pre-controlled levels.

With this amendment, the Wildlife Services' program would be funded to assist with non-lethal predator protection services and in cases to protect human and endangered species lives. I urge my colleagues to support the Bass-DeFazio amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of this amendment, which curtails the funding for what was formerly known as the Animal Damage Control program.

This amendment cuts $7 million in funding for the Department of Agriculture's inappropriately named ''Wildlife Services'' program. I say that it is inappropriately named, because the program does nothing to serve in the best interests of wildlife. It is, instead, a program whose purpose is to help farmers cope with natural predators who may prey on their livestock. While I believe that helping farmers is a laudable goal, the problem is that the way this program is administered, little help is provided and much damage caused.

Each year, this program indiscriminately kills 90,000 coyotes, foxes, bears and mountain lions. It is indiscriminate because there are few controls to ensure that the animals being slaughtered are tied to attacks on livestock. Oftentimes, young cubs are caught and killed, and on occasion, even a domesticated dog or cat will be mistakenly felled. This is simply not appropriate—and it should be stopped.

Wildlife Services is cruel because Wildlife Services still insists on using barbaric methods to handle these animals—including poisons, snares, and leg-hold traps. Sometimes, these animals are simply clubbed to death. Harp Seals are not the only animals that need protection from this brutal practice. We can do better than this—humane animal control techniques exist in our modern world. We can relocate animals that have caused problems.

How is it that we can build an internationally-sponsored space station yet we cannot find a way to treat our animals humanely? Do we need to spray poison in the face of animals that can contaminate other animals, or even humans, it comes in contact with afterwards? Must we kill not only the offending animal, but also every innocent scavenger that happens upon its corpse?

This program has been ineffective, and roundly criticized for decades. It was fully reviewed by advisory committees under the Kennedy, Johnson, Nixon and Carter Administrations—each of which suggested numerous reforms, but none have been adopted. The General Accounting Office (GAO) similarly released a report in 1995 that found the program to be largely ineffective.

Studies have shown the coyotes have adapted to our killing techniques much better than we have adapted towards more humane methods of predator control. Despite a 71% increase in funding for these programs between 1983 and 1993, coyotes have compensated for the culling of their species by simply having more pups. Surely, we have been out-foxed here—and it is time to stop the United States government from behaving like Elmer Fudd flailing blindly at nature to no avail.

We are smarter than this. This House is smarter than this. Therefore, I urge my colleagues to support this sensible and humane amendment being offered by Congressmen DEFAZIO and BASS.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 185, further proceedings on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) will be postponed.

The point of no quorum is considered withdrawn.

Mr. WALSH. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, I have an amendment at the desk that I do not intend at least at this time to present. But the tenor of the amendment, Mr. Chairman, would have prevented Agriculture Secretary Glickman from instituting a new Federal milk marketing order system that would put thousands of dairy farmers out of business by lowering the price paid to farmers for their milk by hundreds of millions of dollars.

On March 31, 1999, Secretary Glickman announced his final decision on the Federal milk marketing order reform process that was required under 1996 Freedom to Farm Act. Unfortunately, his decision to adopt what is referred to as a modified Option 1–B has the effect of lowering Class I differentials for milk to virtually all regions of the country with the exception of the upper Midwest.

Can my colleagues imagine passing a policy, an agricultural policy that would harm the entire country except for perhaps two or three States. It defies logic.

The Secretary of Agriculture's decision flies in the face of broad bipartisan congressional multiregional support for Option 1–A. Congressional intent behind milk marketing order reform in no way anticipated this action by the Secretary.

My amendment also would have continued existing law, meaning that it would allow the continuation of the Northeast Dairy Compact. There has been increasing support for similar such compacts around the country as a way to protect against and otherwise prevent the harm that would be done by the Secretary's proposal and the havoc that it would cause in dairyland all across the Nation.

So, Mr. Chairman, rather than offer the amendment at this time, I would like to enter into a colloquy with several of my colleagues. I see the gentleman from Texas (Mr. COMBEST), chairman of the authorizing committee, the Committee on Agriculture, here; and I appreciate the gentleman coming down to participate in this discussion today.

Would the gentleman from Texas (Mr. COMBEST) agree that the Department of Agriculture's recommendation of a modified version, Option 1–B, is unacceptable to the majority Members of Congress and more importantly the majority of American dairy farmers and would therefore have to be modified through the regular legislative process?

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

Mr. WALSH. I am happy to yield to the gentleman from Texas.

Mr. COMBEST. Mr. Chairman, I would certainly be able to say yes just indicative of the fact that there is a bill to implement a different policy that I think has almost half of the Members of the House that are cosponsors of the bill. Certainly with the interest and concerns among the dairy industry, the Committee on Agriculture is certainly going to be looking into this in very short order.

Mr. WALSH. Mr. Chairman, reclaiming my time, I appreciate the gentleman's statement and clarification of

the Committee on Agriculture's position. My concern is that we need to ensure that the legislation is enacted into law before the Secretary's modified Option 1–B pricing reform is imposed on dairy farmers in my district.

Mr. COMBEST. Mr. Chairman, if the gentleman will yield, I would indicate to the gentleman, who has been a strong advocate of a dairy policy in this country and with a great deal of interest in this, there is a bill which has been introduced that will be the vehicle on the 24th of June for a hearing in the Subcommittee on Livestock and Horticulture that is chaired by the gentleman from California (Mr. POMBO). Very shortly after that, there will be markup on that bill, and that bill will then move to full consideration.

Given the fact that there is a recognition of some timely concern here without the Chair's being, I believe, able to give individuals total assurances about exactly what that final product would be, the vehicle that will be used for hearing purposes and for markup I think will be very much in line with the interest of the gentleman from New York (Mr. WALSH) in the dairy program.

Mr. WALSH. Mr. Chairman, I thank the gentleman from Texas (Mr. COMBEST) for explaining the position of the committee clearly.

Mr. Chairman, I yield to the gentleman from California (Mr. POMBO), chairman of the Subcommittee on Livestock and Horticulture for his comments.

Mr. POMBO. Mr. Chairman, I concur with the statement of the full committee chairman. I know of the intense interest of the gentleman from New York (Mr. WALSH) on this issue as well as a number of other Members of the House. As we have been negotiating and working through this issue, I will assure the gentleman that this is a very important issue, not only to his dairy farmers, but to mine back home, and that we will move through the hearing, the markup process, and move legislation on an expedited manner through the House and try to solve this problem as quickly as we possibly can.

□ 1330

Mr. WALSH. I thank the gentleman. With the assurances received from the chairman of the subcommittee and the chairman of the full committee I will at this time not offer my amendment.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I take this time to comment on the colloquy that we just heard with respect to regional differences in the fluid milk dairy prices, and I would like to recite for this House what the history of this matter is.

Since 1937, we have been operating under an outmoded system of milk marketing orders which mandates, by law, that certain farmers in certain regions of the country be paid more for their milk than are farmers from other sections of the country. That is a Federal law, believe it or not, and it has long since served its usefulness.

When the farm bill was up on the floor 4 years ago, then-Congressman Gunderson, the chairman of the Dairy Subcommittee, tried to get a legislative remedy to that long outmoded policy, and when he did that he was blocked, cut off at the pass by the House leadership, the Republican leadership in the form of the Speaker and Mr. Solomon, who chaired the Committee on Rules. In essence, what they told Steve at the time was, ''Sorry, we are not going to give you a chance to vote on a legislative remedy; the best you are going to get is that we will give the Secretary of Agriculture an opportunity to look at these milk marketing orders and decide through administrative action what kind of changes are needed.''

Acting under that limited authority, Secretary Glickman proposed what was known as Option 1–B, which provided very minimal changes in the milk marketing order system across the country. That was found to be objectionable by many Members of this House, certainly not me but by many other Members, and so this House last year passed legislation which blocked the Secretary from moving ahead with those changes, those reforms in the milk marketing order system.

So, then, Mr. Glickman went back to the drawing board and he produced a second modified version of his proposal, which would have provided some change, some modernization in that system, and it would have resulted in farmers in 15 of the 33 regions actually getting better prices for their milk than they do right now, and it would have had a downward pressure on some other regions.

It just seems to me that it is amazing that the folks who won by preventing us from getting a legislative decision on this issue, and who insisted that this ought to be handled through the administrative route, are now saying that they are unhappy with even the tiny changes that were made administratively by the Secretary and are now suggesting that yet another legislative action is required to selectively amend the farm bill.

I do not believe that is the right way to go. It seems to me strange indeed that in a Congress which so often talks about the need to move closer to market arrangements, that we are having people who are insisting on sticking to the status quo which blocks moving agriculture in the dairy area closer to market arrangements.

I also find it interesting that some of the same folks who say that we should have free trade internationally are some of the same folks who, when it comes to internal trade within our own country, want to put up all kinds of trade barriers, informal trade barriers, in the form of these regional compacts.

So I would simply say I cannot do anything about the colloquy that just took place between the Members of the majority party. All I can say, as one Member from the upper Midwest, is that I do not think it is fair for people to try to have this issue both ways. We were told that we should take our shot at the administrative route rather than the legislative route. That is what happened. And now the Members, at least some of the Members who just spoke, are now trying to suggest that we ought not to have let that happen either.

We cannot move agriculture into the 20th century by sticking with this outmoded, old-fashioned milk marketing order system. And I would suggest if we are going to open this issue up, then we ought to open up the whole farm bill; that we ought to open up the question of whether we ought to have any milk marketing orders at all. We ought to be allowed to vote on the question of whether there ought to be one national milk marketing order rather than a whole series of them.

So I would urge Members to think carefully before they try to selectively reopen that farm bill.

Mrs. CLAYTON. Mr. Chairman, I move to strike the last word.

If the chairman will engage me in a colloquy on the funding for the USDA facilities loan program, I would like to solicit his support for the administration's funding request for programs like the community facilities loan and grant program, which finances multipurpose community centers through which local governments are able to provide services for children and the elderly, school facilities, and fire and rescue equipment.

Mr. Chairman, over 50 percent of the community facilities funds are used for a variety of health services, including rural hospitals, mental health facilities, nursing homes, child care facilities which are desperately needed to assist in welfare reform.

There is a great need for these facilities in rural America and especially in my First Congressional District of North Carolina where local governments do not have sufficient tax resources or the sufficient tax base to provide for these essential services.

Mr. SKEEN. Mr. Chairman, will the gentlewoman yield?

Mrs. CLAYTON. I yield to the gentleman from New Mexico.

Mr. SKEEN. Mr. Chairman, I thank the gentlewoman for her support for this program and for rural America. I share her concern and promise to work in the conference to strengthen the community facilities loan and grant program for rural America and appreciate the gentlewoman's efforts.

Mrs. CLAYTON. Mr. Chairman, I thank the gentleman.

AMENDMENT NO. 5 OFFERED BY MR. DE FAZIO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 193, noes 230, not voting 11, as follows:

[Roll No. 172]

AYES—193

Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barr
Barrett (WI)
Bass
Becerra
Berkley
Berman
Biggert
Bilbray
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Brady (PA)
Brown (OH)
Campbell
Capuano
Cardin
Carson
Castle
Chabot
Clay
Coburn
Collins
Conyers
Costello
Coyne
Crowley
Cummings
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dixon
Doggett
Doyle
Duncan
Ehlers
English
Eshoo
Etheridge
Evans
Fattah
Filner
Forbes
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Goss
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hefley
Hill (IN)
Hoeffel
Holt
Horn
Houghton
Hoyer
Hulshof
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Jones (NC)
Jones (OH)
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
Largent
Larson
LaTourette
Lazio
Leach
Lee
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Miller, George
Moakley
Moore
Moran (VA)
Morella
Nadler
Neal
Obey
Olver
Owens
Pallone
Pascrell
Paul
Payne
Pease
Pelosi
Petri
Porter
Price (NC)
Ramstad
Rangel
Rivers
Roemer
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schakowsky
Sensenbrenner
Serrano
Shays
Sherman
Sisisky
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Stark
Strickland
Sununu
Tancredo
Tauscher
Taylor (MS)
Tierney
Toomey
Towns
Udall (CO)
Upton
Velazquez
Vento
Visclosky
Waxman
Weiner
Weller
Wexler
Weygand
Whitfield
Woolsey
Wu
Wynn

NOES—230

Abercrombie
Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bateman
Bentsen
Bereuter
Berry
Bilirakis
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boswell
Boyd
Brown (FL)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Chambliss
Clayton
Clement
Clyburn
Coble
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (FL)
Deal
DeLay
Dickey
Dicks
Dingell
Dooley
Doolittle
Dreier
Dunn
Edwards
Ehrlich
Emerson
Engel
Everett
Ewing
Farr
Fletcher
Foley
Ford
Fowler
Frost
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Hunter
Hutchinson
Hyde
Isakson
Istook
Jefferson
John
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kingston
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Latham
Lewis (CA)
Lewis (KY)
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
Mascara
Matsui
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meek (FL)
Meeks (NY)
Mica
Miller, Gary
Minge
Mink
Mollohan
Moran (KS)
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Ose
Oxley
Packard
Pastor
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Regula
Reyes
Riley
Rodriguez
Rogan
Rogers
Rohrabacher
Ryun (KS)
Salmon
Sandlin
Schaffer
Scott
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stump
Stupak
Sweeney
Talent
Tanner
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Udall (NM)
Vitter
Walden
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Boucher
Brady (TX)
Brown (CA)
Chenoweth
Gutknecht
Jenkins
Lantos
McCollum
Pickett
Reynolds
Waters

☐ 1358

Ms. DANNER, Ms. BROWN of Florida, Mrs. MEEK of Florida, and Messrs. HILL of Montana, HILLIARD, LARGENT, SMITH of Texas, ENGEL and MICA changed their vote from ''aye'' to ''no.''

Mr. BOEHLERT changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. GUTKNECHT. Mr. Chairman, I was unavoidably detained earlier today and was not present for rollcall vote No. 172. Had I been present, I would have voted ''no''.

☐ 1400

AMENDMENT OFFERED BY MR. NETHERCUTT

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

The Clerk read as follows:

Amendment offered by Mr. NETHERCUTT:

In the general provisions title, insert the following new section:

SEC. ___. (a) PROHIBITION ON UNILATERAL ECONOMIC SANCTIONS.—Notwithstanding any other provision of law, the President shall not restrict or otherwise prohibit any exports of food, other agricultural products (including fertilizer), medicines, or medical supplies or equipment as part of any policy of existing or future unilateral economic sanctions imposed against a foreign government.

(b) NATIONAL SECURITY WAIVER.—The President may waiver, for periods of not more than 1 year each, the applicability of subsection (a) with respect to a foreign country or entity if the President, with respect to each such waiver—

(1) determines that the national security so requires; and

(2) transmits to the Congress that determination, together with a detailed description of the reasons therfor, including an explanation of how the sanctions will further the national security.

(c) UNILATERAL ECONOMIC SANCTION DEFINED.—In this section, the term ''unilateral economic sanction'' means any restriction or condition on economic activity with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other members of that regime have agreed to impose substantially equivalent measures.

(d) APPLICABILITY.—This section shall apply only to private commercial exports that are not subject to any Federal guarantee or direct credit.

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

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

There was no objection.

Mr. DIAZ-BALART. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Florida reserves a point of order.

Mr. NETHERCUTT. Mr. Chairman, the policy of the United States of America for years has been to impose unilateral sanctions against trade between our Nation and other nations with which we might disagree on policy matters. The policy of sanctions imposed on other nations with which we might disagree on policy matters is outdated. In 1980, we saw the agriculture markets that were prominent for the United States with the Soviet Union, we saw them disappear with the imposition of unilateral sanctions against the Soviet Union. Representing agriculture as I do, we in the agriculture communities of this country have still not gotten back the markets that we lost in 1980 by virtue of the unilateral imposition of sanctions against the Soviet Union. There are today nations around this country upon which the United States has imposed unilateral sanctions that we are not doing business with, but other countries of the world are doing business with these countries and selling

agriculture products and medicines to these countries. We cannot because of our outdated sanctions policy.

What my amendment does is, it lifts those sanctions on all countries on which we currently have sanctions for food and medicine only. There is no way in today's world that food should be used as a weapon in international relations with other countries. It is inhumane, it is improper, and what it eventually does is damage the American agriculture community. My State of Washington exports roughly 90 percent of all the wheat that it grows in our State. We are an export State, and we feed the world. But yet our farmers, in a time of great challenge for American agriculture, are at a distinct disadvantage because we cannot sell to some of these sanctioned countries.

What my amendment does is lift sanctions on all countries on which there are currently sanctions around the world as those sanctions relate to agriculture and medicine. They involve no direct Federal subsidies, these lifting of the sanctions, but it would allow our farmers to sell directly to sanctioned nations and sell our product. We are at a distinct disadvantage because other countries, our competitors for our farmers, are able to sell to those countries and provide food and medicine to those countries. Because of our outdated sanctions policy, American farmers cannot.

This is wrong, it is something that should be changed. The market alone, the dollar market alone for our country and our American agriculture community is $6 billion that we would be able to bring into this country by virtue of sales to those sanctioned nations. Now, I understand the politics of dealing with a terrorist like Saddam Hussein, or the North Koreans or other countries on which we have sanctions and no trade relations. But yet as to agriculture and medicine, it seems to me this is bad policy, because it hurts our farmers. This amendment allows the President to reimpose those sanctions if for national security reasons he feels it is in the national security interests of our country to reimpose those sanctions. So there is a waiver provision in this amendment.

This amendment received consideration in the full Committee on Appropriations, of which I am a member, and I am happy to be a member of the Subcommittee on Agriculture. It was a wonderful debate. Democrats and Republicans alike debated this issue back and forth. The amendment unfortunately lost by a 28–24 vote. But it was a great debate and it is something we ought to have in this country as we decide how to help agriculture in the free market system as we are moving to under the farm bill and from a humanitarian standpoint how we ought to be dealing with people in these other nations who have corrupt governments but not corrupt people.

This is a humanitarian amendment. I fully appreciate the point of order that is being raised against it, I understand that completely, and my friend from Florida and I have discussed this issue at length. I respect him greatly. I respect his views on this whole issue. I understand the likely success of this amendment. But I want to make the very serious point, that we in this country have to make a decision about whether we are going to continue to use food as a weapon and medicine as a weapon. We will be faced in this Congress with the likelihood that the agriculture interests of our country, because of depressed prices, because of depressed markets, will come to this body and say, ''We need more Federal assistance.'' If that is the case, then the logical free market way to get through this is to lift sanctions to allow sales to be made abroad from a free market standpoint.

I want my colleagues to know how seriously I view this issue. I hope that the House will take this matter up at the appropriate time.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Florida insist on his point of order?

Mr. DIAZ-BALART. Mr. Chairman, if I may at this point speak to the point of order.

I have the highest respect for the gentleman from Washington (Mr. NETHERCUTT). He speaks from conviction on this issue. As he mentioned, we have had and will continue to have very intense and serious discussions on this point. I also believe that markets that should be open to the United States at this time are not fully open, the first one being the European Union. The European Union, in violation even of accords entered into with us, continues to put up barriers on essential products of American producers. And so this is a key issue. If there has ever been a matter where the wisdom of the rule, in this case clause 2 of rule XXI prohibiting legislation on an appropriations bill, it is on an issue such as this.

This is a very serious matter that we are discussing today. On the one hand, we all agree that all that can be done to open markets to U.S. producers, including and very especially our farmers, must be done. At the same time, we must recognize that the issue of trading with, opening an entire sector, a very important sector of the economy, of the U.S. production to sponsors of State terrorism is a very delicate matter and a very serious matter which requires great deliberation and study. That is why the rule is wise and it is the committee process and the deliberative process that must bring to the floor legislation dealing with critical matters such as this.

When we talk about states such as North Korea, state sponsor of terrorism, or the Sudan where the President recently ordered an air strike against a medicine manufacturer, is that the only option that should be available to the United States? Military action? Or should sanctions be available to the United States in lieu of and instead of military action? This is a very serious question. Should we tie our hands so that the only action available in American diplomacy is military action? It is a very serious question. When we deal with the issue of the dictatorship in Cuba, 90 miles away, a state sponsor of terrorism, a safe haven for international terrorists with over 100 fugitives from U.S. justice responsible, the state itself with its air force in addition to that for the murder of U.S. citizens, unarmed U.S. citizens over international waters, when we discuss opening of U.S. market, the U.S. market to that state, that regime, that is a very serious matter. And so in essence what I am saying, with all respect to my colleague, and we will continue discussing this issue, yes, we must find ways to help America's farmers, but without helping America's enemies. And we will continue our discussions. They are intense, they are sincere, they will get to the heart of this matter, at the same time protecting the U.S. national security, in essence the national interests of the United States. And so at this time, unless my dear colleague has an announcement to make, I would have an announcement to make myself.

The CHAIRMAN. Does the gentleman continue to reserve his point of order so that the Chair might recognize the gentleman from New York (Mr. SERRANO)?

Mr. DIAZ-BALART. Mr. Chairman, it is my understanding that the gentleman from Washington has an announcement to make. Or I would insist on my point of order.

Mr. NETHERCUTT. Mr. Chairman, I ask unanimous consent to withdraw the amendment in light of the gentleman's insistence on a point of order.

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

PARLIAMENTARY INQUIRY

Mr. DIAZ-BALART. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DIAZ-BALART. Mr. Chairman, if I insist on the point of order, what would be the difference between the gentleman withdrawing and my insistence on the point of order with regard to how it would affect debate?

The CHAIRMAN. The Chair would then have to rule on the gentleman's point of order.

Is there objection to the gentleman's unanimous-consent request to withdraw the amendment?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, let me just first say that I have the highest respect for the gentleman from Florida. He knows that. I also have quite a bit of respect for the gentleman from Washington (Mr. NETHERCUTT) and a lot of respect

for his amendment and even more growing every day for both the gentleman and all of his other policies. I think the gentleman from Florida makes an interesting point, that we should not at times do anything to help enemies we have in foreign governments.

But on the other hand, I do not think we should hurt people that live in the countries where we may have enemies in the government. And so I think that this issue, as the gentleman from Washington has said, is one that we have to deal with. That is why I really think he has been so courageous on this issue. We may run away from this issue but we cannot hide from it. Eventually we are going to be called to answer questions as the greatest Nation on earth, as the Nation that produces the most food in the world: Why during the period of great prosperity for us we use food and medicine as a weapon to bring people around to our political will?

This issue is not about whether we agree with a government or not. The issue is simply and it has to be repeated over and over again, whether we should deprive people in those countries whose government we disagree with the ability to have food and medicine, something that is so available to us in this country. And yes, at the same time we cannot deny that the way the gentleman from Washington and I and other people have presented this issue, it is also a good investment for this country, not only because we come off as being what we truly are, a good country that does not do this to other people but also because American farmers can sell food and medicine.

□ 1415

I will give my colleagues an example.

The gentleman from Florida did bring up the issue of Cuba. I have a bill to do just that, to sell food and medicine to Cuba.

In the area of food alone, if my colleagues can get past, for a second, the issue of whether we should even give this food away or not and the issue of food alone, the Cuban Government has made it clear that they would purchase up to $850 million in rice from this country, that they would purchase $700 million in corn, that they would purchase over $500 million in chicken.

Now, every time I mention one of these products, I know that a certain State delegation or a different State delegation gets excited. What a wonderful opportunity to do that which is humanely right and that which is good for our farmers.

I must tell my colleagues when I first got elected 9 years ago, coming from a district in the Bronx, I never thought that I would have American farmers supporting a piece of legislation I presented, and they do, and they do because they support the fact that it is a good thing to do and a good thing to establish, Mr. Chairman.

Now, the President, as we know, very recently said that we should do this with all other countries, but he could not do it for Cuba because of the fact that this is handled by legislation, that we cannot sell food and medicine to Cuba, and so I think that while this issue obviously will not be dealt with today, while this issue obviously will not become law anytime soon, while this issue obviously is still at the center of a political debate in this House which is not one that seems for our side to be winning, our side being those of us who agree that we should do this, the fact is that the time is coming for this.

We cannot continue to have food and medicine business, if my colleagues will, with China, with Iraq, were Iran, with Sudan and other countries in the world and continue to argue that one place 90 miles from Miami should not be allowed the same sale.

So I would hope that we do pay attention to this issue, and I would hope that in the near future the sponsorship of our bill will continue to grow. As it is, it is over 150 sponsors at the moment, and the minute we get to 218, we will talk to our colleagues about bringing it to the House.

So I would hope, Mr. Chairman, with all due respect that all Members would see this for what it is. It is something that is right, it is something that is fair, and it is something that is long overdue.

Mr. DIAZ-BALART. Mr. Chairman, will the gentleman yield?

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

Mr. DIAZ-BALART. Mr. Chairman, the gentleman said that he came up with incredible numbers that I had not heard before about what Castro says he would buy from the United States. I think the gentleman said $800 million in rice and $500 million in chicken. Where does he buy that from now? Does the gentleman from New York know?

Mr. SERRANO. Yes, those purchases made everywhere but from American farmers.

Mr. DIAZ-BALART. Everywhere.

Mr. Chairman, could the gentleman give me where that everywhere is?

Mr. SERRANO. Well, rice comes from Asia.

Mr. DIAZ-BALART. I know that that is a confidence, but knowing, as I do, that Castro does not make those purchases now, I was curious to find out where the gentleman says that they are made now by Castro based on the fact that he has promised to make them in theory from us.

Mr. SERRANO. Those purchases are made now, and they will be made here later.

Mr. LATHAM. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. Mr. Chairman, I just want to make one final point relative to this debate. It is a good debate, it is a debate that we all ought to be having. It is a debate that we all ought to be having in this country because it affects foreign policy issues, it affects economic issues for our country.

Look what we do in North Korea. We are providing hundreds of millions of dollars of agriculture aid, food aid, at the expense of the taxpayer to a regime that I think by all accounts is a corrupt regime in North Korea. Now I would rather have our country purchase, I should say our farmers sell commodities to North Korea and other such regimes like Iran and Iraq and others with whom we disagree violently on policy issues, but who will purchase our grain and will purchase our apples and purchase our other products, peas and lentils and other foodstuffs that will help from a humanitarian standpoint feed the people of those countries and also feed our farmers in our rural agriculture economy. So on the one hand our country is giving food to North Korea.

What I want to do as we debate this in the days ahead, and I am not as pessimistic as perhaps my friend from New York. I think this has a great chance to be enacted this year if enough people will show their concern and compassion for the issue, and debate it and pursue it very forcefully. I think this is the best policy for our country to deal with these regimes diplomatically very forcefully, but not punish them and us by not providing them food and medicine.

I just will put a plug in here, Mr. Chairman, for H.R. 212. It is the sanctions relief bill that has been introduced, that I introduced, that has lots of cosponsors, and we can have the debate about which sanctions we ought to impose or not impose on which countries. But from a conceptual standpoint, from a policy standpoint, lifting sanctions is the best policy for American agriculture, and I hope this House will adopt this, and the other body as well, along with the President. This is good policy for our country.

Mr. DIAZ-BALART. Mr. Chairman, will the gentleman yield.

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

Mr. DIAZ-BALART. Mr. Chairman, I agree with the gentleman from Washington (Mr. NETHERCUTT). This is an issue that needs debate. Every single country in the world is not only geographically, but historically and sociologically and politically in a different situation and in a different moment with regard to the certainty that it will have a democratic transition the moment of that democratic transition, and to broad-brush this issue, certainly again I would reiterate the wisdom of not doing so on an appropriations bill at the same time that I reiterate my willingness to continue discussions with those people like the gentleman from Washington (Mr. NETHERCUTT) who feel so strongly out of good-faith in this issue, not out of support for dictatorships, but out of good faith, and I

will continue our discussions because it is dangerous to broad-brush, it is indispensable that we not and that we recognize that sending signals to countries; for example, some terrorist states that have absolutely no way that they can pay, sending signals to them that they will no longer be sanctioned, that they will be in a situation where the American market will be open to them before liberation of political prisoners or free elections are held can be very destructive at this particular time.

So I thank the gentleman for yielding, and I look forward to further discussions on this issue which must not be broad-brushed and which must remain leaving to the United States the option in particular instances of not having to have recourse to military action as the only way in which the United States can act.

Mr. LATHAM. Mr. Chairman, I just want to make one point.

I do not think this would be as much of an issue if we did not use embargoes like we have in this recent administration, and talk about sanctions, they are embargoes. No one likes to use that term because in agriculture that has real connotations, has real effects.

We remember the Nixon embargo, the Carter embargo, how that devastated the agriculture. This, in fact, is what we are talking about, our embargoes, and in the last 80 years there have been 120 embargoes put forth by this country and other countries, and in fact over half of them have been put in place in the last 6½ years.

So my colleagues can see the dramatic impact this has had on agriculture in recent years, a major reason for the decline in prices today, the fact that 40 percent of the world's population today is under some type of embargo from the United States, and it is extraordinarily destructive to agriculture, to free trade and our position in the world market.

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk read as follows:

Amendment offered by Mr. COBURN:

Insert before the short title the following new section:

SEC. . None of the funds appropriated or otherwise made available by this Act may be used by the Food and Drug Administration for the testing, development, or approval (Including approval of production, manufacturing, or distribution) of any drug for the chemical inducement of abortion.

Mr. SKEEN. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 2 hours and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. Does the gentleman wish to designate with whom the time will be divided?

Mr. SKEEN. Mr. Chairman, no, we do not.

Mr. COBURN. Mr. Chairman, I ask unanimous consent to control one-half of the time, 1 hour, and allow the opposition to control one-half.

The CHAIRMAN. Any Member seeking to control 1 hour in opposition?

Ms. KAPTUR. Mr. Chairman, yes, we will on this side control the 1 hour in opposition.

The CHAIRMAN. The gentlewoman from Ohio (Ms. KAPTUR) will control the 1 hour in opposition. The gentleman from Oklahoma (Mr. COBURN) will control the 1 hour in favor.

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

Mr. Chairman, we are going to hear a lot of debate this afternoon and statements about the intended purpose of this amendment. I want to say from the outset that this amendment is not intended to have an effect on any drug used for any purpose other than that which is specifically spelled out in this amendment.

The taxpayers of the United States spend a great deal of money each year in funding the Food and Drug Administration. There is something terribly wrong when we ask the taxpayers of this country to spend money in a way which is designed to give the Food and Drug Administration the ability to research and approve drugs that are designed to kill unborn children.

Now let me say that again. The purpose of this amendment is to limit the FDA's ability to approve any drug which has its sole purpose to eliminate and terminate an unborn child.

This should not be in a debate about abortion, and I do not intend it to be. It is about how we use taxpayers' money and for what purpose should that money be used.

Abortion is legal in this country. I recognize that. But allowing a Federal agency to spend taxpayers' dollars to perfect and approve a method under which we take life to me seems totally irreconcilable with the fact that our whole country is supposed to be about the pursuit of happiness, the pursuit of freedom and the pursuit of life.

So this amendment will not block Cytotech from being used in other medicines and in other ways, it will not block RU–486 if it has an intended purpose for giving life, saving life, prolonging life. It will not stop any utilization of FDA funds in terms of that effort. Its sole purpose is to say to the FDA none of their money should be used in a manner which will enhance the taking of unborn life.

It is a very simple proposition. Whether one believes in abortion or do not, both sides of this issue believe that we have way too many abortions. None of us think that abortion is a great thing. There are not many people who have been through an abortion who think an abortion is a great thing.

So I want to move our debate not to the issue of abortion, but whether or not we can in good conscience utilize taxpayer dollars to perfect drugs to kill unborn children. That is what the debate is about. It is not about whether or not somebody can have an abortion; we all know that that is possible.

□ 1430

Regrettably so, from my viewpoint. But, rather, the debate is about protecting unborn life from unwise use of Federal taxpayer dollars.

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

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment, and yield myself such time as I may consume.

Mr. Chairman, as the gentleman knows, on many votes we share similar values, a similar point of view, and this Member certainly does not have a voting record of supporting Federal funding for abortion. I have read carefully the gentleman's amendment. I think it is a bit different from the one the gentleman offered 1 or 2 years ago, if I recall.

I think that the wording of the gentleman's amendment has a worthy purpose. The problem is, I oppose the gentleman's amendment respectfully for three reasons. First of all, on the basis of science.

I do not think that we can really say with certainty and the kind of broad language that the gentleman has included in his amendment that you know for certain what every drug will be used for. I do not have a Ph.D. in science myself, but certainly in the area of medical science, if I think about the decade of the brain that we are now working our way through and all of the discoveries that have been made, for example, in the area of mental illness, most of them by accident; in places like France, for example, where patients were on operating tables, and in order to alleviate pain they were using certain types of pain medications, and, all of a sudden, they discovered, my gosh, why did that work to help to diminish hallucinations and other conditions relating to mental illness?

We certainly are in a period of time now where many of these medications that were by accident discovered to have application for the remediation of the symptoms of mental illness are being worked on, and medical science is at a new horizon in terms of hopefully finding answers for the millions and millions of people that suffer from those illnesses.

I think similarly to some of the lab experiments that have been done, even the discovery of the X-ray itself was an accident. They did not go in there, I think it was Mr. Roentgen, was that not the name, to actually discover x-rays, but it happened. All of a sudden we have a major technology like that that has been used around the world now because of the ability of science to probe into the unknown, but then to figure out practical applications.

I think the gentleman's desire to limit abortion is a very worthy objective, and I do not think anybody on

this side of the aisle would disagree with the objective. The problem is that you cannot really say to medical science that you are going to know for every drug or every chemical that FDA reviews, you are going to know that it would have an end result that you are talking about.

Mr. COBURN. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, perhaps the gentlewoman did not hear my first statement. There is nothing in this amendment that will limit the research of any drug in any way, in any concept, whose purpose is something other than that. So if you were to take Cytotech or RU–486 and say you want to try to use it in a different way, this does not limit that at all. When you file an application with the FDA, you give what your intended purpose is.

What this amendment says is if you bring to the FDA a drug whose only intended purpose is to induce the separation of a blastocyst from the uterine wall, that is the technical term for what it does, that they should not spend money approving that.

If you bring the same drug to the FDA and say this is something that solves a problem with the liver, or this decreases portal hypertension, even though it might have that effect of causing an inducement of abortion, it is still approved.

Let me give you some examples. There is a new hair treatment to grow hair back on the head of the gentleman from California (Mr. WAXMAN), yet it cannot be used around anyone wanting to get pregnant. Why? Because it causes severe birth defects and can in fact induce abortions. That was approved. This would not eliminate that drug from ever coming to market or the FDA spending money on it.

Ms. KAPTUR. Mr. Chairman, reclaiming my time, I guess my point is to the gentleman that scientific inquiry and the work of the FDA by its very nature probes into the unknown, and even though the gentleman says that a given drug has to state a purpose, I am saying that we do not always know, once science begins to move, all of the various applications that science might ultimately have for that substance.

So I think that one of the reasons for my opposition to the amendment is I do not think we ought to prejudge science. We ought to let the Food and Drug Administration move forward, the scientists ought to move forward. Let them do what they do best.

I would guess that most drugs have more than one application, and the chemicals that go into them. Even today, many drugs are given, prescription drugs in fact, that may have side effects or other results that even the FDA scientists have not anticipated as they begin.

The second reason I oppose the gentleman's amendment is because I really do believe that this should be within the Food and Drug Administration. I do not think that we should be making this decision on the floor. We should leave it up to the people over at FDA to decide the procedures for drug approval and so forth, and Federal law currently provides that no Federal money can be spent for abortion. That has been on the books for many, many, many years. So I think that we should let the FDA do its job.

Finally, I would say to the gentleman, with all due respect, this subcommittee of the Committee on Agriculture had absolutely no testimony on this issue. The gentleman is bringing a very important issue to the floor. I personally, as just one member of that subcommittee, would have appreciated to have the FDA testify before us, many scientists, to talk about the chemistry of what the gentleman is concerned about, to try to perfect the language of what the gentleman is trying to offer here.

We really have heard from no one in the public on this particular subcommittee. So I find it somewhat uncomfortable to try to accept the gentleman's amendment, when our subcommittee really had absolutely nothing, we did not spend one minute on this within the committee itself.

So for those three reasons, and I want to yield time to other Members to comment, on the basis of science, on the basis of the safety by having the FDA involved, and also committee procedure, I would respectfully oppose the gentleman's amendment.

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

Mr. COBURN. Mr. Chairman, I yield myself such time as I may consume to respond.

Mr. Chairman, again, what the gentlewoman just said is it is against the Federal law to use Federal dollars for abortion, but in fact when the FDA approves a drug whose sole purpose is to kill unborn children, that is spending Federal dollars to perform abortion. So I would counter that.

Number two, there was no intention to come before your committee on this issue. This is a well-known issue, this is well documented. There is lots written on RU–486 and Cytotech, and through this discussion I will be happy to give you all of the references in the literature on that.

Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise today in support of the Coburn amendment's efforts to protect the lives and health of our Nation's women and unborn children.

This amendment would bar FDA's approval and development of new drugs whose primary purpose is to induce abortion. Those are called abortifacients.

Some people believe it is in the best interests of women to make all forms of abortion available to women. However, even for those who support abortion on demand, approving RU–486 is shortsighted and it is a risky approach. Scientific studies have shown a link between abortion and breast cancer. Unfortunately, many who commit abortions do not want to let women know about that risk.

Breast cancer is the leading form of cancer among middle-age American women, but we do not even want to tell women who are considering abortion of this risk.

Ten out of 11 studies on American women report an increased risk of breast cancer after having an induced abortion.

A meta-analysis in which all worldwide data were combined reported that an induced abortion elevates a woman's risk of developing breast cancer by 30 percent. How can we in good conscience approve new forms of abortion before we study the breast cancer and abortion link further and let women know of the risk?

This is the kind of investigation that should be done. This kind of information should be held in hearings before the committee. So I urge the Members to support the Coburn amendment to protect women, both born and unborn.

Ms. KAPTUR. Mr. Chairman, I yield 4½ minutes to the gentlewoman from the State of Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, I might just say to the last speaker, very quickly, that in fact the editor of the Journal of the National Cancer Institute has said that there is insufficient evidence that exists to link induced abortion and breast cancer. That is a medical opinion.

Let me move onto this amendment this afternoon. I am shocked, quite frankly, that we are going through this debate again this year after the outcry of the many medical and pharmaceutical organizations who opposed this amendment last year. It is an unprecedented invasion into the FDA's approval process.

Quite frankly, this is a place where Congress has no right to be. We are not scientists. We do not know what is best for the health of American citizens.

This amendment is intended to block research. It blocks not only drugs that are currently in the pipeline, but potential future breakthroughs in biomedical research. It is an attempt to promote an anti-choice agenda. I have respect for people who have a different view of this issue on choice than I do, but the proponents of this amendment are risking the lives of millions of Americans, because this amendment would also block the development of drugs to cure cancer, ulcers, rheumatoid arthritis, epilepsy, and other medical conditions because some of those drugs can cause a spontaneous miscarriage.

Let me read you a portion of a letter from the National Coalition of Cancer

Research that is just one of the many medical organizations that is firmly opposed to this amendment:

''Attempting to legislate any drug's approval or disapproval is inappropriate. It starts down a slippery slope of prohibiting development in certain drug categories. The comment that the ranking member of this committee made, not only does it threaten the credibility of the drug approval process, it would impede the development of pharmaceuticals to treat different diseases not related to reproduction, such as cancer. If disease or condition-specific approval is dictated by legislative action, drug researchists' efforts to develop new therapies will be stymied.'' By passing this, the FDA's approval process would be prevented from having the opportunity to do something about this issue.

Let me just talk to you for a second as a cancer survivor. I am a survivor of ovarian cancer; 25,500 women will contract ovarian cancer this year; one-half of them will die. Any chemotherapy drug that is taken by anyone with cancer, any chemotherapy drug has the propensity to cause a spontaneous miscarriage. Why do we take our personal philosophy about where we are on choice and try to foist it on the millions of Americans who, through no fault of their own, contract cancer or a serious illness?

□ 1445

Why would we relegate millions of women to die because we have a particular view on choice?

Mr. Chairman, it is wrong for us to prevent biomedical research. We have an obligation. We spend billions of dollars to promote what happens at the National Institutes of Health because we believe we have the obligation to cure disease in this country. Do not take an action here this afternoon that would in fact condemn millions to die because somehow we want to score a point on choice in this country.

It is wrong, it is unconscionable, and I plead with my colleagues to defeat this outrageous amendment this afternoon.

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent to control the time allotted to the gentleman from Oklahoma (Mr. COBURN) during his brief absence.

The CHAIRMAN (Mr. PEASE). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman, I am happy and pleased to yield such time as she may consume to the gentlewoman from North Carolina (Mrs. MYRICK).

Mrs. MYRICK. Mr. Chairman, I think most of us agree that we would like to be seeking alternatives to abortion, rather than making abortion more accessible.

But the one issue that I wanted to speak on today is what has been shown scientifically as an increased risk of breast cancer. Supposedly there is a link between breast cancer and abortion. This should be examined much more thoroughly before any new forms are approved.

Ten out of 11 studies on American women report an increased risk of breast cancer after having an induced abortion, particularly among women with a history of breast cancer in their families. We know this is already a major problem which we are trying to effectively deal with because currently cancer is the leading form, or breast cancer is the leading form of cancer among middle-aged American women.

In the few countries in which RU–486 is available, it is strictly regulated by the government's health care systems. However, in the U.S., control of abortion drugs is more lax, and sometimes they are often dispensed without a doctor's approval, which again potentially endangers women's health.

But because of the potentially dangerous side effects of abortion, and this is not just physical, this is emotional, as well, these drugs should not be administered without consultation and medical follow-up with a doctor. So I hope we give this serious thought.

Ms. KAPTUR. Mr. Chairman, I am very pleased to yield 4 minutes to the gentlewoman from the great State of New York (Mrs. LOWEY), a member of the committee.

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Chairman, I thank our ranking member for yielding time to me.

Before I address the overall issue, I would like to respond to my colleague, the gentlewoman from North Carolina (Mrs. MYRICK) by reading another quote.

''The Danish researchers concluded that induced abortion has no effect on the risk of breast cancer.'' When reporting on a particular study, the New York Times stated: ''This longstanding issue shall now be settled. No evidence exists to link induced abortion and breast cancer.''

Mr. Chairman, I rise in strong opposition to the Coburn amendment. The amendment would stop the drug approval process in its tracks by placing unprecedented roadblocks in front of the FDA. It puts ideology ahead of science and compromises women's health.

The Coburn amendment would block the final approval of a drug, RU–486, that the FDA has already declared to be safe and effective. I repeat, this amendment would block final approval of a drug that the FDA has already declared safe and effective.

This amendment would make FDA drug approval contingent not on science but on politics. The FDA is charged with protecting the public's health, and should not be subject to congressional interference. Should we subject each FDA decision to a congressional vote? Mr. Chairman, let us allow the FDA to do its job free from right-wing intimidation. The American people do not want the Christian Coalition in charge of our Nation's drug approval process.

This amendment may also prohibit the development of new, more effective contraceptive methods, if Members believe, as some do, that any form of hormonal contraception, like in this bill, is tantamount to an abortion.

What about other drugs that as a side effect may induce abortion, like many chemotherapy drugs and anti-ulcer medication? Will research be halted on these lifesaving drugs as well? This amendment is too vague even to give us a clear answer to that question.

So, Mr. Chairman, this amendment is about much more than RU–486. It is about whether the FDA will be free to test, develop, and approve needed drugs without congressional interference. It is about whether politics or science will govern our Nation's drug approval process.

Since Roe v. Wade, the anti-choice minority has attempted to stymie contraceptive research and suppress advances in reproductive health. For example, there used to be 13 pharmaceutical companies engaged in contraceptive research. There are now four. Thankfully, despite pressure tactics, scientists have made some important progress. Among the most significant is the development of RU–486.

RU–486 would make a dramatic difference in the options available to women facing unintended pregnancies. It could make abortion, already one of the safest medical procedures, even safer. Women in France have been using RU–486 for a decade. It is also available in Sweden and Great Britain.

Over 400,000 women have had abortions using RU–486. The New England Journal of Medicine has published clinical trials confirming its acceptability and effectiveness. Also, RU–486 has another significant advantage over current abortion procedures, it can be given in the privacy of a physician's office.

What will the right do when it is approved? Will it picket every doctor's office in America? Will it harass every woman in the Nation? Thankfully, it cannot. That is why it is fighting to block the approval of this drug.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I just want to respond briefly to the previous speaker. When I hear talk of the so-called anti-choice minority, I find that not only empirically unsound, because the data clearly shows America is moving increasingly toward the right-to-life position. But its insulting as well. Minority? I don't think so. As a matter of fact, two polls recently came out. One was done by Faye Wattleton's group, the former president of the Planned Parenthood Federation of America. According to The Center for Gender Equality Survey, January of

1999: ''Seventy percent of women favor more restrictions on abortions;'' women, 70 percent. That doesn't sound like a ''minority'' to me. The survey also found fifty-three percent of women today favor banning abortion except for rape, incest, and life of the mother. Rape, incest and life of the mother is about two or three percent of all the reasons as to why abortions are procured. So most women want most abortions made illegal.

Most of the 4,000 babies who die, each day in America from abortion would be saved if the opinions of a majority of women—if their sentiment—were enacted into law. The Coburn amendment does far less than what a majority of women want and we are not talking even remotely about banning abortion in this pending amendment. Yet, 53 percent of women today favor banning abortion, except for rape, incest, or life of the mother.

The survey interestingly points out that that is up from 45 percent of women just 2 years ago. So there is a sea change occurring. Americans are beginning to wake up to the fact that abortion is violence against children.

There is also a USA Today CNN Gallup poll that found that 55 percent of all men and women say abortion in America should be legal only under rape, incest, or threat to the life of the mother. So again, a majority of men and women and a majority of just women that have been found in the USA Today-CNN poll and the Center for Gender Equality survey that the majority is in favor of protecting the lives of innocent unborn children, except in the most extreme circumstances that, frankly, rarely, rarely happen.

If we had legislation that protected those children, again, we would be saving most of the lives. When polled on funding, an overwhelming majority of Americans in every poll, and I ask Members to look at their own polls in their own districts, most will show clearly an overwhelming majority of Americans are against using taxpayer-funded monies to pay for abortions, except in the rarest of cases.

This legislation, this amendment, the amendment offered by the gentleman from Oklahoma (Mr. COBURN) is the Hyde amendment of the FDA. Let us be very clear about it, it is the Hyde amendment being applied to testing of those drugs that are used to procure an abortion.

I believe history and human rights observance are on our side, the pro-life side. Some day the viewpoint from the pro-abortion side will be seen as so misguided and even cruel that people will say, how could they have imposed such violence on innocent, unborn children, especially at a time when we know more about unborn children than ever before in the history of mankind or womankind. Today microsurgery on unborn children, is almost common place. Children are literally lifted out of the mother's womb and surgery is performed, and then they are reinserted to grow and develop and mature until birth time.

Birth has to be seen, I say to my colleagues, as an event that happens to each and every one of us. It is not the beginning of human life. That happens much, much sooner than that at fertilization.

What the gentleman from Oklahoma (Mr. COBURN) is trying to do with his amendment is to say that babies are not junk. They are not throwaways. Some Members want to allow the FDA to invent the newest form of mousetrap, to come up with another more lethal way of destroying unborn children. We can't allow that to happen. And RU–486 is not really a morning after drug, it is used up to 7 weeks after fertilization. It causes the abortion to occur usually after 7 weeks into the gestational cycle. That is not morning after.

I find it offensive, that my tax dollars, American people, not some so-called anti-choice minority but a pro-life majority are used to test and approve deadly poisons for children.

The pro-abortion side does not enjoy a majority in this country. Through manipulation of poll data over the years the pro-abortion side has given the impression, the perception that that is the case, but now the pollsters are now asking more specific and enlightening questions, and all of a sudden it is revealing that, one, more people are pro-life, and also, when they ask the same question over the last several years, there has been a change in our direction.

My friend from New York Mrs. LOWEY says there is no linkage of abortion and breast cancer. Yet 10 out of 11 studies on American women report an increase in breast cancer when women under goes abortion. The ''denial'' people remind me, of the tobacco Institute denials who year after year said there is no connection between smoking and lung cancer.

There is a compelling linkage of breast cancer and abortion. Dr. Janet Daling, with a National Cancer Institute-funded study, found that after just one abortion there is an increase in the aggregate of all women of about 50 percent in the propensity to get breast cancer. She is not a pro-lifer. She does not agree with my position or that of the gentleman from Oklahoma (Mr. COBURN).

She also found that if a woman aborts her first baby that number shoots up to 150 percent. Shame on those who say there is no linkage. They are misleading women. They are misleading women. And putting women at risk.

Dr. Daling also found that where there is a history of breast cancer in that family, the vote skyrockets to 270 percent when abortion is involved. So if the mother, or the grandmother or sister or someone in that family has had breast cancer, one abortion means that there is a greater likelihood that she will get breast cancer. Why the coverup

We would hope that the FDA would spend more time looking at drugs to mitigate breast cancer and to try to get rid of that terrible, terrible disease, and that the whole abortion establishment would stop the cover-up, and begin informing women about their risks.

Let me just also point out, Mr. Chairman, that RU–486 and chemical abortions, just like dismemberment abortions, just like those abortions where the baby's brains are literally sucked out, partial birth abortions, chemical abortions are just another way of killing the baby.

I think it is time to stop pro-abortion sophistry and the ignoring of the basic fact that every act of abortion takes a life. It is violence against children. Some day we are going to realize that, Mr. Chairman. We do not want our tax dollars being used to perfect another way, another chemical poison, another baby pesticide to kill babies. That is what we are talking about. Come up with drugs that heal, do not promote drugs and make me and my colleagues on the pro-life side on both sides of the aisle fund and pay for killing agents.

Mrs. LOWEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I would just like to refer my colleague again to statements from the National Cancer Institute, because we feel so strongly that we should not be mixing up politics and science, confusing our own personal views, and I respect the gentleman's, on whether or not women should have a choice. I would expect that the gentleman respects others'.

In 1996 the National Cancer Institute, concerned that some anti-abortion groups were misrepresenting the science on the subject, issued a statement, not my statement, their statement, and I quote, ''The available data on the relationship between induced abortions or spontaneous abortions, miscarriages, and breast cancer are inconsistent, inconclusive. There is no evident of a direct relationship between breast cancer and either induced or spontaneous abortion.''

Mr. SMITH of New Jersey. Reclaiming my time, Mr. Chairman, as I pointed out earlier in the debate 10 of the 11 studies on American women reported an increase on breast cancer when the women had an abortion. You may say there needs to be more studies. I say there needs to be more studies. Everybody says that.

But when we get a preponderance of studies pointing in the same direction, I think we should alert women that there is a negative devastating side effect sometimes manifesting itself 20 to 30 years down the line that cannot be ignored and trivialized.

When Janet Daling's study came out, which was National Cancer Institute-funded it received adequate coverage in

the Washington Post for one day. Then all trace of the story was killed with spin from the abortion rights side.

Mr. COBURN. Mr. Chairman, I ask unanimous consent to reclaim control of the time.

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

There was no objection.

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

Mr. Chairman, I want to respond to the National Cancer Institute study. The gentlewoman added one word there that totally throws out what they said, ''spontaneous.'' If we add all the spontaneous abortions in with the induced abortions, we will not get an effect, because the number of spontaneous abortions is close to 600,000 to 700,000 per year, 800,000 in some studies. So by combining that data, a normal response to a wrong and incomplete reproductive event to the termination of a normal event, we do not have good data. They know that. That is why they put that material in there.

I want to continue my point, if I may. I will be happy to debate back and forth with the gentlewoman.

Mr. Chairman, I heard from this floor statements exactly opposite of what I said was the intention of my amendment. I am deeply concerned that people would use untruth about what this intended amendment is. Everyone knows me well enough that I am not going to oppose good research for things that help people get well.

There is nothing, and it does not matter what the gentlewoman says, there is nothing in this amendment that will eliminate any cure for cancer, eliminate any process under which any drug can be studied for cancer, because the actual application that the Food and Drug uses, which is right here, it says, what is the purpose for the IND. And if the purpose is chemical inducement for abortion, then they cannot do it. If it says anything else other than that, they cannot.

Finally, I would like to comment about the comments on whether or not we ought to be involved in this.

□ 1500

If the issue of life is not something this House should debate, I do not know what we should debate. There is nothing more important, whether it is the end of life or beginning of life.

We can have our differences. We have a Supreme Court ruling; I understand that. But to say we should not be debating and then finally to say that Congress should not try to work what it thinks the will is, I would propose that most of those who oppose this amendment voted for the amendments that limited drive-through deliveries, that limited drive-through mastectomies, so they have already said that they believe that Congress should practice medicine.

My colleagues cannot claim both sides of this issue. Either they think it is a proper position for this government or this Congress to get involved in things that are wrong or they do not.

Now my colleagues may not agree with the issue, but to use the false premise that we should not be discussing this is intellectually dishonest; it is inappropriate and misstates the situation.

There is nothing in this amendment that will limit NCI's research whatsoever into any cancer treatment, into any treatment whatsoever in any way. To claim otherwise is to distort the truth for purposes of debate and to not carry out an equitable and fair debate.

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

Ms. KAPTUR. Mr. Chairman, may I inquire of the Chair the remaining time on both sides, please.

The CHAIRMAN. The gentlewoman from Ohio (Ms. KAPTUR) has 44½ minutes remaining. The gentleman from Oklahoma (Mr. COBURN) has 40½ minutes remaining.

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

Mr. Chairman, I wish to state that, as I listened to the gentleman from Oklahoma (Mr. COBURN) and his desire to try to protect life, I think that his amendment and the words of his amendment, in fact, do not do that. So there is not a disagreement with the objective, but rather the means to get there.

Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, I thank the gentlewoman from Ohio (Ms. KAPTUR) very much for yielding to me this time.

This bill does not provide taxpayers subsidies for abortion. This bill before us is an appropriation to fund the Food and Drug Administration. The Food and Drug Administration receives applications from those private industries that manufacture drugs who come to them and say we want to market our drug. But the law says we must apply to FDA to assure the public that the drug is safe and effective. The FDA then uses its scientific method to determine whether the drug ought to be sold as safe and effective.

The Coburn amendment would prevent the FDA from using science. It would say to the FDA they may not approve a drug that is safe and effective because we are going to substitute a political judgment for what has been a scientific judgment under which the FDA has been mandated in carrying out its responsibilities. So what we are doing is preventing taxpayers' funding of the Food and Drug Administration to determine whether a drug is safe and effective.

Now, there is an interesting argument that the gentleman from Oklahoma (Mr. COBURN) makes, and I am sure he is sincere, that his amendment would only apply to a drug solely to be used for abortion purposes. But that is not what his amendment says. His amendment says that the FDA cannot use any of its funds for testing, development, or approval of any drug for the chemical inducement of abortion. Well, ''for the chemical inducement of abortion'' may be a side effect of a drug that may be intended to cure cancer. It may be intended for some other purpose.

Now abortion is legal. If abortion is legal, why should we not allow funds to be used by private enterprise to develop a drug that would lead to safer abortions, earlier, safer abortions?

We have heard the story about the link of abortions with breast cancer. I have seen no evidence of that. But let us say that there is a drug that would allow a termination of a pregnancy without any additional risk that may now be out there for those who do decide to terminate a pregnancy.

This amendment is a political amendment. It really is inappropriate in this legislation not to allow the FDA to do its job, which is to use science, to allow research based on science as the FDA considers whether a drug ought to be marketed to the American people.

I would hope that we would oppose this amendment and let FDA do its job and allow a procedure that is legal to be done in the safest possible way.

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

I would like to respond to the gentleman from California (Mr. WAXMAN). Number one, the definition of ''for'' under the dictionary that we have in the House is with the object or purpose of.

The gentleman refuses to address our issue. Our issue is that Federal dollars should not be used to enhance the taking of life. Now, his claim that he has no knowledge of the connection between breast cancer and abortion, I can take that. He probably had not read the studies. I have read every study. Having been trained in science and having read all studies associated with breast cancer and abortion, I think there is some legitimacy to it. I do not know how much there is, but I have read it at least.

Number two is, for the gentleman to object that this is not a place for this debate, again it is not inappropriate, for we have an opportunity as Members of this House to put limitation amendments on appropriations bills. We may not like it, and I understand that, but it does not mean that it is inappropriate or wrong for us to do it.

I also have the legislative history where my dear friend, the gentleman from California (Mr. WAXMAN), has been very effective in doing some of these same things in the past himself. So the use of a limitation amendment on an appropriation bill is both appropriate and within the rules of the House.

So again I want to say this amendment will not, and I will take my colleagues to the application of the Food

and Drug Administration, one has to list a purpose or indication for a drug when one applies. If that is something other than the inducement of abortion, then they can approve anything. The gentleman from California (Mr. WAXMAN) knows that. He knows what the forms say. He knows more about the Food and Drug Administration than anybody in this Congress. I understand that. But he also knows full well that this amendment will have its intended purpose, and that no drug whatsoever which has a purpose other than that will be limited in any way.

Mr. WAXMAN. Mr. Chairman, will the gentleman yield to me?

Mr. COBURN. I am happy to yield to the gentleman from California.

Mr. WAXMAN. Mr. Chairman, I will insert for the RECORD a statement from the Food and Drug Administration where they say very clearly they do not read the gentleman's amendment as he does. Their lawyers have said this will prevent them from dealing with any drug that is brought to them for approval that may have the consequence of terminating a pregnancy.

But my view is, even if its original intended purpose is to terminate a pregnancy, if it is a safer way to do that, we may be saving lives as a result. We may be saving the life of the mother.

Mr. COBURN. Reclaiming my time, let me give the gentleman from California some reasons why we have breast cancer associated with abnormal pregnancies. When a woman is pregnant, there is a large increase of both estrogen and progesterone. The abrupt termination of those, one has turn-on factors in the breast tissue which are not modulated in a normal cycle that the body knows how to do it. That is why we also see an increased risk of breast cancer in women who have late onset pregnancies.

This is not something that is new to the medical community. This is something that we suspect, and now we are starting to see data for. I understand the gentleman's opposition. I would say I would be happy to take an amendment from the gentleman from California (Mr. WAXMAN) that puts the word ''solely'' in there. I would happily agree to that. But I think his real objection is that we should not be doing this. But the point is I am happy to accept an amendment that will say solely for that, because, as a practicing physician, I know we sometimes get consequences that are ill-effective, and I have no intention of stopping it.

The final point that I would make is the lawyers for the FDA ought to read the legislative history. This passed the House last year, and the history on it shows very much, we actually even had a ruling from the Chair which the gentleman from California (Mr. WAXMAN) had the point of order on, which said this would do that, and the Chair ruled it would not.

Mr. Chairman, I yield 5 minutes to the gentleman from Indiana (Mr. HOSTETTLER).

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

Mr. HOSTETTLER. Mr. Chairman, I rise in strong support of this amendment from the gentleman from Oklahoma (Mr. COBURN). The Supreme Court has told us that we have to allow the killing of unborn children on demand. It has not, however, told us the government has an obligation to facilitate this service.

This amendment would help ensure that American taxpayers do not end up funding the approval of drugs that are designed to kill our unborn children. FDA's mission, as it was created by this very Congress, should be to approve drugs that save lives, not end lives.

I would just hasten to add that Congress does have oversight responsibility with regard to all agencies of the Federal Government. It has been stated that Congress is sticking its nose into places it should not be. Well, if Congress should not be here now, then it is assumed that the proponents of that philosophy say that the Federal Government should not have been involved in the Food and Drug Administration's creation.

Secondly, there has been the point made with regard to the Supreme Court and the Supreme Court decision that has been made. Earlier today we heard an oath from a new Member that said he swore to support and defend the Constitution of the United States. He did not say anything about according to what the Supreme Court says that the Constitution says.

Separation of powers says that the House of Representatives, the Congress, has the constitutional obligation to determine constitutional intent; and that is what the amendment of the gentleman from Oklahoma (Mr. COBURN) is doing right here, saying that it is Congress' obligation to determine how the taxpayers' money is spent.

The point has also been made that Congress are not scientists. Well, there are several of us that happen to be scientists. We are not in the area with regard to medical science, but we have been told about other doctrines of science, other theories of science; and that is one of those old theories that we are asked to subscribe to today.

□ 1515

And that is that we are led to believe that if a child, if an individual is conceived, that 9 months later it turns into something that it was not. During the Dark Ages and shortly thereafter, that was a scientific theory that was subscribed to, called spontaneous generation, which said basically if rancid meat sat in the corner for 24 days, there will be flies there. So that meant that rancid meat ultimately turned into flies.

Well, that is not the point here. The point is that a child at conception is a child at conception, it is a child 2 months after conception, it is a child 9 months after conception, and it is a child 2 years after it is born.

We should not, as Members of this House, be asked to subscribe to a theory in science that was done away with hundreds of years ago by scientific knowledge at that time. Therefore, we are being asked to facilitate the FDA doing something safe and effective. If that child is a child at conception, and it does not automatically spontaneously generate into a child sometime later, then we are to make sure that drugs are safe and effective for children that are inside the womb as well and not be facilitating the destruction of that human life.

Finally, I will say that there has been much said here about cancer survivorship, and I would be one that would say that I am pleased at the rate of survivorship of Members of this House, Members of this Chamber. My mother is a cancer survivor. However, my father had cancer and he is not a survivor of cancer. This weekend I am going to take part in a relay for life where those survivors of cancer are going to come and celebrate life. My father will not get to take part in that process this year because he is not a survivor of cancer, but I can tell my colleague this: that the way my father raised me is such that he would not take one innocent child's life in order for him to survive cancer.

And that is not what this amendment does. It says and I quote, ''None of the funds made available in this act may be used by the Food and Drug Administration for the testing, development, or approval, including approval of production, manufacture or distribution, of any drug for the chemical inducement of abortion.''

This amendment by the gentleman from Oklahoma simply deals with a phenomenon of the day, and that is RU486, an abortifacient, that is not being used to treat people and cure people of cancer as it could have my father. Let us remove all the veneer, let us remove all of the camouflage over this and tell the story as it is. The gentleman's amendment will not stop one drop of research into saving people's lives that have cancer. I wish that research would have happened a few years earlier, so that my father could have taken part in that relay for life this weekend.

Let us do say a word for life today. Let us say that innocent preborn life is worth securing, is worth protecting and is at least worth not spending taxpayer dollars on to find a more efficient way to exterminate it.

Ms. KAPTUR. Mr. Chairman, I yield 2 minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Chairman, I am frankly disturbed by the claims that are being made by the proponents of this amendment. The proponents of the amendment say that the drug cannot be used for the sole purpose of abortion or the primary purpose of abortion, but

that is not what the text of the amendment says. What the text of the amendment says is none of the funds appropriated shall be used for the testing, development or approval of any drug for the chemical inducement of abortion. Those words are not in there.

But there are more problems than that. The other problems are that there is no recognized definition by the FDA of the words ''chemical,'' ''inducement,'' or ''abortion.'' So nobody is filing applications with the FDA saying we want to use this research solely for the purpose of the chemical inducement of abortion.

The truth is the way this amendment is written it would prevent research on many, many drugs which may have a side effect of causing abortion. And if my colleagues believe the last speaker, many people believe that that is appropriate. Many people believe that it is a worthwhile societal goal to have millions of cancer victims die in order to stop what may be abortions. That is unacceptable both from a human and a scientific standpoint.

The truth is under this amendment we would be banning research of drugs which would cause miscarriages by treating cancer, hypertension, cirrhosis, rheumatoid arthritis, and even some vaccines. We cannot sacrifice scientific research into abortion, which is legal, or equally importantly into cancer and all these other things simply because of a political agenda. And that is what we are talking about here. We are talking about a political agenda.

And the reason this amendment is written so broadly is because there are people who would ban drugs whose primary purpose is for other purposes, like cancer research, in order to stop abortion. And that is wrong. Defeat the amendment.

Ms. KAPTUR. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

Mrs. MORELLA. Mr. Chairman, I thank the gentlewoman for yielding me this time and I rise in strong opposition to this amendment which would restrict the FDA from its current system of research and testing of drugs that could eventually save lives.

Reproductive health drugs should be subject to the FDA's strict science-based requirements which any drug must meet before approval can be granted, but this amendment would prevent the FDA from reviewing any drug that could possibly induce miscarriages as a side effect.

Health research is threatened when we legislate decisions that should be left to medical researchers and doctors. Under current law, a company that wants to begin clinical trials on a new drug submits its application to the FDA for approval and, if the application has not been responded to within 30 days, the company is free to move forward. With this amendment, no funds could be used to oversee or even disapprove of such tests.

Mr. COBURN. Mr. Chairman, will the gentlewoman yield?

Mrs. MORELLA. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I would say to the gentlewoman that there is nothing in the legislative history or the ruling of the Chair from last year or the legal parameters that we have had that makes the gentlewoman's statement a true statement.

The fact is that all drugs whose sole purpose is something other than the chemical inducement of abortion have free reign at the FDA, and I thank the gentlewoman

Mrs. MORELLA. Reclaiming my time, Mr. Chairman, the gentleman's amendment, though, would say review of any drug that could possibly induce a miscarriage as a possible side effect.

Well, now this amendment is opposed by such groups as the National Coalition for Cancer Research and the American Medical Association, and they believe very strongly, as we do, that attempting to legislate any drug's approval or disapproval is inappropriate and that not only does it threaten the credibility of the drug approval process, but it would impede development of pharmaceuticals that may be used either as contraceptives or to treat diseases related to reproduction.

As a matter of fact, it was during last year's debate that drug companies stated that researchers and pharmaceutical companies would be less likely to invest in drugs that might cause miscarriages, and currently many drugs do have this side effect.

So if disease- or condition-specific approval is dictated by legislative action, we are in big trouble. So I urge my colleagues to vote against this amendment.

Mr. COBURN. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. WELDON), and I would note for the House that he is a medical doctor.

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding me this time, and as Yogi Berra said, ''It's like deja vu all over again.'' We are having this argument now and it is the same set of arguments as we had last year when the Coburn amendment passed the House, I believe by a margin of 223 to 202. I would encourage all my colleagues to vote in support of the Coburn amendment.

I believe very strongly that this is a very reasonable and prudent amendment. As has been very, very clearly stated by the gentleman from Oklahoma, when these pharmaceutical companies, medical schools, individuals put in these applications for new drug approval, they put down what its indication is. And the Coburn language is very specific. We had a ruling from the Chair on this issue last year. If the specific indication is to induce chemical abortion, under the provision of his amendment they will be barred from doing that.

Now, I practiced internal medicine for 15 years prior to coming to the House. I still see patients occasionally on weekends. I have had the unfortunate experience of diagnosing people with cancer; indeed, the even more unfortunate experience of seeing many of my patients die. And I would not support any amendment that in any way would interfere with the new development and approval of drugs for the treatment of cancer. And I think it is very disingenuous for anybody to imply that this amendment would have that kind of an implication. This amendment is very, very clear in its language. It is very, very well targeted.

I would also like to point out that what we are talking about today is very, very significant. The FDA has been around for years, and it has safeguarded the American people from the introduction of many potentially dangerous drugs. A great example of this is thalidomide, a drug that was introduced in Europe and produced terrible birth defects. But our American Food and Drug Administration never approved that drug and, thus, prevented millions of American babies from being born with such a type of malformation.

The Food and Drug Administration has never had a drug application before it where the specific intent of the drug was to lead to the death of an unborn baby. Now, abortion, obviously, is a very controversial issue. Every time these issues come up, the arguments are very, very impassioned. And they should be because it is an issue of life and death.

We all know that the baby in the womb has a beating heart. At 40 days it has detectable brain waves. Those are the criteria that I used to use when I practiced medicine to make a determination as to whether or not somebody was dead or alive. So this is a very, very significant issue. And to have the U.S. Food and Drug Administration reviewing a drug and approving a drug where its intended purpose is to kill the unborn baby in the womb, I think, is very, very inappropriate. I think it is very, very appropriate for us to speak on this issue. So, therefore, I would encourage all of my colleagues to vote ''yes'' on the Coburn amendment.

I just want to touch on one additional issue that has come up in the course of this debate, and that is the reported possible link between abortion and breast cancer. My colleagues, I have reviewed the studies on this issue and the studies are very, very compelling that there really is a link. The statement released by the NCI, I believe, is a very disingenuous statement. It really sincerely ignores the facts on this issue.

If my colleagues actually take the time to read the studies, it is very, very bothersome to me that there are a lot of people within the cancer research community that are turning a blind eye to this issue.

Now, finally, let me close by saying the President of the United States once

said in a speech that he wanted to make abortion safe, legal and rare. There are lots of us who hold that abortion is never safe for the unborn baby in the womb, and I do not think anybody would argue with that. Some people may want to turn a blind eye to the humanity of that child in the womb, but it is never safe for the child in the womb.

Might I also say that there has been absolutely no effort on the part of the administration to truly make abortion rare. Indeed, in trying to push through something like this, we are in many ways trying to facilitate abortion, trying to make it easier, make it more common. And I do not think we should be going in that direction.

I applaud the gentleman for introducing this amendment, and I encourage everyone to support it.

Mrs. LOWEY. Mr. Chairman, I ask unanimous consent that I be allowed to manage the time of the gentlewoman from Ohio (Ms. KAPTUR).

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Chairman, I rise in strong opposition to this amendment offered by the gentleman from Oklahoma (Mr. COBURN).

The author of this amendment may, in fact, believe that it is narrowly drawn and will not affect other research that is being done, but I think his comments a few speakers ago, when the gentleman from California was talking, that he was willing to accept a clarifying amendment, indicates even a specter of doubt in his own mind that there may be a problem with this amendment.

The fact is, even with the ruling of the Chair, this issue would not be decided by the Chair; it is ultimately decided across the street at the Supreme Court.

□ 1530

That is what is to happen if we go through with this type of amendment because it may address RU–486 today, but it will open the door for lawsuits to address other types of research tomorrow and it will not be decided in this body or in the other body, it will be decided in the courts. This is a very dangerous precedent-setting amendment that takes the Congress, in my opinion, down the wrong path where we do not want to go.

The gentleman raised the issue of drive-through mastectomies and drive-through deliveries, and, yes, voted for those. I do not know if the gentleman did or not. I think that is a dangerous position for us to take. But here we are going even further. And I think this amendment is so broadly drawn that it creates a serious problem, and I think the House ought to reject it.

Our other colleague from Indiana talked about removing the veneer. Well, let us do remove the veneer. This is not just about RU–486. This is about chipping away once again at ''Roe v. Wade'' and getting this in front of the Supreme Court again and seeing if they can overturn a woman's right to choose. That is what this is about. But in the wake of doing that, it creates a lot of damage in the research world.

I hope my colleagues will oppose this poorly drafted amendment.

Mr. COBURN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON) who is, I might say, in opposition to my amendment.

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the gentleman for yielding to me, knowing that I oppose his amendment. And I do oppose his amendment very strongly.

The law of the land is that abortion is legal, whether we like it or not. The law of the land and Supreme Court decisions have given women total control over the decision of whether they will get pregnant and carry a pregnancy during the first trimester. That right is compromised as the fetus grows and women have essentially no right to abortion except under extreme circumstances that are life-threatening toward the end of their pregnancy.

Now, that is simply the law of the land. If my colleagues do not like it, bring a bill to ban abortion, and let us debate that on the floor as the representatives of the people. Let us see if America wants a policy that bans abortion.

Italy has reversed their policy banning abortion because if we ban abortion, we just raise the number of women who die, who die getting illegal abortions. And we know that that was true in our history.

When we first made abortions legal, the big change was not an increase in abortions, because there was not any increase in abortion. The big change was a radical, precipitous decline in maternal deaths. So, mark my words, this is about abortion. Women have a right to abortion and they have a right to a variety of safe, legal procedures. Women in Europe have had access to this method for 20 years.

This is not about thalidomide. This is about something that women in Europe have used for 20 years. Our FDA has reviewed it on the basis of science. That is their job. And under that standard, they have found it to be an effective agent. And women have every bit as great a right in America to a pharmaceutical agent as they do to the surgical procedures. Why would men, in America particularly, want to make the decision for women that they have to go, in a sense, under the knife rather than taking a pharmaceutical pill?

So this is, by gum, about a woman's right to choose and the right to abortion in the very earliest months when even there may not have been any fertilization of the egg. This is not necessarily an abortive phase. It depends on what happened and what did not happen, which they do not know at the time they take it. It is a very big advance. And to deny it and stop it on the floor this way is to indicate that we will approach contraceptive research the same way and that we will narrow rigorously the options available to women to manage their reproductive capability and, with it, their health.

I strongly oppose this amendment. This Congress should not be banning by procedure methods of abortion.

Mrs. LOWEY. Mr. Chairman, I yield myself such time as I may consume to respond to the gentleman from Florida (Mr. WELDON) who I believe has left the floor.

But he referred to this administration and said they have done nothing to make abortion rare. I would invite him and my other colleagues to join us in supporting our contraceptive coverage bill, because that is really the way we reduce the number of abortions. Having the Federal Employee Health Benefit Plan and other private insurance plans cover contraceptives will reduce the number of abortions, and the administration has been strongly supportive of that.

Mr. Chairman, I am delighted to yield 2 minutes to my colleague, the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Chairman, I rise in strong opposition to the Coburn amendment.

In my first term in the House of Representatives in 1993, during the Year of the Woman, with my good sisters and a good number of men, we fought here on the House floor so that the United States could have expanded healthy alternatives to surgical abortions. We supported research development and availability of drugs for medical abortions, like RU–486, in the United States.

Since then, I have witnessed RU–486 being made available in Europe, while here in our country in the United States, here in this Congress, we have had to fight back the far right's constant blows against RU–486 and women's health in general.

I am saddened to say it, but this is the same attack by the conservatives as last year and the year before and the year before that. This amendment seeks to deny women the right to early and safe drugs, such as RU–486, when faced with a crisis pregnancy. Further, because it bans the Federal Drug Administration from approving drugs like RU–486, it represents an unprecedented threat to the FDA's approval process.

Let us make no mistake about it. These repeat attacks are an unwarranted intrusion on a woman's life and a woman's right to good health, and this attack is by the extreme right. Let

us get the far right out of women's health, get politics out of science, and allow the FDA to determine what drugs are safe for women.

Once again, I urge my colleagues, vote against the Coburn amendment, vote for women and women's health.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Washington State (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Chairman, I think, as a physician, I listen to this debate and it is very interesting to watch us practice medicine out here on the floor of the House of Representatives.

It is pretty clear that if the gentleman from Oklahoma (Mr. COBURN) wanted to ban RU–486, that is what he would have put in this amendment. But it is very clear that this is not what the intention is. The intention is to get a law out there that they can then get involved in lawsuits. It is a very well-known political strategy over the last 10 years to start something and get involved in the courts and tie it up forever.

Now, if they have pharmaceutical companies, and the gentleman from Oklahoma (Mr. COBURN) knows this, they screen all kinds of drugs. Right now, I heard thalidomide mentioned here on the floor. And it became a very bad drug because of its effects on newborn babies and causing defects. It is now being used for another illness. And when pharmaceutical companies screen, they do not know exactly what it is going to be used for. And what they are essentially doing here is opening the door for a lawsuit against the pharmaceutical company who comes to the FDA, having spent $20 or $40 or $100 million developing a drug, and if somebody says, this causes abortion, therefore, we have a cause of action against them and we stop it, they are interfering in a process that is presently legal.

A woman has a right to an abortion, and pharmaceutical companies have a right to develop drugs to do that in a very safe way. And for us to get into that position, the logical slope that they are headed down here, has already been mentioned. The next thing will be, when the sperm meets the egg, if that is a baby, then the next thing is going to be we must ban all birth control.

We already have difficulty getting birth control paid for by the Federal Employees Health Benefit Program. And so we know what is in their minds. But beyond that, the next thing will be an amendment out here on maybe the HHS appropriation to prevent any money from being used for medical school training of any school that trains anybody to do abortions. Because if we go back and back and back up the stream, why should we waste money training physicians, obstetricians, in the skill of doing a safe abortion? We should not because they are ending the life of a child, and we get into all this inflammatory rhetoric.

Now, everybody knows that is wrong. And this amendment is just the beginning of it. It is designed to do that and it is designed to hide what it is up to.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2½ minutes to my colleague, the gentlewoman from New York (Mrs. MALONEY).

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

Mr. Chairman, I rise in opposition. This is an antichoice, an antiscience science amendment. It is not just about RU–486. It is about FDA's ability to test, research, and approve any drug based on sound scientific evidence which may have as a side effect a miscarriage. It could slow or stop research on a wide range of life-saving drugs.

Science, not politics, should determine what drugs are approved. This is why the National Coalition for Cancer Research, the American Medical Assocation, the American Public Health Association, among others, oppose this amendment.

Many drugs, including chemotherapy and antiulcer medication, have the side effects of inducing abortion. This is why pregnant women are advised against taking certain medications.

One of the drugs targeted by this amendment, mefipristone, is not just a drug to make abortion safer. It has also shown to be useful in treating uterine fibrosis, endometriosis, glaucoma, and certain breast cancer tumors.

Another drug targeted by this amendment, methotrexate, has also been used to treat a wide array of conditions including arthritis, lupus, and some forms of cancerous tumors. Blocking research and development of safe and effective drugs in the name of abortion politics is just plain wrong. Never before has Congress told the FDA to approve or disapprove of a particular drug.

This vote is the 108th antichoice vote before this Congress since the new majority came to power. We should not be attempting to appeal or repeal a woman's right to choose procedure by procedure. This is antiscience, antichoice, antiwoman. I urge a ''no'' vote.

Mr. COBURN. Mr. Chairman, might I inquire of the time remaining?

The CHAIRMAN. The gentleman from Oklahoma (Mr. COBURN) has 23½ minutes remaining. The gentlewoman from New York (Mrs. LOWEY) has 27 minutes remaining.

Mr. COBURN. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. DEMINT).

□ 1545

Mr. DEMINT. Mr. Chairman, I rise in support of this amendment, because I think it is important for this Congress to change the culture of this country by renewing our commitment to the value of life. This is not the time to send a signal to all Americans that abortions of convenience are a way to solve the problem of promiscuity and recreational sex. It is a hoax on the American people and women, in particular, to suggest that this is a healthy way to handle an unwanted pregnancy. We must not send the signal that it is easy as a pill to end an unwanted pregnancy.

This is one of the most important issues facing our country today, because as we look around at the violence and the apparent disregard for life in every walk of life, we have got to question if this type of ease in ending life is contributing to that. This amendment will do what it needs to do in stopping the approval of a way of life in America, in restoring value to life to all ages in America.

Ms. KAPTUR. Mr. Chairman, I ask unanimous consent to reclaim my time.

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

There was no objection.

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the very distinguished gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentlewoman from Ohio for yielding me this time, because I would like to devote my time to why I think there is confusion about this amendment. The gentleman may be a doctor, but in drawing his amendment it is clear that he is not a lawyer. He says he has drawn an amendment to stop the FDA from approving RU–486. The language he has used instructs us on an amendment to stop the FDA from testing drugs that can treat cancer, high blood pressure, ectopic pregnancy, fibroids, epilepsy. The list is very long. The reason is that although the gentleman mysteriously says that he would accept an amendment to limit the language, he does not propose language of that kind. Why has he brought broad language here?

The reason that his language is defective is that, in the law, it is overinclusive and overbroad. Therefore, in the words he used, it must have unintended effects. In the law it is called a chilling effect. What that means in this case is that a pharmaceutical company will not come forward with a drug that may cure cancer because that company believes it may be sued because of the overinclusive language he has used. It ought to stop every Member in this body when they know that every chemotherapy drug can cause a miscarriage. If, in fact, this amendment had been in the law at the time these drugs were being produced, people who are alive today by the hundreds of thousands would be dead.

I ask you, how many people would be dead today if we consider how many drugs are on the market that have unintended effects that none of us could possibly approve, deadly effects? That is why politics and medicine, or politics and science are like oil and water. You get into politicians overreaching

when you insert political judgments into what should be only scientific matters.

Nor is this one of those great ethical issues on the frontiers of science, where ethicists and politicians have some reason to intrude, because abortion is legal, and I regret to say that miscarriages are also legal. We are entitled to ask, where does it begin, where will it end? I believe we must today let it end with legitimate scientific research. If we care anything about the many drugs that will be stopped by this amendment, we must defeat the Coburn amendment.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Washington (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Chairman, in the earlier debate I did not say something that I think needs to be said out here. We hear all these polls, that the American people do not like abortion and all this stuff. But I would tell you, in the election of 1998 in the State of Washington, the issue of partial-birth abortion was on the ballot, and the people turned it down.

Now, you can tell me all you want about polls but the only poll that really matters is when people actually come out and vote. I believe that the gentlewoman from the District of Columbia (Ms. NORTON) has really put her finger on the whole issue. Because if you open up a cause of action against every pharmaceutical company that brings anything to the market or to the FDA for approval that might cause an abortion, you are going to chill the pharmaceutical industry, which is exactly the reverse of what I see in the appropriations process. We put all this money into the National Institutes of Health because we treasure our health care system, including the pharmaceutical industry. It is a bad amendment.

Ms. KAPTUR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. NADLER).

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

Mr. NADLER. Mr. Chairman, I rise today in strong opposition to this amendment. This amendment would ban FDA approval of RU–486 which has been found safe and effective for early, nonsurgical abortion and is awaiting final approval by the FDA. RU–486 would expand access to safe abortion for American women. Its consideration for approval should be dependent on the science, not dictated by antichoice ideologues.

This debate is not about RU–486 or abortion. It is about the FDA's ability to test, research, and approve any drugs for a legal purpose based on sound scientific evidence. Reproductive health drugs should be subject to the FDA's strict science-based requirements that any drug must meet before approval can be granted, but they should not be singled out because they are reproductive health drugs.

The FDA found mifepristone which has been available in Europe widely for nearly 20 years, safe and effective for early medical abortion 3 years ago. The approval was based on extensive clinical trials in this country and in France. They await information on manufacturing and labeling of the drug before final approval can be issued.

This amendment could have dangerous implications for the development of drugs that are used for purposes other than terminating a pregnancy. Many drugs, including those for chemotherapy and antiulcer medication, have the side effect of inducing an abortion. That is why pregnant women are advised that taking such a medication could imperil their pregnancy. New developments in the treatment of these and other conditions, for cancer and for other conditions, would be prohibited under the broad scope of this amendment. New contraceptive development would also be targeted.

Mr. Chairman, the right to abortion services should be safe and legal. The Supreme Court grants this right. What this amendment would do, even at the price of letting people who otherwise would not have to die from cancer, die from cancer because it would prevent the development, the approval of certain chemotherapies, what this would do is to deny the FDA the right to approve a drug simply because it would do what is legal and is a guaranteed right and that, Mr. Chairman, is wrong. That is why the amendment should be rejected.

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

We have heard again the tactic from the other side, it is to misdirect, to dodge. This is not about creating lawsuits. This is not about preventing drug research in other areas. This amendment is written very clearly. I would happily have taken an amendment from the gentleman from California (Mr. WAXMAN) because then I would have felt he would have been obligated to vote for the amendment, and that is why he would not offer it. We understand that.

This is about spending Federal money in a way to figure out how to kill unborn children. That is what this amendment is about. There is no ulterior motive to it. It is saying, is it a principle position of this country to tax working families and then take that money and spend it on science on how to figure out how to kill an unborn baby. That is what this amendment does. They know that is what it does. The only thing that we are hearing is that this will limit cancer research, this will make unintended consequences. That is not true at all. Having been in the drug manufacturing business, having applied for NDAs and INDs, I understand full well how the FDA works. There is an area on the application. You have to specify what you are applying that drug for. If it is for anything other than the inducement of abortion, this law will have no effect.

The other side understands that but they do not have an argument against that, so, therefore, they use an argument that is not based on any intellectual honesty. It is based on a dishonest pass out of bounds. This is about, and I am not ashamed to say, I do not think one dollar of Federal taxpayer money should be used to figure out how to kill an unborn child. I have no embarrassment for that whatsoever. I am proud to make that statement.

If we look at what is going on in our country, we understand where violence comes from. The first act of violence is to violate a baby in its mother's womb. When we decide that that life has no value, then no life has value, regardless of what the Supreme Court said. At 19 days postconception, a baby has a heartbeat. At 41 days postconception, the baby has brain waves. In this country, in every State, in every territory you are alive if you have brain waves and a heartbeat, and you are only dead if you do not. So explain to me why a baby at 5½ weeks postconception is not considered alive when if you are considered the opposite of that, you are considered dead. We are schizophrenic in our law because we cannot have equal justice under the law for the unborn when we want the convenience of doing what we in fact know is wrong.

Mr. Chairman, I yield 2 minutes to the honorable gentleman from Illinois (Mr. HYDE), the chairman of the Committee on the Judiciary.

Mr. HYDE. Mr. Chairman, I want to congratulate the gentleman from Oklahoma (Mr. COBURN) for making a necessary stand for life and against the culture of death. The question is about abortion. It is a shame that in discussing this life-and-death issue, the forces of prolife are demonized as antichoice ideologues.

One good thing that has come from this debate has been the use of the word ''abortion.'' You are getting away, however slowly, from the euphemism of ''choice,'' because, of course, there is no choice for the unborn whatsoever. The question is, should Federal funds be used to pay for learning how to make chemical warfare on a defenseless, unborn child? You relegate that child to nothingness because you do not consider the well-being of the child. You only consider the woman who for one reason or another wants an abortion, and that is a tragedy. But life is precious. And once it has begun, that life ought to be protected.

Now, yes, abortion is legal. More is the pity. What a shame on this country's conscience. But the policy of this government and this Congress has been not to coerce money from working people to pay for the extermination of a human life once it has begun. Those people arguing against the gentleman from Oklahoma are all for abortion. They think that is a good thing. God bless them for thinking so. I think it is a horrible thing. I think it is morally wrong. I do not think people ought to be coerced into supporting it because it

is morally wrong. I hope Members will support the Coburn amendment as I do.

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the very distinguished gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the distinguished ranking member of the committee for yielding me this time and for her great service on the Subcommittee on Agriculture.

Mr. Chairman, I want to respond to some of the comments made by the distinguished gentleman from Illinois (Mr. HYDE), and distinguished and respected he is. He talked about the chemical warfare that we would be waging on the unborn. But I want to point out to my colleagues that the Hyde amendment allows for termination of a pregnancy in cases of rape, incest and life of the mother. If this is indeed the Hyde amendment and what the gentleman from Illinois believes and those who support the Hyde amendment, then why would they not want to have women have access to safe, early, nonsurgical abortion?

□ 1600

I certainly respect the gentleman's religious beliefs and understand them, as a Catholic, myself, and mother of five, grandmother of four, and that we do not think abortion is a good thing. Abortion is a failure, it is a failure across the board. But to deprive the FDA of the opportunity to engage in research which would provide safe, nonsurgical terminations of pregnancy in case of rape, incest and life of the mother seems entirely contradictory to what the amendment offered by the gentleman from Illinois (Mr. HYDE) is, if he sincerely believes in that, and I do believe he is sincere. It would trample on the FDA's ability to test, research and approve drugs based on sound scientific evidence, and in that respect the amendment offered by the gentleman from Oklahoma (Mr. COBURN) is starting to have this body, this room, this Chamber, look like the Flat Earth Society again, Mr. Chairman.

We have our Flat Earth Society days around here, and this appears to be one of them. RU–486 has been available to women in Europe for nearly 20 years. After extensive clinical trials in this country and France, the FDA has determined that this drug is safe and effective for an early medical abortion such as the kind allowed under the Hyde amendment for rape, incest and the life of the mother.

But this amendment is not about access to one safe and effective drug. The Coburn amendment would have a dangerous chilling effect on the development of drugs that are used for a wide variety of purposes, Mr. Chairman. Drugs used to treat other conditions including cancers and ulcers can induce abortion. The FDA's ability to consider approval of these therapies would be abolished.

And RU–486 also has promise for other potential medical uses including treatments for breast cancer, HIV and burns. The Coburn amendment forces researchers to turn away from these promising treatment opportunities.

Mr. Chairman, the Coburn amendment puts a social agenda ahead of a woman's needs, ahead of needs of individuals confronting a variety of diseases, ahead of rulemaking authority of the FDA. Once again, this Congress must decide whether to put political agendas ahead of health research.

Mr. Chairman, I urge my colleagues to oppose the Coburn amendment.

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

I wonder if the gentlewoman from California (Ms. PELOSI) might stand and take a question? Might I inquire, and I would be happy to yield her to answer, what part of my amendment would eliminate RU–486 from being used in breast cancer research, burns or any other portion?

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. COBURN. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, I say the gentleman's amendment would have a chilling effect on the research. Medical research thrives, we have free and open inquiry.

Mr. COBURN. Reclaiming my time, there is nothing in the amendment that will have such an effect.

Again, we are seeing an attempt at characterizing the amendment in something other than it is. I understand why, because there is not a good factual argument against the Federal Government taking taxpayer dollars to figure out how to kill children. It is another part of the problem that we find ourselves in our society today.

There is nothing in this amendment that will limit in any way what the FDA can do if a drug manufacturer comes and uses, says I want to take 486 and get an indication for it for burns and breast cancer treatment; there is nothing in this amendment that will limit them from it. All they have to do is say that is what we are going to do with it.

And if they want to then let a doctor use it in an unapproved way, that is up to them. But to approve a drug for the very purpose of taking life goes against everything our country is founded on: the pursuit of life. And we are pursuing ways to take life.

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

Ms. KAPTUR. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a distinguished Member.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman from Ohio.

Mr. Chairman, I yield to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I wonder if the gentleman from Oklahoma is aware that NIH is currently looking at RU–486 as potentially a very effective method of addressing both breast cancer and brain tumors. They feel that there is a substantial potential with RU–486. That ability to research the capability of RU–486 would be completely terminated under this legislation.

So my colleague's suggestion is inconsistent with the facts.

Mr. COBURN. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, there is nothing in this amendment that will keep a drug manufacturer or the manufacturer of RU–486 from making an application to use that drug in any way they want except the chemical inducement of abortion. That is a fact.

Mr. MORAN of Virginia. The lawyers' opinion is quite different, but I think we will make that point subsequently on the record.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from Virginia, and I would like to pick up where the gentleman left off, particularly acknowledge the gentleman from Oklahoma (Mr. COBURN), that none of us rise to the floor of the House to challenge any of the beliefs, and I know the very sincere beliefs held by you and many who oppose the women's right to choose along with my respected colleague on the Committee on the Judiciary.

But if I might share with those who are listening, the language of this amendment, which indicates that none of the funds appropriated or otherwise made available by this act may be used by the Food and Drug Administration for testing, development or approval including approval of production, manufacturing or distribution of any drug for the chemical inducement of abortion. It may sound narrowly focused, but if I may draw the gentleman's attention to the fact that chemotherapy drugs can cause a miscarriage, most of these drugs would not have been developed and future drugs may be jeopardized just by the broadness of the language.

I rise today in opposition to the Coburn Amendment that would limit FDA testing on the drug mifepristone or RU–486. This amendment, as drafted, would limit FDA testing on any drug that might induce miscarriage, including drugs that treat cancer, ulcers and rheumatoid arthritis.

The FDA is charged with determining whether a drug is safe and effective. Mifepristone satisfied that requirement in 1996 based on clinical trials and it is expected to receive final approval soon.

Mifepristione was developed as a drug that induces chemical miscarriage. It has other potential use in treating conditions such as infertility, ectopic pregnancy, endometriosis, uterine fibroids and breast cancer.

For example, chemotherapy drugs can cause miscarriage. Most of these drugs would have not been developed, and future drugs may be jeopardized. Research of potential treatments for each of these conditions is crucial to women's health. Controversy concerning this particular drug should not be a barrier to treatment.

Science should dictate what drugs are approved by the FDA, not politics. Congress has never instructed the FDA to approve or disapprove a drug. The FDA protocol for drug approval depends upon rigorous and objective scientific evaluation of a drug's safety. Ultimately, this is a decision that should be made by the researchers and doctors.

This amendment could jeopardize the integrity of the FDA approval process. Under this process, a company that wants to begin clinical trials on a new drug must submit an application for FDA approval. If that application has not been approved within 30 days, the company may move forward.

This amendment would prevent the FDA from reviewing any application for a drug that might induce miscarriage. No funds would be available for the FDA to even oversee any trials.

Therefore, I urge my Colleagues to oppose this amendment. We cannot afford to inhibit research on certain health conditions based upon the controversy of the particular drug. We also cannot allow the FDA to be limited in its ability to approve drugs based on politics.

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

It is very clear that we have a difference of philosophy and maybe religious beliefs. I happen to think that I am a person who believes in life and that I support the right to life. I also support the right-to-life decision-making being that of the woman, her God and her family, and what we are doing here is to now just intrude into the very infrastructure of government to be able to say that not even our Food and Drug Administration, which has the main responsibility of dealing with the drugs that Americans take to heal themselves, now we are suggesting that even the most benign of drugs that may ultimately cause or induce a miscarriage, we now are prohibiting women, we are prohibiting those who have ulcers, those who have breast cancer, from even getting that fair treatment by the FDA doing that right kind of testing.

This interferes with the 30-day process that the Food and Drug Administration has for any new drug that, if they do not comment on it, the manufacturer can move forward. I think it is tragic when we as a government globally decide to interfere with the private rights of a woman and deny the good testing of a drug that may save lives.

I believe in life. I want to save lives. This amendment should be defeated.

Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. WEINER).

Mr. WEINER. I appreciate the opportunity, Mr. Chairman, to speak on this amendment.

As my colleagues know, I think the amendment offered by the gentleman from Oklahoma is fraught with two fundamental problems. One is a philosophical inconsistency. I have come, in my brief time here, to view Mr. COBURN as a consistent, conservative voice in this Congress, something that he should be proud of perhaps.

Yet by the same token we have an amendment here that is so counter to that philosophy that we here in this Chamber are now going to wade into the operations of doctors and physicians and clinical experts to decide how to interpret the word ''for,'' because that is what this comes down to. How Mr. COBURN interprets the word ''for'' is very narrowly. It says it is only RU–486.

The American Medical Association, the American College, American College of Obstetricians and Gynecologists, the American Medical Women's Association and others interpret it is that a whole litany of research will now be off the table because that word ''for'' is ambiguous, and that is the second problem with this bill. It is intellectually ambiguous.

It is difficult to determine when research begins what the outcome might be. It is difficult for scientists sometimes to know when they are doing research on figuring out how to put a shuttle into space, that they might get technology that produces something far different.

The same is true here, that the problem with this amendment is, it is crafted in such a way that the gentleman says it is to simply stop RU–486 except if RU–486 turns out to cure cancer, then it is okay.

Mr. Speaker, that is not a way for us to be operating in this Chamber. This is a very dangerous amendment.

I understand the argument that the gentleman is making about abortion. I disagree with it with every ounce of my strength, but I understand that. The problem is with this amendment is it conceivably opens the door to prohibitions about all kinds of other types of research.

It is simply not the type of business we should be doing here, and it is not the type of business that anyone that considers themselves in this body a conservative and is intellectually honest in that position should be taking.

Ms. KAPTUR. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, as we close this debate, I would like to address some remarks again to my good friend, the gentleman from Oklahoma (Mr. COBURN) because I respect his point of view. We may differ on this issue, but I certainly respect his point of view.

As a mother and grandmother of four-and-a-half, I have to tell my colleague after 10 years of serving in this body I am so tired of debating abortion on the floor of the House, restriction after restriction, ban after ban, amendment after amendment. If we really want to reduce the number of abortions, please work with us to increase funds for family planning. Work with us to ensure that women have access to prescription contraceptives.

I have been working to prevent unintended pregnancies, reduce the numbers of abortions. We need to make abortions less necessary, not more dangerous, and I am sorry that this amendment is being offered to an otherwise outstanding bill.

The amendment was offered last year. Although it passed the House narrowly, it faced a veto threat from the administration, rejected by the Senate members of the agriculture appropriations conference committee, and strong opposition from medical groups, patient advocacy organizations and the biomedical community. It was wisely stripped out of the final version of the bill signed by the President.

The amendment faces the same widespread opposition today, but I hope that this year my colleagues will send this amendment to the defeat it frankly deserves right here in the House floor.

Mr. Chairman, Congress should not inject politics into the FDA's drug approval process. This amendment ignores sound science, it puts women's health in jeopardy, and it should be defeated.

Ms. KAPTUR. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank the distinguished ranking member of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies.

The prior gentlewoman from New York was so right. We spend an enormous amount of our time in this body trying to restrict women's access to the best and safest reproductive health care. If we can channel this energy into more productive activities, maybe we can find more money for the women and infant care program or even help to prevent more of the unplanned pregnancies that are the cause of this problem. None of us want to support abortion, and hopefully all of us want to create an environment where there will be far fewer abortions.

But what we are talking about today is really the political practice of medicine, and this amendment should be opposed. The drug mifepristone known as RU–486 has been proven a safe and effective method through clinical trials.

We now know that there are researchers at the National Institutes for Health that believe that RU–486 could be a very effective drug in treating breast cancer, in treating brain tumors, and yet this amendment would preclude that kind of research from being conducted because as part of the FDA approval process, drug trials can proceed only if the FDA does not disapprove of a trial. If the FDA is prohibited from reviewing applications under the Coburn amendment, research may be conducted without the safety of review and oversight of the FDA. So women would be asked to participate in trials with no review of the safety of the protocol.

So that is not going to happen, and as a result, we may be precluding very important advances in medicine. But

we also are told by the lawyers that there is, and I accept the fact it is unintentional, but it is a very important side effect because there are many drugs whose principal purpose may not be abortion, but in fact, are effective in chemotherapy, cancer treatments, hypertension, cirrhosis, rheumatoid arthritis, ectopic pregnancies, ulcers, epilepsy, severe viral infections, all kinds of drugs that may have a corollary effect of inducing abortion.

Those drugs are important. We should be supporting them. We should not be engaged in the political practice of medicine. I urge rejection of this amendment.

□ 1615

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

Mr. Chairman, I would say to my friend from Ohio and the gentleman from Virginia and the gentlewoman from New York this is not a fun debate for me either. I am not happy that we are here doing this. But, you know, if one child is not aborted because we have this debate, I am willing to do it all night long, 365 days a year. That is how much I value life.

Now, I want to discuss for a minute, you say we should not be politicizing the FDA with this action. Well, I want to tell you, the FDA is already politicized. How many drugs do you know of that have been approved of basically on research done overseas? There is zero, except one. Guess what drug that is? Guess what drug that is? That is RU–486.

The vast majority of the studies on RU–486 were not conducted in this country; they were conducted overseas. That totally is a whole new precedent for the FDA. They have never before done that on any new drug approval.

The second thing I would say is this amendment will have no effect whatsoever on any other utilization of any other drug. Cytotec, which is the second drug used with RU–486, is used to protect the lining of the stomach. It is a prostaglandin inhibitor. We use prostaglandins today. We are actually starting to use Cytotec, a very strong component of this, to induce labor. I did it about a week ago, first time.

So we did not learn that from it being studied on the basis of it being an abortifacient or a drug to induce abortion. We learned that because that drug was developed to protect the lining of the stomach for people who have ulcers, consequently learning that you do not dare take that drug if you are pregnant.

Well, if it works in terms of causing uterine contractions, what about using it to induce labor? Maybe it is safer than pitocin or other prostaglandins. So there is no limitation that is going to come about from this amendment.

Five percent of the women who take this drug get a uterine infection, which, when you have a uterine infection, number one, it will affect your ability to conceive in the future. One hundred percent of the women lose more blood with a chemically induced abortion than they would either through a spontaneous or a surgical abortion. It may not be important to you, but if it is you losing the blood, it becomes very important.

Number three, more than one-third of them end up delivering the conceptus outside of the clinic. In France, they have very selected rules on how you can use this drug. None of those are protected and planned in this country.

So is the issue all of the things that we have heard: Not being able to use research? Not being able to get cancer drugs? No, it is not. The issue is nobody from the opposing viewpoint, either from the Republican or Democrat side of the aisle, answered the question, should Federal money be used to help find ways to kill babies? Nobody wants to answer that question. That is because there is not a good answer. Nobody agrees with it. So, therefore, we see arguments that are something other than that. We distort what the argument is because there is not a good argument.

We will not limit in any way the ability of the FDA to do any research. What we will say is, is if your number one goal is to figure out how to kill an unborn baby, number one, first of all, this does not work in 2 days or 3 days or 5 days or 6 days postconception. I am sorry if that is what people think. This works 4 and 5 and 6 and 7 and 8 weeks after. It is not a morning-after drug. That is now how it is going to be used.

What this is going to do is say if you are intending to bring a drug to the market, then the FDA should not spend the first Federal taxpayer's money to figure out how to kill a baby. All right, if that is a consequence of it, of some other intended purpose, maybe that is okay. Because these drugs, Cytotec is going to be used for that. You do not have to have approval of the FDA to use drugs in ways other than how they are indicated. We all know that.

So Cytotec is already being used to induce abortions. The point is should we spend the money, your children's, your grandchildren's, our community's money, to figure out how to take a life? My answer is no. I ask you, should we really do that? I do not believe most people think we should.

That does not say that abortion still is not legal. It is. The question comes, when you have done, as I have, and sat there at the bottom of a table when a woman delivers a 10-week fetus or a 12-week fetus, and hold it in your hand, and she is distraught and crying because that baby was created by her and her partner, and is totally unique to anything else that has ever been created or ever will be created. It has a totally unique genetic structure, it is a God-ordained being, and we are going to say it is okay, we are going to figure out ways to kill those God-ordained beings, and we are going to say for convenience sake, because we made a mistake, because somebody erred, because somebody failed to protect themselves, that it is okay to destroy that life, I reject it. I do not dislike anybody who disagrees with me on that, but I reject that as an argument of the heart and of the soul.

If we are going to decide in this country that you are dead when you do not have heartbeat and brain waves, but you are alive in all 50 States and territories when you do, how can we reject the argument that at 41 days every fetus, every unborn child, has a heartbeat and a brain wave? Now, you cannot deny that scientific fact. That is absolutely proven. So the response to that question is ''we will talk about something different.''

It is a hard issue, I understand. I wish we did not have unintended pregnancy. The gentlewoman from New York (Mrs. LOWEY) and I have the same goal on that. We believe in getting there a different way. I am not supporting some of her contraceptive research, because I am seeing what is happening with contraceptives and sexually transmitted disease and cancer of the cervix, which is at an all-time high in this country, under the false assumption you are safe, when a condom offers no protection from human papilloma virus whatsoever, yet we tell all our kids they are safe.

Well, I am tired of all the deceit around the arguments. There is good science. I am a scientist by training. I have read the studies. I have looked at it. This amendment is designed for one thing only.

The gentleman from Washington State gave me more credit. I have never thought out about to figure out how to be devious enough to set up lawsuits. My purpose was to say no taxpayer money from Oklahoma or anywhere else ought to be used in figuring out how to kill children.

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

Ms. KAPTUR. Mr. Chairman, I yield myself such time as I may consume to close at this point.

Mr. Chairman, I rise in opposition to the gentleman's amendment for many of the reasons that were stated earlier. The first one is that I do not think that this Congress should be prejudging medical science. We have talked this afternoon about how scientific discoveries and how science proceeds, often with unintended consequences. We have talked about how many of the drugs currently being used to treat mental illness in this country were discovered by accident.

They were not discovered in this country, they were discovered in France. They were discovered during operating room procedures when patients were trying to be put at ease and the process of pain remediated during operations, and, all of a sudden, for some reason, certain drugs worked. Eventually they came to this country, and even today we do not understand

why they work to help patients with serious mental illness. But for some in our population, they have been able to be given great relief and help through those drugs.

The same was talked about with x-rays. When the scientists invented x-rays, it was an accident. They really went in there with one objective, and, all of a sudden, they made a mistake and it turned out to be an x-ray, and sometimes science is not quite as scientific as it seems. I think that this particular Chamber should not be judging what is science and what is not science.

For the amendment of the gentleman from Oklahoma (Mr. COBURN), which I would really encourage the Members to read if they are going to be voting on this, because I do not think his amendment says what he purports to do in his oral remarks here, but this amendment would absolutely set a dangerous precedent.

This Congress has never legislated the approval or disapproval of any drugs. That is the job of the Food and Drug Administration. We pay for scientists. We, as taxpayers, pay to make sure that what reaches our shelves is safe; but we do not prejudge what is medically relevant.

We also know that many drugs are tested at the end of use for treatment of more than one illness, disease, or condition. We do not really control that. So I would say that on the basis of science alone this amendment should be rejected.

I think that the committee also on which we serve, and we are a very responsible committee, we are the first one on this floor, we are trying to clear this bill under regular order, and I do believe that the gentleman from Oklahoma (Mr. COBURN) has been given sufficient time, actually a lot of time over the last several weeks, to express his points of view, which have been very well articulated.

But the truth is, our subcommittee never had any hearings on this particular matter. The reason is we are the Committee on Appropriations. We do not try to tell FDA what to do. We expect the authorizing committees will deal with that.

If my experience proves me right, my guess would be that if there are concerns about something that is inappropriate, that is best taken to the authorizing committees.

This amendment is not going to be in the Senate bill, and it is not going to become a part of the final legislation.

So I would say based on science, based on safe procedures, that this is something the FDA should be implementing, and also based on regular order, the gentleman's amendment should be defeated. I would urge my colleagues to do so.

Mr. STARK. Mr. Chairman, I rise in strong opposition to the Coburn amendment to the Agriculture Appropriations bill that would ban the Federal Drug Administration from using funds to test, develop, or approve Mifepristone (RU–486)—a drug which has been found to be safe and effective for early, non-surgical abortion.

This is yet another political vote and political debate on a drug whose benefits have been scientifically proven. This amendment is an unwarranted intrusion into the work of the FDA, whose job is to decide whether to approve RU–486 or other drugs based on health and safety—not abortion politics.

Medical abortions and RU–486, if approved, would allow more choices to women seeking abortion. Medical abortions are a better health option for some women. Medical abortions allow women to avoid surgery as well as protect their privacy—women can receive RU–486 in pill form in a regular doctor's office, and be spared the trauma of protesters and violence that continue to stigmatize these women for exercising their constitutionally protected right to choose.

Approval of RU–486 is critical so that doctors may use this procedure when they believe it is the safest way to end a pregnancy and leave the woman with the best chance to have a healthy baby in the future.

New contraceptive development would also be targeted. Many anti-choice groups believe that some contraceptive methods cause an abortion. This is untrue. If that contention were accepted as fact, research and development of man new contraceptives would come to a halt. This amendment would deprive women of the benefits of significant contraceptive advances.

Make no mistake, a vote for this amendment endangers the health of women, and adds to the long list of barriers set by the majority in Congress that make reproductive health services more dangerous and difficult to obtain. I strongly oppose the Coburn amendment.

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

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 217, noes 214, not voting 4, as follows:

[Roll No. 173]

AYES—217

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Berry
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bono
Borski
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Crane
Crowley
Cubin
Cunningham
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Ewing
Fletcher
Forbes
Fossella
Gallegly
Gekas
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kildee
King (NY)
Kingston
Klink
Knollenberg
Kucinich
LaFalce
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Metcalf
Mica
Miller, Gary
Mollohan
Moran (KS)
Murtha
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Portman
Quinn
Radanovich
Rahall
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thune
Tiahrt
Traficant
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOES—214

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Ehrlich
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Granger
Green (TX)
Greenwood
Gutierrez
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy
Kilpatrick
Kind (WI)
Kleczka
Kolbe
Kuykendall
Lampson
Lantos
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
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| Moore | Roukema | Thompson (MS) |
| Moran (VA) | Roybal-Allard | Thurman |
| Morella | Rush | Tierney |
| Nadler | Sabo | Toomey |
| Napolitano | Sanchez | Towns |
| Neal | Sanders | Turner |
| Obey | Sandlin | Udall (CO) |
| Olver | Sawyer | Udall (NM) |
| Ose | Schakowsky | Upton |
| Owens | Scott | Velazquez |
| Pallone | Serrano | Vento |
| Pascrell | Shays | Visclosky |
| Pastor | Sherman | Watt (NC) |
| Payne | Sisisky | Waxman |
| Pelosi | Slaughter | Weiner |
| Pickett | Smith (WA) | Wexler |
| Pomeroy | Snyder | Wilson |
| Porter | Spratt | Wise |
| Price (NC) | Stabenow | Woolsey |
| Pryce (OH) | Stark | Wu |
| Ramstad | Strickland | Wynn |

NOT VOTING—4

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| Brown (CA) | McCollum |
| Chenoweth | Waters |

□ 1646

Mr. REYES changed his vote from ''aye'' to ''no.''

Messrs. DREIER, TAYLOR of North Carolina, OXLEY and BATEMAN changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 17 OFFERED BY MR. CHABOT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 17 offered by Mr. CHABOT:

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.

Mr. CHABOT. Mr. Chairman, the rationale behind this amendment is simple. Hard-working taxpayers should not have to subsidize the advertising costs of America's private corporations, yet this is exactly what the Market Access Program does.

Since 1986, the Federal Government has extracted well over $1 billion from the pockets of American taxpayers and handed it to multimillion dollar corporations to subsidize their marketing programs in foreign countries. In other words, the U.S. taxpayer is helping successful private companies and trade associations advertise their wares in foreign countries.

Mr. Chairman, I think the American people would agree that their money could be better spent on deficit reduction for education. Rather than subsidize private businesses and corporations, that money could much better be spent on deficit reduction or on education or on saving Social Security, on the environment, or on tax cuts.

In the past, we have witnessed MAP supporters present some good-sounding arguments for preserving what is in my view a corporate welfare scheme. The only problem is that when we cut through the pro-MAP propaganda, there is no credible evidence to back up their claims.

Let me give my colleagues an example. MAP supporters have argued that this so-called business government partnership creates jobs. But I think, Mr. Chairman, that the American people know that the only jobs usually created by big government spending programs are for big government bureaucracies.

This view of the MAP program is backed by the General Accounting Office. GAO studies indicated that this program has no discernible effect on U.S. agricultural exports. So if the program cannot increase U.S. exports, how can it possibly create more private-sector jobs?

For years, supporters of MAP have lauded the economic benefits created by the program. However, in April 1999, a GAO report, requested by myself and Senator SCHUMER and a bipartisan group of House Members, concluded that the economic benefits of this program are uncertain at best.

According to that report, it seems that the Foreign Agricultural Service, the bureaucracy which administers this corporate welfare program, has used certain assumptions that the OMB has determined to be inadequate for economic benefit analysis. For example, the Foreign Agricultural Service assumes that there are no opportunity costs for promoting one product over another.

But even if my colleagues do believe these supposed benefits, they have all the more reason to support this amendment. These numbers, if accurate, prove that, given these positive returns on an investment overseas, MAP-supported corporations and trade associations ought to be spending their own money and not the money of the taxpayers of this Nation.

My opposition to MAP is not based solely on the false premises of its supporters. I am offering this amendment today because we simply do not need this wasteful program. Let us be honest. Most American businesses do not benefit and do not try to take advantage of government handouts like this MAP program.

In the case of MAP, as in most corporate welfare programs, beneficiaries consist primarily of politically well-connected corporations and trade associations. Most, if not all of these organizations, would advertise their products overseas, even without MAP funds. They probably would work much harder to ensure that the money is well spent.

Let me give just one example of the kind of waste and mismanagement that this program breeds. We all remember a few years ago when the California Raisin Board sponsored the ''I heard it through the grapevine'' raisin commercial. Based on the success of that commercial in the U.S., MAP decided that it would be a good idea to use that commercial to attempt to boost raisin sales in Japan and put $3 million into the project.

Not surprisingly, however, the ads played in English, leaving many Japanese confused, unaware that the dancing characters were raisins. Most thought they were potatoes or chocolate. In addition, many Japanese children were afraid of the wrinkled, misshapen figures. This, of course, is the kind of wasteful spending that inevitably occurs when we give someone the ability to spend other people's money.

Mr. Chairman, Congress should end the practice of wasting tax dollars on special interest spending programs that unfairly take money from hard-working families to help profitable private companies pad their bottom line. MAP is a massive corporate welfare program that we should eliminate today.

Finally, in MAP, MAP's proponents have argued that due to recent reforms, big corporations no longer receive MAP funds. It is true that in June 1998, in order to correct some of the more egregious abuses of the MAP, Market Access Program, the Foreign Agricultural Service revised its regulations to limit a company to 5 years of assistance in a particular country. After this 5-year period had expired, companies were to be graduated from the country's market. Translation: These billion-dollar corporations were no longer to receive tax dollars to fund their product promotions.

So I would strongly urge my colleagues to vote to get rid of this very wasteful program.

Mr. SKEEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is an annual debate, and I am not sure why we have to have it. Virtually all of our competitor nations spend money to promote their products against ours. We have had testimony from both USDA and many private-sector companies about the success of the program, particularly for small enterprises.

Mr. Chairman, I oppose the amendment and ask my colleagues to do the same.

Ms. KAPTUR. Mr. Chairman, I move to strike the last word.

□ 1700

Mr. Chairman, I rise in opposition to the gentleman's amendment and am somewhat surprised that a Member from Ohio, where agriculture is our leading industry, would offer this particular amendment. If one reads the changes that have been made in this program, particularly targeting its benefits at small- and medium-sized operations, I think some of what the gentleman has said might have been true many years ago, but they are certainly not true today.

If one looks at what is happening in rural America, which is swimming in surpluses, and we know that for this

country to help rural America make it we must expand our exports in spite of collapses in the Asian economy and other places, there is one program we do not want to cut at all and it is this program.

I think what is really hard sometimes for Members who represent only urban or suburban areas, where production does not occur, where people largely reside but perhaps where agricultural development does not happen on an everyday basis, it is hard to understand how a farmer, who may raise beans or may raise animals and who wish to export a product, many times those same farmers cannot even sell in Cincinnati. A farmer over in Butler County, the only way they can get product into the City of Cincinnati is to perhaps sell at their farmers' market. They cannot even get their products on the shelves of the stores in Cincinnati. Imagine how difficult it is for that same farmer to move product into Japan or any other part of Asia or Latin America or Europe.

This market access program is the only mechanism we have to help growers move product abroad. This is not Procter & Gamble. This is not where we can take production and move it anyplace in the world and then distribute the product. This is not U.S. Shoe, where all of their products are made abroad and then imported into Cincinnati and distributed to the rest of the United States. This is trying to help our producers in this country to be able to lift product off our market and take it somewhere else.

And, Mr. Chairman, I underline ''producers.'' This is really a very, very important program. And if my colleagues know the trade accounts of this Nation, where every year we are going into more and more serious trade deficit, every single year more imports coming in here than exports going out, the one rosy light in a very bleak set of tables is agriculture. And the light is not getting brighter; it is getting dimmer as the years go on, but it is still lit up. And the reason is because we have been able to move product elsewhere around the world.

So I would just say to the gentleman, in a State where our leading industry is agriculture, in a Nation where the agricultural accounts represent the only positive side of the trade ledger, this is exactly the program we do not want to cut. And we do not want to cut it particularly at a time when rural America is in deep depressions. This is a time to help our people, not to penalize them, and especially to meet the subsidized kind of programs that our trade competitors have on the books all across the world.

Stand up for American agriculture when she is calling us and asking us to hear her voice.

Mr. EWING. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I reluctantly rise to oppose this amendment by my colleague. While I am sure it is well intended, it is like some of the other amendments we often get but, fortunately, this year have not gotten on this bill dealing with important crops like peanuts, sugar, and tobacco. But let me speak to the MAP, the Market Access Program.

The United States is outspent more than 20 to 1 by our foreign competitors spending money on export promotion and export subsidies. In 1997, the leading U.S. competitors spent $924 million to promote agricultural exports, much of it in this country, and the United States spends $90 million. Ninety million dollars spent by the United States compared to $924 million by our competitors.

There is no limit placed on the amount that can be spent by exporting countries for agricultural promotion. The WTO does not limit that. And right now, while the U.S. has diminished the amount they have spent, other countries in the world are expanding the amount that they are spending to promote their products in this country and other places in the world.

Foreign spending in the U.S. on promoting our competitors' agriculture is growing. A hundred million was spent in 1997 for that purpose. That much more. The biggest spenders are New Zealand, Italy, Spain, Australia and Canada.

The U.S. exports have gone down over the past 3 years. This is not the time when we should be cutting the funds necessary to promote our exports. SUDA estimates that agricultural exports will be only $49 billion this year. Just 3 years ago they were $60 billion. We have serious problems in American agriculture. The way to address them is not to cut the promotional funds needed to make us competitive around the world, and I reluctantly would rise and ask my colleagues to oppose this amendment.

Mr. FARR of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, my colleagues should wake up and smell the coffee. That Juan Valdez, who is in all our homes, on our television sets, telling us about the virtues of Colombian coffee, and we see him in those advertisements in every grocery store promoting that coffee, where do my colleagues think that money comes from? It comes from the Colombian Coffee Growers Association. And why are they doing it? They are paying to promote their product. Not a brand name but a generic name.

Well, what is wrong with us doing the same thing? How are we going to sell agriculture around the world? We produce in agriculture, which is essentially if we really look at this, a lot of small farmers getting together and promoting a product. They have to, under this program, come up with 50 percent of the money. The Federal Government comes in only after they have initiated it and they do a match.

Remember Riuniti Wine that was advertising all over America a few years ago? Where do my colleagues think the advertising for that came from? Marketing promotion from Italy to get Americans to drink Italian wine.

Now, we export $60 billion worth of food around the world. Why do my colleagues think people buy our food? Because we help promote it, just like anyone would sell anything else. Well, this is the program that helps promote it. Only this program does not allow, as the author of the amendment indicated, big corporate agriculture to benefit. This program ties it to small- and medium-sized companies. He says this is big corporate welfare. Well, there is no big corporate welfare in the Seed Trade Association, in the Asparagus Association, in the Kiwi Commission, in the Prune Board, in the North American Blueberry Council, in the Catfish Institute, in the Apple Association. That is not big corporate welfare. Last time I checked, these products were being grown by small farmers, and they are trying to get their products sold.

Now, why is it good for America? Because the one area where our balance of trade is strong is in agriculture. We export $60 billion and we import $30 billion. We cannot say that about any other industry in America. We are actually selling more than we are taking in. That is what it is all about. Well, this is the program that helps do it. Why would we want to undermine that program?

A lot of the data being quoted is old data. In the last few years we amended this program and we said participants had to come up with a match, they had to be for small businesses, they cannot be those big conglomerates, and so we have limited the amount of funding that can be given to anybody. This helps sell American agriculture. It is the only way we are going to be able to sell it. Support this program. It is not big corporate welfare, it is small American farmers being able to sell their product abroad. I ask for a ''no'' vote on the amendment.

Mr. NETHERCUTT. Mr. Chairman, I move to strike the requisite number of words.

I have great respect for the sponsor of this amendment, but not so much respect that I want to vote for it. In fact, I am going to oppose it, simply because what my friend from California just stated is absolutely true.

What happens in this Market Access Program is this. Growers and consortiums, Sunkist for orange juice, Tree-Top for apple juice, which is very prominent out my way in the State of Washington, get together and they decide how they can best promote their products overseas. They pay half the freight. The taxpayer pays half and the sponsor, the marketer, pays the other half. And that is what is fair about this program.

It has been cut down dramatically since I have been in this House. I have seen Members on both sides of the aisle have some concern about this; people, by the way, who do not care much

about agriculture and do not understand exports, but they have managed to whittle down this particular expenditure in the agriculture appropriations bill such that it is down to virtually very little when it can do so much. It can do so much.

What I think the sponsor does not appreciate, and maybe others who might support this do not appreciate, is that when we submit this amount of money, the small amount of money relative to the rest of the agriculture budget for market promotion, for promotion of our products overseas, that has direct impact on the farmer. It has direct impact on rural America.

And talking about big corporate welfare, that is not the case in this particular program. This helps the grower, the farmer, the person who works the land and presents a product that can be exported overseas and dramatically helps our balance of trade.

As the gentleman from California (Mr. FARR) said, agriculture is a huge benefactor to the balance of trade. It helps our country by exporting products. So, number one, it is a small amount relative to what it used to be and what it is in the agriculture budget; number two, it helps the small farmer, it helps the grower; number three, it helps the American economy, especially the rural economy, because we are essentially buying shelf space and competing with European and other products around the world; and, finally, the governments of these other countries are subsidizing tremendous amounts of money to their growers and their producers to sell products in our country.

So this is a small way, a fair shared way that our products can get on the shelf in Europe, and our growers, our producers, our farmers, our market system, the export market system can work in our country.

So, again, I have great respect for the gentleman from Ohio (Mr. CHABOT). He is a good Member and has good ideas, but this one is one that should be defeated. I hope my colleagues will vote ''no'' on this amendment.

Mr. BOSWELL. Mr. Chairman, I move to strike the requisite number of words.

We have had some good discussion here already, and I am not going to try to repeat it over and over, but I appreciate the things that have been said. I might just give my colleagues a little lesson in history that some Members might not be aware of about the American farmer. We are in a crisis in agriculture, no question about it. I live out there, as many of my colleagues do. I just spent a week in my district, and it is tough and it is real.

A few years ago, when we had the Ag crisis of the 1980s, it was interesting to me, and that is what motivated me to get involved in this arena, the political arena, we had people going to their lenders and different organizations, and I will not get into that, and they told our farmers to go back and sell their cow herds or sell their sows, or do this or that. In other words, dispose of their factory, in a sense. We do not want to do that again. We have to get out there and be competitive in the export market.

In my State we have to export about 40 percent to make things work. That is kind of a reflection of the country. We have to do about the same thing to make things work. As we have heard many of our colleagues say already, agriculture puts a plus on the trade deficit in our favor, so we cannot let this happen. It is not a time to let up and say we are not going to go out there and be competitive.

In our Committee on Agriculture here a number of weeks ago, we had the Secretary come and talk to us and mention the unprecedented 3 years in a row that there has been overproduction. And so when our people go to sell to someone else, they say, excuse me, we have something we want to sell. And so this is a time when we want to cut back on the promotion. We cannot do that.

So I encourage a ''no'' vote and hope that we can do that; that we can give a leg up for the American farmer and agriculture production. It is important to all of us. I do not care where we live, what part of the country, what we do, it is important to all of us and let us not forget that.

□ 1715

Mr. ROYCE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, since the Great Depression, American farmers were shackled by the Federal Government with programs and regulations that kept them from producing all they could. We all remember how many farmers were paid not to grow certain crops; they were paid subsidies to grow others.

Over the last few years, our colleagues on the agriculture and agricultural appropriation committees have done an excellent job in reducing harmful government interference in American agriculture and putting it on the road back to the market system that works so well. American farmers are now unshackled and free to produce as they see fit, not as Washington tells them.

However, more work remains to be done. The market access program is a relic of our former government-heavy agricultural system. The MAP program, the Market Access Program, provides millions of dollars in taxpayer subsidies per year to agribusinesses to supplement their international advertising and marketing.

We have heard that agriculture is one of the most important businesses in America, and we have also heard that advertising American agriculture overseas is critical. And I agree with these points. They are certainly true.

The question is not whether agriculture and American farmers are important. Without question, they are very important to this economy. And we all know that advertising is an essential part of doing business. The question is whether MAP is a proper use of taxpayer money. And it is not.

The cost of advertising should be borne by the firms which stand to benefit, not the taxpayers.

Let me also say that I do not believe that working men and women should continue to foot the bill for advertising subsidies to multinational corporations. Promotional advertising for product is simply not the role of government. It is the role of those private concerns that benefit from the sale of those products.

The future and continued performance of American agriculture is not contingent upon handing out taxpayer money for advertising. The success of American agriculture results from the energy and ingenuity of American farmers, not government subsidies.

Let me also say that as far as the GAO report, the GAO report found that there is no clear relationship between the amount spent on government export promotion and changes in the level of U.S. exports.

In a separate report, the GAO questioned whether funds are actually supporting additional promotional activities or if they are simply replacing private industry funds. What is obvious on its face is that money handed out by government bureaucrats does not magically become several dollars.

And let me say that another argument that is often made is that we are being outsubsidized by the European Union and other countries throughout the world. I might point out that our economy is outperforming those countries by every measure.

Our gross national product dwarfs most every other country in the world. We have the most productive workers. Our per capita income is highest. Unemployment is almost nonexistent.

I, for one, do not wish to follow the European model of subsidies. I do not think that many of my colleagues do either. We should continue striving to shed these vestiges of central planning instead of defending those that have crept into our economy in the past.

Government has no business deciding which companies are worthy of advertising funds. That is precisely what the free market is there to do, to allocate resources in the most efficient way possible. The government ought not to be taking tax money from companies to finance the advertising of their competition, which is the direct result of redistribution.

I make no argument that advertising sells products. This is obvious. The point, however, is whether private conditions should pay for the promotion of their own product or whether the American taxpayer should be forced to do so. We do not force the American taxpayer to pay for other corporate expenses like office supplies. American taxpayers should not pay for this cost of doing business.

Mrs. CLAYTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think that, obviously, as we look at this program, the question is, is this a program that is of value to the American people? Is it a program of value to the American farmers? And should we be investing in promoting the American farmers' product abroad?

I think there is value in investing in the promotion of the American farmers, because not only is that a public policy that we support our farmers. True enough, in 1996, we had a farm bill that said we were removing ourselves from the subsidy model and we are going more to a market model. I personally did not support that. But nevertheless, even in a market-driven model, not to have this tool is counterproductive.

This tool simply says that it is a tool to market our farmers who were heretofore dependent and subsidized. Our farmers are having a very difficult time. If we are not going to make the market available as a tool to them, as we pull away the safety net, how do we expect our farmers in rural areas to survive? How is it that they are going to be on a competitive basis with other countries subsidizing large quantities if we expect they have no safety net, and yet we are not going to give them the tools to survive?

We are struggling in rural America. I cannot think of a commodity that made money in my State. And without this tool, they certainly would not have it. And the claim that this only goes to large corporations, indeed, that has been in the past, but this program has been improved. Indeed, it goes now to small farmers, to associations.

What kind of commodities does it support? It supports dry beans, eggs, frozen potatoes, grapes, peanuts. My colleagues would expect me to say peanuts because I am from North Carolina. But also pears. All of these small farmers' products, associations getting together, having their government to recognize the importance of their coming together and promoting their goods.

We travel abroad and we find that other countries are subsidizing the marketing of their products. We make our farmers less competitive when we remove this tool.

So I urge my colleagues to vote against this amendment, as well-meaning as it might be. This is counterproductive to the needs of the farmers in the rural areas.

Mr. LATHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would just like to make a few points. The idea that this money goes to large corporations is simply bogus. This money is matched by money which is raised from producers, such as pork producers, who are hurting so badly today. The cattlemen, the corn growers, the soybean growers put their own money with this. This is not to enhance a particular brand name. It is to sell U.S., high-quality pork, corn products, feed products overseas.

One part of the argument that I think is really missing is what effect do agricultural exports have on Americans as far as their jobs? And one gentleman made a statement about people working hard to pay taxes and using their money for this. Well, the fact of the matter is, in the State of California, where that gentleman was from, there are 124,000 jobs directly dependent upon agricultural exports. Think of it, 124,000 jobs which could be greatly reduced if we lose our export markets and if we do not continue to grow in our exports.

In Ohio there are 27,000 jobs directly related to agricultural exports. It is extraordinarily important in a State like Ohio to maintain those good, high-paying jobs which are dependent upon agricultural exports.

In the State of Iowa, a smaller population State, it has a huge impact. We have 80,000 jobs in Iowa that are directly related to agricultural exports. So when we talk about this program being some kind of corporate welfare, I hope people here will recognize the fact that our constituents at home are dependent upon agricultural exports.

It is very important that we go and promote high quality American pork overseas, not a particular company, but American pork. It is very important that we promote American soybeans and find new uses for those product overseas for corn products, for beef overseas.

It is extremely important. We have a tremendous number of jobs that are directly dependent.

So let us not just talk about exporting and competing with other nations. Let us talk about at home in our own districts how important it is that we continue to use the tools available that the producers themselves are willing to contribute to to sell their products overseas which create good jobs at home in our own districts, high-paying jobs, and really are the future for agriculture in the international marketplace.

Mr. HAYES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of the fiscal year 2000 Agriculture Appropriations bill. I commend the gentleman from New Mexico (Mr. SKEEN), the chairman, and the gentlewoman from Ohio (Ms. KAPTUR), the ranking member, and all my colleagues on the subcommittee for bringing this bill to us, a bill which supports American farmers in rural communities. This bill comes to us after much time, deliberation, and discussion. I thank the subcommittee for their hard work.

I want to address the current amendment to eliminate the Market Access Program. This program is vital to the success of our farmers. If this amendment passes, we as a Congress are to blame for handing over U.S. agricultural market share to foreign competitors.

I believe with my whole heart that the American farmers are the most efficient in the world and produce the best products at the lowest prices and provide the safest food of anyone in the world. With this knowledge, I confidently say that given an equal opportunity, American farmers can compete and succeed against agricultural products from any other country.

However, American farmers are not being given this equal opportunity. The United States is outspent by more than 20 to 1 by our foreign competitors, promoting and subsidizing their own product.

In 1997, the leading U.S. competitor spent $924 million to promote their agriculture exports, $100 million of that spent on promotions here in the United States. Conversely, we grant our farmers assistance to the tune of $90 million to help them compete against our competitor's $924 million.

Rather than having this annual debate aimed at eliminating the program, I argue that Congress should rather be discussing a funding increase for the Market Access Program. This is the only program aimed correctly at helping U.S. agriculture products around the world.

Our competitors have no limits on what they will spend to assist their farmers in edging out our product. Their success is evidenced by the fact that U.S. ag exports have decreased by $11 billion since 1996.

In conclusion, let me simply say the Market Access Program is a valuable tool we are able to provide our farmers. This tool not only helps them compete abroad, but it also supports thousands of U.S. export jobs, 24,000 in my State of North Carolina alone.

I urge my colleagues to vote in favor of U.S. farmers by voting against this amendment.

Mr. BALDACCI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment that has been offered by my colleague, who intends on eliminating the Market Access Program.

We revisit this issue annually. Reforms have been undertaken. The Foreign Agriculture Service reviews proposals submitted by the agriculture cooperatives and nonprofit organizations. They must provide matching funds. The FAS scrutinizes expenses and the performances.

Farmers across the country are suffering from prices having dropped. Export opportunities have been withering, and they are trying to gain a market share in countries around the world. They are competing with odds against them.

Eliminating the cost share assistance of MAP would make that struggle even harder.

As we have eliminated the trade barriers between our country and other

countries, and we have not required the same relaxation in other countries as our farmers are competing with their hands tied behind their backs, we are trying to help them to search out other markets, other opportunities, beyond their traditional markets. We have tried to do this and we have been successful at it.

The money spent in this program, $90 million, has returned, according to estimates, $12.5 billion trade surplus in agriculture. And when our country has a trade deficit of billions of dollars, this is the only part of our trade and our export that actually has a trade surplus.

□ 1730

In the Northeast and in Maine in particular, there are families that own apple orchards that are hurting. The money that would be helping to generate business for them in the United Kingdom is a generic promotion for MacIntosh apples which they are providing the match for. This is not a government handout but a match is required for them to participate in this program. It is a Federal program that is helping family farmers in a region where family farmers are struggling. I have been working with lobstermen, using the MAP funds trying to open up Asian markets to them. And I have helped family-owned sardine canneries secure assistance.

This is not some huge welfare for huge corporations. This is for fishermen, for farmers, for people who are working in family-owned businesses who have chosen a rugged way of life to put food on the tables of America and the world. This program is aimed at small- and medium-sized companies. It has been reformed and it is working. It is one of the few areas of our Federal export-import program that is working very successfully and is working for small- and medium-sized family farms. I would urge my colleagues to vote against this amendment and to keep this program working.

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to this shortsighted amendment which would have a huge impact on the constituents in my district, Sonoma and Marin Counties in California, a district where some of the world's finest wines are produced. If this amendment passes, our world famous wine would certainly have a more difficult time competing in the world market. So would our neighboring districts, Napa County, Mendocino County and neighboring States, Oregon and Washington, and States across the country, like Arkansas.

This amendment would impact the small wine producers, those who rely upon Federal export assistance to enter and compete in the global marketplace. Let us be clear. The playing field in the world export market for wines is not level. Unlike Europe and unlike South America, U.S. wine producers receive no production subsidies, no subsidies whatsoever, for their production. Furthermore, our competitors outspend the United States in export subsidies by more than 6 to 1.

Mr. Chairman, small California wineries suffer in such a lopsided marketplace without some marketing assistance. Let there be no mistake, this amendment targets small, family-owned businesses. Eighty-nine percent of the wineries that participate in the Market Access Program are small wineries. Furthermore, the Market Access Program is not a handout. It is a partnership, a partnership between small businesses and the USDA. And it provides funds on a cost-share basis. The European Union export subsidies amounted to approximately $10 billion last year, Mr. Chairman. In fact, the European Union spends more on export promotion for wine than the United States does for all of our agricultural programs combined.

We need only look at last year to see this unfair disparity. Market promotion funds for the American wine industry totalled approximately $5 million. The heavily subsidized European wine industry received $1.5 billion. That is $5 million in the United States and $1.5 billion in Europe. The money we spend to increase the markets for American agricultural products is money well spent. Because of assistance from the Market Access Program, U.S. wine exports had their 14th consecutive record-breaking year in 1998, reaching $537 million. This level is $100 million over the year before, which means that each Market Access Program dollar generated a $20 increase in exports.

Just as important, California wines can now be found on the retail shelves of over 164 countries. In the last 10 years, an additional 7,500 full-time jobs and 5,000 part-time jobs have been created by exporting wine. This is not only good for the American balance of trade, it is good for the American economy.

Mr. Chairman, we should help export U.S. products, not U.S. jobs. Oppose this amendment.

Mr. BARRETT of Nebraska. Mr. Chairman, I rise to oppose the Chabot amendment to the Market Access Program (MAP). Unfortunately, some of my colleagues appear not to understand the importance of MAP to our producers.

Two weeks ago, the director of the Nebraska Department of Agriculture was in town to discuss agriculture policy with Members of Congress and the administration. We discussed in general terms all of the options for supporting American producers, and keeping US agriculture competitive in the world market. But there was one thing the director specifically asked for, and that was continued funding for the Market Access Program.

Nebraska's central location and small population base make it difficult for many individual producers to compete internationally. MAP funds help our producers, and the Nebraska Department of Agriculture, to overcome this hurdle by partially funding market service, and trade and research missions to foreign countries. These funds help support and promote the buying, selling, and development of Nebraska agricultural products. In today's market, this is critical.

Let's face it, our producers must export in order to survive and prosper. And their products must be competitive on the world market. The Market Access Program is one small way we can help our producers. I strongly urge my colleagues to oppose this amendment, and to support our producers.

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

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. CHABOT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 72, noes 355, not voting 7, as follows:

[Roll No. 174]

AYES—72

| | | |
|---|---|---|
| Archer | Franks (NJ) | Paul |
| Armey | Frelinghuysen | Petri |
| Bachus | Graham | Portman |
| Barr | Hayworth | Pryce (OH) |
| Barrett (WI) | Hoekstra | Ramstad |
| Bass | Holt | Rivers |
| Berkley | Horn | Rogan |
| Bilbray | Hostettler | Rohrabacher |
| Campbell | Istook | Rothman |
| Chabot | Kelly | Roukema |
| Coble | Kind (WI) | Royce |
| Coburn | Kleczka | Salmon |
| Collins | Largent | Sanford |
| Conyers | Lazio | Scarborough |
| Cox | Linder | Sensenbrenner |
| Crane | LoBiondo | Sessions |
| DeLay | Luther | Shadegg |
| DeMint | Maloney (CT) | Shays |
| Doggett | Manzullo | Sununu |
| Doyle | Meehan | Tierney |
| Duncan | Miller (FL) | Toomey |
| Ehlers | Moran (VA) | Wamp |
| Ehrlich | Morella | Weiner |
| Fossella | Myrick | Wu |

NOES—355

| | | |
|---|---|---|
| Abercrombie | Brady (PA) | Davis (VA) |
| Ackerman | Brady (TX) | Deal |
| Aderholt | Brown (FL) | DeFazio |
| Allen | Brown (OH) | DeGette |
| Andrews | Bryant | Delahunt |
| Baird | Burr | DeLauro |
| Baker | Burton | Deutsch |
| Baldacci | Callahan | Diaz-Balart |
| Baldwin | Calvert | Dickey |
| Ballenger | Camp | Dicks |
| Barcia | Canady | Dingell |
| Barrett (NE) | Cannon | Dixon |
| Bartlett | Capps | Dooley |
| Barton | Capuano | Doolittle |
| Bateman | Cardin | Dreier |
| Becerra | Carson | Dunn |
| Bentsen | Castle | Edwards |
| Bereuter | Chambliss | Emerson |
| Berman | Clay | Engel |
| Berry | Clayton | English |
| Biggert | Clement | Eshoo |
| Bilirakis | Clyburn | Etheridge |
| Bishop | Combest | Evans |
| Blagojevich | Condit | Everett |
| Bliley | Cook | Ewing |
| Blumenauer | Cooksey | Farr |
| Blunt | Costello | Fattah |
| Boehlert | Coyne | Filner |
| Boehner | Cramer | Fletcher |
| Bonilla | Crowley | Foley |
| Bonior | Cubin | Forbes |
| Bono | Cummings | Fowler |
| Borski | Cunningham | Frank (MA) |
| Boswell | Danner | Frost |
| Boucher | Davis (FL) | Gallegly |
| Boyd | Davis (IL) | 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
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Hooley
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kasich
Kennedy
Kildee
Kilpatrick
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)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Murtha
Nadler
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Quinn
Radanovich
Rahall
Rangel
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Roybal-Allard
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schaffer
Schakowsky
Scott
Serrano
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—7

Brown (CA)
Buyer
Chenoweth
Ford
McCollum
Ney
Waters

□ 1755

Mr. VENTO and Mr. GILMAN changed their vote from ''aye'' to ''no.''

Messrs. DELAY, COBURN, KIND, ISTOOK and LAZIO changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BUYER. Mr. Chairman, on rollcall No. 174, I was present and voted ''no'', but was not recorded, this is my third new voting card. I will now seal a 4th voting card.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000''.

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG OF FLORIDA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNG of Florida:

At the end of the bill, immediately preceding the short title, insert the following new section:

Sec. . Notwithstanding any other provision of this Act, appropriations under this Act for the following agencies and activities are hereby reduced to the following respective amounts:

| | |
|---|---|
| Agriculture Buildings and Facilities and Rental Payments: | |
| Repairs, Renovation and Construction ..... | 0 |
| Cooperative State Research, Education and Extension Service: | |
| Integrated Activities ..... | 0 |
| Agricultural Research Service: | |
| Buildings and Facilities | 0 |
| Rural Housing Service: | |
| Rural Housing Insurance Fund Program Account: | |
| Administrative Expenses ..... | $375,879,000 |
| Food and Drug Administration: ..... | |
| Salaries and Expenses .... | 1,198,384,000 |

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

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

There was no objection.

□ 1800

Mr. YOUNG of Florida. Mr. Chairman, the agriculture bill as we present it was at the 302(b) level, but was over last year's spending limits. In consultation with many Members on both sides of the aisle, we had some agreement and some disagreement that we would make some adjustments in the total of this bill in order to make additional funding available for some of the other bills that will come along later. So we developed this amendment in lieu of all of the amendments that our friend from Oklahoma had filed in advance of the consideration of the bill.

Mr. Chairman, this bill in its original form is approximately $14 billion new discretionary budget authority. This amendment would reduce that amount by $102,500,000.

We have gone carefully through these accounts. What we are doing in most of these cases is delaying some construction, at least until next year, construction that is not essential to the farm programs that we are all trying to preserve.

By doing this amendment, we are able to guarantee that the money that is going into the system to help our farmers as they are planting and as they are preparing to harvest later in the year, that we help our farmers do what we have to do to help them to stay alive, to keep the family farms and to keep those people who are producing the food for America, to keep them in business.

This amendment, while it is a substantial cut based on the overall amount in the bill, it is not that great. It is merely in most of the cases postponing until next year some of the construction that we would have done originally in this bill. So I would ask the Members to expedite the consideration of this amendment so we can complete this bill and get it into conference.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES

[Fiscal year 2000]

| | Amount in committee bill | Amount in amendment | Revised amount by amendment |
|---|---|---|---|
| Agriculture buildings and facilities and rental payments [1] | $166,364,000 | ($26,000,000) | $140,364,000 |
| Cooperative State Research Education and Extension Service: | | | |
| Integrated activities | 10,000,000 | (10,000,000) | 0 |
| Agricultural Research Service: | | | |
| Buildings and Facilities | 44,500,000 | (44,500,000) | 0 |
| Rural Housing Service: | | | |
| Rural Housing Insurance Fund program account administrative expenses | 377,879,000 | (2,000,000) | 375,879,000 |
| Food and Drug Administration: | | | |
| Salaries and Expenses [2] | 1,218,384,000 | (20,000,000) | 1,198,384,000 |
| | | (102,500,000) | |

[1] Of which $26,000,000 shall be reduced from repairs, renovation, and construction.

[2] Of which $10,000,000 shall be reduced from payments to the General Services Administration.

Ms. KAPTUR. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we had heard on this side that this amendment might be coming, and I want to say to the chairman of our full committee, there is no Member that I would respect more in this House than the gentleman from Florida (Mr. YOUNG). I believe he is a man of integrity who would want to do what is right for America, and especially for rural America, as troubled as she is right now.

We have had an opportunity to review this amendment just for a few moments, and I would have to say overall to the membership that what this amendment does is it cuts an additional $102 million of the funds that are available to the U.S. Department of Agriculture to meet the needs of rural America.

Now, let me say that I oppose the gentleman's amendment, and I strongly oppose it. I am sorry that I have to do that, because the chairman of the subcommittee and I came out of subcommittee in hopes we could have the kind of bipartisan unity that has always characterized this bill when it reaches the floor. But I think that I have to oppose the bill today for many reasons.

One of them is that, overall, if you look at the amount of funds that we will spend in our country today to serve the needs of rural America, we are about 33 percent under for the Year 2000 what we will spend this year just to prevent the hemorrhages that are going on from coast to coast, whether it is cattle country in Florida, whether we are talking about grain producers in the Midwest, whether we are talking about cotton ranchers down in Texas or whether we are talking about the Salinas Valley in California. We are talking about a situation that just does not need Band-Aids, but serious repair.

When we brought this bill for the Year 2000 to the floor, as uncomfortable as we were, we felt that, well, okay, so it is a big Band-Aid to get us through, but we know later in the year we are going to have to do more. Now for us to accept an additional $102 million in cuts is beyond what we feel is the right thing to do for America.

This may be, with all due respect to the majority in this House, the right way to get you out of a political box among various warring factions inside the Republican Caucus, but it is not the right thing to do for America.

For example, one of the major areas you cut is under the Agricultural Research Service. I do not know how many of you have ever been out in these Agricultural Research Service buildings. These are not fancy places. I mean, this is where the structures of the building kind of get rusty. These do not look like America's defense facilities or America's NASA facilities. Yet, in fact this is where the future of America is being reborn every day because of the general use of research that goes on.

Yet in this cut, what do we do? We are cutting the Beltsville Agricultural Research Center by over $13 million. It affects the State of Maryland. For New York, the Plum Island Animal Disease Center. In Pennsylvania, the Eastern Regional Research Center. In California, both in Albany and in Davis, their research labs. In Illinois, and this one really surprised me, in Peoria, the National Center for the Agricultural Utilization Research Service.

Now, that is only one of the many cuts in this bill. There is an additional $10 million in research that is cut from the Cooperative Research Service and our extension programs. When we cut that additional $10 million, that adds to the $3 million that was already cut below last year, so it is a net negative of $13 million in those cooperative research accounts below this year.

Research really is the seed corn of the future, and, with what is going on in rural America today, we need every single dime of that research working to invent the new technologies for the future that can help us preserve our food and fiber and fuel production inside the boundaries of this country.

We are very troubled by the additional $20 million cut proposed in this amendment in the Food and Drug Administration. Here we are talking about the inspection service for food safety. We all know what is going on across this country with added needs for food safety. We have had plenty of outbreaks, in everything from cyclosporin to E. coli, everything that has affected citizens across this country. We do not need to cut the salaries and expenses account for the Food and Drug Administration.

I heard ad nauseam in our subcommittee about the need to approve different devices and prescription drugs, that FDA was not moving fast enough, we needed to do more. America was not moving fast enough to meet the commercial marketplace. We had to do more for FDA. Well, this budget does less for FDA.

The CHAIRMAN. The time of the gentlewoman from Ohio (Ms. KAPTUR) has expired.

(By unanimous consent, Ms. KAPTUR was allowed to proceed for 2 additional minutes.)

Ms. KAPTUR. Mr. Chairman, I would also like to mention that one of the cuts in here relates to the repairs to the South Building along Independence Avenue here, the Agricultural Building, $26 million, a building whose heating and cooling systems dates back to the 1930s, the first major repair as we get ready for the 21st century. We have been waiting and waiting and waiting. This measure actually completely eliminates any construction, real improvements that could occur in that building, one of the relics around this city.

So, Mr. Chairman, I would have to say I know the gentleman is struggling. For those of us on this subcommittee who have worked very hard for many months on this bill, this is an important moment for us.

So I would say to the gentleman from Florida (Mr. YOUNG), I strongly oppose the gentleman in his efforts to remove an additional $102 million from the accounts for the U.S. Department of Agriculture and the Food and Drug Administration, at a time when America is asking us to do more in these areas, and particularly now when rural America is in crisis. This is absolutely not the place to make these cuts.

I would encourage the gentleman to go back and look at some of the other accounts, and would strongly urge the membership to vote no on this Young amendment.

Mr. POMEROY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, back in North Dakota this afternoon there are a number of farmers I represent wondering whether they will even be able to get through until next fall. We have had an unprecedented level of rain. It has destroyed the planting season, on top of the hardship they already faced because prices are below the cost of production, at a time when they have not been able to get for their crop what it costs them to grow the crop, and then on top of it production difficulties that have utterly disrupted their ability to get the crop in the ground.

This is a time of crisis in North Dakota. I would think it is a time of crisis well beyond a provincial concern as a North Dakota Congressman, because I am talking constantly with many Members representing farmers around the country. While your production dimensions may be different than ours, the fundamental is the same: Prices have not covered the cost of production, and that is irrespective of commodity and irrespective of region, and it has given us a crisis in agriculture.

I believe the floor consideration of the agriculture appropriations bill has been an utter travesty. At one point we had more than 100 amendments filed against it. Fortunately, we have worked that out. But now I cannot tell you how dispiriting it is to be an advocate for farmers in this country and have the chairman of the House Committee on Appropriations bring forward a $100-plus million cut.

Let me just tell you where $10 million of that would fall: Research and extension. Now, when this body, under a Republican majority, passed the freedom to farm law, you told farmers things were going to be different and they were going to be wonderful. They were going to have freedom to do new things, freedom to plant, freedom to do all kinds of things based upon the marketplace.

We know what has happened. Prices have collapsed and farmers are unprotected and farmers are going broke all over the country.

The agriculture research and extension component of this budget is what we need to deliver on the promise you

made to rural America, research to develop the new crop alternatives for people that cannot make money based on what they have been growing; new production methods that are more cost efficient, that will help keep these people in the game. It is part of the promise you made. Then extension, because it is extension that gets the research out of the universities and the land grant universities and out to the farmers so they can put it to work.

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

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

Mr. YOUNG of Florida. A question: Is the gentleman aware that just a month ago in the supplemental we did add an additional $600 million over and above all the budgetary figures? So we are not ignoring the plight of the farmer. We are trying to expedite this bill to get this amendment considered, whether it goes up or down, and get the bill into conference, so this additional money can get into the hands of the farmer. We did just a month ago add another $600 million over and above every budget figure.

Mr. POMEROY. Mr. Chairman, reclaiming my time, that was relative to a disaster, an emergency disaster occurring in agriculture. The Farm Bureau, another supporter of the freedom to farm bill, said you should have passed $6 billion, not $600 million.

I do not lay this on the chairman's shoulders. I have an enormous amount of respect for the chairman. But the fact of the matter is that that $600 million did not deal with extension and research, the $10 million I am talking about, and I cite that as an example.

Just a few months earlier than that, you set a 302(b) allocation for the Subcommittee on Agriculture of the Committee on Appropriations. The gentleman from New Mexico (Chairman SKEEN) went to work, working with the ranking member, the gentlewoman from Ohio (Ms. KAPTUR) and all of the Members. They came up with a bill within the allocation. They did everything right, and it is not right that agriculture should be bushwhacked on the floor of the House in this dark hour of despair by a $100 million cut.

I urge Members, put party aside, put urban-rural aside, think about what is right and think about what is fair and reject this amendment.

□ 1815

The CHAIRMAN (Mr. PEASE). The question is on the amendment offered by the gentleman from Florida (Mr. YOUNG).

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Ms. KAPTUR. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 234, noes 195, not voting 6, as follows.

[Roll No. 175]

AYES—234

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
Delahunt
DeLay
DeMint
Diaz-Balart
Dickey
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Luther
Manzullo
Markey
McCrery
McHugh
McInnis
McIntosh
McKeon
Meehan
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Moran (VA)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (WA)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tierney
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—195

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Dixon
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Frost
Gejdenson
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind (WI)
Klink
Kucinich
LaFalce
Lampson
Lantos
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Maloney (CT)
Maloney (NY)
Martinez
Mascara
Matsui
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Morella
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Sisisky
Skelton
Slaughter
Smith (TX)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Watkins
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOT VOTING—6

Brown (CA)
Chenoweth
Ford
McCarthy (MO)
McCollum
Waters

□ 1834

Mr. STRICKLAND and Ms. KILPATRICK changed their vote from ''aye'' to ''no.''

Mrs. KELLY and Messrs. LIPINSKI, TIERNEY, DELAHUNT, NETHERCUTT, TAUZIN, and SPENCE changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Ms. McCARTHY of Missouri. Mr. Chairman, on rollcall No. 175, I was unavoidably detained. Had I been present, I would have voted "no."

Mr. HOYER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the passage of this bill. I regret doing so, and I intended to support it. The comity in this body requires, I think, that we give notice to one another of actions that are being taken.

Now, I understand the Republican Conference met, and they have had trouble passing this bill, and they had a discussion. I do not know what went on. I was not in the conference. Apparently there was a determination, well, we will cut some programs from the bill. We will cut some items from the bill, $102.5 million. These items were cut after going through the subcommittee and full committee.

My belief is that they were not cut substantively, that is to say, I do not believe for one second that a substantive judgment was made with reference to the merits of these particular projects. In my opinion, these cuts were made essentially as somewhat an across-the-board cut in order to get the requisite number of votes to pass this bill on the Republican side of the aisle.

Now, when we were in charge, I opposed those kinds of amendments, and I oppose them when we are not in charge.

My colleagues will not be surprised to learn that one of the projects cut was mine. Now, it was not mine personally, it was a lab facility, the Beltsville Agricultural Research Center, which this Nation has created. It happens to be located in my district. But it is America's research facility, and it is the best research facility in the world.

Every farmer, not just in America, but throughout the world relies on the research that that institution has produced. In fact, productivity at every farm in America and every farm in the world that uses our technology is very substantially up because of the product of the Beltsville Agricultural Research Center.

I was not singled out. Peoria, Illinois, had a project; the gentleman from Illinois (Mr. LAHOOD) took a hit. Others took a hit. So I do not perceive this to have been a partisan hit. I do not ascribe my colleagues' motives as partisan. I ascribe them to needing to get votes.

But I suggest to my colleagues, and I suggest to my colleagues on the other side, my side of the aisle, this is not the way to legislate. This is not the way to make critical judgments on the priorities of America.

Now, I know one of my colleague's Members had a lot of amendments, and he was going to offer hundreds perhaps until next week, and perhaps this got him on board. It appears that it did. He is not offering amendments anymore.

I talked to the gentleman from Alaska (Chairman YOUNG) for whom I have not only great respect, but unrestrained affection. I think he is one of the finest Members of this body. Frankly, one of the other Members with whom I am very close, and he would say that, I hope it does not hurt his reputation, is the gentleman from New Mexico (Mr. SKEEN). I do not think they would have done this. I do not think they did do it. I think they were the instruments.

But I do not think this is a good day for agriculture, for farmers, for consumers. I want to say something else about this bill. It plays a game, this $102 million. It takes $10 million in rental payments from FDA and says, we will not pay it.

My colleagues just passed a bankruptcy act that said something about personal responsibility, about paying one's bills. But in the amendment for which my colleagues just voted, they said, but one does not have to pay one's rent, do not worry about it. So that when GSA goes to refurbish or maintain or build new facilities, there will not be any money in the pot.

Why? Because we did not pay our rent. Guess what? It is free. It is supply side maintenance and building of capital assets. That is what this amendment does that my colleagues voted for.

I would hope that my colleagues would vote against this bill. I would hope that we could go back to the board. If my colleagues want to cut, if the majority will is to cut, then let us do so in a rational, considered way, not by this, it was not midnight, but I had no notice of it, and I suggest that perhaps most Members did not have notice of it.

I urge a ''no'' vote on this legislation.

Mr. RYAN of Wisconsin. Mr. Chairman, I have watched the debate over agriculture appropriations for the past two days. Farmers are the backbone of my state. The economy of Wisconsin is based on agriculture—if our farmers suffer, the economy of our entire state suffers. These issues are vital to the people of the district I serve; however, no issue in agriculture is as vital to the farmers of Wisconsin as the reform of the dairy market order system.

This country, one of the most technologically advanced countries in the world, continues, at the behest of Congress, to force an antiquated system of price-fixing in the dairy industry that violates every free market principle. Congress has been manipulating the dairy industry for far too long. This system had a purpose in the 1930's; it was designed to encourage milk production in regions of this country that were suffering dairy shortages. But this system has outlived its usefulness. Advances in technology and transportation have eliminated the need for this system.

The current marketing order is unfair and inefficient for a number of reasons. Not only does it force higher prices for dairy products based on distance from my home state of Wisconsin; it also allows the Northeast Dairy Compact to operate. This is not a free market system; in fact, it is a system that violates most free market principles. It encourages overproduction and inefficient methods of production.

The farmers in my district are suffering because they live too close to Eau Claire, Wisconsin. How many members of Congress even know how far their district is from Eau Claire, Wisconsin? Yet the way dairy products are priced is based on that distance. Does that make sense to anyone? It surely doesn't make sense to me or the farmers of Wisconsin—a State where we are losing more family farms each year than many of you have in your entire state.

Make no mistake about it—this system hurts Wisconsin and hurts Wisconsin farmers—and this Congress is responsible for that. The USDA reform initiative is a small step to alleviate a situation that has been plaguing dairy farmers in the Midwest for far too long. According to USDA analysis, incorporating the changes in the Federal Milk Marketing Order Class I differential prices lowers average annual revenue in all federal order markets by only $2.8 million and raises farm revenue for the U.S. by $3.2 million. As we all know, these price differentials do not represent the actual market price. This reform is essentially revenue neutral for a $25 billion industry; yet many of my colleagues continue to use scare tactics claiming that these changes will cost hundreds on millions of dollars. The USDA estimates that the reform will result in a loss to farmers in some districts of approximately $.02/per hundredweight.

This system needs to be reformed because it unfairly penalizes the Midwest dairy farmers and it hurts consumers and taxpayers. They are being asked to subsidize inefficiencies in the production of dairy products. They are being asked to pay for a program that continues to waste their tax dollars. They are being asked to pay higher prices at the supermarket for food.

We are no longer giving farmers in certain areas of the country an incentive to product more milk. We are now giving them an incentive to overproduce milk. This type of system does not provide an incentive for farmers to operate efficiently or to produce items that are natural to their agricultural environment. How can we vote against a system that encourages the market to operate more efficiently?

If this House forces its will on the USDA, you will be silencing the voices of millions of farmers around the country who have been heard on this issue by USDA and deserve the right to vote on this reform. This reform must be supported by ⅔ of the farmers in a region before it can be implemented in that region.

The USDA assures us that this reform will only create a more equitable free market system; it will not seriously impact prices paid for dairy products in any region of this country. It will be a win-win for everyone; I urge you to support these minute changes the USDA has made that will mean everything to the farmers in the first district of Wisconsin.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise in reluctant opposition to H.R. 1906, the Agriculture Appropriations Bill for fiscal year 2000.

It had been my intention to support H.R. 1906 because it contains many worthy, programs that are of benefit not just to our farmers, but to all Americans. However, in a last-minute ploy, the Republican leadership decided to make deep cuts to this bill that call into question their commitment to both American farmers and American consumers who rely on adequate funding for these programs. Those cuts included important agricultural construction projects in California, including improvements to the Agricultural Research Service's Western Regional Research Center at Albany and construction of the Western Human Nutrition Laboratory at Davis. These projects are supported by the Department of Agriculture, they were in the President's budget request, and there was no opposition to including the necessary construction funds prior to today. I am very disappointed that the Republican leadership has chosen to pull the rug out from under these vital facilities.

H.R. 1906, as reported by the Appropriations Committee, was not a perfect bill, but I believe Chairman JOE SKEEN and Ranking Member MARCY KAPTUR and their subcommittee members did a commendable job under tough budget constraints to fund the many deserving programs in this bill. The last-minute amendment offered by Rep. BILL YOUNG to appease the right wing of his party works against that spirit of bipartisanship.

This bill's scope, the so-called ''agriculture'' appropriations bill, is sweeping, from agriculture research, rural development and land conservation programs to food safety and operations of the Food and Drug Administration. Administration of our farm programs and marketing of our agricultural commodities is also included, yet the greatest share of the funding goes for nutrition programs, including food stamps, school breakfast and lunch, and the Special Supplemental Nutrition Program for Women, Infants and Children or WIC.

I'm particularly grateful to the committee for adding funding within the extension activities of the Cooperative State Research Education and Extension Service for an after-school program in Los Angeles. Our 4–H after school activity program is operating at 21 sites, and over 4,000 kids are participating in educational field trips, getting homework assistance and receiving other types of mentoring. This program is a wonderful antidote to the drug and gang activity to which many of the kids in my district are susceptible. I very much appreciate this one-time infusion of funding so we can sustain the program and establish a long-term partnership between the government and businesses in our community.

I am also grateful that the bill contains an increase of $5 million for farm labor housing in the Rural Cooperative Service and $9 million for rural housing assistance grants, which can also be used for non-profit organizations of farm workers. Migrant and seasonal farmworkers are some of the nation's most poorly housed populations. The last documented national study indicated a shortage of some 800,000 units of affordable housing for farmworkers. However, farmworker households are some of the poorest, yet least assisted households in the nation. So, the need for housing is great, and the committee has responded, within its overall budget constraints, to make some needed progress in this area.

The nutrition programs in this bill benefit many of my constituents and people of all ages across the United States. However, I share the concern that has been expressed about adequate funding for the WIC program. Prior studies have demonstrated that for every $1 spent on the WIC program, up to $3 is saved in costs to Medicaid and other federal programs. That easily makes WIC one of the most cost-effective programs administered by the federal government. Although the committee increased funding by $81 million over last year, the amount provided is $100 million less than the President's budget request.

WIC serves 1.2 million Californians, and we are making enormous strides in using the funds to serve all the mothers and children in need. On May 24, the California Department of Health Services lowered the maximum price it would pay for milk, eggs, cheese, cereal, juice and other foods in the WIC market basket in order to avoid having to cut 25,000 poor mothers and children from its roster. While other states may easily serve their WIC recipients with the funds distributed to them, California must use its funding shrewdly in order to serve all those in need. The Effective Food and Nutrition Education Program (EFNEP) of the Extension Service also plays an important role in working with WIC mothers and others to help them build positive lifelong nutrition habits and skill. I urge the chairman and the committee to reassess the WIC funding level during its conference with the Senate in order to ensure that no qualified women and children miss out on the benefits of this program, which contribute to a healthy America.

California is the largest agricultural producing state in the nation, and I am phased that the committee has recommended funding for other programs of benefit to our farmers. Unlike many producers in the Midwest who have long benefited from agriculture price support programs, many of our California producers have been engaged in market-oriented agriculture for many years. That's why the Market Access Program (MAP) is so important to our cooperatives, small farmers and other producers who are making aggressive efforts to expand markets overseas. I'm pleased that the committee has funded MAP at its full authorized level.

In addition, agricultural research into the special problems that affect California commodities takes on added importance to our producers. Research into integrated pest management and into alternatives to methyl bromide are just some of the vital research projects under way at the University of California, and funding for the Agricultural Research Service, for cooperative federal-state research, for competitive research grants, and for special research grants are all important parts of this bill.

There are many other programs in the bill that I could comment on, including the food safety program and the youth anti-tobacco initiative in the Food and Drug Administration. These are areas where we would all like to do more if possible, but the committee originally reported a responsible bill based on its budget allocation. Now these partisan floor shenanigans call into question our ability to improve funding for these programs if opportunities present themselves later in the appropriations endgame.

In short, I would like to support this bill and the programs of benefit to my constituents and the people of California and the nation. However, I cannot in good conscience vote for final passage because the Republican majority has made a decision to depart from the usual bipartisan manner in which we consider this bill, in pursuit of their own political purposes. I hope that the House-Senate conference committee will make the needed improvements in this bill that will draw the customary widespread, bipartisan support before we send the final version to the President late in this fiscal year.

Mr. MALONEY of Connecticut. Mr. Chairman, I rise in support of the Food Contact Notification (FCN) program. The FCN program was authorized in the Food and Drug Administration Modernization Act of 1997, and received start-up funding in FY 1999. However, FY 2000 Agriculture Appropriations does not provide additional money. Without a funding source, either in the FY 2000 Agriculture Appropriations or through user fees, this program will not be implemented.

By reducing a significant regulatory burden, the FCN reforms expedite the approval of food contact substances, like plastic, paper and aluminum used in food packaging. Under this new streamlined regulatory system, it would be possible for safe food-contact materials to be marketed after only 120 days of filing notification with the FDA—shortening the current process from as much as six years to only a few months. Both consumers and manufacturers would benefit by the availability of better products in a more timely manner.

In fact, during the FY 2000 Agriculture Appropriations hearing the Committee recognized the value of the FCN program. Despite that endorsement, I am concerned that both the Committee and the Administration are relying on the future authorization of user fees to fund the FCN program. Yet to date, no fee authorization bill has been introduced, much less discussed in any detail. Without either an appropriation or an assurance of user fee authorization, the FCN program will not be implemented, and important progress in food packaging will be delayed.

It will be unfortunate if this innovative new program was unintentionally thwarted. For that reason, I urge the Chairman and Ranking Member to assure that at least the authorized level of funding be made available in the event that a fee system cannot be enacted in time for FY 2000.

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) 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, pursuant to House Resolution 185, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is there a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

□ 1845

MOTION TO RECOMMIT

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. LAHOOD). Is the gentleman opposed to the bill?

Mr. OBEY. Yes, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the bill H.R. 1906 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, before the short title, insert the following new section:

''SEC. . Notwithstanding any other provision of this Act, the amount otherwise provided for salaries and expenses for the Food and Drug Administration is hereby increased by $20,000,000.''

Mr. OBEY. Mr. Speaker, I am opposed to this bill in its present form. In

substance, we will be providing one-third fewer dollars this year than we are providing at the present time to support the needs of our farmers, and that creates no compulsion at all to vote for this bill as far as I am concerned.

This recommittal motion restores $21 million to the Food and Drug Administration just cut by the previous amendment. Now, those who are opposed to this amendment will say the money is not needed. If that is the case, I would ask one simple question: Why did we put it in the bill in the first place?

This cut, as the gentleman from Maryland indicated, was not made to solve any substantive problem with the bill. It was made to simply solve a political problem within the majority party caucus because the problem was that last week they had a worse week than Charismatic and they were trying to figure out how to recover. And so what they decided to do is to try to take a nip and a tuck out of some bills without regard to the substantive effect.

This amendment was not meant to solve a substantive problem. It was meant to simply help the majority party get another week through the legislative agenda while they try to figure out how to correct the fact that they are essentially $35 billion from reality in terms of overall appropriations.

If Members are opposed to this amendment, I would simply ask: Are we really doing too much to achieve food safety in this country? Are we really doing too much to inspect foreign fruits and vegetables? Are we really doing too much to speed the delivery of new life-saving drugs to the marketplace?

We will, sometime this year, be voting on about $15 billion for the National Institutes of Health. About $5 billion of that will be for cancer research. We have been told that the chairman of the subcommittee on the majority side wants to double spending for the National Institutes of Health over the next 5 years. That is a lot of ''blagole.''

But no matter how much we put into research, if we contribute to bottlenecks at FDA, we are delaying the day when new life-saving drugs will reach the marketplace; life-saving drugs that deal with cancer, that deal with Parkinson's Disease, that deal with every other disease known to man.

I would urge my colleagues when they cast their votes tonight on this amendment to vote on substance, not politics; vote to restore this badly needed $21 million. That is the least we can do to correct some of the damage just done by the previous amendment.

Ms. KAPTUR. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Speaker, I would just say to the gentleman that this particular Member is going to support the gentleman's motion to recommit and then will end the evening by voting against the bill, which I apologize to the subcommittee chair and to the full committee chair. It was not my intention as a loyal member, having gone through all those meetings, to do that. And I would urge all my colleagues to vote ''no'' on final passage as well, and I feel sad to do that today.

Mr. YOUNG of Florida. Mr. Speaker, I rise in opposition to the motion.

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

Mr. YOUNG of Florida. I yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding to me.

Just 2 years ago, Mr. Speaker, we all popped the champagne corks and celebrated the passage of a bipartisan budget agreement signed by the President of the United States, the Democrats and the Republicans in the Congress, and now it is time to follow through on that agreement. We must, on both sides of the aisle, follow through on our obligation.

Look what is ahead in terms of spending: Veterans' bills, processing of their health care claims, water and sewer grants, housing for the low income, education, money for teachers, Medicaid, children's health and immunizations, money for the National Park Service for land acquisition, for trails, for shelters, for the Department of Interior, research money for diabetes, Parkinson's, multiple sclerosis, heart, jobs programs of all natures. In essence, this is only the first appropriations bill. Everything else that is in our $1.7 trillion budget lies down the road.

By supporting this decrease in funding on this bill right now, we free up more money down the road to have more options on these very, very important programs, and that is why we need to pass the bill in its present form, as amended.

Mr. YOUNG of Florida. Mr. Speaker, reclaiming my time, let me simply say that we in the House and our colleagues in the Senate and our President at the White House agreed to a balanced budget proposal in 1997. We set budget caps for this fiscal year and for the next fiscal year. And if my colleagues think this year is tough, wait till next year, because that budget cap goes down even more than it did this year.

But if we are going to be true to ourselves, if we are going to be true to the fiscal restraint that we put into effect and that all of our leaders signed off on, if we are going to stay within that budget cap, we are going to have to make some tough decisions, and today we are making some tough decisions.

Vote against this motion to recommit, vote for the bill. Let us get this bill into conference and get the money on the way to the American farmers where the help is really needed and bring that amount up to over $14 billion just in the supplemental for 1999 and this fiscal year 2000 bill.

Make the tough choice, vote against this motion and let us pass this bill and get it to conference.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 207, noes 220, not voting 8, as follows:

[Roll No. 176]

AYES—207

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

Wexler
Weygand
Wise
Woolsey
Wu
Wynn

NOES—220

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Brown (CA)
Buyer
Chenoweth
Ford
Hilleary
McCollum
Mica
Waters

□ 1907

Mr. CAMP changed his vote from ''aye'' to ''no.''

Mr. DOYLE and Mr. MCINTYRE changed their vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MICA. Mr. Speaker on rollcall No. 176, I was avoidably detained. Had I been present, I would have voted ''no.''

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 246, nays 183, not voting 6, as follows:

[Roll No. 177]

YEAS—246

Abercrombie
Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
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Hall (OH)
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Lewis (CA)
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Miller, Gary
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Moran (KS)
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Peterson (PA)
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Upton
Vitter
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Walsh
Wamp
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Weldon (PA)
Weller
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Wilson
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Baldacci
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Barrett (WI)
Becerra
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Green (TX)
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Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
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Kind (WI)
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Pomeroy
Price (NC)
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Rodriguez
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Roybal-Allard
Royce
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Sanchez
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Sawyer
Scarborough
Schakowsky
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Sensenbrenner
Serrano
Shays
Sherman
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Smith (WA)
Snyder
Spratt
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Tancredo
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
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Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Watt (NC)
Waxman
Weiner
Weygand
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Wu
Wynn

NOT VOTING—6

Brown (CA)
Chenoweth
Ford
McCollum
Waters
Wexler

□ 1923

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SHIMKUS). 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.)

## MY TRIBUTE TO DR. HOWARD CAREY: A GOOD NEIGHBOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

Mr. FILNER. Mr. Speaker, I rise today to recognize the 30th anniversary of Dr. Howard Carey's commitment to the Neighborhood House Association and to his role as president and chief executive officer since 1972. Dr. Carey brings more than 35 years of experience in the field of social work, from both administrative and program perspectives to this leadership position. Serving more than 300,000 San Diego residents, Neighborhood House is one of the largest nonprofit organizations in San Diego, a multipurpose social welfare agency whose goal is to improve the quality of life of the people served. Since Dr. Carey assumed leadership, Neighborhood House has grown from a budget of $400,000 and a staff of 35 to its current budget of $50 million with a staff of 800.

Its multitude of services to strengthen families and to assist them in becoming self-sufficient include not only the two for which it is best known, Head Start, which reaches 6,500 preschoolers in 70 centers and its food bank program which collects and distributes 12 million pounds of food annually, but also housing, counseling, adult day care, emergency food and shelter and inner city youth enrichment program, employment training centers, health services for the mentally ill and elderly, and a senior citizen service center.

Dr. Carey's motto, ''being a good neighbor,'' is emulated by the extended families of employees at Neighborhood House and reaches from the Mexican border to the northern reaches of San Diego County. His legacy is one of excellence. A professional in the best sense of this word, he is a man of honor, strength and determination. He is dedicated to service and to making life better for his neighbors who are in need.

Dr. Carey is a native of Lexington, Mississippi, a graduate of Atlanta's Morehouse College, and holds graduate degrees from Atlanta University and United States International University. He became enchanted with San Diego during his 4 years of military service with the United States Navy and returned with his wife, the former Yvonne Arnold of Newnan, Georgia, a graduate of Spelman College. Dr. Carey and his wife are the parents of two adult children who are themselves graduates of Morehouse and Spelman. One would think that his service to the community through his work at the Neighborhood House would fill his days entirely but Dr. Carey's service extends to leadership and participation in many community organizations and local activities.

□ 1930

He is chairman of the board of Neighborhood National Bank, a San Diego-based community bank which spurs development in inner city neighborhoods. He was a founding member of Union Bank of California's Community Advisory Board to advise bank managers on the financial needs of low-income and underserved communities. He has held policy-making and advisory positions at the Neighborhood Development Bank, San Diego Unified School District, United Way, the Minority Relations Committee, the Black Leadership Council, former San Diego Mayor Maureen O'Connor's Black Advisory Committee, a Congressional Black Affairs Subcommittee, the Black-Jewish Dialogue, the National Conference of Christians and Jews, the Coalition for Equity and San Diego County's Child Care Task Force.

Professionally he has contributed as a professor at San Diego State University, as a lecturer at the University of California, San Diego, and at National University of San Diego and as instructor for Wooster College in Ohio and at San Diego Community College. His further professional associations include charter membership in LEAD, the National Association of Social Workers, the National Association of Black Social Workers; a founding member of the San Diego Chapter of Alpha Pi Phi Fraternity, Sigma Pi Phi Fraternity, Alpha Kappa Delta, Morehouse College Alumni Association, San Diego Dialogue and the National Conference of Social Welfare.

As impressive as this list is, it does not do justice to Dr. Carey. It is his passion for service that leads him into these activities. He knows that extraordinary measures are sometimes needed to strengthen communities and families, and he is always willing to go that extra mile. Because Dr. Carey and the work of Neighborhood House reaches deep into the hearts and minds of his neighbors and changes lives, his contributions to our community are far-reaching, long-lasting and immeasurable. I sincerely appreciate this opportunity to honor Dr. Carey and his many contributions to San Diego during the past 3 decades.

## ANNOUNCEMENT REGARDING AMENDMENT PROCESS FOR H.R. 1501, ADDRESSING YOUTH VIOLENCE AND CHILDREN'S SAFETY; AND H.R. 1000, AVIATION INVESTMENT AND REFORM ACT FOR THE 21ST CENTURY

Mr. DREIER. Mr. Speaker, the Committee on Rules is planning to meet the week of June 14 to grant a rule which may limit the amendment process for floor consideration of H.R. 1501, a bill addressing youth violence and children's safety. Any Member wishing to offer an amendment should submit 55 copies and a brief explanation of the amendment to the Committee on Rules in Room H–312 in the Capitol by noon this Friday, June 11. Amendments should be drafted to H.R. 1501 as introduced. Members should know that the Committee on Rules may consider amendments relating to the causes of and solutions to youth violence and certain firearms proposals.

Mr. Speaker, the Committee on Rules is also planning to meet the week of June 14 to grant a rule which may limit the amendment process on H.R. 1000, the Aviation Investment Reform Act for the 21st century, the so-called Air 21 bill. Any Member who wishes to offer an amendment should submit, again, 55 copies and a brief explanation of the amendment by noon this coming Monday, June 14, to the Committee on Rules, once again, upstairs in Room 312 here in the Capitol. Amendments should be drafted to the text of the bill as reported by the Committee on Transportation and Infrastructure on May 27. The committee filed this report on H.R. 1000 on May 28. Members should use the Office of Legislative Counsel to assure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

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.)

## INTRODUCTION OF THE RAILWAY SAFETY AND FUNDING EQUITY ACT OF 1999

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, I rise today to speak about the Railroad Safety and Funding Equity Act of 1999, legislation that I have introduced today along with my friend and colleague, the gentleman from Alabama (Mr. CRAMER). Also known as RSAFE, this bill will increase funding for a far-too-long-overlooked aspect of highway and railroad safety grade crossings.

With record levels of motorists on our Nation's roads and highways and with a record amount of freight being moved by rail, the lack of our nation's commitment to funding safety programs is nearing dangerous levels. RSAFE will bolster our Nation's commitment by almost doubling the current Federal grade crossing improvement program.

As two recent train crashes in Illinois showed, one a fatal crash in Bourbonnais and the other in my district in LaGrange, much more can and should be done to upgrade safety at railroad to highway grade crossings. For too long policymakers have accepted it as fact

that grade crossings are dangerous, and they have left it at that. RSAFE will take the 4.3 cents per gallon diesel fuel tax that railroads currently pay towards deficit reduction and transfer it into the Department of Transportation Section 130 Grade Crossing Safety program. This money will then be distributed to the States on a formula basis.

Based on estimates of railroads' tax receipts, RSAFE will add approximately $125 million or more to the current $150 million in the Section 130 program. Therefore, among other things, RSAFE will give States much more ability to construct gates at grade crossings, develop and acquire new technology that could serve as alternatives to whistle-blowing and generally remove hazards at grade crossings.

RSAFE also mandates that 5 percent of the new funding will be spent for education and awareness campaigns, such as Operation Lifesaver. Operation Lifesaver works with local law enforcement officials and others to make pedestrians and motorists aware of the dangers at grade crossings. RSAFE also puts 10 percent of the new funding towards upgrading rail-to-rail crossings. The danger posed when two freight trains collide or when a commuter train collides with a freight train are immeasurable in lives and environmental costs.

Since railroad crossing safety is often a local and State issue, RSAFE mandates that the States pay at least a 20 percent share of any project financed with funds under this bill. I think that this is a small price for the States to pay for the safety of their citizens.

The railroads often argue that the 4.3 cent per gallon tax is unfair, that they maintain their own infrastructure unlike the trucking industry. But I think it even more unfair that the taxes go to deficit reduction instead of a program that benefits the railroads and public safety. That is what RSAFE does. It puts railroad money back into the railroads for the benefit of the public.

In addition, after 5 years of increased investment in grade crossing safety, RSAFE repeals the 4.3-cent diesel tax on October 1, 2004. Hopefully, Congress will continue the higher funding for the Section 130 program in the next highway and transportation reauthorization bill. However, until then, every day that the tax goes towards deficit reduction is a day that statistics tell us someone will die at a railroad crossing. In 1998, 428 people died from an incident at a grade crossing, 30 of whom died in my home State of Illinois. Clearly, 428 deaths in 1 year is unacceptable.

So I say to my colleagues and to those in the railroad community:

Please work with Congressman CRAMER and me to pass this legislation so that each day we will not see another life perish due to our own inactivity and inaction.

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.)

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The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. RUSH) is recognized for 5 minutes.

(Mr. RUSH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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## CHINA HAS YET TO EARN PREFERENTIAL TRADE STATUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, 10 years ago this week China's Communist dictatorship sent its tanks and armored carriers crashing through the prodemocracy protests in Tiananmen Square in Beijing. Hundreds of innocent protesters were crushed to death, hundreds more were mowed down by machine guns, hundreds more were arrested and executed.

The men and women who lost their lives in Beijing and the ones who remain jailed are the heirs to the legacy of our Founding Fathers. They quoted Thomas Jefferson, they built a monument fashioned after our Statue of Liberty, they look to the United States as a beacon of hope and of freedom. In the United States, the nation which the thousands of dead at Tiananmen hoped to emulate, is once again coddling the same dictators who had them murdered by renewing China's annual trade privileges. After all, the lure of one billion Chinese low-wage workers is the catalyst of our China policy.

Think about it: no pesky unions, no minimum wage laws, no labor standards, no effective court system to scare away investors. The potential for profit, regardless of human rights for American corporations, is enormous. After all, Wall Street bankers could not care less if the shelves at the Lorain, Ohio, K-Mart are lined with goods manufactured by Chinese slave labor. The lawyers in Washington could not care less if Chinese workers are imprisoned for trying to form unions.

Win Jingshang, a democracy activist who spent nearly two decades in a Chinese prison, told me that American corporate executives, not Chinese spies but American corporate executives, are the vanguard of the Chinese Communist Party revolution in the United States.

It should bother us, all of us, that exactly 10 years after the slaughter of those demonstrators in Tiananmen Square that American CEO's actively roam the government corridors of the Chinese Communist Party dictatorship. It should bother all of us that after cavorting with the butchers of Beijing, these American CEOs streamed into Ronald Reagan National Airport to argue for continued favors, continued trade advantages for the world's worse abuser of human rights. It should bother all of us that the brutal nature of China's Communist regime is totally ignored by all too many in America's business community.

The harsh reality is that the ongoing genocide in Tibet, continued arrest, and torture of democracy activists, proliferation of nuclear technology to North Korea, none of that matters very much to too many people in America's business community. To this I say, the most effective way to toughen our relationship with China is to deny it special trading privileges.

Every year I and others in this body have prodded the administration and the Republican leadership to force China to improve its behavior before giving it preferential trade status. These benefits give China's Communist Party dictators billions and billions of dollars, last year it was 60 billion to be precise, and the commercial technology needed to modernize the People's Liberation Army. Yet each year the same GOP, the same Republican Members of Congress who are the loudest in their criticism of the Clinton administration and its China policy turn around because of corporate business influence in this body, turn around and give Beijing preferential trade status.

Mr. Chairman, what we need to do before granting special trade status to the Communist Chinese is to condition their behavior on something other than what they say. I, for one, am weary of continued Chinese Communist promises that they will behave, they will play fair, they will stop human rights abuses, they will end child labor, they will stop forced abortions, they will begin to behave, they will stop selling nuclear technology to rogue nations, that they will begin to play by the rules.

It was Mao, quoting Soviet leader Lenin, who liked to state promises are like pie crusts, they are made to be broken.

Mr. Speaker, I ask the administration, I ask the President, I ask Republican leadership in this body, I ask the American business community, all of whom are far too strongly supportive of the World Trade Organization entry for China, I ask them to step back and let us see if China can behave for 1 year. We should demand to see if China can stop its human rights abuses, can stop its child labor and slave labor practices, can stop threatening Taiwan before receiving another dollar from U.S. business interests. We must not give China special trading privileges, Mr. Speaker, until we see proof that its Communist Party leaders are capable of abiding by world standards.

## FUNDING FOR SOCIALLY DISADVANTAGED FARMERS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, earlier today we approved an amendment related to outreach funding for socially disadvantaged farmers. This amendment was offered by our colleague, the gentlewoman from Ohio (Ms. KAPTUR), and she is also to be commended. The amendment was accepted by the subcommittee chairman, the gentleman from New Mexico (Mr. SKEEN). He, too, is to be commended for his support.

This amendment passed, and the House is to be commended for doing that. Let me tell my colleagues why.

□ 1945

This amendment permits the Secretary of Agriculture to provide additional funding for USDA outreach programs for socially disadvantaged farmers. Under the amendment, the Secretary may transfer up to $7 million to this program.

The 2501 outreach program targets small and socially disadvantaged farmers and ranchers. The program is carried out by colleges and universities, including the 1890 land grant institutions. With funds from this program, these institutions are able to conduct the vital and important work of training and management assistance. Individualized farm plans, upgrading accounting systems, effective utilization of the vast array of other USDA programs, and the best approaches to applying for credit are but a few of the services available at the institutions and through this program.

Mr. Speaker, while the additional dollars provided by this amendment will be a great help to our small farmers, especially those who are socially disadvantaged, there are other steps that Congress should take to assist the 1890 institutions in assisting small farmers. It should concern all of us that of the 1,200 Ph.D. degrees recently awarded this year in agriculture science in the United States, almost half were awarded to non-U.S. citizens, while less than 3 percent were awarded to Afro-Americans. We need a program to encourage more Americans, particularly Afro-Americans, to pursue graduate-level education in agriculture.

The 1890 institutions could use additional support in their research and extension efforts. This additional support is especially needed to strengthen the level of performance and the productivity and the research and extension of the 1890 institutions.

A modest increase of not less than 5 percent in formula funding for existing 1890 programs would go a very long ways in helping the 1890 schools to help small farmers. Additional funding resources for facility funding and extending such funding to institutional facilities is but another prudent resource that would be a wise investment that will produce immeasurable returns for small farmers.

We must also work with the administration to produce either legislation or regulations that assures continuation of the Federal support when a State fails to provide the matching dollars for the land grant institutions. Many of the programs Congress intends to make available are not available to these institutions because the State matching funds are not often provided.

Finally, given the state of affairs of small farmers, especially socially disadvantaged farmers, a special appropriation of not less than $10 million over the next several years should be targeted, and we should consider this now as we are now considering the agriculture appropriation for the next few years. Targeting to reduce the rapid decline of these farmers will be a meaningful investment if we are to stop the erosion and the demise of small farmers.

Mr. Speaker, there can be no doubt that small farmers and ranchers are struggling to survive in America. In fact, small farmers and ranchers are a dying breed. Indeed, in my home State of North Carolina, there has been a 64 percent decline in minority farmers just over the last 15 years, from 6,996 farms in 1978 to 2,498 farms in 1992. All farmers, all farmers, are suffering under the severe economic downturn we are now facing, but particularly small and disadvantaged farmers are facing severely.

Mr. Speaker, I commend the gentlewoman from Ohio (Ms. KAPTUR) and the gentleman from New Mexico (Mr. SKEEN) for their sensitivity to the needs of socially disadvantaged farmers, but there is very much more we need to do. I hope Congress will be committed to do that in the coming years.

## THE PROBLEM OF DRUG ABUSE IN AMERICA

The SPEAKER pro tempore (Mr. SHIMKUS). Under the Speaker's announced policy of January 6, 1999, the gentleman from Florida (Mr. MICA) is recognized for 60 minutes as the designee of the majority leader.

Mr. MICA. Mr. Speaker, I come to the floor again tonight to talk about the problem of drug abuse in our Nation and the tremendous toll that illegal narcotics have taken across our great land.

It is getting so that almost every family, certainly every community across the United States, can today claim that they are victimized by illegal narcotics trafficking in their communities and their schools, among their family members. The statistics are really mind-boggling and do not make the front page of today's newspaper, Mr. Speaker, but indeed they are dramatic.

Last year, over 14,000 Americans died in drug-related deaths. That is only the tip of the iceberg, because now we find that many thousands more that were killed in other accidents and suicides and other causes of death are not counted in that toll. In fact, the figure is much, much higher.

I said before on the floor of the House when we had the terrible tragedy at Columbine with a number of students and faculty who were killed in that tragedy, that we have multiple Columbines across our Nation every day. They are sometimes in the silent but violent deaths of our young people through the use of illegal narcotics.

Today heroin has become the drug of choice, and it is destroying lives by the thousands. I come from Central Florida and represent the area from Orlando to Daytona Beach, a relatively peaceful area. But Central Florida now has had such an epidemic, particularly among our young people, of deaths from illegal drugs and overdoses, that a recent headline in the Orlando Sentinel said that illegal drug overdoses now exceed homicides in Central Florida. That is how severe the problem is in my district.

That is one reason why I chose to accept the Speaker's appointment as chairman of the Subcommittee on Criminal Justice Drug Policy and Human Resources. I had the great privilege and opportunity to serve in the last Congress with the gentleman from Illinois (Mr. HASTERT), someone who folks are just learning more about, who is the Speaker of the House of Representatives.

When the gentleman from Illinois (Mr. HASTERT), the gentleman I refer to, served as chairman of the Subcommittee on National Security Criminal Justice and International Affairs, I served with him and at his side. I had the privilege of watching the gentleman from Illinois (Mr. HASTERT) bring together a consensus in this Congress and in the House of Representatives to re-start the war on drugs. You must remember, and I will detail that in just a few minutes, that the war on drugs basically stopped with the election of this President and his taking office in 1993. I will talk more about that in a minute.

But, again, someone who restarted our national effort now leads the House of Representatives, and I am very proud to have served with him in that effort during the past several years as the new majority gained control here in the House of Representatives.

The record of death and destruction across our land we were very much aware of when we took control of the House of Representatives and we saw the change from the Reagan and Bush administration, where we saw a decline year after year in drug use and drug deaths across the Nation. What should be astounding is that since we really had this new policy with this new administration, that the figures began to really go off of the charts. In fact, I brought a chart tonight to illustrate the problem that we had.

Remember what I said just a minute ago. If you look at this chart for a

minute you will see these different lines of drug use illustrated in color. You see that drug use was on the decline. This shows that from 1989 on down to the 1992–93 period here, where the Reagan-Bush administration ended their efforts, the ''just say no'' campaign, the eradication, the enforcement efforts stopped, and a policy of working primarily on treatment, treating the wounded in this battle began. We saw the increases in drug use that these colored lines represent in almost every area.

Only in the last 2 years, again under the leadership of Speaker HASTERT as Chair, have we seen any leveling off, but we still see incredible figures, particularly among our young people in illegal narcotics usage.

Let me give you one figure. Since 1993, again when this administration took control, changed the policy, the figure is this; that we have had an 875 percent increase in heroin usage by our teens. I think if we looked at the charts we would see a dramatic increase in the deaths of our teens. If we look at those more than 14,000 deaths I cited, many of them are among our young people who are now being victimized by very potent illegal hard narcotics that are coming in in an unprecedented stream.

The cost of this whole drug debacle is immense to this country and to the Congress. Right now we are working in our subcommittee to try to coordinate the expenditures of $17.9 billion directly into the war on drugs. That is only the tip of the iceberg, because we spend around a quarter of a trillion dollars in a year. When you take in incarceration, the cost of our judicial system, the social cost, welfare for these drug victims and narcotics users leave a trail of social disruption that is unbelievable, not to mention the pain to their loved ones and families.

So that is a little bit of the direct toll and cost in dollars and in lives, and, as I said in Central Florida we have had just a dramatic increase in deaths, particularly among our young people.

In our prisons across this land we have almost 2 million incarcerated citizens and other individuals there. Seventy percent of them are there because of drug-related offenses. Our U.S. Attorneys tell us that statistics, our Federal Marshals, our DEA agents, and even in conducting hearings in my local community, our local sheriffs told us that 60 to 70 percent of those individuals behind bars at public expense are there because of drug-related offenses.

So if we look at the crime in this country, we can directly relate it, 60 to 70 percent of it, to illegal narcotics.

One of the interesting myths of this whole drug problem is that people behind bars are there for casual use or for possession, and that is simply not the case. I just reviewed a report from the Commissioner for Crime and Enforcement in the State of New York, and they had a very revealing report which in fact indicated that very few individuals are there for mere possession. Almost all the individuals in that State prison system that are there because of drug-related offenses are there because they were selling substantial quantities, participating in the act of a felony, when they were under the influence of illegal narcotics. So many of the crimes are not victimless. Most of them have victims and are felonies and serious offenses against our community.

□ 2000

So we have an incredible problem, but we have also incarcerated almost 2 million Americans at great cost to the taxpayers because of this problem.

Let me say that, again, the war on illegal narcotics, the war on drugs, died in 1993 with the election of this President and with a majority on the Democrat side that controlled both the House of Representatives, the other body, and the White House from 1993 to 1995.

Sometimes people come to me and say the war on drugs is a failure. I say, yes, the war on drugs is a failure because it died. It not only died, it was killed in 1993. In fact, what this administration did was dealt a death blow to the real effort started under the Reagan administration.

I know because back in the early eighties I worked with Senator Hawkins from Florida when we had a cocaine problem and a drug problem. Under her leadership and under the leadership of the Reagan administration, they began a series of legislative initiatives to stop drugs at their source, to have tough interdiction of drugs as they came from their source, to involve the military and the Coast Guard and other resources in getting drugs before they got to our border, stopping drugs at our border, and then tough enforcement across the land.

We know that works. The statistics prove that that works. Unfortunately, this administration abandoned those policies in 1993. In 1993, and these are facts, this is not partisan rhetoric, but the other side with Democrat control in the White House and the Congress, they stopped many of the eradication programs, the source country problems.

I will tell the Members, if they want to have the most effective way to stop hard drugs at their source, they have source country eradication programs, where we have those countries become involved in alternative crop production, where we have tough enforcement, and where we have eradication of the growth of illegal narcotics. Again, at their source is most cost-effective. There is no question about it.

This administration, the Democratic-controlled Congress, killed those programs in 1993, or severely crippled them. What happened is we saw more and more production.

In 1993, the administration took the first steps towards really cutting the military, not just as we see today and we are trying to make up for, and the many deployments in Kosovo, in Bosnia, on and on, military exercises. But they basically, under the guidance of President Clinton, took the military out of the war on drugs and really changed their mission. It was not their mission to help stop drugs once they came from the source; again, stopping the source, eradication programs, country programs, and then stopping the military involvement, then also cutting the Coast Guard dramatically.

The President led the effort to cut the Coast Guard. That particularly affected my district and the State of Florida, because we had a rush of heroin and cocaine come through Puerto Rico, and Puerto Rico is really guarded. It has a coast all the way around, and it is guarded by the Coast Guard.

The cuts in the Coast Guard dramatically increased the flow of heroin and cocaine and other illegal drugs into Puerto Rico, which is of course part of the United States, and the entry-way. And with no protection, those drugs started coming back into Florida in incredible quantities. The deaths we see in central Florida and throughout the State of Florida, again exceeding homicide, are drug-related, and those drugs we can trace coming through that trail.

Then of course the President made a horrible decision in appointing Jocelyn Elders, the infamous now fortunately ex-Surgeon General who said, just say maybe. When we have a mixed message coming from the White House, when we have a mixed message coming from the chief health officer of the United States to our young people, our young people are not dumb, they pick this up. They get the message that maybe, just say maybe; or if I had it to do over again, I would inhale; or kids, do it if it feels good.

That message went across this land. Fortunately, that Surgeon General has been replaced, and we do not have a Nancy Reagan or leadership at the national level really to bring this message of ''just say no'' and what drugs can do to our young people.

Those direct actions, and again, this is not political rhetoric but those factual actions took place, and they resulted in, again, this chart we see and the dramatic rise of young 12th grade use here we see by this chart, but also in drugs by numerous strata of young people; again, not just in 12th graders. That is what we are suffering from today.

Stopping illegal narcotics, hard narcotics coming into this country is not a rocket scientist's venture, really. It requires a simple review of where narcotics are coming from. Let me get another chart up here, if I may.

We know where illegal drugs are coming from. This is very interesting because DEA has produced this chart, and this chart is 1997 heroin signature program results. This is an interesting program because technology is so

amazing. Just like we can trace DNA to individual human beings, we can trace and DEA can trace through their labs in this case heroin, and they can tell almost the field that it came from and certainly what country of origin, or where it came from.

This little pie chart shows that 75 percent of the heroin came from South America in 1997. We know that from sampling seizures across the land. We know that 6 percent came from Southeast Asia; I am sorry, 5 percent from Southeast Asia, 6 percent from southwest Asia, and 14 percent from Mexico.

This is a very interesting chart because it tells us where the source of most of the death and destruction to my communities and many communities across the land is coming from. That is heroin, 1997.

Let me tell the Members an absolutely startling statistic. If we took this chart back to 1993 or 1992, there was almost zero heroin coming from South America, almost none in South America 6 years ago, at the beginning of this administration. How did we get 75 percent of the heroin coming into the United States in 6 years? It is simple. It is through the policy of this administration. This administration for 6 years blocked any aid or assistance to the country of Columbia in the way of helicopters, in the way of eradication equipment, in the way of ammunition, in the way of resources to stop cocaine and heroin production.

Here we are talking about heroin. Again, it would be almost zero at the beginning of the Clinton administration, and it is 75 percent now coming from South America, and almost 99 percent of that is coming from Columbia. Six years ago there was almost none. So their policy, their direct policy has resulted in these startling figures.

Mexico, which on this pie chart accounts for 14 percent, was also way down on the bottom. It was in single digits as far as Mexican heroin coming into the United States. In 6 years they have managed to make Mexico not only a trafficker and conduit and transit country, but they have also made Mexico a producing country rather than stopping it.

Repeatedly this administration has certified Mexico as cooperating in the war on drugs. As required by Federal law, the President must certify whether this country is cooperating, any country is cooperating to stop the production and transiting of illegal narcotics. Certainly Members can see that production is up by this chart. Again, we would be in single digits in the early 1990s, and almost no heroin coming from that area.

What is absolutely startling, and this chart does not show it, and this is just an unbelievable statistic, but 6 years ago there was almost no coca, no base for cocaine produced in Colombia, almost none. In 6 years, again the policy of this administration stopping aid, stopping resources, stopping equipment in the war on drugs from going to Colombia, Colombia is now the number one producer of cocaine in the world. So we have heroin and poppies growing in unprecedented amounts, heroin coming in in unbelievable quantities in these sources from Colombia. Most of this, again, is due to the policy of this administration.

I do want to say that there is some hope on the horizon. Through the efforts of the gentleman from New York (Chairman GILMAN), who chairs the Committee on International Relations, through the efforts of the full committee on which I serve, the Committee on Government Reform and Oversight, the gentleman from Indiana (Chairman BURTON) and so many others, the gentleman from Florida (Mr. MCCOLLUM), we have repeatedly requested, we have repeatedly helped appropriate, and again, through the tremendous leadership of the gentleman from Illinois (Mr. HASTERT), who now presides over the House of Representatives, we have succeeded in getting the first equipment to Colombia.

I participated with several of the committee chairmen recently in a ceremony at the Sikorsky Helicopter Division, where the Black Hawks are produced in Connecticut, in a contract and delivery ceremony. Soon those helicopters that will be able to get to the high altitudes to eradicate, to go after the drug traffickers at their source, will be there. We will see a dramatic decrease in the amount of heroin, the amount of cocaine coming into this country; a small amount of money, a great amount of results, stopping drugs where they are grown, where they are produced, and interdicting those illegal narcotics as they come from that source, not when they are on our streets, when it is the most difficult to get those.

What I need to do tonight, Mr. Speaker, is show Members and the American people how we got into this situation. It is a direct policy of this administration and the Congress that was controlled by the other side.

I wanted to also talk about the other primary source of illegal narcotics. In addition to the source country now becoming Colombia, and through the policy I described, this chart shows Mexico's statistical tables and it shows opium seizures, cocaine seizures. I believe the dark blue here shows the opium seizures for 1997. The red, the first column is opium seizures, down in 1998. The second is cocaine seizures, down in 1998.

The next is the production. The red shows the yield in 1998 is up. Here is Mexico, our close ally that the United States and this Congress and this House of Representatives have done incredible deeds to assist. In financial trouble we have backed them and actually given them financial stability. In trade we have given them benefits as far as assistance. NAFTA, we gave them almost an open commercial border. We have lost thousands of American jobs to give to lower-paying Mexico jobs.

We have done everything as a good ally, and what have they done? The law requires under certification that the President must certify a country as cooperating in helping to eliminate both the production and the trafficking of illegal narcotics. This administration, this president recommended to this Congress, and we have pending before us a recommendation, to certify Mexico.

From 1997 to 1998, last year there were less seizures of heroin, there were less seizures of cocaine, actually reduced seizures in the country, and more production of illegal narcotics; in this case, heroin.

□ 2015

I showed my colleagues the other chart that showed how production has risen again repeatedly over the past 6 years, and it was in single digits. So this is the result of what we get from Mexico.

Let me talk a little bit about Mexico, which is the source of 60 percent of the illegal narcotics coming into the United States. We know that DEA, our Drug Enforcement Agency, has confirmed that. The hard narcotics, the heroin, the cocaine, the methamphetamine are coming in unbelievable quantities through our Mexican border.

Now this Congress has, under the leadership of the gentleman from Illinois (Mr. HASTERT), who brought to the floor several years ago a resolution asking Mexico to take certain actions. It has been now over 2 years ago that we asked Mexico to take those actions, again, the source of 60 percent of the hard drugs, the death, the destruction, those 2 million people that are behind our bars in our prisons. We asked Mexico to help us.

What did we ask for? We asked Mexico, first, to extradite to the United States Mexican nationals who are major drug traffickers, send them to the United States for prosecution. We have indicted them. We have requested their extradition. They are guilty of breaking the United States Federal law. We want to try them.

We do not want them in a kangaroo court. We do not want the corrupt judicial system of Mexico to deal with them. We want to try them and bring them to justice. The biggest thing drug dealers fear in the world is being brought to justice in the United States, because they will pay a penalty for their crime here.

To date, the Mexicans have not extradited the first Mexican national. Only after coming to the floor of the House repeatedly, only just before Memorial Day when I, the gentleman from Florida (Mr. MCCOLLUM), the gentleman from Ohio (Mr. GILLMOR), and other leaders on the issue introduced a drug kingpin bill that will tie up the assets of these drug dealers did we start to see any action.

Do my colleagues know what the Mexican Government did? They extradited in the last week one U.S. national who was on our list, one U.S. national, but to date, not one Mexican national. We have requested over 40 major Mexican national drug dealers to be extradited. Instead, what they did with the Masquez brothers just a few weeks ago, and before we introduced this bill, was to kick dirt in our face by judges in Mexico releasing the Masquez brothers, who are the kings of methamphetamine production and trafficking into the United States.

So until we got tough just before Memorial Day, they kicked sand in our face, allowing the kingpins not to be extradited. Fortunately, some of the brothers are still held in prison there.

But we will not give up till these 40 Mexican nationals, whom we know are involved, who have been indicted in the United States, on whom we have a request for extradition pending, some for 6, 7 years, are brought to justice.

So we asked for extradition, and what did we get? Nothing to date. Zero, zip, nada. We asked for the enforcement of Mexican laws. Mexico passed laws, their National Assembly, but they did not enforce the laws. They have not enforced the laws.

What did the Mexicans do to the United States after we made this request again, 2 years, this House of Representatives, what did they do last year? One, the most offensive thing that has ever taken place to our law enforcement officials, what they did is disrupt Operation Casablanca

Operation Casablanca was a U.S. Customs sting operation which was to identify money laundered in the United States and through Mexican banks and Mexican banking officials; and our U.S. Customs officers led that effort. I know that we informed them of what was going on.

Do my colleagues know what they did? The only reason for informing them was limited, because we can trust so few of the Mexican officials; most of them are corrupt from the policeman on the beat all the way to the office of the president. I will talk about that in just a minute.

But what they did was threaten to arrest our Custom officials. We knew that hundreds of millions of dollars was being serviced through these Mexican corrupt bankers. They had the audacity and nerve to threaten our officials.

Only until just before President Clinton went down to meet with President Zedillo did they back off of this threat, and only just before the question of certification by this administration came up did they back off of the threat of going after our Customs officials.

So we asked for enforcement of the laws. What did they do? Again, we got dirt and dust kicked into our faces, and actually threatening our officials.

We had asked over 2 years ago for our DEA agents, and we have a small number in Mexico, and we did have an incident where one of our agents was brutally and savagely murdered back in the 1980s, so we want our DEA agents to be able to protect themselves, and we want assurance of protection and, in some cases, to be able to carry arms. We still have been denied that right by the Mexicans to ensure the safety and security of our drug enforcement agents in that country.

That was another request that we had. We asked that the drugs that are coming in from Colombia that are produced there in South America and transiting, the 60 percent of the drugs, hard drugs, coming into the United States be stopped at the southern border of Mexico; and that could be done by installing radar and other devices at the border. To date, zero, nothing has been done to comply with our request; and that request of this House of Representatives is over 2 years old. Again, the Mexicans have ignored a simple request of cooperation.

Finally, signing a maritime agreement: We know if it is not coming over land, it is coming over water. The Mexicans still deny us a maritime agreement. They refused to sign a maritime agreement, to my knowledge, in the Caribbean, in Central, South America. Only one other country, Haiti, which is still in total disruption, even after we spent 3-plus billion taxpayer dollars to improve their legislative, judicial, and law enforcement system, they have not been able to have their parliament meet and sign a maritime agreement or confirm one. But the Mexican Government still has refused to sign a maritime agreement with the United States.

So here we are again, you know, with the situation. After the introduction of the bill that I described, major drug kingpins bill, which will go after the assets of these drug traffickers, we got a little attention of the administration. The Secretary of State, Mrs. Albright, was to go to Mexico. She was diverted to Kosovo.

I believe they sent the Attorney General to Mexico over the weekend. We also, I believe, had our Drug Czar, who is doing the best job he can, General McCaffrey, under very difficult circumstances. Hopefully, in this high-level working group with the Attorney General, with other officers from Mexico, some additional progress will be made.

But I can assure my colleagues in this Congress this House of Representatives will not sit idle until they begin an honest effort for enforcement, interdiction, cooperation on the agenda, items that are over 2 years old. So some action hopefully was taken this weekend. We do not know; it is not public yet. But we will continue to pressure Mexico because it is the source of so much of the illegal narcotics coming into the United States.

We also know that in order to get from Peru and Bolivia and Colombia, where 100 percent of the cocaine and coca is produced now and where 75 percent of the heroin comes from Colombia, we know that it must transit again by land either through Panama, through the isthmus, and those Central American countries, and/or through Mexico to get to the United States.

Now, what is the policy of this administration relating to stopping drugs in Panama? This is an absolutely unbelievable scenario. What was started under the Carter administration to give away the Panama Canal and 10 billion American dollars in assets, 5,500 buildings is being sewed up into a neat package by the Clinton administration and given to the Panamanians, and at the same time, we have made one simple request. Could we please continue the drug surveillance flights from Howard Air Force Base in Panama, which cover the entire South American region, which cover the area that is producing the hard drugs that I have cited here? That was our question and request.

Now how could a State Department bungle negotiations for a simple request like that with the Panamanian Government? I do not know. But, Mr. Speaker, the administration's State Department managed to bungle the negotiations for having our forward drug surveillance flights go out of Howard Air Force Base.

They did that in an incredibly bungling fashion, and we were basically kicked out May 1. Since May 1, there has not been one drug surveillance flight over the drug-producing or drug-trafficking area of South America from Howard Air Force Base. The United States of America was kicked out of Panama. We closed Howard Air Force Base. We had 15,000 drug surveillance flights last year from Howard Air Force Base covering the whole region.

When I took over as chair of the Subcommittee on Criminal Justice, Drug Policy, and Human Resources in January, we went down there to Panama. We met with folks. ''Can you negotiate?'' No, they did not think they could negotiate.

''If you cannot negotiate, can we move our forward surveillance drug operations to other areas?''

''Oh, yes, we will have it taken care of, Congressman MICA. Chairman MICA, it is going to be in place. It will all work out.''

I am here to tell my colleagues that it is June 1, and May 1 is when we were kicked out. The two other operating locations that were chosen, one was in Mana, Ecuador, in Ecuador. The other was in Curacao and Aruba, Netherlands, and Antilles.

From Mana, today is June 8, not one flight has taken off for surveillance in the drug-producing areas or drug-trafficking areas from Ecuador. There is only an interim agreement in place.

Aruba and Curacao, we sent staff down there this weekend to examine what is going on. At best, we might be at 30 percent capacity of surveillance flights. So we have a gaping hole in our drug surveillance program, almost no

flights taking off to cover that area either where drugs are produced or where drugs are trafficking.

An incredible situation, incredibly bungled, as I said, by the State Department. Now the Department of Defense is scrambling, only with an interim agreement in Ecuador, and our staff reported to me on their return from Ecuador that that airfield may take $100 million to $200 million to get it into working order.

Now, is the United States of America going to invest, with an interim agreement that expires in September, any money, hard-earned taxpayer dollars, in a forward surveillance location and increasing and improving the infrastructure in that area when we have no assurances of a permanent operating base?

So they bungled it in Panama. They bungled it in Ecuador. Aruba is operating at maybe 30 percent of capacity, and a gaping hole again in our drug surveillance program.

□ 2030

So that really is where we are tonight in some of the war on drugs: Panama, a disaster. No forward operating bases. What that does, too, and what is sad about that is it denies countries that have been cooperating, like Peru and Bolivia, and now Colombia that is going to get additional equipment, it denies them the information they need to go after drugs at their source; it denies them the information they need to go after traffickers.

Peru has had a very brave shootdown policy. They ask planes to identify themselves, and when they do not identify themselves and they try to scramble away, they shoot them down. And they have been provided intelligence and surveillance information by those forward operations, again out of Panama, that have been closed down.

Now, it is easy for me to get up here and to criticize this administration, and I do not mean to do it in a partisan manner. I mean to do it in a factual manner. And, hopefully, we will not repeat the mistakes of this administration in this Congress or in the years ahead, because we know we can stop drugs at their source. We know we can interdict hard narcotics. We know if we give information to other countries and a little bit of assistance they can help us in a cost-effective manner before that ever gets into our streets, into our communities, into our schools and becomes a tough task for law enforcement.

But let me, as I conclude, just say again what the Republican Congress has done, what this new majority has done, and under the current Speakership. And again I must give full credit to the gentleman from Illinois (Mr. HASTERT), who is now the Speaker of the House, who chaired this responsibility and who I worked with in the last Congress, who brought together the source eradication programs that, again, were destroyed by a previously Democratically-controlled Congress and by this White House.

Let me mention, Mr. Speaker, what just 2 years of effort in working with Peru and Bolivia have done. The cocaine production in those two countries is cut in half. In half. There has been tough enforcement. We must salute President Hugo Banzer, President of Bolivia, for his courageous efforts. We must help Bolivia, because Bolivia has committed in 2 years to eliminate that drug trafficking, and they have cut in 2 years by 50 percent. So this is not a ''pie in the sky'' proposal. It is something we know we can do, and with very few bucks; with very few taxpayer dollars in assisting them.

So, additionally, President Fujimori in Peru, with a tough enforcement, with a tough shootdown policy, with a tough eradication and a productive alternative crop program is making great progress in that country. So we know these programs will work.

This Republican administration, again under the leadership of the current Speaker of the House, when he chaired the subcommittee, has helped us now get aid to Colombia. We are reversing a failed policy there. We will stop the production of heroin and poppy production in Colombia. We will eliminate major drug traffickers. We will give the Colombian National Police, that have done a courageous job, losing 4,000 of their police officers in this battle, hundreds and hundreds of public officials have died in this war, we will give them the arms and the assistance and the aid, the resources to eradicate, to enforce and to interdict drugs cost effectively. And those Blackhawk helicopters are on their way. That is something we have done.

And this Congress, this House and the American people will see a reduction in the amount of heroin coming into the United States. And also cocaine, which again they have turned in 6 years, Colombia, into the major producer of cocaine. Not just a processor or a transiter but the major producer. In 6 years they have managed to do that. We will start eliminating that through the policies of this new majority in the Congress.

We have restored the cuts in the Coast Guard and we are dramatically increasing the assistance that the military provides in getting them back into the war on drugs. I know it was very nice for the Vice President to take the U–2s out of South and Central America in the war on drugs and bring them up to check on oil spills around Alaska. I know it was nice to divert the money for eradication programs of drugs at the source country, which President Clinton did, and put it in Haiti, which basically was more money down the tubes; but, in fact, we do know that getting the military involved in interdiction close to the source does work.

We know that the Coast Guard protecting Puerto Rico and restoring their assets does a great job in protecting our coastlines, both of Puerto Rico and the United States, and we have brought them in 2 years back.

We know that tough enforcement works. In the next week I will be holding hearings on legalization of illegal narcotics and decriminalization. There is a big wave across this country that we must look at decriminalization, make it a health problem, and we should not be tough on drugs and it will all work out.

Mr. Speaker, it does not all work out. Look at the statistics in New York City. We can see since Mayor Rudy Giuliani has taken office what tough enforcement has done. The murders, which were at 2,000 when he took office, 2,000 murders in New York City a year, and most of them drug related, I would venture to say without any question, have been reduced by 70 percent. Just over 600 murders. From 2,000 to 600.

It is safe to walk in New York City because Mayor Guiliani, through a tough enforcement policy, has stopped the violence, the crime, the drug trafficking and he has gone after these folks with a tough enforcement policy that works.

Now, Tom Constantine, who unfortunately is leaving as the head of our DEA, and that is a very sad fact for this Congress and the American people, he produced this chart. This chart should be an eye opener for every Member of Congress and for every American. This shows the heroin addiction population in a city that decided to adopt a lackadaisical enforcement, a tolerant policy. In 1950, the population of Baltimore was over 900,000. In 1996, it was 675,000. In 1950, they had 300 heroin addicts in Baltimore. Listen to this. Three hundred heroin addicts. In 1996, through a liberalized policy, they had 38,985 heroin addicts in Baltimore. This is what a liberalized policy gives us. And on the other hand, look at New York City; 2,000 murders down to 600 murders through tough enforcement, tough prosecution. So we know this policy works.

Now, we are going to have a full hearing and we are giving all sides the opportunity to be heard in our hearings next week about this process of decriminalization, about tough enforcement, about legalization. And I try, as chairman, to be fair, so we will hear from everybody, but I believe that these statistics, these facts, are irrefutable.

So this new majority on our side has started a program, and again I started to mention the things that we have done in replacing the military, the interdiction, the source country, getting the Coast Guard cuts restored, but we have also put in almost $200 million in the past year in education programs, which is matched by the private sector. So it is almost a half billion dollars in education. And we are putting our money where our mouth is so our young people and all Americans know the dangers of illegal narcotics.

So we, again, I believe, are taking the right steps. They took the right steps under the Reagan and Bush administration. Education, enforcement, interdiction, eradication at the source, and treatment are important, but it cannot just be treatment. This cannot just be treating the wounded in a battle. If we went to war and we did not spend any money on armaments, any money on forward surveillance, any money on eradication of the enemy, any money on ammunition, we would not have a war on drugs, we would not have a war. And if we only treat the victims in this war, it does not work. We have seen it does not work.

So tonight, as I close, I ask for my colleagues' assistance to move together in a bipartisan cooperative effort. Mistakes were made in a bipartisan fashion, hopefully, we can make progress in a bipartisan fashion. It is my hope that we can get every Member on both sides of the aisle not to repeat the mistakes of the past and to move forward together. We know that these policies will work. They are tried, they are proven, they are tested.

It is my hope that we can do that because I never want to talk to another mother or another father or another brother, another friend of a young person in my district who has died of a drug overdose. I talked about the cost, the people behind bars, and I talked about what Congress is going to have to appropriate, but we cannot restore a human being, a son or a daughter, to a parent who has lost that child in the war on drugs.

So it is my hope that I will not have to make these speeches every week in my next term in Congress; that I will not have to come before the Speaker and the House and plead for their assistance in restarting the war on drugs.

Mr. Speaker, although I have a few minutes left, I will yield back the balance of my time and pledge to be back here again next week.

## WORKING FAMILIES OF AMERICA BEING MISTREATED BY 106TH CONGRESS

The SPEAKER pro tempore (Mr. FLETCHER). Under the Speaker's announced policy of January 6, 1999, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes as the designee of the minority leader.

Mr. OWENS. Mr. Speaker, the working families of this Nation are still being trampled on by this 106th Congress. They are being grossly mistreated in two basic ways: One is indifference and neglect on certain key issues, and the other is active oppression in certain ways.

Indifference and neglect is reflected in the fact that we are not concerned about a minimum wage increase. There is a rumor that the leadership of the majority party has decided that it will agree to a minimum wage vote and that it will take place sometime later rather than sooner, and they are delaying because they want to make sure we get close to the election and be able to say, well, we voted for a minimum wage, or we allowed it on the floor and let the Democrats vote for it, so we did our job.

And, of course, there is a rumor also that the minimum wage being proposed by the majority is 25 cents a year for the next 4 years. An increase of 25 cents per year for the next 4 years means in 4 years the American worker would have a dollar increase instead of the two-step increase being proposed by the Democrats.

But there is no hurry. We have an unprecedented prosperity in the Nation. We have a situation where the value of the stock market in 10 years has grown by $10 trillion. We had the assets and the value of the stock market in 1989 at $3 trillion. Now it is $13 trillion. With a $10 trillion increase in the value of the stock market, we can see that there is a great increase in the wealth and prosperity in America at certain levels. Why not share that with the working families? Why not in the most basic way make certain that the wealth of the Nation in some small way benefits the entire Nation?

A minimum wage is just one tiny part of that effort. Being willing to finance or support more generous health care is another. The President is proposing soon a new benefit in Medicare, should be in Medicaid also, a new benefit which would cover prescription drugs. In this time of great prosperity, the least we could do is to make the miracles of science available at a cheaper cost to all the people who need them in terms of health care. Prescription drugs ought to be covered by Medicare and Medicaid.

We talk a lot about Medicare and we forget that Medicaid is designed to serve the very poorest and they deserve to have the same kind of increase. We should not have two tiers of health care in America. Second class health care is inadequate health care. There should only be one class of health care. But we are refusing to deal with that in a forthright manner on a timetable that is meaningful because we just do not seem to care.

□ 2045

There is an indifference, an indifference to the poor, an indifference to the plight of the working families who are not sharing the great boost in our wealth. That great jump from $3 trillion in 1989 to $13 trillion in 1999 is not felt by a lot of people who are still out there struggling to make it. So jobs, health care, investment in education are all obvious kinds of actions that should be taken by the government. This Congress, acting in concert with the President, should make certain that we take advantage of this boom in prosperity to take care of some of our problems.

But there exists in this Congress an attitude which goes in the opposite direction. It is stubborn, it is unyielding, it is wrongheaded, but it keeps going on. Take, for example, what happened in the vote on the supplemental budget, or the development of a long-awaited supplemental budget, which included the President's request for $6 billion for the Kosovo war, a war which I think is very necessary, a war which I think we could not afford to have not conducted or been a part of. I do not think we could have walked away from the genocide being committed by the Yugoslavia regime and held up our heads. We have seen it happen too many times already in this century.

What Hitler did was on a grander, more massive scale. They had gas chambers and ovens and millions died, but the numbers are not as important as the action and the kind of thing happening in Kosovo. Certainly if it only means thousands dying, it is still significant and it is happening over and over again. We have seen it happen in Cambodia, we have seen it happen in Rwanda. It is about time that we did something to send a message to the dictators and the sovereign predators that exist throughout the world that somewhere the civilized nations of the world are willing to take a stand against this kind of murderous activity against human beings.

We have done that in Kosovo. So we needed our participation in that effort. The $6 billion was requested by the President. But instead of that bill moving ahead with $6 billion plus the emergency aid requested for South America, for Central America as a result of the floods and the extra aid that was needed for the weather disasters that took place in the Midwest, we had a whole lot of other things piled on top of it and a $6 billion request became a $15 billion request, a $15 billion request most of which came out of the surplus. It was deemed emergency funding and the surplus which is around $100 billion, I think, about the same, a little more maybe in the coming fiscal year, it is going to be about the same amount; the surplus was used for most of it. They could have used the surplus to cover it all, but to make a point the majority decided to offset $2 billion, take away from other programs $2 billion worth of money to cover part of the spending.

Now, the emergency in Central America, the emergency in the Midwest with the tornadoes and storms, et cetera, those were emergencies. They clearly rank as emergencies. Why did we have to make the point that they have to be offset? The point that I want to make is that in the process of the offset, who did they go after? The poorest people in America. The bulk of the cuts for the offset came from domestic accounts, including $1.25 billion from the food stamp program, and $350 million from Section 8 low-income housing programs as well as $22.4 million from the Labor Department contingency fund related to unemployment insurance.

They reached into the programs that serve the poorest people, programs that

may benefit the working families on the very lowest levels, and they took out the money to offset and make the point that they want to make cuts in social programs.

There is a coming need, according to the budget that has been promulgated by the majority, a coming need to cut further, maybe $20 billion out of the domestic budget. Some of it could come from defense if they wanted to, but it will probably come out of the domestic budget; $20 billion will be cut and the preview of coming attractions we have seen already. The way the supplemental budget was handled tells you they are going to get it from the people who are the weakest, the people who have no power, working families, poor families, poor people who are not even working, the elderly, those who need Medicaid as well as Medicare; they will suffer as a result of the coming $20 billion cuts or more that may be proposed.

Certainly they are not proposing investing any more money in education. Education, most of which would go into our public school system, is the place that you benefit working families most. Working families' children need an education. There is no way to survive, there is no way for them to take advantage of the prosperity that keeps growing and growing as a result of high technology. The jobs that are available are jobs that require education. You are not going to be in on it, it gets worse all the time, the demands are greater and greater.

I was at a job training consortium in New York City yesterday and they were telling me about the fact that we just need mechanics. In addition to the known need for information technology people, 300,000 vacancies in information technology, they need mechanics. They could hire 30,000 mechanics in the metropolitan area if they could find them. Why do they not have mechanics who would work on trucks and tractors and some of the machinery that industry needs? Why do they not have them? Because the demands have gone up educationally. There are computers and various devices being employed now in trucks and cars and various vehicles that require a little more education than a mechanic had to have 10 years ago or 5 years ago.

So we have a problem, a creeping problem of people in basic areas, as basic as mechanics, auto mechanics, that cannot survive because they do not have the personnel to do the job because the education system is failing to produce that pool of people which is educated. A broad pool of people educated, you can reach in and pull out all kinds of people. The range of people with various kinds of skills and know-how would be great. You would get the technicians, the mechanics, the theoreticians, the scientists, the geniuses. That certain percentage of people would come out if you have a broad range of people in the pool because we are educating the masses. Mass education is needed more now than ever before.

But working families who need to have free education in the public school system, free but first rate, it cannot be education in facilities that are falling down, it cannot be education in situations where kids are afraid to go to school because of threats to their health and safety. It has to be the kind of education that everybody wants for their child here in this Congress.

I know large numbers of Members of Congress send their children to private school. It is most unfortunate that they have given up on the public education system, but as public officials, whatever choice they choose to make privately, it is disloyal and dangerous to have public officials give up on our education system.

So when you consider what happened in our $15 billion supplemental appropriation, you can see how trampling on working families is a problem. And there is going to be more trampling on working families. It is not just neglect. It is also active oppression to take the money out of the programs that benefit the poor the most. It is even worse than that. The active attack, the oppression which is very aggressive, continues to go on in the Committee on Education and the Workforce. I serve as the ranking Democrat on the Subcommittee on Workforce Protections. As the ranking Democrat on Workforce Protections, I will be the first to tell you that the name of the committee under this majority Republican administration ought to be changed. It is not workforce protection that they are concerned about. It is workforce persecution. It is workforce oppression. Because every bill that is introduced by the majority on that committee is an attempt to make life more difficult for working families.

We have three coming up very soon we have just passed recently in the Subcommittee on Workforce Protections, and now it is going to go to the full committee, and they are a continuation of what was started in the 104th Congress and continued in the 105th Congress, and now it is done on a sort of a guerrilla warfare basis. It is not talked about as much but it is still the same agenda. They are attempting to take away rights that workers have won over the last 50 years.

There is a bill, H.R. 987. It is an attempt to block the implementation of any ergonomic standards, standards which relate to the fact that there are jobs which require repetitive motions that end up in injuries and debilitation of people's muscular faculties; they cannot function. Carpal tunnel syndrome is one of them. Back injuries are a large part of it, people who have repetitive kinds of activities that strain certain parts of their bodies. That is the broad topic of ergonomics the majority on the committee do not even want to have discussed. They do not want to allow the Department of Labor, the Occupational Safety and Health Administration under the Department of Labor to do what they have been doing for years, establish a set of standards to relate to these workplace injuries, workplace dangers.

So they have H.R. 987 which ironically the Republican majority on the committee calls the Workplace Preservation Act. It is an attempt to make the workplace more dangerous by blocking an effort to deal with a clear and present form of injuries that we have been discussing for the last 15 years. So H.R. 987 is one of those examples of an attack on working families through a reduction in the safety provisions in the workplace. There are more than 6,000 people who die every year in our workplace situation, and then many, many others who are injured. This attack on the workers continues by the Republican majority.

They have another one, H.R. 1381. It is an attempt to sabotage overtime payment rates by excluding bonus income. H.R. 1381 is ironically called Rewarding Performance in Compensation Act. But they have a way of reaching in to take out the income that is figured in the bonus in order to reduce the rate of hourly pay so that that is not included when you pay a person overtime. It is a little guerrilla trick, it is almost something you would not see or not respond to if you were not very alert. But it is an attempt to sabotage overtime payment rates by excluding bonus income. H.R. 1381, another attempt to reduce the benefits of working families.

H.R. 1439 is another one. That attempts to undermine the OSHA, Occupational Safety and Health Administration's enforcement by misusing the self-audit process. We have a self-auditing process that we encourage. We want to make a partnership between government and industry. But they want to allow industries to audit themselves and then not allow the result of the audit, which determines whether or not they have certain hazardous conditions in the workplace, in the plant, in the garage, whatever unit of employment this is. After they complete the audit, if they identify things that are wrong, they are allowed to keep it secret and we are saying, ''No, you have to reveal what is there.'' The self-audit process would be misused if you made your survey and audited yourself, identified hazards, and then refused to correct them because, of course, it might cost a great deal, but you keep them secret, nobody else knows about it. Of course you would fire any employee who also knows about it and then would report it. So we have H.R. 1439 which again, an ironical title, is described as the Safety and Health Audit Promotion and Whistleblower Improvement Act of 1999. The Safety and Health Audit Promotion and Whistleblower Improvement Act of 1999 is an attempt to do just the opposite. It is going to make the workplace less safe.

We have another bill, an alternative which we will offer at the final markup

of the full committee which is entitled ''The Whistleblower Protection Act.'' That is H.R. 1851 which I introduced as a countervailing force against the phony H.R. 1439.

But I give you examples of concrete bills, the business that is going on here in this place. We are moving at a very slow pace. Things that ought to be done and ought to be on the agenda are not on the agenda. But the guerrilla warfare against working families, against workers in the workplace, the guerrilla warfare goes on. We ought to come to grips with the fact that this is wrongheaded, stubborn, unyielding, and at a time like this very dangerous in America. We should be investing in our workers in every way instead of oppressing them and neglecting them.

□ 2100

In another area, education, which I talk about often, education reform is still rhetoric. We are talking, always when we talk about education about nickels and dimes and lots of words.

Everybody has adopted some kind of education platform, everybody is in favor of improving and reforming education, but nobody wants to spend significant amounts of dollars. Words instead of dollars is the order of the day with respect to education. Education reform is rhetoric, too much rhetoric in the area of the majority; and in many cases, in the minority, too, there is too much rhetoric and too little commitment to real dollars for education.

School construction is one of the tests of whether or not we are only concerned with rhetoric and only going to play word games with the voters. Or are we really going to do something significant about education?

The voters have given us a mandate. As my colleagues know, it is one of the few times in history where we have the focus groups and polls, everything keeps repeating the message over and over again. The voters of America want the Congress of the United States, and the President and the entire government to significantly take steps to improve education, to give Federal aid to education in the process of trying to improve education.

Now, because the voters are saying that we will get plenty of rhetoric from both sides, but there is contempt for the whole public education process that is expressed in many ways. They express it in ways which relate to neglect and abandonment and indifference, but also it is sometimes expressed in a very active way. As I said before, there are actions taken which are aggressively against working families and things that working families need. Education and investment in education by the government is one of the things that working families would benefit from greatly, and they need it.

We saw on the floor of the House today a vote which demonstrates great contempt for education, a great contempt for the whole research process. It happens to be an agricultural appropriations bill, and the agriculture appropriations bill, in the hassling back and forth for reasons that I do not clearly understand, the majority knows what it is doing; but for reasons that certainly are not noble and reasons that are not reasonable and were not laid out and described to the Members of Congress in any respectful details, a huge across-the-board cut in agricultural research, something like $100 million cut in agricultural research.

Now, agricultural research is at the heart of America's great food production system. As my colleagues know, agricultural research, the research, the educational part of it, the egghead part of it, that draws great contempt obviously from the majority party members. Instead of them dealing with subsidies which may be wasteful or the Farmers Home Loan Mortgage Program, and there are a lot of wasteful programs in agriculture just as there are in some other places in the government, but because they have constituencies and because the ol' boys network demands that they be protected, they are protected. But academia and research, the people who are on the cutting edge of improving agriculture and responsible for the fact that Americans enjoyed the best food production system in the world, we get the best food at the lowest prices, and everything happened by accident.

There is a long history involving education and research starting with the Morrill Act which created the land grant colleges. The model for land grant colleges was Thomas Jefferson, and the University of Virginia was the first State university. It was a very wise move by Thomas Jefferson who made, of course, numerous wise moves and set certain standards for our entire country that we still should be very grateful for and set us on a course that has proven to be very positive.

Jefferson was not in favor of a national university. He did not want one big, huge university in Washington similar to the Sorbonne, to the Oxford chain in London. He wanted each State to have its own university, and Virginia, of course, was the first example, and later the Morrill Act established land grants for every State. The Federal land grant colleges were established, colleges and universities were established; and going beyond just the establishment of land grant colleges, they were given a mandate for practical education, practical education starting with an assumption that agriculture could be improved greatly if it benefited from science and education.

So applied science in the area of agriculture became the driving force that took our farmers, long before farmers anywhere else in the world, into a whole new realm of production, greatly improving the yield of the land, greatly increasing the kind of production that resulted in our having a tremendous amount of surplus products, as we still do in many areas.

This agriculture research, as my colleagues know, the experimental station, the theoretical base in the universities, the county agents to take it out to the farmers and show them how to apply it, it is one of the great things we should be very proud of, dissemination system for knowledge. As the knowledge was generated in the universities and the experimental stations, it was taken out to the farmers; the farmers applied it, and you got a result.

That is all based on agricultural research. It begins with the research.

So we just walked onto the floor today and found an amendment to wipe out $100 million worth of agriculture research. Is that responsible legislation? Are working families going to benefit from a crippling of our agriculture production system? There are always problems, as my colleagues know, in terms of new kinds of bugs and viruses and various kinds of things that go on and on that can wipe out gains that are made over the years if they are not researched, if they do not keep up with them.

So even in the area of agriculture where we have such a sterling record of performance, today we found the reckless attitude towards the things that matter most to ordinary Americans take hold and in one fell swoop we wiped out some basic parts of our agriculture research system.

Then, as my colleagues know, I think that a lot of this preoccupation with the reduction of programs that benefit working families, that benefit people who are in greatest need in our Nation, a lot of this preoccupation and obsession is based on the fact that eventually we are going to have a proposal on the floor for a huge tax cut, a huge tax cut for the people who are benefiting most from the prosperity that we have generated already.

I said before that the stock market value has gone from $3 trillion in 1989 to $13 trillion in 1999. So do the rich need a tax cut? Do they need some help? As my colleagues know, why are we preoccupied with making the budget safe for a tax cut? Why are we willing to cut food stamps and willing to cut low-income housing in order to make the budget safe for a tax cut? But that is what is coming. The Republican tax cut crouches in the bush like a wounded lion. It is there, it is not going to go away.

One of the problems we have is that the people who represent and care about working families, the great majority of our Nation, of course, made up of working families, those people do not have a tax program for working families. Working families have suffered the biggest tax increase of any group in the last 20 years, the payroll tax, Social Security and Medicare. Those payroll taxes have jumped more percentage-wise than any other taxes. They hit the people on the very bottom. Nobody is proposing to relieve them. I have a few proposals that I

would like to offer, and I will offer them in a few minutes.

As my colleagues know, my point is, you need a whole platform, I guess, for working families, and we do not have it. My friends in organized labor, as my colleagues know, they have things that they care about that they are always telling us about, and those are the right kinds of things that working people need; but it all comes in bits and pieces.

We need a whole platform which lays out the need for working families being given their fair share of the great American prosperity in many ways. The Republican tax cut should be answered by a proposal for a tax cut for working families as well.

Between now and Election Day in November 2000 we must lift up a meaningful platform for working families. The showdown will come sometime in the fall of the year 2000. The pattern has been the same for the last, and it will probably be the same as it has been for the last 4 years in the conflict between a Republican-controlled Congress, a Democratically-controlled White House.

The really important measures are going to come down to a negotiation session at the White House between the majority in the Congress and the White House, the President. The really big decisions are going to be made then. What we do with this surplus is really going to really be determined then. Whether we are going to allow working families to have a share of the wealth of America through programs that benefit them will be determined then.

So we have a scenario. We have time, but we have to start now visiting a platform for working families which has all of these components; and you know we have to come to grips with the fact that there is a mind-set in this Nation maybe among powerful people that they do not have to be concerned with the poor. The poor are poor because they did not make it, they are poor because they deserve to be poor. They are not wealthy, they are not able to take care of themselves without some help because that is the way it is, and that is the way it deserves to be, and why should the Nation care?

As my colleagues know, we have whipped the welfare mothers to death, and they are becoming a nonentity in the political discussion. They have been whipped so often and so much, until they almost just disappeared. They may be still aching out there, there may be situations where we are causing more harm than good because we are putting families in a bind, and the children are suffering, and those suffering children are going to create great problems in the future for our health care system, our education system, our corrections system, prison system. As my colleagues know, we may be generating a lot of problems.

Right now, they are invisible. We beat them to death, and now we are going after working families in the workplace, take their overtime, take away safety provisions, et cetera, because there is no ethic which says we have a responsibility to these people.

Let me just take the conversation in a new direction. Because of the war in Kosovo, I think we ought to stop and think, as my colleagues know, and it certainly brings to mind it is one more situation where we are at war, there is no threat to the United States, and there are a lot of elements there that do not fit the description of the war against Hitler.

As my colleagues know, World War II was a war where there was a real threat to the whole Western world, and it was just a matter of if we stood in line, if we did nothing, our time would come. So between, as my colleagues know, Tojo and Hitler we had to act, and it was a war which definitely was a war to save our own way of life. There may be doubts about other wars, but we had the same rationale in the Korean war and in the Vietnam war, and we always made the assumption that, you know, you had to do this, the domino theory of fighting the Communists; if you do not stop them there, they will keep going.

I do not want to get into all of the various arguments, pro and con. Let us just accept war as a fact of life. Let us accept the fact also that the most any citizen can do for their country is place their lives at risk in a war. I mean, I do not know of anything greater that any citizen can do for his Nation, whether they are drafted and forced to go or whether they volunteer, that they are in a situation where they are on the firing line, their lives are at risk, than they are offering this supreme price. And of course, if they are injured and become casualties, they pay a great price, and of course, if they are killed in combat, they die. That is the supreme price, as my colleagues know, to have to give your life. So I do not think there will be any disagreement.

Let me just point out the fact that, mind you, and I got these figures on casualties from the Pentagon, from the Archives, which got them, of course, from Pentagon research, so they are sound figures.

□ 2115

Who dies in the wars? Who dies? There is a lot of contempt always directed at our big cities, our inner-cities, where the poor live mostly. One of the things that is coming out over and over again, and some Democrats are as guilty as Republicans, is they do not want to do anything about the public school system, because if you had legislation which appropriated large amounts of money for school construction and you did it on the basis of need, where the oldest schools are and the needs are and they do not have libraries and laboratories, buildings are more than 75 years old, if you did it on that basis, most of the money would go to the big cities. They have the greatest need in that area.

Just like we have an insane argument now that is being promulgated by the Committee on Transportation, I think in the Senate, in the other body, that need relates to the fact they say Los Angeles and New York are getting too much transit money, too much mass transit money.

Los Angeles and New York are the places where you have most of the mass transit. New York has more than 30 percent of all the mass transit in the country, of the riders, and yet we do not get 30 percent of the funding. The amount we get, however, has aroused the ire of certain people and they want to cut down the amount New York gets or Los Angeles gets in transit money. That is where the people are.

Why do we have large amounts of casualties come out of the big cities in every war. World War I, World War II, the Korean conflict, the Vietnam conflict, where did most of the casualties come from? The big states with the big cities.

New York has always led in casualties, even back to the Gettysburg battle. The largest numbers of casualties at Gettysburg were soldiers from New York State. They did not break it down by city, but I assure you most of them were poor immigrants out of the cities.

But I will not go back to that. I am not interested in discussing the fact that valor and willingness to fight and all kinds of conditions are in motion to generate casualties. But the fact is that the casualties come out of the places where people live, where the population is. That is where you are going to have the people to put their lives at risk, the people who died, who paid the supreme price. They will be the people that come from the areas where the most people are. It is simple arithmetic.

New York in World War I, there were total casualties of 35,100 official casualties. Out of those there were 7,307 combat deaths, those causalities, larger than any other state. For some reason California in World War I was very low. I think maybe because it was not as highly urbanized and the poor were not as concentrated then as they are now. Whatever the reason, New York.

Pennsylvania had 29,576 casualties, 5,996 deaths in World War I. By the way, Pennsylvania has Philadelphia, Pittsburgh, the big cities. Illinois has Chicago, Springfield, big cities: 15,000 casualties, 3,000 combat deaths. Ohio, Cleveland and Cincinnati, big cities, 14,487 casualties, 3,073 deaths. Massachusetts, with Boston and a couple other big cities, 11,455 total casualties, 2,253 deaths. Michigan, with Detroit, 9,000. New Jersey, a small highly urbanized state, 8,776 casualties. There is a pattern.

The pattern is the same in World War II. The casualties went up a great deal. New York, 89,656 total casualties, 27,659 deaths in combat from New York State. Why? Because they were braver than anybody else? Maybe. I do not know. The important thing is that is

because that is where the people are. Larger numbers came from New York, because that is where the people are, first of all, and probably that is where the poorest people are who were drafted in larger numbers, and they went off and fought and died for their country.

Why do we treat that class of people with great contempt now? Pennsylvania, 81,000 casualties, 24,000 died in combat. Illinois, where Chicago is located, 54,000 casualties, 17,000 died in combat. Ohio, 49,000 casualties, 15,000 died in combat. They came out of the big cities where the people lived. California in World War II, more urbanized, 47,000 total casualties, 17,000 died in combat.

Korea, New York had 8,780 casualties, 2,249 combat deaths. Pennsylvania, again, second, Illinois, third, Ohio, same pattern.

Vietnam, the same pattern: New York, Pennsylvania, Illinois, Massachusetts, Ohio, Michigan, California. Simple arithmetic.

The point is, the people who die, who pay the supreme price for their country, come out of the big states and the big cities. Therefore, we have every right to treat them with great respect. We should honor the dead from these areas by making certain that the living always are given the fullest possible benefits the government can offer.

Why are we abandoning the big city school systems when so many ancestors of the present children in those systems paid such a high price to create and maintain the America that we have now? Think about it. Think about it.

The people who died, who paid the highest price to keep our Nation going, deserve to be respected at all times, not the present attitude, the wrong-headedness, the unyielding stubbornness toward poor people and working families that has taken hold among decisionmakers, not among the voters.

The voters say we want education to be the number one priority of the government. The decisionmakers in Washington say all right, we will play games with you and pretend it is number one, but if you look at the appropriations process, we are not appropriating that kind of money for education.

We had a bill last year which authorized $218 billion for highways and transportation, $218 billion. There was money for mass transit in there. That is part of what is being appropriated this year. They are having a big debate about taking away some of the mass transit funds from New York where the riders live. Where the people are, for some reason, our hearts and our appropriations do not go.

There is some flaw maybe in our whole system. The grand compromise that our forefathers made when they established the Nation, that they had to make because the states existed before the Nation, the grand compromise of giving two representatives to every state created a powerful body which represents a minority, and that body has over the last 20 to 25 years essentially been anti-urban, anti the population centers of the Nation, anti-policies that would benefit the great masses. So we have a reversion kind of thing going here in our great democracy, and our great democracy, one-man, one-vote, is being diluted and distorted in a way which results in policies and power which hurts the great majority. The places where the people live are getting the worst attention or the least attention in terms of their needs.

Education is a clear area of great need. In Kosovo we have had zero casualties, so far have zero casualties, but if ground troops had been needed they would have come from the same places that they always come from, in large quantities they would come out of the big cities.

Go and look at the Vietnam Wall. I love the Vietnam Wall as a monument because it broke the pattern. No more ever will we have tombs of unknown soldiers. Tombs of unknown soldiers mask the great tragedy of war. The fact that the Vietnam memorial lists the names one by one, they are all written there, they are all honored for what they have done in terms of paying the supreme price for their country, they stand out as individuals. I have seen many people cry at that wall because it comes home personally. That is the way war ought to be depicted. It is a very personal kind of set of tragedies.

''Saving Private Ryan'', Spielberg's great movie, starts out and is based on the premise that a whole family has contributed a certain number of sons and the last son ought to be saved. I think that in the beginning of the movie when they drive out to the house to meet the mother, it is a very poor family, relatively speaking, a poor family that has given those sons. That is a pattern of World War I, of World War II. Why do we have contempt in our policies for the people that we expect to die for America?

Madam Speaker, I will submit a little summary that I made called Big State, Big City Casualties, which lists some of the things that I have just said about where the casualties are, in which states, and the statistics are by state, and also indicates the cities located in those states.

I have, of course, a bigger record that is more complicated. It lists all the states. In the case of the war in Vietnam they even list the casualties by race. You find that the black casualties there are greater than the proportion of blacks in the population. In Vietnam certainly, when they kept statistics by race, some of the same people were treated with great contempt as we abandon our school systems and abandon our safety net, health care services, welfare. Those same people paid the supreme price for our country in large numbers. Let us stop and think about the pattern of exploitation, negative, abandonment of working families in America.

We need a tax plan which addresses itself to the needs of working families. Not only are we in a situation where the only targets for cuts, for taking away benefits that have existed for years, are programs that benefit working families and poor families, the poor who do not work, the elderly, the disabled, a lot of people who are not working who benefit from these programs, we are not only targeting the cuts for them, we are targeting the benefits of government policy to the rich.

We have got tax proposals that are going to be brought out and put on the table between now and the end of this appropriations process, and, of course, they will be pursued again next year in the final showdown that takes place in this Congress, this two year span. There are going to be tax cuts on the table and a bargaining process, and we are probably going to end up with some kind of tax cut.

All those people who are benefiting from the great increase in wealth, the jump from $3 trillion to $13 trillion, a large amount of that is what you call unearned income. Unearned income is a term I did not invent, but it is all the money you make that does not come from wages directly.

Wage earners provide the principal support for the Federal Government. Almost two-thirds of Federal revenue comes from income and Social Security taxes that are paid by workers, people who earn wages. They are the ones that provide the taxes. It is taxes on earned income.

By contrast, income taxes on unearned income, stocks and bonds and that kind of thing, produce only about 12 percent of the total Federal revenue. I propose, and I think that the working families platform that ought to be adopted by working families and organizations that are supposed to represent them, I propose a massive shift in the burden of the taxes from the earned income of working people to the unearned income of those who are getting the greatest increases in wealth.

Ten years ago, the early 1989, as I said, the value of all U.S. stocks was about $3 trillion. Now it is about $13 trillion, a $10 trillion increase. That is the opportunity. You can get new revenue from that increase and the people who are continuing to earn without any pain being caused.

The great political position that we need a tax cut is not related to pain and the reduction of pain; it is related to a wrong-headed, unyielding, stubborn policy which defines ''them'' and ''us'' and disregards the fact that there is a place, there ought to be a place, for working families to share the great wealth of America.

I introduced on March 11 of this year H.R. 1090, which I call the Social Security Protection and Tax Relief Act of 1999. It cuts the Social Security tax rate from 7.65 percent to 6.4 percent.

□ 2130

This will give a tax cut of $15 for every $10,000 of earned income to all

working families and to the rich as well as the poor, if the rich are working and earning wages, and whether or not they pay income tax, of course, they will benefit through the various devices in place in the Tax Code.

So cuts of the social security tax, payroll taxes, where the biggest increases have taken place over the last 20 years, and where the people on the bottom are taxed at the same rate as the people on the top, those cuts would be a great benefit for working families.

My H.R. 1099 imposes a new 12 percent social security tax on all taxable unearned income to offset what you would lose from reducing the taxes on people at the lowest levels. We propose social security taxes on all taxable unearned income.

I also on April 12 introduced another bill, H.R. 1390, the Income Tax Fairness Act of 1999. That cuts all income tax brackets by 3 percentage points, all income tax brackets, from the highest to the lowest. The present rates in the 5 brackets are 15 percent, 28 percent, 31 percent, 36 percent, and 39.6 percent. The new rates would be 12 percent, 25 percent, 28 percent, 33 percent, and 36.6 percent.

I am not on the Committee on Ways and Means, and I know most people would consider it inappropriate that I should be here talking about taxes and changes in the tax policy.

The Committee on Ways and Means is an exclusive committee. For the benefit of people who are not close to Washington, we have a caste system in the Congress. There are exclusive committees and there are other committees for the peasants. I am not on an exclusive committee. The Committee on Appropriations is exclusive, the Committee on Ways and Means is exclusive, the Committee on Commerce and the Committee on Energy are exclusive.

Some of the wrongheadedness and anti-democratic attitudes that are generated come out of the structure itself. It is all wrong to say that education is a lesser committee. The Committee on Education and the Work Force is not an exclusive committee. However, what is more important to the Nation at this point than the education system which brought us to where we are and will take us into the future?

At any rate, I am not on the Committee on Ways and Means, but I think every Member of Congress has a right to speak out and offer the best wisdom that they can offer to stimulate the discussion. Hopefully we will develop a platform which all the people who consider themselves advocates for the average American, the average taxpayer out there, the working families, will also get involved in the debate.

Steve Forbes and the various other conservatives should not be the only ones who are concerned about tax reform. There ought to be a tax reform program that comes from working families and their advocates.

H.R. 1390 cuts deductible depreciation on nonresidential buildings from 2.6 percent per year, and it is based on an estimated useful life of 39 years, et cetera, et cetera, some other details that I think we need not go into.

The estimate is that this tax program that I offer will be either revenue-neutral or a revenue-plus. Total Federal revenue, income and social security taxes, will be reduced by between $190 to $200 billion per year and increased by the same amount or more, $200 to $250 billion a year by the mechanisms in these bills.

I am also convinced that the great social security problem we all talk about, and we have good reason to worry about, the great social security problem could be dealt with if we were to place a social security tax on all unearned income. In addition to the tax on earned income, let us put it on all unearned income. That is the area of greatest growth. That is the area where the ratio of people in the workplace does not determine what goes into the social security coffers.

Let us have a social security tax on unearned income for the first time, and that will save the social security system for at least two generations, and I suspect will go even beyond that and solve the problem once and for all.

In other words, I think working families deserve a platform, a program of their own. I hope the candidates, certainly the candidates in the Democratic Party for president, will break out of the mold, will break out of the conventional wisdom, and move forward and talk in more direct and affirmative terms about programs which benefit the great masses in America.

Finally, I want to conclude on the program that I think benefits the most people, and all of us, but certainly working families in dire need of the public education system that is able to deliver the kind of education that is needed as we go into the new millennium.

As we go into the 21st century, we need the best schools in the world. We are not going to be able to maintain our lead economically if we do not have the best educated populace in the world. We are not going to be able to maintain our strong military if we don't have the best educated populace in the world.

Already we have great shortages in the Navy. I understand the last great super aircraft carrier that was launched was short of personnel by 300 people. They could not find 300 people to staff it. There are other shortages throughout the Navy and other services, shortages of appropriate personnel.

Are there shortages of bodies in a Nation with more than 250 million residents? There is never a shortage of bodies. They are talking about a shortage of people who have the capacity and the prerequisite training to be able to deal with a high-tech military. The Navy needs people who have some kind of education which prepares them to learn how to operate high-tech weapons. The Air Force needs the same kind of people. The Army needs the same kind of people.

Even in the military, we need the best security effort that we can launch, which would be a better educated population through a revamped public education system, everywhere we go, economics, foreign policy, globalization, military, and even social security.

If we are worried about social security, what is the great worry about social security? The number of people who are going to be on social security as we progress into the 21st century, the ratio of people who are earning or drawing money from social security will be far greater than the number of people who are in the work force paying into social security. That is a simple understanding that is correct. We are going to have fewer people paying into social security than are getting benefits from social security. Then we have a situation where if we do not find new sources of revenue, it is going to run out of money.

I have just indicated part of the solution may be to look for other revenue sources for social security. But even if we stay with the primary revenue source of wage-earners paying into the social security fund, if we have an education system which guarantees that the jobs that are created in this Nation will be there and the people who are in the Nation can qualify for them and earn wages and pay into the social security system, we are helping social security.

So education helps to keep us strong militarily, it helps to keep us strong economically. Education is the best investment we can make in social security.

The problem now is that because already we have not been able to fill many of the jobs in the high-tech industries, corporations are contracting out to other nations. Bangalore, India, is called the computer capital of the world because in Bangalore, India, they have numerous contractors from this Nation who are contracting with firms in Bangalore to provide computing services. And because of our high-tech communications facilities, we can do that kind of thing.

In addition to large numbers of corporations contracting to firms located in Bangalore, and the people in Bangalore, of course, pay their social security into the Indian system, not the American system, we have also large numbers who come to this country as foreign workers and improve their skills because they are hired in the jobs that cannot be filled by our corporations. They go back and make the computer and other high-tech industries of their Nation even more efficient and effective as competitors. So wherever we look, we find the need for greater investment in education.

There are many ways we can invest in education. We have talked about a lot of them. I do not think that I would rank reducing the classroom size over

construction or construction over reducing the size of the elementary classes, but I would like to say that a school construction initiative which is meaningful would send a message to the whole Nation and the whole public education system.

If we believe in a religion, then the first visible commitment of that religion is manifested in the kind of church they build or temple they have or synagogue they have. The physical facility is not at the heart of what the religion is all about, but the physical facility is a visible manifestation of a commitment.

If we abandon the public schools of this Nation, and we have a situation similar to the one we have now, where we are spending only 23 cents per child on physical infrastructure in the elementary and secondary schools, the Federal commitment, the Federal portion of the commitment to the physical infrastructure right now is about 23 cents per child. We have 53 million children in school. When we look at the amount of money the Federal Government is spending, it is about 23 cents per child.

I propose a bill, H.R. 1820, which I have already introduced and am seeking cosponsors, where we would spend $417 per year per child instead of 23 cents per year per child. For $417 per year per child, we could deal with the crumbling, dilapidated schools, schools that endanger the health of youngsters because they have coal-burning furnaces, lead pipes, some have serious problems in terms of the roof. No matter how many times you repair it, the water seeps into the walls at the top and it keeps coming down. Lead paint, lead is in the paint. There are all kinds of dangers.

Many buildings are just so old. We have a lot of buildings in New York City that are 75 years or older, many that are 50 years old. This is not unique to New York City. All of the big cities have the same problem. Many rural areas, of course, have even worse problems. They never had sound buildings. We need a construction effort.

I conclude by saying that investment in the public education system is one of many of the steps we need to take to end the oppression of working families and provide benefits, and have them share in the wealth, instead of being objects of our contempt.

Madam Speaker, I include for the RECORD the following information on World War II:

BIG STATE, BIG CITY CASUALTIES

| State | Total casualties | Combat deaths | Three big cities |
|---|---|---|---|
| | | World War I | |
| New York ..... | 35,100 | 7,307 | New York, Buffalo, Albany |
| Pennsylvania | 29,576 | 5,996 | Philadelphia, Pittsburgh, Harrisburg |
| Illinois ..... | 15,984 | 3,016 | Chicago, Springfield, Peoria |
| Ohio ..... | 14,487 | 3,073 | Cleveland, Cincinnati, Dayton |
| Massachusetts | 11,455 | 2,153 | Boston, Amherst, Burlington |
| Michigan ..... | 9,702 | 2,213 | Detroit, Ann Arbor, Lansing |
| New Jersey ..... | 8,766 | 1,761 | Newark, Jersey City, Hoboken |
| California ..... | 6,153 | 1,352 | San Francisco, Oakland, Los Angeles |

BIG STATE, BIG CITY CASUALTIES—Continued

| State | Total casualties | Combat deaths | Three big cities |
|---|---|---|---|
| | | World War II | |
| New York ..... | 89,656 | 27,659 | New York, Buffalo, Albany |
| Pennsylvania | 81,917 | 24,302 | Philadelphia, Pittsburgh, Harrisburg |
| Illinois ..... | 54,686 | 17,338 | Chicago, Springfield, Peoria |
| Ohio ..... | 49,989 | 15,636 | Cleveland, Cincinnati, Dayton |
| Massachusetts | 31,910 | 9,991 | Boston, Amherst, Burlington |
| New Jersey ..... | 31,544 | 9,742 | Newark, Jersey City, Hoboken |
| California ..... | 47,073 | 17,048 | San Francisco, Oakland, Los Angeles |
| | | Korean Conflict | |
| New York ..... | 8,780 | 2,249 | New York, Buffalo, Albany |
| Pennsylvania | 8,251 | 2,327 | Philadelphia, Pittsburgh, Harrisburg |
| Illinois ..... | 6,435 | 1,744 | Chicago, Springfield, Peoria |
| Ohio ..... | 6,614 | 1,777 | Cleveland, Cincinnati, Dayton |
| Michigan ..... | 5,181 | 1,447 | Detroit, Ann Arbor, Lansing |
| | | Vietnam | |
| New York ..... | N/A | 4,108 | New York, Buffalo, Albany |
| Pennsylvania | N/A | 3,133 | Philadelphia, Pittsburgh, Harrisburg |
| Illinois ..... | N/A | 2,926 | Chicago, Springfield, Peoria |
| Ohio ..... | N/A | 3,082 | Cleveland, Cincinnati, Dayton |
| Massachusetts | N/A | 1,317 | Boston, Amherst, Burlington |
| Michigan ..... | N/A | 2,641 | Detroit, Ann Arbor, Lansing |
| California ..... | N/A | 5,563 | San Francisco, Oakland, Los Angeles |

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1401, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000

Mrs. MYRICK (during the Special Order of Mr. WELDON of Pennsylvania), from the Committee on Rules, submitted a privileged report (Rept. No. 106–175) on the resolution (H. Res. 200) providing for consideration of the bill (H.R. 1401) to authorize appropriations for fiscal years 2000 and 2001 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 2000 and 2001, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## INFORMATION RELATIVE TO THE COX REPORT

The SPEAKER pro tempore (Mrs. BIGGERT). Under the Speaker's announced policy of January 6, 1999, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 60 minutes.

Mr. WELDON of Pennsylvania. Madam Speaker, I rise tonight to continue to provide for our colleagues in the House and for the constituents that they represent across the country information relative to the Cox report and the way this report is being spun by this administration.

Madam Speaker, I had wanted to go into much of the information I am going to share tonight in more detail yesterday, but because I had to leave after 30 minutes, I could not go into detail last evening. I will do so tonight.

Madam Speaker, I want to start off this evening, as I did last night, by saying it is not my normal course to spend every evening over a given period of time on the floor of this House discussing the same issue. But like eight of my colleagues, I spent almost the last year of my life focusing on the investigation that we were asked to perform by the leadership in both parties in this body on potential security harm done to our country by our policies relative to China and other nations that might benefit from technology developed here in America.

We worked tirelessly behind closed doors, cooperating fully with the FBI and the CIA, and with the full support of George Tenet, who heads the CIA, in trying to determine whether or not there were damages done to our national security, and if so, what was the extent of that damage.

We deliberately made a decision when we began the process last summer that we would not go into the specifics of campaign finance activity or what other motives would have driven policymakers to lower the thresholds for exports, or perhaps the reasons why influence would be allowed by Chinese nationals and others, both at the White House and to other Federal agencies, to allow those key players to gain access to the key decisionmakers that would benefit them in acquiring technology.

□ 2145

The nine Members that were a part of the Cox committee represent a broad basis of views in this Congress, four Democrats and five Republicans, very serious Members; and our goal was and the result was a totally nonpartisan effort.

We looked at every aspect of technology that may in fact pose problems for us down the road: whether or not that technology had in fact been transferred; if so, to what extent, how it was transferred, and what the implications were for our long-term security.

The almost 1,000-page document that we completed is, I think, very detailed and certainly would be required reading for any American. The problem is, most American citizens, like most Members of Congress, do not have the time to sift through almost 1,000 pages of detailed explanations and stories relative to various technologies that had been transferred out of the U.S. over the past several decades.

Therefore, because much of this is contained within the thousand-or-so-page report, even though 30 percent of that remained classified because the administration would not declassify the entire document, the media, to a large extent, have chosen not to focus on the substance of what is in the Cox committee report.

Unfortunately, the bulk of the American media, and I say the bulk because there are a few exceptions, people like Jeff Girth with the New York Times, who has been doing tireless work in this area before our report was even issued; people like Carl Cameron at Fox News, who continues to do extensive work in this area; people like 60 Minutes, who are right now doing research in these areas, and other network affiliates, they are the exception. The bulk of the mainstream media have chosen to accept the spin that has been given by this White House to the work that we did.

What I am trying to do, Madam Speaker, is to present information to our colleagues, which they could, in turn, provide to their constituents, of a factual basis that compliments the work that was done by the Cox committee.

Now, the public at large can receive copies of the Cox committee report. It is available on the newsstand, or they can get it on the Web site that has been established by the Cox committee itself. Many libraries now have copies of the Cox committee three-volume series.

Last evening, I mentioned the fact that I have now established a Web site on the Cox report that goes beyond the information that is covered in the Cox report and provides the visual explanation of the overview of the problem that we dealt with in the Cox committee.

So our colleagues, Madam Speaker, and all of their constituents can now turn to the Internet where they can access the material I am going to show this evening, and they can download the actual charts that I am going to provide. In addition, smaller versions of these larger charts have been made available to every Member of this body. All they have to do is contact my office, send a staffer over; and be they Republican or Democrat, they can get the charts and all the related information that goes with the charts so they can share this information in a factual way with their constituents.

The Web site where our colleagues and the American people across this country can access this information is www.house.gov/curtweldon. Any American represented by any one of our colleagues can access this information through that Web site.

In fact, last evening, we had a number of contacts from throughout the country from people who want to get additional factual information in an investigational form, in a condensed form about what actually the Cox report focused on.

As I have said in a series of speeches that I have been giving both here and around the country, Madam Speaker, the focus of the Cox committee was not just on our laboratories. Now, if my colleagues listen to Bill Richardson, the Secretary of Energy and the point person that has been asked by the administration to provide the spin for the Cox committee report, my colleagues would think that our report only focused on our laboratories, Los Alamos, Sandia, and Lawrence Livermore in particular. Nothing could be further from the truth, Madam Speaker.

While it is true, the laboratory security was one part of what we looked at, it is only one small part of the bigger picture of the way that we loosened the controls over our technology for the past 7 years.

The American people need to understand that this effort was well beyond our laboratories. But as I did last night, I want to highlight four specific actions that rebut what Secretary Richardson has been saying around the country as the point person for this administration as he has tried to spin the Cox committee report as though it is only concerned with lab security.

Now, Madam Speaker, our colleagues know full well, because they have read the text of Mr. Richardson's speeches, that his focus has been something along the lines of this: This administration was the administration who uncovered the Chinese espionage in 1995 that happened in previous administrations that were run by Republicans, and we took aggressive action in this administration to correct those problems.

Secretary Richardson would have the American people believe and would have our colleagues believe that this administration had no responsibility whatsoever in technology being transferred to China and that the only thing they did was that they uncovered the fact that, in 1995, they learned that China had stolen the designs for our warhead capabilities, the W–88 and the W–87, that occurred in previous administrations. That has been the extent of Secretary Richardson's comments.

He has also gone on to say, now, look, we have taken steps to correct all of this, and today we have corrected the bulk of the problems.

Well, I am here to rebut that, Madam Speaker. I would like to do it in a forum where I could stand directly across from Secretary Richardson, or even the President, and have a chance to go at it verbally and exchange information, but it looks like that is not going to be possible.

The national media outlets will put Secretary Richardson on the Sunday morning talk shows to give the White House spin, but they have yet to give full consideration to the factual rebuttal to what Secretary Richardson has been saying. So I am going to attempt to do that here again on the public record tonight.

First of all, we must remind the American people that contrary to what Secretary Richardson has been saying, it was this administration, under the leadership of then-Energy Secretary Hazel O'Leary in 1993 that ended the policy of color coding laboratory security credentials at our laboratories. My understanding is that she thought having color coded badges was to some extent discriminatory and they were not necessary. So under her administration, acting on behalf of Bill Clinton, we did away with that process in 1993.

Now what did that mean? That meant, Madam Speaker, that all of those employees at our labs that we used to be able to tell by the color of the identifying ID system that they had on them no longer could be done, or no longer could be checked, because we did away with that color coding, making it much more difficult to determine where employees could or could not work or be in a particular classified laboratory setting.

So under Secretary Hazel O'Leary, this administration ended the practice of visually being able to identify what people at our labs could or could not have access to key areas. Now, obviously that made it much easier for unauthorized people to go into areas where they did not have appropriate clearance.

Now, if this policy were so acceptable and defensive, my question is, why did this administration 2 weeks ago reinstate the policy as it existed under President Reagan, President Bush, and even President Carter and before that? If this policy change, which Secretary O'Leary made on behalf of Bill Clinton in 1993 and 1994, was so critically important and logical, why 2 weeks ago did they go back to the policy as it was under Republican Presidents?

Was perhaps there some new revelation that this relaxation that occurred by the Clinton administration in 1993 and 1994 led to security problems in our laboratories? Bill Richardson has yet to answer that question.

Second point, Madam Speaker, we have not heard Bill Richardson talk about the fact that it was under Secretary Hazel O'Leary, acting on behalf of President Clinton, that FBI background checks of people who worked at our labs and visited our labs were put on hold.

Now, why do we have FBI background checks? They were there to discourage people who should not have access to our country's secrets to get into places where those secrets were kept. That was not done prior to 1993, Madam Speaker. That was done by this administration as a major change in policy that opened the floodgates for people to go to our labs, who in previous years would not have been allowed access to those facilities.

Bill Richardson has not dealt with that issue, because as he said, this administration only inherited problems and did everything to correct them.

Third point. There was an incident involving a retired employee from Lawrence Livermore Laboratory in the 1993 to 1995 time frame, where that employee, former employee, was accused by the Department of Energy of having released sensitive classified information to unauthorized people. The Department of Energy investigated that employee. The Oakland office of the Department of Energy saw fit, based on the factual evidence to remove that former employee's classified status so that he no longer, as a retiree, had access to classified information.

The employee appealed that decision to the Secretary of Energy's office. Hazel O'Leary herself overturned the decision of the Oakland Department of Energy office and allowed that retiree to retain his classified status. When that occurred, Madam Speaker, employees all across DOE involved in sensitive security areas got the feeling that this administration felt that giving away classified secrets was no big deal.

We lowered the threshold for the security clearance process. We stopped the FBI background checks. Then we even had an employee who was accused by the Department of Energy itself, and found guilty of giving classified information. The Secretary herself overturned the Department of Energy decision to take away his security clearance.

Now, those people that I have talked to in the Department of Energy who worked under Hazel O'Leary, way more than one or two people, have said that under her leadership, there were wholesale actions to declassify massive amounts of information, in some cases boxes and cartons of records that no one had gone through, simply declassified, made available for people to read in a spirit that I guess was considered openness, even though these were, in many cases, the most important technical secrets that this country had.

Let me give my colleagues one particular example, Madam Speaker. Secretary Richardson has gone around the country, and he has made the case that when this administration found the evidence in 1995 that China had stolen or received the design for our most capable nuclear warheads, the W–88 and the W–87, that this administration immediately corrected those problems so they would never occur again. Even though Janet Reno cannot properly explain why the Justice Department turned down requests for four wiretaps, for efforts by one of our employees at one of our labs that we thought was a spy, Secretary Richardson has said they took aggressive action.

Now, that is what he said publicly. I wish he would answer this question, because that same year, in 1995, U.S. News and World Report published a special report entitled ''Shockwave.'' ''Shockwave'' was printed on July the 31, 1995, distributed all across the country and around the world. I am sure a number of these copies were sold in China.

□ 2200

Because when I traveled to Beijing I saw copies of U.S. News and World Report on the shelves that people could buy. The same thing in Russia. These copies were available in North Korea, in Iran or Iraq. This edition of U.S. News and World Report's Special Supplement were sold wherever people would pay the price of whatever this document cost, $3.50. What was in this special report on the last page, which I showed last evening, was startling.

On July 31, 1995, this administration, not the Reagan administration, not the Bush administration, not the Carter administration, this administration leaked the design for our W–87 warhead to U.S. News and World Report. Not just the Chinese, the North Koreans, the Iraqis and Iranians, anyone who would buy U.S. News and World Report on July 31, 1995 got a documented diagram of the W–87, which up until that point in time was classified.

Here is the color version of what the Department of Energy released to U.S. News and World Report. This design shows in some detail the way our most capable nuclear warhead works. It shows and explains the process, it shows and locates the technology, the fuel, the process, the activity, the physics of the way America's most capable warhead would work. This was not secretly stolen by the Chinese, that this administration maintains they found in 1995. This diagram was given to U.S. News and World Report by this administration in 1995, and reproduced in U.S. News and World Report.

As I said last evening, Madam Speaker, I have been told, and I am tracking this down right now, that there was an internal investigation within the Department of Energy to find out who leaked this diagram, this sensitive diagram to U.S. News and World Report. Because I have been told, Madam Speaker, that that individual and group were told to stop the investigation. Why? Because the assumption was that this diagram came from Hazel O'Leary's office herself.

Why are we not hearing Secretary Richardson talk about this, Madam Speaker? Why is he not talking about in 1995, in July, when this diagram for the W–87 was reproduced and sold on newsstands all over the world to anyone who would pay the price? This was not some secret espionage capability of the Chinese. This was the Department of Energy, following Hazel O'Leary's desire to open up to the people of the world our most secret information about technologies important to our country.

There is one additional factor that needs to be investigated, Madam Speaker. There was an individual, or is an individual employed at the Department of Energy who has currently been placed on what I call political administrative leave. His name is Edward J. McCallum. He was the one who briefed Members of Congress and their staffs about problems with one of our nuclear facilities, Rocky Flats. When it was found out that he had done the outrageous thing of informing Congress about security concerns at one of our nuclear sites, what was the response of this administration? They put him on administrative leave. Secretary Richardson has announced that he is going to fire Mr. McCallum because he claims he gave out classified information.

Madam Speaker, I cannot believe this is happening in America, but there is some added irony here. Madam Speaker, I am providing for the CONGRESSIONAL RECORD, a document dated May 3, 1999, prepared by Mr. McCallum which outlines the problems at Rocky Flats and what steps he took to correct them.

STATEMENT OF EDWARD J. MCCALLUM

Mr. Chairman, thank you for the opportunity to speak with the committee today on the Department of Energy's Safeguards and Security Program. Over the past nine years, I have served as the Director of DOE's Office of Safeguards and Security. In this capacity, I have been responsible for the development and promulgation of policy that governs the protection of the national security assets entrusted to the department, to include those assets that are part of the nation's nuclear weapons program. I am also responsible for providing training and specialized technical advice and assistance to DOE field sites when requested. My office is also charged with conducting special inquiries into incidents of security concern to include, but not limited to, those incidents involving the unauthorized disclosure of classified information.

As you may know the Department of Energy has placed me on Administrative Leave since April 19, 1999. DOE officials allege that I committed a security infraction by claiming that I disclosed classified information during a conversation with a whistleblower from the Rocky Flats site. Based on the Department's own classification procedures and guidelines (CG–SS–3, Chap 10, Dispersal of Radioactive Material), I firmly believe that these allegations are completely unfounded. I have been an authorized classifier in the DOE and it's predecessor organizations for over 25 years and helped develop the first classification guide in this area in 1975. Further DOE also failed to follow its own procedures in investigating these issues before placing me on Administrative Leave. I believe this action to be an obvious act of retaliation against the individual and the office that has tried to bring an increasingly distressing message of lax security at the DOE Laboratories forward since 1995.

Prior to joining the Office of Safeguards and Security I held several high level positions within the department's safeguards and security program areas. From 1988–1989 I served as Director, Office of Security Evaluations. In 1978 I joined the DOE at the Chicago Operations Office and in 1979 became the Director of the Safeguards and Security Division. Prior to joining DOE I served as an officer in the U.S. Army. Active military service included a number of Military Intelligence and Special Forces assignments in Europe and Southeast Asia. I culminated my military duty after over thirty years of active and reserve service.

In fulfilling my responsibilities as the Director, Office of Safeguards and Security, I have attempted to provide senior DOE management with the most sound, professional judgment possible concerning the status of security within the department, along with recommendations as to how best to rectify shortcomings. As you are no doubt aware, much of what I have offered over recent years has not been altogether positive, nor well received. The steady decline in resources available to the DOE safeguards and security program as well as a lack of priority have allowed the department's protection posture to deteriorate to a point where a program that long operated in a defense in depth mode, where no single point failure permitted the system to fail, can no longer afford such a strategy.

The information presented in this statement is not new. It has been repeated consistently over the last decade in Departmental reports such as the Annual Reports to the Secretary in 1995, 1996 and 1997 by the Office of Safeguards and Security. External reviews such as the Report to the Secretary in 1991, by General James Freeze, and the Nuclear Command and Control Staff Report on Oversight in the DOE in 1998 cite similar concerns. There have also been a large number of General Accounting Office Reports on these areas. However, for numerous reasons the department has not been able to resolve these serious and longstanding problems.

COMPUTER SECURITY

One of the primary interests expressed by the Committee, and indeed widely covered by the media recently, is the loss of classified information from the computer systems at the National Laboratories. Indeed, we may be sitting at the center of the worst spy scandal in our Nation's history.

The DOE Computer Security Program suffers from a variety of problems. One of the primary concerns is the protection of unclassified sensitive information processed by the Department and the relationship of these systems to the classified architecture. Relatively little guidance has been issued on how to protect sensitive but unclassified information. System administrators are charged with the responsibility for designing their own protective measures. Unfortunately, many of them do not have the computer security background or knowledge required to implement a sound computer security program. Attempts to issue comprehensive guidance by my office and the Chief Information Officer as early as 1995 met with significant Laboratory resistance. Several Laboratories complained that providing protection such as firewalls and passwords were unnecessarily expensive and a hindrance to operations. Implementation of the proposed Computer Security Manual in 1996 would have prevented many of the problems being reported today.

Another area of great concern is the migration of classified information from systems approved for processing classified data to less secure unclassified processing systems. My office has noted a number of problems in this area to include: Failure to conduct classification reviews before placing information onto an unclassified processing system, intentionally creating unclassified data that is very close to classified data to ease processing, and using personal computers at home to process classified information.

A variety of computer security tools and techniques, such as encryption devices, firewalls, and disconnect features, are available and their use is required; however, these protective measures are not always used. In some cases, this is due to lack of knowledge by system administrators. In other cases, it is due to lack of funding or priority for the required equipment.

PROTECTIVE FORCES

While much of the attention of late has been directed toward the area of foreign visitors and the protection of classified information, equally serious cause for concern exists in other areas as well. For instance, since 1992, the number of protective forces at DOE sites nationwide has decreased by almost 40% (from 5,640 to the current number of approximately 3,500) while the inventory of nuclear material has increased by more than 30%. The number of Protective Force Officers has declined to the point where it is questionable at some facilities whether the DOE Protective Force could defeat an adversary. By 1996 several facilities were no longer capable of recapturing a nuclear asset or facility if it were lost to an adversary. Indeed, a number of sites stopped even training for this mission because resources had been reduced below the minimum level necessary to expect success. We have had some success in increasing these numbers of recent years so that at this time all sites report they can meet this minimum capability. Several sites are using performance tests to verify that their Protective Force can defeat the adversary; however, many of these tests are not realistic. For example, performance tests sometimes are not consistent in providing the adversary with the weaponry or explosive breaching devices used by terrorist groups. At times artificial ''safety constrains'' are imposed on exercise adversary teams that effectively neutralize their ability to operate. This results in ''winning'' the performance test, in a less than realistic scenario.

There have been several other consequences of the reduction in the number of Protective Force Officers. First is a relatively older Protective Force (the average Protective Force Officer is now in his/her early 40s). Second, DOE sites are relying on local law enforcement agencies to handle serious security threats. Their ability in nuclear terrorist situations is questionable. Third, sites have difficulty increasing the tempo of security operations during high threat periods. Fourth, Protective Force personnel are displaying lower morale due to reduced training and job stagnation. Finally, an average annual overtime rate in our nuclear weapons facilities of approximately 25% has detrimental effects on safety, training, and response capabilities.

EXERCISES

A centrally funded and well-integrated National-level security exercise program is critical to meet the safeguards and protection needs of DOE and the nation. Exercises that address site response and management of security crisis are required by regulation to be held annually at critical DOE facilities. However, participation by State and local law enforcement, regional offices of the Federal Bureau of Investigation (FBI) and other Federal agencies is inconsistent and varies considerably across the complex. Under Presidential Decision Directives 39 and 62, the Secretary of Energy is directed to conduct exercises to ensure the safety and security of its nuclear facilities from terrorism. DOE is also tasked to support the FBI in its lead as the Federal agency responsible for managing all domestic incidents involving terrorist threat or use of weapons of mass destruction (WMD). In addition, the recent creation of the Department of Justice National Domestic Preparedness Office, the FBI Critical Incident Response Group (CIRG), and other National crisis response assets, requires that DOE plan and practice a new and expanded role in supporting a security crisis response beyond the local site and internal Department level.

Currently, the present DOE organizational structure separates exercise responsibility between Program offices and Safeguards and Security; this hampers the integration of sequential training objectives that can be monitored and tracked and creates confusion at the site level. More importantly, the majority of the funding resides at the site level where expenditures must vie with other program needs each fiscal year, often to their detriment.

PHYSICAL SECURITY SYSTEMS

Another area of concern involves aging and deteriorating security systems throughout the DOE complex. Physical security systems are critical to ensure the adequate protection of Special Nuclear Material (SNM). Many facilities have systems ranging in age from 14 to 21 years, and are based on mid-70's to early-80's technology. Because of the obsolescence of these systems, replacement parts and services are increasingly expensive and hard to obtain. Expensive compensatory measures (i.e., protective force response) are required to ensure needed confidence levels of adequate protection. Older systems are also increasingly vulnerable to defeat by advanced technologies that are now readily and cheaply available to potential adversaries. Continual reductions, delays or cancellations in line-item construction funding increases the vulnerability risks to sites protection capability. Also, DOE is not realizing significant savings available through advancements in technology that have increased detection, assessment, and delay capabilities.

Some sites are using a variety of nonstandard security alarm and access control systems that have not been fully tested to determine if they contain vulnerabilities, or if they meet Departmental requirements without compensatory measures. Such systems may have back doors or viruses, that allow the insider adversary to cripple the entire site protection system, thus leaving the site vulnerable. Some sites do not have qualified personnel to conduct these vulnerability tests and are generally unwilling to conduct any type of attack on the system to determine if such vulnerabilities can be accomplished.

COUNTERTERRORISM MEASURES

PDD–39, The United States Policy on Counterterrorism, requires all governmental agencies to implement security measures to defend against Weapons of Mass Destruction, including chemical and biological weapons. The Office of Safeguards and Security has developed the necessary policies and requirements for implementing PDD–39. Field Elements, however, have been slow to purchase and install explosive detection systems, with only a limited number of sites having done so. Program Offices claim that there is no funding for such equipment.

PERSONNEL SECURITY

I fear that a recent decision by the department to have program offices fund the cost of clearances for field contractor personnel will have severe repercussions. Since implementing this new approach at the beginning of FY 1999, we have already begun to see a dramatic increase in the backlog of background investigations. As with other security areas, program offices must decide upon competing interests when determining those areas to be funded. Unfortunately, security activities are relegated to a lower tier in terms of importance by some program offices and selected field sites. This appears to be the case with the funding of security background investigations. As the first line of defense against the ''insider'' threat, the adequate funding and timely conduct of reinvestigations is critical to ensuring the department maintains a protection posture commensurate with the level of threat.

ROLES AND RESPONSIBILITIES

Operating beneath the surface of these major challenges are some fundamental issues that, if properly addressed, could provide the impetus to effect real progress. These challenges, for the most part, are not new, nor are their solutions.

Organizational Structure: In all of the reviews of the safeguards and security program conducted during the last decade, there is a recurring theme. Simply, the Department's organizational structure of the Safeguards and Security Program is such that programmatic authority and responsibility are not properly aligned. The Safeguards and Security Program in its current structure has one organization developing policy, training and providing technical field assistance (NN), another organization providing funding and ''implementing guidance'' (Headquarters Program Offices), a third organization (Field Site) is responsible for implementation of policy, while a fourth (EH) is responsible for oversight. A fundamental change in both the organizational structure and funding of the Safeguards and Security Program is absolutely necessary before the Department can begin to systematically address the major challenges previously addressed. These organizations must be consolidated with policy, guidance and implementation in one location, with an appropriate budget to participate in the Department decision making.

Safeguards and Security Program Funding: This is the central, driving issue. Budget cutbacks have adversely affected all of DOE. As previously alluded to, however, when Program Offices face funding shortfalls, there is a tendency to cut security programs on a pro rata basis without the benefit of assessing the impact these cuts would have on the department's protection posture. The implementation of virtually every security program, from the Information Security Program to the Protective Force Program, has suffered significantly as a result. I believe many of these cuts are shortsighted and ill advised as they eventually lead to security lapses. Nevertheless, my office has no authority to force the Program Offices to implement departmental security policies and requirements. Similarly, my office has no funds to provide to Program Offices or Field Elements to help pay for appropriate security measures. Without an adequate budget there is simply no authority.

Security Policy and Requirements Formulation. DOE security policies and requirements are based upon current threat data and requirements identified by outside intelligence organizations. DOE, the Department of Defense, the Nuclear Regulatory Commission, the Federal Bureau of Investigation, and the Central Intelligence Agency meet every two years to evaluate current threat data and formulate an agreed upon threat statement that governs security programs throughout the U.S. Government. In addition, the Department of Energy internally reviews this threat statement annually. In DOE parlance, the resulting document is known as the Design Basis Threat. Program Offices are required to use the Design Basis Threat as the baseline for planning security measures. Security requirements are also levied upon the Department by the Office of the President, Congress, and the General Services Administration. For example, Presidential Decision Directive 39 directed all Executive Branch agencies to protect against terrorist attacks. This resulted in an increased need for explosive detection equipment, more frequent security patrols, and hardening of structures. In some cases, Program Offices have directed their field elements not to implement departmental security requirements. This is due to 2 main reasons: The program offices can't afford the new directive, or they simply don't agree with it. In other cases, they have issued interpretive guidance that changes the security policy or undermines the effectiveness of that policy. Again, the Office of Safeguards and Security has no authority to demand compliance with departmental security policies and requirements.

ACCOMPLISHMENTS

I would be less than forthcoming if I failed to mention some positive aspects of the department's safeguards and security program. Let me start by saying that the program is staffed by hard working dedicated men and women throughout the country who are firmly committed to protecting the critical national security assets entrusted to their care. The responsibilities of these individuals are most demanding, even dangerous in some respects. Yet despite the dwindling resources made available to them, these individuals continue to perform in outstanding fashion. Where this department has failed is in providing these professionals the necessary resources to allow them to perform their responsibilities appropriately. The Department has also failed to provide protection so that individuals will bring forward problems and deficiencies without fearing retaliation.

Progress has been made in some of the areas I previously addressed. In the area of physical security, the Department is working to correct identified weaknesses. Specifically, the Department augmented security at some field sites by deploying new technologies to safeguard special nuclear materials and weapons; worked with other agencies to train departmental protective forces; identified and developed more sophisticated detection and deterrent systems; and hired additional security personnel. New explosive detection systems are being installed at selected nuclear facilities and some sites are upgrading access control systems.

In the area of information security, the Secretary recently directed the shut down of classified computer operations at three national laboratories until such time as he was assured that information processed on the systems is being done so securely. From a longer-term perspective, the department is requesting a dramatic increase in budget for information security. The additional funding will be used to help further secure the department's classified and unclassified computer networks. The improvements will help strengthen fire walls, develop better intrusion detection devices, and fund rapid response teams to work with the FBI to detect and track cyber intruders.

In the area of the control, measurement and accountability of special nuclear materials, the Department has established the Fissile Materials Assurance Working Group (FMAWG) to assess needed areas of improvement and make recommendations. In this regard, the FMAWG identified unmeasured materials and initiated actions to resolve discrepancies. They further identified issues regarding the safeguarding of irradiated material and are promulgating policy for implementation. The Department is developing new technologies for tamper indicating devices and proposing pilot projects for field implementation.

A PATH FORWARD

All of these positive steps are good, necessary actions to ensure the adequacy of our protection posture. More is needed, however. As previously addressed, organizational realignment of safeguards and security activities is sorely needed. I understand that this is now under review by the department. While addressing the problems inherent in the current organizational structure of the Department will not in itself solve all of the issues contained in this report, it will establish the necessary framework to allow resolution in a more effective and lasting manner. Simple organizational realignment, however, by itself, will not result in the fundamental change in approach that is required. The Department should work closely with Congress to establish a budget line item for safeguards and security. Doing so will enable a more accurate accounting and control of safeguards and security expenditures. It will also improve the likelihood that policy will be issued in conjunction with the necessary resources to implement that policy.

It should be apparent that attempts to have effective internal oversight of the DOE safeguards and security program have failed over a twenty-year period. While there have been high points and periods when oversight has been effective, organizational and budget pressures have played too central a theme for this function to remain within DOE. An organization like the Defense Nuclear Facilities Board should be established to independently review Security at DOE and the Laboratories. Further a direct reporting mechanism should be established to one or more of the Congressional Committees.

Perhaps the biggest challenge facing the department today as we strive to meet our protection responsibilities is the attitude throughout the complex toward security. There are some that believe that safeguards and security is an overhead expense. I disagree, strongly. Safeguards & security is a mission-critical element. Without it, why bother creating new national defense technologies, if present or future foes can have ready access to it? To treat it as a mission-critical element requires a greater sense of accountability than seen to date. Secretary Richardson has committed to establishing and maintaining a sound safeguards and security program. It will take the commitment not only of the Secretary, however, but of each and every program official throughout the department if this mission essential element is to be fulfilled. It is incumbent upon senior departmental management to make safeguards and security a priority. It is too important to be relegated to a secondary status where its operations are viewed as ancillary. Both Congress and the public rightfully expect our best effort in executing this vital program. We should demand no less from ourselves.

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DEPARTMENT OF ENERGY,
*Germantown, MD, January 27, 1997.*

MEMORANDUM FOR DISTRIBUTION LIST

From: Edward J. McCallum, Director, Office of Safeguards and Security.
Subject: Status of Safeguards and Security.

This report provides a comprehensive review of Safeguards and Security activities throughout the Department of Energy complex during 1996 and provides a candid look at the future of the Program. The report is structured to present a Departmental perspective of the Safeguards and Security Program to senior management and all safeguards and security professionals. For the first time the report also contains a section which summarizes safeguards and security participation in National Nuclear Command and Control activities.

During the past year disturbing trends continued that resulted in additional budget reductions, further diminishing technical resources, reducing mission training and undermining our ability to protect nuclear weapons, special nuclear materials and other critical assets. This is occurring at a time of increased responsibilities resulting from the international transfer of nuclear materials and dismantling of U.S. nuclear weapons. Although traditional and time proven protection principles are still emphasized, it is becoming increasingly difficult to adequately protect our nation's nuclear stockpile in the face of inadequate resources, obsolescent systems, aging protection forces and funding uncertainties. This has increasingly resulted in a ''hollow-force'' that goes below the ''bottom line'' and makes it more difficult to fulfill National Security mandates. It is imperative that the Safeguards and Security downward resource spiral be immediately halted. Further, nuclear materials must be consolidated to reduce costs or additional resources must be found for protection. Adequate investment is essential to sustain a vital Safeguards and Security Program that continues to support the nation's security, the public health, safety and our environment.

I am confident that the report will be a valuable tool to stimulate open conversation, provide constructive feedback and assist in addressing the continued viability of the Department's Safeguards and Security Program. Collectively, we must continue to strive to maximize the use of our resources necessary to ensure requisite security for the

Nation's and the Department's most vital assets.

Attachment.

CENTRAL INTELLIGENCE AGENCY,
*Washington, DC, March 16, 1999.*

Dr. ERNEST MONIZ,
*Acting Deputy Secretary, Department of Energy, Washington, DC*

DEAR DR. MONIZ: As the Central Intelligence Agency's representative to the Department of Energy (DOE) Security Management Board, I would like to convey some important perspectives concerning on-going discussions to reorganize the Department's security element. Of concern is consideration that is being given to further decentralize DOE's security management apparatus and assignment of security expenses to indirect costs (i.e., overhead) at the individual sites and Laboratories. In my judgment, and based on our experience at CIA, DOE should undertake such reorganizational and budgetary alignments advisedly.

Using CIA's experience as an example, reorganization through division can be highly ineffective and inefficient. Shortcomings to CIA's 1994 decision to divide the Office of Security were quickly exposed, including: expensive duplication of security activities, deteriorated management focus over a tangential security program, elimination of a coherent security career service, and dilution of CIA's leadership role in the Community. Adding to the difficulties, security managers under this arrangement had limited control over their fiscal fate, having been placed alongside and beneath numerous budgetary layers.

Director Tenet recognized these inefficiencies immediately, and placed me in charge of consolidating CIA's program in 1997. In addition, he has provided security with a stronger voice in its fiscal future. The process to reconstitute our security apparatus has been challenging; but, its benefits have already become apparent through a stronger, more viable security program.

The lessons learned after CIA decentralized its security organization have also been experienced by other agencies, several of which have chosen to reconsolidate their activities. With such stark examples of the shortcomings of decentralization in security apparatuses, I urge you to give strong consideration to the implications of such reorganization of DOE.

Furthermore, in today's world of sophisticated technological threats, and given the developing review at one of the National Laboratories so widely publicized, I would further caution against leading the charge toward field autonomy, and anticipated the Department looking toward reinforcing centralized security expertise.

When appointed to the Security Management Board a year ago I expected that the Department wanted the input of the representatives from other Agencies in security issues of this nature. In fact, I believed that obtaining such outside counsel on issues of this nature was the purpose for which the Board was created. Unfortunately, my experience with the Board indicates that it is a feckless exercise with no accomplishments almost fifteen months after it was established. I would welcome the opportunity to further discuss my views with you at your convenience.

Sincerely,

RAYMOND A. MISLOCK, Jr.
*Associate Deputy Director*
*For Administration for Security.*

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[From the Wall Street Journal, May 3, 1999]

CONGRESS BRINGS NEW INQUIRES INTO WEAPONS SECURITY FAILURES

(By John J. Fialka)

WASHINGTON.—House and Senate investigators are launching new inquires into the Energy Department's $800 million security program and how it failed to stop the apparent compromise of many of the nation's most valuable nuclear-weapons secrets.

Rep. John D. Dingell, the Michigan Democrat who led several of the House Commerce Committee's previous investigations in the 1980s and early 1990s, charged that the department runs a system of ''inverse reward and punishment.'' People who have identified lax security at the nation's defense labs have been punished and those who somehow finesse, ignore or abuse the program have been rewarded, he said.

The panel will hold hearings this week on the latest example of this seeming paradox: Edward McCallum, the Energy Department's top internal critic of security deficiencies, has been put on leave and is being investigated by the Federal Bureau of Investigations for allegedly leaking secret information. At the same time, Wen Ho Lee, the former Los Alamos nuclear-weapons scientists who allegedly transferred many of the nation's most sensitive nuclear-weapons codes to an unprotected computer between 1983 and 1995, is described by the FBI as being ''unprosecutable.''

There is no evidence that China obtained any of the codes, although Mr. Lee met with China's weapons experts on two occasions during the 1980s and Chinese scientists were among the most frequent visitors to the lab.

The Commerce Committee has threatened to subpoena 13 Energy Department officials who know about the investigation of Mr. McCallum, a 25-year department veteran who, among other things, has complained about difficulties in trying to protect the secret computer system at Los Alamos. The network of 2,000 computers is used to store digital models of nuclear tests that show, moment-to-moment, how nuclear weapons work.

Committee members have invited Mr. McCallum to testify along with another department veteran, Glenn Podonsky, who runs internal inspections for the agency. While Republicans are leading the charge in the various congressional investigations, the two witnesses and others are expected to tell of foul-ups and budget shortfalls that date to the Carter administration.

Energy Department reports show that Mr. Podonsky, as early as 1994, had identified the problem that researchers could transfer data from the secured computer system to the unprotected one.

Over the weekend, Department of Energy officials said that a classified report prepared by U.S. intelligence agencies in November showed that there had been numerous efforts to penetrate the weapons laboratories' unclassified computer system. The secret report also noted that China was among a number of nations the laboratories should regard as a threat. Still, investigators didn't examine Mr. Lee's computer until March and didn't close down the classified system until last month. The report's findings were first published in the New York Times.

Brooke Anderson, a spokeswoman for Energy Secretary Bill Richardson, said the secretary ''is extremely concerned that the hearing may bring potential disclosures of classified information and his priority is to protect the national security.'' Mr. Richardson, a former member of the Commerce Committee, irritated its leaders after a security hearing last week, accusing the panel of ''exhuming the past.''

David Tripp, Mr. McCallum's lawyer, said the information involved in the allegations against Mr. McCallum wasn't classified and that he is being punished for being ''a pain in the neck'' about exposing security problems. Rose Gottemoeller, the assistant energy secretary who removed Mr. McCallum from his job, denied that was the reason, calling Mr. McCallum ''a valued security professional'' who has made ''major improvements.''

Despite substantial spending on ''gates, guards and guns,'' one problem that had received relatively little scrutiny is the so-called insider threat. As the Cold War has faded, the threat has grown because many Americans now shun careers in engineering, physics and mathematics—skills in demand at the weapons labs. The shortage forced the labs to turn to foreign-born experts who had become naturalized U.S. citizens, such as Mr. Lee, Taiwanese whose skills included modeling nuclear-weapons explosions on supercomputers.

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[From the TelePort of: Ed McCallum, May 7, 1999]

To: Al Santoli.

Memo: This is draft and has not been given to DOE except verbally. It clearly shows there was no classified unless DOE wants to change the published rules./Ed

DRAFT

HERNDON, VA, *May 6, 1999.*

Subject: Classification Analysis of Rocky Flats Transcripts

Mr. JOSEPH MAHALEY,
*Director, Office of Security Affairs, U.S. Department of Energy, Washington, DC.*

DEAR JOE: Since I have not been given the opportunity to present my technical analysis of the classification decisions that I made during the subject discussions with the DOE contractor whistleblower, Mr. Jeff Peters, I will do so now. The presentation being made in this letter should have been part of the first step of the inquiry process described in DOE Manual 471.2–1B, 7a.(1), and should have been completed before proceeding with any inquiry. If both sides of a technical discussion had been laid on the table before the Department's classification authority, I firmly believe a determination would have been made at that time that the tape conversation and subsequently released transcripts were unclassified.

To date, six authorized classifiers have assessed the transcripts. Two areas of the conversation have been identified for further review. First, reference is made to ''20 percentile'' and ''80 percentile'', but no further context is provided by either speaker. Even if the reader can speculate the discussion relates to protective force computer modeling, no specific scenario is developed, no specific facility (e.g. building or vault, as stated in Topic 610 of CG–SS–3) is identified, and no specific attack developed.

DOE Classification Guide, CG–SS–3, Chapter 6, ''Vulnerabilities'', D. states clearly that information must, ''meaningfully aid a terrorist or other malefactor in targeting DOE facilities or bypassing security measures . . .''.

*Vulnerability* is defined in Appendix A, Definitions of CG–SS–3, as ''an exploitable capability or an exploitable security weakness. . . . If the vulnerability were detected and exploited by an adversary, then it would reasonably be expected to result in a successful attack . . .''. Clearly, no exploitable vulnerability is discussed within the meaning and intent of this classification guide that has been used by DOE for over 25 years.

The second area of conversation identified for review is the statement ''Put some HE on top of it and boost it up—you don't need to take it in the middle of Denver, it's going in the middle of Denver anyway.'' This portion of the conversation refers to a radiological dispersal device. CG–SS–3, Chapter 3, ''Malevolent Dispersal of Radioactive Material'', provides detailed guidance for classification in this area:

Paragraph C, states that for information to be classified it must be,'' . . . detailed,

specific information that, if not controlled, would significantly enhance the probability of such a dispersal''. Further elements of the same paragraph require elements such as ''Details of specialized access procedures to areas or equipment . . .''. ''Detailed scenarios (combining details of radioactive source type, size and form; container design; dispersal mechanism design) . . .''

Topic 1101.1 states specifically ''Trivial or generally known methodology'' is *Unclassified*.

Topic 1030, ''Design of credible Radiation Dispersion Device (RDD), states a design is ''Unclassified for unsophisticated designs.''

Topic 1052 cites ''Generic description of methods that could be used to disperse radioactive material (e.g., fire, *explosives*)'' as Unclassified.

Special nuclear materials discussed in the conversations have been publicly associated with the nuclear weapons program and included in Section 51 of the Atomic Energy Act of 1954. They are defined as ''Pure Products'' and as ''High-Grade Materials'' in unclassified DOE Regulations and in CG–SS–3.

Further, information concerning radioactive source term and scenarios of worst case dispersal with consequence estimates are contained in great detail in Safety Analysis Reports for each site. These reports contain worst case scenarios for radiological releases. They are unclassified, published and available in DOE Public Reading Rooms and periodically on the internet.

I know of no other issues that have been reviewed or could be considered even close to classified information. Further, I was given a 30-minute briefing on Defense Programs weapons design program(s) in the past. Nothing I have seen or heard of these programs would void or invalidate the published guidance in CG–SS–3.

I firmly believe that I have not disclosed classified information and have not crossed any boundaries, real or imagined. In no case were details or specifics provided any reader. Speculation might cause a reader to draw conclusions that are completely external to these illegally recorded conversations. The transcripts have been reviewed by a number of authorized classifiers and all have reached the conclusion that the conversation does not contain classified information and in no way crossed any prohibited boundaries.

I believe I have seen a rush to judgment on this classification issue and subsequent actions that violate the procedures published in DOE classification guidance and DOE Manuals relative to the investigation of a potential compromise. If the basic elements of ''due process'' had been followed this would have only been a technical discussion with possible clarified technical guidance provided by one side or the other. In closing, if Defense Programs believes these elements are so sensitive, then why weren't adequate physical protections immediately put in place to allay their concerns?

Sincerely,

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DEPARTMENT OF ENERGY,
*Germantown, MD, February 3, 1999.*

Memorandum for Joseph S. Mahaley, Director, Office of Security Affairs

From: Edward J. McCallum, Director, Office of Safeguards and Security

Subject: Hagengruber Study.

I have completed my initial review of the subject document and offer the following impressions. These thoughts are not intended to be all inclusive, nor do they address all of the facts that I find questionable. In this regard, I have directed the Office of Safeguards and Security (OSS) Program staff to conduct a thorough review of the entire report with respect to its factual accuracy. Upon completion of this review, detailed comments regarding factual inaccuracies will be forwarded. Beyond the factual accuracy of some of the items found in the report, however, it is evident that this study not only misses the mark of the task assigned, but if left unchallenged could serve to damage the Department's standing in the security and intelligence community at large.

In reading the report, I am struck by the elementary understanding it portrays of the Safeguards and Security (S&S) Program, specifically as it relates to the national level directives that provide much of the foundation for many of the areas called into question. There is no mention of the Presidential Decision Directives (PDD) or the requirements contained therein governing federal agencies and their policies toward counterterrorism, explosives detection, radiological sabotage, and chemical/biological weapons defense. In fact the assertions offered are in direct contradiction to President Clinton's policy on Counterterrorism promulgated in PDD–39. For a study that spent the better part of a year examining the Department's S&S Program, I find this glaring omission of national policies to be alarming. Furthermore, it conveys a lack of understanding of the environment in which the Department operates that consequently diminishes the value of any findings or recommendations.

Beyond the lack of depth of understanding of S&S Program requirements, however, I find the team failed to answer the only question that was posed to them. Specifically, whether current—DOE practices ensure that Special Nuclear Material (SNM) and Nuclear Weapons are adequately protected against Raidological Dispersal Device (RDD) and Improvised Nuclear Device (IND) threats. The short statements in the report that we need to change policies to require a higher standard of protection of SNM is gratuitous and provides no new information. The single graphic depicting greater quantities of explosives relative to SNM types was recognized long ago when the Atomic Energy Commission began this program, and again in 1988 when the graded safeguards table for SNM protection was established. I was disappointed to find that the validation of specific time lines of existing guidelines currently in the Secretary's office awaiting completion of this study were completely avoided.

Equally disappointing is the amount of effort and detail directed at the management and organizational issues that have been previously reported in numerous studies to include your Report to the Secretary of October 1997 and the OSS Annual Report to the Secretary of January 1997. That the fragmented and divisive S&S structure is difficult to manage is well acknowledged and has been addressed repeatedly by DOE through reorganization and restructuring (e.g., SAI 26). There is no new information here, and the recommendations offered are confusing and inconsistent with one another. The solution as I understand it would further decentralize authority and responsibility to field sites thereby recreating the exact same environment as existed in Counterintelligence prior to the issuance of PDD 61.

The report wades through a plethora of symptoms and offers the often repeated Laboratory rhetoric to limit Headquarters involvement and trust the contractor to carry out the government's mission. Trust is not the question, execution is. As you know, cost is an essential element of risk management. The House of Representatives, Committee on Commerce, Oversight and Investigations Subcommittee challenged the DOE on the oversight of its contractor's S&S programs throughout the 1980's and early 1990's. Senator Glenn asked the same questions in Senate, Government Affairs Committee hearings. These facts are either unknown or ignored by the report team. I have yet to hear an allegation that DOE provides too much oversight of our contractors except from the Labs. Consequently, the suggestion that S&S should be funded through a site's overhead budget is simply irresponsible. It is unclear to me how this would be the preferred method of funding. Such a move would further remove the Department's control over this critical area. It is precisely this approach to safeguards and security as an ''overhead'' function that has led to many of our difficulties. It further underscores the lack of understanding of the mission essential element of safeguards and security as it relates to the Department's overall mission. It is precisely this type of thinking that Admiral Crowe's January 1999 report on the embassy bombings in Nairobi and Dar Es Salaam warns against. In his cover letter to Secretary Albright he expresses concern about the ''. . . relative low priority accorded security concerns throughout the US government—by the Department, other agencies in general, and on the part of many employees both in Washington and in the field.'' Admiral Crowe goes on to advise that, ''Saving lives and adequately addressing our security vulnerabilities on a sustained basis must be given higher priority by all those involved if we are to prevent such tragedies in the future.''

Again, this lack of understanding leads to another distrubing assertion found in the report. Specifically that: ''Safeguards and security is not a mission of DOE. Rather, safeguards and security is the responsibility of the DOE and contractor management at individual sites.'' Such a statement is contrary to Department of Energy's Strategic Plan of September 1997. Under the Strategic Plan's National Security Strategic Goal is the objective to ''ensure the vitality of DOE's national security enterprise.'' In support of this objective is a strategy to ''ensure the protection of nuclear materials, sensitive information and facilities.'' The fact that safeguards and security is found in the Strategic Plan as well as in the Secretary's Performance Agreement with the President clearly raises its level of import to more than ''a requirement of operation.''

A final point worthy of note is the complete lack of understanding of the Department's Design Basis Threat (DBT) process. The FBI, CIA, DOE, and the military services as well as the Nuclear Command and Control Staff have developed the existing Design Basis Threat over a number of years. It has been extensively reviewed and supporting studies issued by the DIA. Sandia, as well as our other Labs, have been asked to comment and participate in the development process. To describe the process and approach as flawed further underscores the superficial nature and questionable analysis found in the report.

Perhaps most distressing is the lack of balance in its approach to the critical safeguards and security issues facing the Department. Rather, what is provided is a very parochial Defense Programs/Laboratory view that ignores not only the external drivers found in national level policies, but a total lack of understanding of specific procedures implementing these policies. Suffice to say, I am strongly opposed to the continued funding of Phases II and III of this effort. If Phase I is any indication of the quality of effort that might be expected, any further funding in this regard would be imprudent at best. Nonetheless, if the program is continued, I strongly suggest we manage the direction and quality of the next phase.

As stated in this and other studies, successful resolution of the issues facing this

Department relative to safeguards and security will require a concentrated effort on the part of all interested parties to include the Office of Defense Programs and the National Laboratories. What concerns me is that critical information concerning these issues is missing from this study. While such an omission may serve certain short term interests, it is not in the best interest of the Department or the nation. As an agency, we must endorse and implement two significant objectives concerning our protection strategy: (1) to protect our nation's critical assets from those who would cause our nation harm, and (2) to protect the forces that secure our facilities from unnecessary vulnerability. To do any less is to undermine our national security responsibility, which is without question, a core mission of this Department.

Mr. WELDON of Pennsylvania. Madam Speaker, Mr. McCallum has been punished and has been placed on administrative leave and may lose his job. Guess who now sits on the corporate board of directors, being paid, overseeing the operation of that same facility? You guessed it, Madam Speaker. Hazel O'Leary. Hazel O'Leary now sits on the board of directors of the company that oversees the Rocky Flats facility that Mr. McCallum attempted to bring to the attention of the Congress was being protected in a woefully inadequate way. What is the response of this administration? To make him the scapegoat.

It is a shame that he did not precede Notra Trulock, because as many of my colleagues know, it was Notra Trulock who began to blow the whistle on this administration for not paying attention in 1995 to security breaches that were occurring in the Department of Energy. But Notra Trulock lucked out. Because when the administration realized that what Notra Trulock was saying was true, they could not go after him. They gave Notra Trulock a $10,000 bonus and now Notra Trulock is on national media programs and talks about how the administration has gotten its act together.

It is a shame that Mr. McCallum did not precede Notra Trulock. Perhaps he would have gotten the $10,000 raise for being the whistle-blower. I can tell my colleagues, Madam Speaker, I am not going to sit by, and neither are a number of our colleagues, and see an innocent individual doing his job professionally be railroaded out of his position because this administration is embarrassed over the policies of their lack of control and decontrol in security measures involving our national laboratories, our Department of Energy facilities, our defense installations, and our military and other technology.

The American people, Madam Speaker, can now read the statement of Mr. McCallum for themselves in tomorrow's CONGRESSIONAL RECORD. The American people also now, Madam Speaker, can read information I provided last evening giving the big picture of the China connection. I want to review that again today in some more detail.

As a member of the Cox committee, I had the opportunity, over the 7 months that we worked aggressively on this project, to meet a number of senior and very capable intelligence officers and people within our intelligence establishment who are absolutely frustrated by what they see occurring in this administration on security issues. When we completed the Cox Commission report, I knew that the American people would not sit through and read, for the most part, a document that is almost a thousand pages in length. Very difficult to understand.

So working with this group of people, and I would add for the record, who are today currently employees of this administration, so I cannot name them because they will be given the same treatment as Mr. McCallum has been given, these people have given me the information that I am providing to our colleagues and to the American people.

This chart, Madam Speaker, for the first time, even though it looks like a hodgepodge of blocks, it can be pulled down on the Internet site, as I have said earlier, and this site is www.house.gov/curtweldon. This document gives the full pictorial representation of what we think China had planned to acquire western technology.

Now, should we fault China for establishing this network? Probably, yes. But as many have said, what country does not spy or look to acquire technology from other countries? I would say we are the fools if we are stupid enough to allow China to access information that we should be controlling. And that is why I think the bulk of the responsibility here, Madam Speaker, lies with our own government. It was our government that failed the American people.

This chart outlines the Central Military Commission of the People's Liberation Army of China. The red boxes on this chart, which are too difficult to read without having the chart directly in front of you, are the various military commands and entities that are a part of the Central Military Commission that we know have been involved in engaging and in acquiring technology for China. Now, some of that acquisition has been legal, and there is nothing wrong with that. If they can buy it, how can we fault China for buying things we are legally willing to sell them or other countries will sell them? Some of it was not legal. By and large, though, much of what they got, they got through legal manipulation that we allowed to occur.

The green boxes are those entities and banks and financial institutions here, in Hong Kong and Macao, as well as in Europe and Asia, that were designed to fund the acquisition of these technologies. Now, because they could not buy them directly, front companies were established, and they are the blue boxes. We estimate there were hundreds and hundreds of front companies established by the Chinese to acquire technologies, paid for by these entities, to go to the arms of the People's Liberation Army, because that is a desire they had for these specific technologies.

A very elaborate scheme, but very simple. The financing through the entities to buy it go back to those entities that wanted to improve their missile systems, their nuclear programs, their computing capabilities, the design of their fighter aircraft, whatever the need might be. Again, if we are stupid enough to sell sensitive technology, how can we just blame China for buying it in the open market? This was the network.

Now, we can see that what we did not look at in the Cox committee is what influenced these people to allow this technology to flow. Was it money, was it influence, was it a desire to increase economic activity for American companies? What was the motivation? We did not look at that in our China committee effort. We thought that should be a follow-on once we determined that there was security harm done to our country. That is why I prepared this document and the document I am going to follow up with.

There are some connections here, Madam Speaker, that the American people need to look at, because some of these green boxes have attached to them campaign donations. Ted Sioeng, $200,000 to $400,000 to the Democratic National Committee. Or John Huang and James Riady, and all of these people who contributed millions of dollars to the Democratic National Committee. Or the temple that gave, through Maria Hsia, $50,000 at a fundraiser at a temple of impoverished religious leaders. Those connections need to be pursued.

This information, Madam Speaker, has been investigated much more thoroughly by the FBI and the CIA than I have. Now, I have seen some of the classified versions of this, which are far more elaborate, which I obviously cannot show publicly. What I have shown here is an unclassified version of the connections between these agencies that have been publicly identified. And in response to a question by a Member of Congress at a public hearing, Louie Freeh, the director of the FBI, was asked: ''How much of the information that we are aware about in public form, like this, compares to what you know in the FBI and the CIA about what happened in this entire series of transactions?'' This was the response of FBI director Louie Freeh. ''The public knows about 1 percent.'' One percent of what went on that we have in the FBI and the CIA in terms of these connections. One percent, Madam Speaker, which means that 99 percent beyond this our intelligence and our law enforcement agencies know about but we do not.

□ 2215

Madam Speaker, the individual that Louis Freeh assigned to investigate this, Charles LaBella, when he got

through all of this evidence, well beyond what I have, wrote a memorandum to Louis Freeh that I have been told is almost 100 pages in length. That then resulted in Louis Freeh sending a memo to Janet Reno saying there is enough evidence here that you better impanel a special investigative effort, an independent counsel, because of what may be here. Janet Reno refused Louis Freeh and refused Mr. LaBella. That document has never been released to the Members of Congress nor the American public. In fact, I am not aware of any Member of Congress that has read that memo. But I can tell you, Madam Speaker, every Member of this body and every citizen in America should demand of this President one thing, and, that is, to release the LaBella memorandum. If this President and Vice President GORE have nothing to hide, if there are no connections, if there is no scandal, if there is no grand scheme, if there are no implicating factors, it can all go away very quickly by releasing the LaBella memorandum. That document has been subpoenaed by the Congress and it has been refused by Janet Reno to be turned over to us so that we have not had the opportunity to see what Charles LaBella said was there in that 99 percent of information that we do not know about. What I have given to the American people is the unclassified information that they can read, and it in itself is revealing. In fact, Madam Speaker, you will notice there are lines connecting many of these boxes. The solid lines indicate direct working relationships between the PLA entities, the financing entities, and the front companies. So they are directly linked. The dotted lines, which are fewer in number, are those where there is a loosely connected relationship but not a direct relationship. Now, the logical question is, ''Well, hold it, Congressman, you can't just draw lines. You've got to provide some documentation.'' Well, we did. Again working with existing employees of this government who have been frustrated by what they have seen occurring have helped me identify 26 documents that are available on the public record that are not classified, that include newspaper articles, research documents, business reports, company annual reports where you can connect the lines. Each of the numbers on this chart which corresponds with a line gives you a specific document that you can read which I have outlined and identified in the CONGRESSIONAL RECORD yesterday which you can get off of my web site which gives you the public information that supports the linkage between these various entities. It is public information. Now, that is not all. And the media when I brought this out last week said, ''Well, wait a minute, you haven't established a direct relationship.'' I cannot show classified information here. That is a violation of our Federal laws. I have given unclassified documentation which without a doubt shows the connections between the major players in the effort to allow China to acquire technology that they have been wanting to buy.

Now, the administration would have us believe that this is really all concocted by China and that we should make China the evil empire. I am not doing that, Madam Speaker. I cannot blame China if decisions made by this administration allowed technology to flow legally, and that is what occurred in most cases. The influence that was peddled by these financial people ended up lowering the controls over our regulation of technology being sold abroad. The influence exercised by these people and their money influenced key decisionmakers in this administration. In my opinion, that lies in terms of fault at the feet of this administration itself. And as much as we would like to totally blame China, I blame our own government.

Now, are there instances where China went too far? Absolutely. And I would say this again on the record. If we can document that there is direct espionage that took place at our labs or at other facilities, we should use the full force of our law to prosecute those people who in fact spied on America, much like we have done in the past. But we cannot blame a country if we willingly sold them the bulk of this technology because of influence they were able to get by putting some money around or by currying favor with certain people.

Let me go to the second chart, Madam Speaker. The second chart, which was also prepared with the help of existing employees that work for this government who are in sensitive positions, gives the time line, the time line of liberalized and decontrolled technologies to the People's Republic of China. But I want you to know, it was not just China that benefited from these policies. Many of these policy decisions benefited a number of countries who were able to legally buy our technology.

Now, I am not against our companies selling technology abroad. In fact, I am an advocate of our companies being able to sell and compete in the world marketplace. But, Madam Speaker, that is not what occurred here. What occurred here was the elimination in a wholesale way of a legitimate process that was in place under previous administrations to monitor technology and to do it with our allies. As I mentioned last night, the reason I started this chart in 1993 was not because that is when Bill Clinton took office, it was because in 1993 this President ended a process called COCOM. COCOM was an organized group of our allied nations and Japan that met on a regular basis to monitor sensitive technology that was produced in any one of the allied countries. There was an agreement that none of those COCOM nations would sell sensitive technology to countries that we thought might use it against us, so that none of our companies were hurt because all the countries that have this technology were working together so that no one could benefit.

It was this administration in 1993 that unilaterally decided to end COCOM, did away with it. Without even consulting with our allies, we said, ''We're doing away with this process.'' From 1993 on, the floodgates opened. Because now you had companies in Great Britain and France and Japan who said, ''Wait a minute, there's no more COCOM, we're not going to let the U.S. sell this technology abroad, we're going to sell competing technology.'' So now you had a mad scramble, you had American companies trying to keep up with German, French, Italian, British and Japanese firms who now saw American companies selling technologies that under COCOM they could not sell. So the European countries and Japan said, ''Wait a minute, we're going to sell that technology as well,'' and you had a mad scramble to sell technology in a totally uncontrolled fashion. That began in 1993 under this administration. The Commerce Department will tell you it was good for business. Some business leaders will tell you it was good for business. We on the Cox Committee will tell you it was bad for America. Other allied nations will tell you it was bad for international security. Proliferation has never been worse than it has been for the past 6 years. Iran, Iraq, Syria, Libya, North Korea, India, Pakistan, all have cutting-edge technologies that up until 1993 were tightly controlled by COCOM, all of that ended by this administration. That is the focus of the Cox report.

The chronology of this chart takes each technology separately: warhead design, machine tools, low observable technologies, telecommunications, propulsion systems, high-powered computers, encryption technology, space launch technology, and analyses when key decisions were made by this administration and gives you the month and the date that allowed technologies to flow that up until these dates were controlled. And you can see by the number of red dots here that during this time frame, the floodgates opened. We said, ''We'll sell anything and everything and we won't consult with our allies.'' So you have had a mad competition among companies in countries that up until 1993 worked together to make sure that no one could unfairly have a larger share of the market with sensitive technologies. After 1993, the demise of COCOM, the floodgates opened. Everything and anything was for sale. Our companies got their way, they got to sell whatever they wanted, foreign countries and companies the same thing, and China took advantage of it.

Now, there are some interesting other factors about this chart, Madam Speaker. You will notice a gray area in the center of this chart, starting in 1995, ending in 1997. Why did I make that gray? Because in 1995, we have been told by Bill Richardson that this

administration found out that China was acquiring our most sensitive technology. And if you listened to Secretary Richardson, this is what he said: ''Boy, when we found that out, we took aggressive action. We said, 'We're not going to let China steal our technology.'''

Well, that is what he said. The color in the blue, Madam Speaker, and all the red dots you see here, just under Space Launch alone, 15 separate actions after this administration knew that China had stolen our design technologies that they took in 3 years to give more technology to countries like China. And that is across the board, Madam Speaker. So the blue indicates where this administration knew that China was trying to acquire this technology and doing it illegally, opened the floodgates even further for more technology.

There is one more factor here, Madam Speaker. All of us in America know when the elections were held. It is kind of interesting when you look at this chart from a distance that the bulk of the clustering of these dots are in and around the time frame of 1996. I wonder what was happening in that year, Madam Speaker? Might that have been the year when the presidential elections were being held? Could there be some coincidence that many of these key decisions in terms of policy changes were being done because elections were being held and maybe people were interested and from the standpoint of corporate America in having policymakers make determinations to allow more products to be sold overseas, could that be a reason? That is what the LaBella memorandum referred to, Madam Speaker, that this country needs to see for itself, the reasons why these decisions were made. Why did we change our policy so much? Why did we allow access? Why did we totally decontrol technologies in a way that was not being aware and cognizant of our own security concerns?

But it goes beyond these issues, Madam Speaker. Let us move down to this next item here. PRC Nationals to U.S. High Tech Companies. It was in 1994, in fact it was in March, that Chinese nationals to our U.S. labs and our U.S. high tech companies was allowed. The COMEX review of foreign nationals was abandoned, by this administration. That was in 1994. I am sure that was done because the companies wanted less hassle of foreign nationals going into our high tech companies. And over here in 1997, we revised our deemed exports policy to allow foreign nationals to work at U.S. high tech companies. Now, that was in 1997. These were decisions made that allowed more Chinese nationals to work in our high tech companies in America. And how about the high tech furnace approval for weapons of mass destruction? That approval was given in 1998, Madam Speaker, a technology that gives China capability for the production of weapons of mass destruction. Even though this administration said when they found out about the theft of nuclear secrets, they took aggressive action to control it.

Let us go down further, Madam Speaker. During this same period of time, China and Russia were both violating international arms control agreements. The Missile Technology Control Regime, the control of exports. We caught them on a number of occasions. In fact, in last night's special order, and again the American people can read this through my web site or get a copy of it through the CONGRESSIONAL RECORD last evening—and I did not do the work, the Congressional Research did the work—we documented the arms control violations that we caught Russia and China involved in over 6-year time period. Here is that chronology as documented by the Congressional Research Service.

□ 2230

The dates, the type of transfer, who the transfer went to are all documented. This was not done by some partisan group; it was done by the Congressional Research Service, a part of the Library of Congress.

These violations of arms control agreements by China, were they sent technology? Where did they send the technology to? Let us look at the chart.

Well, they sent technology to Pakistan, Iran; Iran? North Korea. Syria. They sent solid propellant production technology to Libya, Iran, Egypt. They sent missile accelerometers and gyroscopes to Iran, Syria, Libya, Egypt and Pakistan. They sent antiship missiles to Iran. They sent more material to Pakistan; chemical weapons technology to Iran again.

All of these transfers done by China.

What was the response of this administration? Nothing.

On, yes, two times out of about 17 or 21, I forget which it is, they did impose temporary sanctions; but they eventually waived them.

So not only are we getting Chinese access in a way they never had access before, not only were we helping to expedite and grease the skids for the financing of the purchase of technologies, but we were ignoring violations of arms control agreements that China was required to abide by. We did not call them on these violations.

And at the bottom of the chart, Madam Speaker, even though I could not complete it, I was only able to do this up through 1996, I list a number of times that the major players in the Chinese financing scams visit at the White House, not visited Members of Congress, but were in private visits in the White House itself.

In the case of John Huang, in the one year of 1993 alone, we know of 12 times he was in the White House. In 1994, twice; in 1995, let us see, one, two, three times; or 1994, three times; 1995, three times. These are people that are involved in that elaborate scheme of organizations and financing entities that were given direct access to our White House, to our top policy maker to our commander in chief, to our key leaders who were then being pressured to relax our policies relative to technology being sold abroad.

Madam Speaker, these two charts represent the pictorial view of the Cox committee report. They represent what needs to be explored further.

I am not here as a partisan, Madam Speaker. Both times I ran for mayor of my hometown I was the nominee of the Republican Party and the Democrat Party both times I ran. I work with many Democrats in this body and frequently get up on the floor of this House and praise our Democrat colleagues for their leadership role on defense and security issues. I have joined with members of the Democrats on a number of key issues involving social policy, family medical leave, environmental policies, protection for our workers, and I have supported the President and the administration in some of those issues which my party has not been supportive of. But, Madam Speaker, when it comes to national security, we have a big problem here. This needs to be looked at beyond the Cox committee.

To me, I know why in my mind Janet Reno turned down the recommendation of Louis Freeh based on the memos sent by Charles LaBella to appoint an independent counsel. I am convinced, Madam Speaker, the evidence is there. I am convinced that 99 percent that we have been told we have not seen yet has far more than many people in this country want to become public.

I am also convinced, Madam Speaker, that we had better pay attention here. This is not some story about a dress, this is not some intern in the White House. This is not some story about a travel office. This is not even about Republicans or Democrats. Madam Speaker, this is about the very core of what our country is about. No one, no party official in either party, no elected leader, has the right to allow a wholesale technology faucet to open that we are going to have to pay the price for.

Now, if I am overreaching, Madam Speaker, I do not think I am because, a member of the Cox committee having sat through as many of those meetings as any one of my colleagues, with perhaps the exception of Chairman Cox himself, I know what evidence the FBI and the CIA has, and I have only seen a small fraction of what is not on this chart. I know there is much more.

If there is nothing there, Madam Speaker, the President can clear this entire issue up in a heartbeat. All he has to do is release the entire unabridged version of the Charles LaBella memo to Louis Freeh. If there is nothing to hide, if there is nothing to these connections, if there is no story, I will be happy.

I do not think that is the case, Madam Speaker. I think the reason

why Janet Reno did not accept Louis Freeh's recommendation, based on LaBella's memo, is because she knew what is there. That document that LaBella prepared, which I understand is quite voluminous, goes into extensive detail and actually points to individual people.

Madam Speaker, this country, this democracy, needs the American people and its elected officials to see the overview of the evidence that LaBella gave to Freeh that now remains closed and confidential. If there is nothing there, then there is no problem with the memo; if there is no evidence, if there is no story, if there is no substance, the whole thing will go away, and the China story will end, and we will make the necessary corrections to our own policies.

Madam Speaker, I would encourage every one of our colleagues and every constituent in every district of a Member of this body and the other body to demand that this administration do one thing: release the full text, the uncensored text, of the Charles LaBella memorandum to Louis Freeh. Let us see what evidence they thought may be there in terms of a greater scheme for the Chinese to acquire technology by facilitating and greasing the skids of certain key people and certain key agencies that ended up with America's security being harmed. That was the unanimous vote of all nine members of the Cox committee, that America's national security has been harmed by the actions that we investigated in the Cox committee work.

We cannot just stop with this document, and we cannot rely on the mainstream media because with the exception of a few people like those that I have mentioned and some others, the mainstream media is too stinking lazy to go through the investigative details necessary to uncover what is here. We need to have this administration come clean, give us the uncensored text of what Charles LaBella said to Louis Freeh which only went to Janet Reno. When that happens, we will then know the true extent of the China connection and its impact with this administration.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT). The Chair will remind Members to refrain from making personal references towards the President.

## INTRODUCTION OF LEGISLATION TO DENY COMMUNIST CHINA NORMAL TRADE RELATIONS STATUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from California (Mr. ROHRABACHER) is recognized for 60 minutes.

Mr. ROHRABACHER. Madam Speaker, first of all, I would like to commend my colleague, the gentleman from Pennsylvania (Mr. WELDON). We have worked together over these last 10 years while I have been a Member of Congress on many, many occasions, and I find Congressman WELDON to be a patriot, a man of integrity, a man of courage, and I think when all of this is said and done, when we find out the jeopardy that our country has been put in and take the measures that are necessary to correct this situation and to make our country safe again, the gentleman from Pennsylvania (Mr. WELDON) will be on the list of real American heroes that came about to save the day, and I am just proud to serve with him.

Madam Speaker, tonight it is fortuitous that I will be speaking after the gentleman from Pennsylvania (Mr. WELDON) because my remarks are in parallel with what Mr. WELDON has been talking about. It goes into a slightly different subject. Tonight I will be talking about Most Favored Nation status and our economic, as well as military and diplomatic, relations with China. But of course everything that Mr. WELDON has said today amplifies the need that I will be demonstrating for us to reexamine American policy towards Communist China.

In fact, let me state right at the beginning that when it comes to Communist China, we have been treating a hostile power, the world's worst human rights abuser, as a strategic partner, that is what this administration has insisted on us calling Communist China, and I believe that Americans will pay a woeful price for this irrational, amoral and greed-driven policy if we do not change it, and that is what we need to do to change that policy that has been in place to some degree or another for 2 decades, but especially in these last 6 years.

Yesterday I introduced legislation to do just that, to change that policy. It is a bill of disapproval of extending so-called ''normal trade relations,'' which was previously known as Most Favored Nation status, with Communist China. So what my proposal is is that we deny Communist China normal trade relations status with the United States, formerly called Most Favored Nation status.

The time, Madam Speaker, is long since past when the United States should reexamine its fundamental policies toward the Communist dictatorship that now rules the mainland of China. Our commercial policies, as well as our diplomatic and military policies, for the past decade have worked against the interests of our own people and have not, as we had hoped, increased the level of freedom enjoyed by the Chinese people. In fact, some of the initial progress that we saw in China has now gone in the opposite direction, especially since the end of the Reagan administration and the tragic national reversal in China in 1989 at Tiananmen Square when they had the massacre at Tiananmen Square.

The gentleman from Texas (Mr. ARMEY), one of our Republican leaders here in the House, defines ''insanity'' as doing more of the same, but expecting the results to be different. Well, for 10 years the cause of freedom in China has been in decline. Things are getting worse. So much for the engagement theory, the strategy of engagement, and what we hear from those people advocating normal trade relations and to continuing our relations with China is doing more of the same, but expecting that China is going to be different, that there will be different results now.

Well, that makes no sense. It is the unreasonable and perhaps irrational optimism of some people to assume that continuing our fundamental policies toward China will bring about different results than the retrogression that we have seen in the past decade.

In the past 10 years, the genocide, for example, has continued in Tibet. The Chinese democracy movement has been wiped out, and there has been increasing belligerence by the clique that runs China. The Beijing regime is modernizing and expanding its military power while threatening the United States and bullying its neighbors, especially in Taiwan and the Philippines.

Big business falsely claims that China is a country that is liberalizing through commercial engagement. There is no evidence for that claim. So every time you hear it: Well, we have got to engage them, that is what will make them better; just be aware that there is every evidence to show just the opposite. In fact, the empirical evidence shows that China is going in the opposite direction, that engagement is not making things better, is not causing a freer China, but instead for the last 10 years has resulted in more repression, more militarization.

Furthermore, the trade relationship is working against the people of the United States. So here we are in an economic engagement that is not helping us bring about a freer China, thus, less belligerent, thus a China that will be more peaceful. It is not doing that, but it is also not even helping us economically.

□ 2245

The Chinese are using their $60 billion annual trade surplus with us to modernize their Armed Forces, including building nuclear missiles aimed at the United States, and they are continuing to proliferate weapons of mass destruction. For example, Communist China is reported to be the power behind North Korea's space program. Get into that.

North Korea has a space program. This is a country that has people who are starving by the thousands, that we are giving millions of dollars worth of food aid to, but they have a space program? You got it. Communist China is helping the North Korean regime with a so-called space program. In other words, they are helping them build

rockets that, when tested, end up flying right over Japan and land close to Alaska.

North Korea, of course, is not the only looney country Communist China is helping along with deadly weapons technology. You have got Iran, Libya, Pakistan, all have benefitted from Beijing's helping hand. Of course, some of the technology now being handed over is technology based on things that they have stolen, on ideas and engineering techniques that they have stolen from the United States of America.

On April 15 the Washington Post cited a Pentagon study that verified China is continuing to ship weapons of mass destruction technology to the Middle East and South Asia, despite repeated promises to end such activity.

A separate U.S. intelligence report found that China has recently provided North Korea with specialty steel used in the building of missile frames. However, the State Department officials, including Secretary of State Madeleine Albright, have repeatedly avoided answering questions before the House Committee on International Relations hearings when asked about China's ongoing proliferation activities.

When Secretary Albright was in China last summer with the President, China conducted its first successful test of a motor for its new DF–31 ballistic missile that can strike the United States from the Chinese mainland. So here was the President of the United States, so eloquent in his presentation, there he was representing us, along with Secretary of State Albright, supposedly representing our interests. They were aware that this new missile engine was being tested, a missile engine that could threaten the people of the United States. They were also aware that weapons technology had been stolen from the United States that would permit Communist China to build warheads, nuclear warheads, that would be on the top of those new rockets, and these rockets could strike the United States.

Yet there was no record of the Secretary of State or President Clinton raising this issue with their Chinese hosts. Instead, they continued on that visit to praise the increasingly, I would say increasingly brazen communist leaders, as being strategic partners, strategic partners, and the type of people that we can do business with.

This is very sad. It is more than sad, it is frightening. The recent Pentagon report describes how Chinese Government owned companies are selling weapons technology and knowhow and providing training to countries such as Iran and Pakistan. An American military official familiar with the report said that the Chinese are skirting nonproliferation treaties with the United States.

So they have agreed not to proliferate. This was the President's great accomplishment, supposedly, with Communist China. We were going to give them all sorts of things in trade benefits so they would not proliferate, yet we know now they are proliferating and developing weapons of their own and giving them to these hostile and somewhat crazy states, states that are lacking in positive and responsible leadership. But Communist China is shipping them these weapons of mass destruction technology anyway, even though they have made these agreements.

The Chinese are shipping these rogue nations missile components, some of which, of course, are American products as well as American knowhow, and they are shipping the components rather than shipping the whole missile. That way they are saying they are not really proliferating missiles to these other countries.

But they are. They are proliferating on a routine basis, of course, without technically breaking the agreements with the United States, by just sending the parts to the missile. This nefarious behavior could be, we might call it the Mandarin version of a famous Arkansas homily, ''smoke, but don't inhale.''

After reading the Cox report, one is struck by the mind-boggling loss of our country's most deadly secrets. When you hear the gentleman from Pennsylvania (Mr. WELDON) explain the magnitude of the loss that we have seen, it takes your breath away and makes you wonder how our children will live, what type of lives they will live, whether or not America could be incinerated by a Chinese dictatorship that feels it can afford to lose hundreds of millions of people if it means wiping out its enemy, 100 or 200 million Americans.

The theft of U.S. nuclear secrets by Communist China is surpassed only by the complete abandonment of security precautions at our Department of Energy under the Clinton Administration, as well as a brazen attempt by the Clinton Administration to keep the knowledge of this catastrophic transfer of weapons technology, to keep the news of this from the Congress and the American people.

On May 30, the New York Times reported the utter cynicism and duplicity of the Clinton administration concerning our nuclear weapons programs. After the Cox committee released its report on Chinese espionage at our nuclear labs, Bill Clinton called protecting atomic secrets ''a solemn obligation.'' That is what President Clinton called it.

However, in private, administration officials told reporters, and this is reported by the New York Times, that openness, a euphemism for giving away our nuclear secrets, has its advantages, despite the risks, and has been a potent force for international good.

Hazel O'Leary, who the gentleman from Pennsylvania (Mr. WELDON) has also quoted and talked about some of her policies, in fact Mr. WELDON was right on target and this will even add to what Mr. WELDON was saying, Hazel O'Leary, President Clinton's Secretary of Energy from 1993 to 1997, was the grand poobah of nuclear openness, as we have seen by what Mr. WELDON told us this evening. In fact, she massively declassified secrets and put them on the Energy Department's web site, including the diagrams of some advanced nuclear weapons which we saw tonight in Mr. WELDON'S presentation.

When asked about that recently, Mrs. O'Leary said, ''we pulled off an impossible feat,'' and she recently boasted this while defending her action. She went on, ''To say that all of our efforts were negative is not to understand the benefits, not to see what we did in terms of building international trust.''

See, the idea is if everybody had all this information, information about deadly weapons technology that we had spent hundreds of billions of dollars developing, that if everyone had it, well then, it might be a more peaceful world. This is worse than the Rosenbergs. This is looney tunes. This is someone who has a fanatical anti-American altitude in a position to hand over to our worst enemies secrets that put our young people and our country in jeopardy.

Needless to say, most defense experts obviously disagree with Mrs. O'Leary's bizarre, and I would say strange, logic. It takes more than a postgraduate degree from an ivy league school to have logic like this. However, O'Leary could not have undertaken this massive giveaway of a decade of brilliant and costly weapons research that permitted the United States to be the arsenal of democracy, she could not have done this without at least the tacit support of the Commander in Chief.

The New York Times surmised that the new age defense policy emanating from the White House explains why Mrs. O'Leary did this. It explains also the administration's slow response when confronted with very real evidence of Chinese spying and the loss of blueprints for frighteningly powerful weapons.

In 1993, O'Leary told a news conference at the start of the openness process, ''The United States must stand as a leader. We are declassifying the largest amount of information in the history of our department.'' O'Leary also did away with a counterintelligence effort, security badges and effective security clearances. She eliminated all of these, as Mr. Weldon alluded to a few moments ago.

Remember the promise to reinvent government? Remember that promise? Well, this is it. This administration reinvented our government policy towards its labs. You might say they turned our nuclear labs into a high-tech K-Mart, I guess in Arkansas you might say Wal-Mart, in terms of the giving away or making available to international missile technicians and spies information that we invested billions of dollars to develop.

This was not a going-out-of-business sale on the part of the United States Government; this was a going-out-of-sanity sale on the part of the United

States Government. Those who benefitted the most were the minions of the People's Republic of China, the Communist Chinese, our erstwhile constructive strategic partners.

Madam Speaker, I yield to my friend from Arizona.

Mr. HAYWORTH. Madam Speaker, I want to thank my friend from California and our colleague from Pennsylvania (Mr. WELDON) who preceded us in the well of the House. If there have been two among the 435 honored to serve in this chamber, it has been the gentleman from Pennsylvania and the gentleman from California who, together, have sounded the clarion call to the extent of the threat which affects our national security.

Madam Speaker, I was honored earlier today to bring to this floor a measure that deals with the educational security of rural America, and it is worth noting that there was not a single member of this House present who voted against the legislation for the New Education Land Grant Act.

Madam Speaker, I said at that time, this is an issue that affects us not as Republicans or as Democrats, but as Americans. Madam Speaker, the full House assembled worked its will in bipartisan fashion.

How sad it is, Madam Speaker, to see what transpires in this town via smoke and mirrors and spin, when we are dealing with a problem that threatens the security of every American; to read in the Little Rock Democrat Gazette from one columnist that this is some form of red scare, to have those hurl verbal brickbats at a clear and present danger to the United States.

As my colleague from California no doubt experienced during the district work period, Madam Speaker, I heard from countless constituents, from those who had borne the brunt of battle, from those who had worn the uniform of our country in peacetime and in war, from those who were concerned citizens, asking, what is this Chinese connection? What is this notion of a strategic partnership that would involve illegal political donations to those who would occupy our highest offices in the executive branch, what would possess business leaders to so jeopardize American security to grant technological prowess to the Communist China, and why would there be those within the administration who would turn a deaf ear and a blind eye to the theft of our most precious secrets?

□ 2300

As my colleague from California pointed out, why would there be cabinet officials who had a curious notion of utopia who would open our national labs, expose our national secrets, create an environment in which an employee at Los Alamos could put on an unsecured computer our legacy codes, the width and breadth of American nuclear knowledge and technological knowhow to fall into the hands of any foreign power, but especially the Communist Chinese?

And how, Madam Speaker, could we have an Attorney General, given the number of wiretaps for national security that were authorized, fail to authorize the two wiretaps involving one Wen Ho Lee, the accused assailant who would surrender our nuclear secrets to the Communist Chinese?

Again, Madam Speaker, as my colleague, the gentleman from California, as our friend, the gentleman from Pennsylvania, so eloquently pointed out, this is not a matter of being Republican or Democrat, this is not a matter of preening and posturing for the latest spin cycle.

Indeed, Madam Speaker, this goes to the core of our national security and the security of every American family and our place in the world, and those who would oppose us and use our technology against us. That is what we deal with.

Mr. ROHRABACHER. Madam Speaker, perhaps the most disturbing part of this whole controversy is the response that we have had from people who are trying to protect the administration from being held accountable for certain things dealing with this controversy.

For example, I heard in a committee hearing, those of us who were complaining about this were accused of vulgar partisanship, as if in bringing this up we were doing this out of partisan concerns.

I certainly explained at that point that the only thing vulgar and the only vulgar partisanship going on was that certain people on the other side felt compelled to have to try to block those of us who were trying to investigate this, trying to hold those who have committed this sin against the American people accountable, claiming that we were being partisan in doing so.

Even today we hear people who are apologists for this, and this has to be labeled a national security catastrophe of a magnitude that we have yet to experience. Even the Rosenberg catastrophe, where Josef Stalin got his hands on the first nuclear weapon, that was horrible, that was a bad thing. That affected the entire Cold War. It probably led to the war in Korea. But that probably was not as bad for our long-term national security as what has happened here.

But we are told even now by these people who are trying to say that, well, it is not really that bad, and how many times will we hear someone say, we spy, our allies spy, everybody spies, so how can we blame China? Yes, in a way, how can we blame China? We have to blame the incompetence or culpability of people in our government to let this happen.

But let me point out, it is not the same when Great Britain or Belgium or Italy or a democratic country spies on us. If Great Britain were to receive these benefits of all of this research that we have had into these terrible weapons systems, no one would worry. It would not be a big problem. We would not like it, but it is a democratic country. Great Britain is not aiming its weapons at the United States. We cannot perceive and conceive of a situation where they will.

But what we are talking about when someone says that, well, we spy, they spy, everybody spies, what they are talking about is a moral equivalency argument. This is the same moral equivalency argument that says there is nothing, no difference between a democracy and a vicious dictatorship.

What this leads to is this, this leads to the type of actions that were taken by Mrs. O'Leary there at the beginning of the administration and probably consistent with the President's world theory that you can just shovel all this information out so every country can have it, regardless if they are a dictatorship or a democracy, and it will not make any difference.

It is more likely, and this is the motive here if you have a moral equivalency argument, we can then let all of this information out and we can build a world authority, and perhaps that was the goal.

Two things we should know about, moral equivalency and globalism. Moral equivalency and globalism, that is a formula for tyranny. It is a formula for the destruction of the United States of America. There is nothing morally equivalent about a democratic country that protects the rights of its people, permits people to worship as they see fit. And yes, we are not perfect, but we have freedom of speech, and where we have imperfections, we can work together and we can try to make things better. But when there is a corrupt official, those who complain are not shot, like they are in Communist China. They are not thrown into a Lao Gai prison system.

There is no moral equivalency between dictatorship and a democratic government, especially the United States of America. It is this leftist concept that probably led Ms. O'Leary, Secretary O'Leary, to give this information out. Now it is being used right in front of our eyes to say, well, spies here, spies there, everybody spies. That is a fallacious argument.

A country that is a dictatorship, unlike a country that is a democracy, cannot be a trusted partner of the United States and a friend of the United States. If we do so, if we put our faith in dictators and gangsters and people who commit these types of heinous abuses against their people, we will pay an awful price. We are paying that price today.

Our administration continues to call it a strategic partner. I yield to the gentleman from Arizona (Mr. HAYWORTH), and then I will give some reasons why China cannot be a strategic partner of the United States.

Mr. HAYWORTH. Madam Speaker, I would thank my colleague from California, who eloquently establishes the dynamic and the challenge which we

confront as a Nation. Thank God that we are a constitutional republic with rights guaranteed by the first amendment.

To those who would abridge those rights, to those who would turn a jaundiced eye to the abuses of others abroad, to those who would dare describe repressions, totalitarian regimes as strategic partners, it is time for a little straight talk.

I know my colleague is familiar with the work of Bill Gertz, the Washington Times national security reporter who has authored a comprehensive evaluation of the extent to which our secrets have been stolen and leaked to hostile Nations. The name of the book is entitled ''Betrayal.''

I would say not only does Communist China present a problem, but North Korea, Pakistan, Iraq, Iran, those nations with whom the Communist Chinese have shared the nuclear technology reaffirms the fact that even in this alleged post-Cold War era, the world remains a dangerous place.

One other note I would point out to my colleague from California, Madam Speaker. When we assemble here in early January of the odd-numbered year every 2 years to take our oath of office, we take our oath of office to the Constitution of the United States. We heard the President and Vice President take a similar oath, to uphold and defend the Constitution of the United States; not the U.N. charter, not the NATO charter, not a utopian notion of a strategic partnership, but our allegiance is to our Constitution, to our sovereignty and to our legitimate national interest.

How tragic it is that it appears those national security interests have been bartered away for campaign contributions, or naively given away for global considerations.

Mr. ROHRABACHER. Madam Speaker, I would like to go through a few reasons of why China is not our strategic partner. People have to understand, there is a lot of rhetoric about China being the worst human rights abuser. People do not understand the specifics of what we are talking about.

What we have here is the world's largest dictatorship. According to Amnesty International, there are thousands of political prisoners who remain even today in the Lao Gai forced labor camps, which are a prison system where you have basically slave labor. Sometimes these are just, as we say, thousands of political prisoners who are making some of these low-cost items, and this suit did not come from China.

□ 2310

But perhaps the suit worn by someone who is reading this CONGRESSIONAL RECORD or listening tonight is made in China. One must remember that that suit might have been made by someone who simply was a religious believer who was thrown into a prison system and forced for decades to work as a slave laborer because of his or her faith.

There are at least 2,000 persons in prison for so-called counterrevolutionary crimes. Some 200 Tiananmen Square protesters, after 10 years, are still in prison for peacefully participating in pro democracy protests.

During the past 2 months, the Chinese Communist government has issued new laws, this is just the last 2 months, that strengthen the Communist party and further restrict freedom of speech and the formation of political parties.

Genocide continues in Tibet where hundreds of thousands have perished since the invasion of 1950. China's own statistics show that, during the 1959 freedom uprising in Tibet 87,000 Tibetans were ''eliminated.'' Today the Tibet Information Center in London cites at least 183 political prisoners at the end of 1998, including 246 women. The Physicians of Human Rights have reported the brutal torture of Tibetan political prisoners by their Chinese jailers, and this torture by their Chinese jailers is rampant.

The Chinese Government has recently issued a new law in Tibet eliminating religion in and promoting Marxism. This is the Chinese Government in Beijing that has kidnapped this young religious leader who would then take the seat of the Dalai Lama someday if he is still alive. What monstrous regime would take a little child who is nothing more than a pacifist religious loader, a figure of pacifism and a religion of Buddhism, and take him away and perhaps murder him.

On May 29, the South China Morning Post Newspaper reported that, since March, Beijing has deployed extra troops to tighten control over Tibet. In addition, they have recruited former People's Liberation Army troops from China to migrate to Tibet to act as sort of a civil guard to assure China's control of Tibet by force.

So here we are, here we are fighting and spending tens of billions of dollars to try to thwart ethnic cleansing in Kosovo, but we are calling the Communist Chinese regime our strategic partners when they are engaged in ethnic cleansing every bit as brutal and every bit as tyrannical as what is going on in Kosovo.

When some people claim that China is not a threat to its neighbors, they conveniently forget that when Mao Tse Tung conquered China in 1950, Tibet was a sovereign country with its own language, its own religion, and its own culture. There is no difference, as I say, between China's occupation and the genocide of Tibet than Japan's brutal occupation and the ethnic cleansing of Manchuria in the 1930s.

The United States tried to pretend at that time in the 1930s that the Japanese were not committing an aggression. They had hoped that by trade and finance that the Japanese would be able to be turned, that the presence of Japanese students at our colleagues and universities, that dancing the Charleston would help the Japanese turn a different way, that Japan would be our friend with this type of engagement.

In 1941, these delusions lead to the tragedy of Pearl Harbor. Given the lethal power of today's weapons of mass destruction, we would not have the luxury of months to build up our Navy and our military and our Air Force to respond to a devastating surprise attack by China's so-called asymmetrical warfare plans.

In the Xinjiang region, in the far regions known as East Turkestan, that is Xinjiang, the suppression of religion, and that is the Muslim religion and political arrests and executions parallel the systematic brutality in Tibet.

In 1999, Amnesty International documented 190 executions of political prisoners in that province after unfair and summary trials. The report also cites 200 political prisoners known to be detained at this time with arbitrary arrests continuing.

Whether it is Tibet or in East Turkestan, while the local populations continue to decline, part through forced abortion, part through sterilization, ethnic Chinese, as I have stated, the ethnic Chinese are moving in. Hordes of them are coming in and establishing these areas as colonies, as resource-rich territories.

China is making major military moves, not only on the continent of Asia, but is moving towards places like the Spratley Islands, bullying our regional democratic allies, such as the Philippines and Indonesia, and threatening the vital sea lanes of the South China Sea.

There are some people who claim that it is wrong to compare the Communist Chinese to Hitler and the Natzis. I agree maybe that that comparison is not right. But I do believe that there is a more accurate comparison; and that is, the Communist Chinese should be compared to the militaristic regimes in the Japanese era of the 1920s, perhaps the regimes of Tojo and Yamamoto.

What was the goal of the Japanese in the 1920s? They believed themselves to be racially superior. They believed they had a right to dominate Asia and to conquer the Pacific. It is ironic that, in less than 10 years before the attack in Pearl Harbor, that Admiral Yamamoto attended graduate school in the United States at Harvard University and as a student in the United States was made aware of many American military strategies.

The Spratley Islands lie close to the coast of the Philippines, Malaysia, and Indonesia. China is now building fortifications on these atolls and reefs while it builds up a blue water navy and a submarine force.

Ironically, there has been no militarization of these islands, the Spratley Islands, since the Japanese used them as stationery aircraft carriers during the early stages of World

War II. The Spratleys were turned in at that time, they were turned into military bases in preparation to invade the Philippines.

It was incredibly eerie last December, on the eve of Pearl Harbor Day, when my special assistance Al Santoli and my good friend Jeff Baxter toured the battlefield and the tunnels of Corrigedor right outside of Manila. And on this pleasant tropical mountainous island, American military men and women held out as their ammunition ran out and they held out against overwhelming Japanese occupation force. In fact, my wife's Uncle Lou was captured by the Japanese in the Philippines. He was part of the Bataan Death March where he saw innocent civilians being bayoneted and horrible human rights abuses and abuses and horrible things that happened to those American prisoners.

That was what happened because of our policy in the 1920s, ignoring what was going on in Japan. That was our policy of engagement with the Japanese, just as our policy is now to the Communist Chinese; and they have the same dream the Japanese had, dominating Asia and the Pacific basin.

Two days later after my visit to Corrigedor, my friends and I, including Filipino Congressman Roy Golez, a graduate of the U.S. Naval Academy flew over the Spratley Islands in an antiquated Philippine air force C–130, which is around 150 miles from the Philippines over to the South China Sea.

We dropped out of a thick monsoon cloud cover to about 500 feet over the Spratleys over an outcropping called Mischief Reef. In that lagoon at Mischief Reef, within this oval-shaped reef, there were three large Chinese warships. I witnessed hundreds of Chinese construction workers with sparks flying off their welding torches, building permanent military structures on that reef 150 miles off the coast of the Philippines, and bracketing the South China Sea and all of the routes, the trading routes that go through there. Half or three-quarters of the Japanese trade goes through those areas, that trading route, that waterway.

Within 2 months after that flight, Congressman Golez sent me new photos showing me a three-story Chinese concrete command and control building on the very site that we overflew. This grab of territory and this bullying of the Philippines is a warning we ignore at our own peril.

Again, it is time to fundamentally change our policies toward the Communist Chinese government that controls the mainland of China. We are not talking about isolating China. Those claiming that we are trying to isolate China are setting up a false dichotomy. We are talking about a rational policy towards a hostile dictatorship, not an isolationist policy of ignoring overseas threats.

In fact, those of us who are advocating to have a strong and forceful policy toward China, we are exactly the opposite of those who want to overlook Communist Chinese aggressions.

□ 2320

Those are the ones who are more akin to the isolationists of the past. In fact, they are relying on wishful thinking instead of making the tough decisions that are necessary to avert war. We are the realists. We are not isolationists. We are the ones who are asking for a policy that makes sense when confronting a dictatorship. And dictators do not respect weakness. They respect strength, they respect purpose, they respect people who watch out for their own interests.

I introduced a resolution, as my colleague is aware. I introduced this resolution yesterday and it is a resolution of disapproving the annual extension of normal trade relations, formerly Most Favored Nation status, and we would disapprove that. That is what my resolution states. And this is not intended to isolate China. Instead, it sends Beijing a direct message that the United States will not stand by and let them bully their neighbors and we will stand, instead, for our own Democratic principles, and we will protect the economic as well as the military interests of our country.

And when we talk about our country, we are not just talking about a small business elite, a clique of billionaires who make a short-term profit at a time when the economic policies are hurting us economically and the military consequences are overwhelming.

Madam Speaker, I yield to my colleague, the gentleman from California.

Mr. OSE. Madam Speaker, I thank the gentleman from California, and I am particularly pleased to be here with my good friend in the Speaker's chair. I do not speak often on the floor, and I welcome the chance to come down today.

I, in particular, was sitting in my office listening this evening to the discussion on the floor and I thought of the Cox report that I have been reading, traveling back and forth to my district, and in volume I, on page XXIV, it talks about the basis from the Reagan years for the reaching out to China; that having been a decision on our part here in the United States to use our relationship with the People's Republic of China as a strategic offset in the Cold War with the Soviet Union and also to buttress our ability to launch space-based vehicles.

The determination of the Permanent Select Committee on Intelligence, and as noted here in the Cox report, again on page XXIV in volume I, is that that decision, contrary to what people might hear bandied about by many of our colleagues, no longer is applicable; that the consequence or the necessity of having Red China as an offset to the Soviet Union no longer exists because the Soviet Union no longer exists. So the strategic underpinning of our commercial interaction with China has evaporated.

The reason I bring that up, is that in that same document, on XVIII, it talks about two companies in particular who have engaged in significant commercial interaction with the PRC, having to do with their missile defense and development programs, those being Hughes and Loral, and I just wanted to read to my colleagues some of the verbiage that was agreed upon by the bipartisan China commission that the gentleman from California (Mr. COX) chaired, for the record, having to do with multiple independent reentry vehicles; having to do with accident investigation techniques; having to do with testing, modeling and simulation, hardware design and manufacture of these ballistic missiles.

I quote. ''In both 1993 and '95, Hughes failed to apply for or obtain the required Department of State licenses for its activities, because Hughes knew that the Department of State would be unlikely to grant the license and that the licensing process would in any case be lengthy.''

It goes on to say, and keep in mind this is a bipartisan unanimous report, ''Hughes also engaged in deliberate efforts to circumvent the Department of State licensing requirement.''

Now, this is the part that I almost went myself ballistic on the airplane over. ''To this end, Hughes sought the approval of a Department of Commerce official for its 1995 activities and claims to have sought the approval of a Department of Defense monitor for some of its 1993 activities, although Hughes knew that neither official was legally authorized to issue the required license.'' They knew.

This goes on. And it is not just Hughes, it was also Loral. Same page, page XIX, volume I of the Cox report, and these are not my words, this is a bipartisan unanimous writing of the report, ''Loral and Hughes deliberately acted without the legally required license and violated U.S. export control laws.'' This has to do with our most sensitive equipment, dealing with intercontinental ballistic missiles, targeted potentially on the United States.

Where does this lead? Where does this lead? Where is the administration? Again, this is not put out with any singularity. This is a bipartisan report, a unanimously accepted report of the Cox commission.

Mr. ROHRABACHER. Reclaiming my time for a moment, Madam Speaker, the first point the gentleman made, one would understand that. During the Cold War, when we were in a contest with the Soviet Union, we used the China card. We played the China card. And, yes, just like during World War II, when we allied ourselves with Joseph Stalin in order to defeat Adolf Hitler, which was the major threat to peace and freedom at that time, that was a moral thing to do. We were allying ourselves with one bad group in order to defeat a greater threat. It was okay to defeat Adolf Hitler by working with the communists, but after Adolf Hitler

was off the scene and defeated, it was no longer the right thing to do working with the communists. That is number one.

When Ronald Reagan was President of the United States and continued to have this policy of working with China, because the Soviet Union was still our enemy, even then we were supporting a democracy movement in China. We were supporting those people who were struggling to build a free China. That is why there was a great surge of democracy at the end of the Reagan administration. And at Tiananmen Square, which, of course, happened right after Reagan left office, there was this great upsurge of democracy in China, and within a few months they were massacred. They were massacred at Tiananmen Square, which was just 10 years ago.

But let me go to this point about the companies that my colleague from California is talking about. I am the chairman of the Subcommittee on Space and Aeronautics of the Committee on Science, and it was the activities of several of these American aerospace companies that first led me several years ago to investigate this issue.

I spent 6 months of my life investigating that American companies were upgrading communist Chinese rockets. Perhaps my friend from Arizona remembers me stopping on the floor and saying something terrible is going on here and I am looking into it. I went around telling people, ''I investigated this. I went to the contractors and subcontractors.'' And, finally, I got enough information to prove exactly what the Cox report has verified and there was an official investigation launched by the Cox report.

But what is significant here is these companies are part of an engagement strategy. My colleagues have to remember we have set down the rules for these companies to go into China. The idea is that engagement will make China more liberal and will then pose less of a threat to the United States. But what are we reading? What is the gentleman telling us? What that report verifies is this policy has had the opposite impact. In a horrible way it has made us vulnerable like we never dreamed we would be vulnerable. Our children now are in jeopardy to be incinerated by these high-tech weapon systems we spent billions of dollars to develop. We could not have imagined that in our worst nightmare. It has been a wrong policy. We have to go back and reexamine it. We have to change that policy.

And what has it done? It has made us less safe over here. It has not been good for us economically. Our companies are setting up factories over there to put our own people out of work. It is corrupting our own political process.

□ 2330

Those same companies and other companies are lobbying us. They are not over in China lobbying for democracy. They are lobbying us. They are giving us contributions in order to protect their slave trade and their blood money.

I yield to my friend from Arizona.

Mr. HAYWORTH. I thank my colleagues from California. I thank our new Member of the Congress for his perceptive abilities to go right to the bipartisan report and get to the heart of the matter. And as my more senior colleague from California points out, as I sit and hear my two friends reflect on this obscenity committed against our constitutional republic, I cannot help as a student of history step back and realize how prophetic were the words of our 34th President, Dwight David Eisenhower, in his farewell address when he told us to be mindful of the military-industrial complex, of those whose allegiance to our Nation could be subverted. And we have seen it in the case of Hughes and Loral, in the case of Loral, Bernard Schwartz, the top contributor to the Democratic National Committee, and it is tragic that this transpired. But facts are stubborn things. And to look beyond that, to the words of the bipartisan report, that these companies willfully circumvented American law and, Madam Speaker, this points out an affliction, a cancer that is infecting the body politic, when we have those who have sworn to uphold and execute our laws who refuse to enforce the law and apparently have broken those laws.

My colleague from California, in the candor for which he is renowned, pointed a portion of the culpability at the Congress. But the inescapable fact remains that at the other end of Pennsylvania Avenue, there are those who willfully, willingly sought the contributions of a foreign power, of those who are not citizens of the United States, of those who are not eligible to participate in our political system to gain political victory.

At this point, Madam Speaker, we must ask, what price political victory? The betrayal of our most sensitive technologies to put in harm's way the very children the President of the United States spoke of at this podium in his State of the Union address 2 years ago when he came here and bragged to the Congress of the United States that no American child lived or went to sleep that night under the threat of Russian missiles? What price victory, Madam Speaker? What price victory? When those who swear to uphold and defend the Constitution against all enemies, foreign and domestic, and provide for the common defense would allow such a perversion of priorities today to the point where we have not only the Communist Chinese but the outlaw nation that is North Korea and the extremist states of Iraq and Iran and the others who now possess nuclear technology and have within their grasp the ability to harm virtually every American family.

These are questions that cause great unease. There is no partisan glee to this. But the strength of our constitutional republic throughout our history has been that we heed the call and understand the threats and understand the dangers. And we stand again, Madam Speaker, at that very juncture. How tragic the circumstance. But how compelling the call to action for this Congress and for the American people.

Mr. ROHRABACHER. Reclaiming my time for a moment, let me just state that the fight on this issue will be over normal trade relations. If we again renew normal trade relations with Communist China, this body is going to send the signal to not only Communist China but to the world that we are backing away, that we do not have the will to protect our interests, we do not have the will to be the world's leader, we do not have the will to even protect our own national interests and our own national security. All those who are listening, all those people, American people who are out in the hinterland wondering what can I do, what can we do, there are policies that we have to make. The Cox report outlined things that we have to do. First and foremost, we have to quit treating Communist China as if it is a friend, as if it is like Great Britain or a democratic society. First and foremost, we have to quit calling it our strategic partner, quit acting like it is our friend and we have to recognize that it is a hostile power. As a hostile power, we do not have their scientists combing through our laboratories, we do not have exchange programs with their military which I found out they were having exchange programs with our military. We were inviting them here, have been having them here to see how our military conducts its business and to train their own military in logistics and how to run military operations. We have got to quit treating them that way. We have to build a missile defense system. We have got to do it. We have now given them the ability to incinerate our people. Our only hope is to make sure that we rush ahead with technology development to protect them now that that genie is out of the bottle. We have got to make sure that the United States of America ends the trading relationship that gives the Communist Chinese $60 billion in hard currency.

The Communist Chinese, these people who run Beijing, they understand what is going on. At the end of the year, they have $60 billion in hard currency to do with what they want, to modernize their weapons, to make alliances with dictators and gangsters and drug lords all over the world, $60 billion in hard currency to destroy us. We have got to end the rules of the game that gives them that $60 billion. By the way, it is not a free trade situation. The Chinese have high tariffs against any American products that we want to sell there. And we have permitted them to have those high tariffs while their goods flood into the United States at low tariffs. Is this good for American

working people? No. In fact, what is happening when you hear about we have about $14 billion where they say, ''They bought $14 billion worth of goods from us.'' But if you look at what those goods are, those are mainly technologies and manufacturing units, so that we are building up their capabilities, their military capabilities and their manufacturing capabilities with that $14 billion, while they flood into our market with about $80 billion worth of goods and services which they sell to us with almost no tariff. So, in other words, when they talk about, ''We can't isolate China, we have to trade with them,'' they are not selling our products over there, they are building factories over there and they are doing it by closing factories here. And here is the real stinger, which I mentioned earlier. Most-favored-nation status or normal trade relations, as they say, what does that really mean in terms of government policy? The real impact of it is, because even if we do not pass it, people can still sell things, we are not saying you cannot sell things to China, all it means is if someone is going to set up a factory in China, he has to do so at his own risk. When he takes his money over there, he does not get a subsidized loan from the Export-Import Bank, or the IMF or the Asian Pacific Bank or any of these other multitude of financial institutions that receive U.S. taxpayer funds. All we are talking about is cutting off these big businessmen from having their investments guaranteed by the taxpayers and these very same taxpayers are having their jobs taken away because they are setting up factories in China to export back to the United States.

Now, who has it been good for? Who has this economic policy been good for? It has not been good for our security, we have already shown that. My colleague from California demonstrated that these companies ended up doing, what, doing something that strategically national security-wise is a nightmare, so it is not good for our national security. It is not good for us economically. They say, ''Oh, look at our big economic boom.'' Well, our good, big economic boom, yes, why do these Americans have to be investing overseas in Communist China for us to have a boom? They could invest in a democratic country like the Philippines, for example, they need investment there. No, they are investing in Communist China because they can cut one deal with a gangster and they think they are going to get a quick profit.

So who has it been good for? It has not been good for our country, for our economy, for the working people. It has been good for a few billionaires. I call them Bill's billionaire buddies. That is who this China policy has been good for. We have got to have the courage to sever ourselves from the policies of the past and fundamentally reexamine those policies and strategies, not for isolation, not for isolation. We want engagement, yes, just the way we would engage Adolf Hitler or Tojo or someone like that. We engaged them in a way that showed them courage and determination and engaged them only in a way that would benefit the people of the United States and the security of the United States, not in a way that would make them think that we were whimpering cowards.

☐ 2340

At the end of the day, when the President of the United States goes to Beijing and says, or Madeleine Albright goes to Beijing and mouths some cliche about human rights or talks about, oh, you have got to have a better trade barrier, lower those trade barriers, you got to do this, you got to quit persecuting Christians, you got to quit doing these things that get our Congressmen mad at you; the Chinese dictators, these gangsters, take that as a sign that we do not believe in a darned thing. They take that as a sign that even our President and even our leaders care more about these billionaires than they do about the American people and the national security.

The SPEAKER pro tempore (Mrs. BIGGERT). The time of the gentleman from California (Mr. ROHRABACHER) has expired.

Mr. HAYWORTH. Madam Speaker, I ask unanimous consent that I be given the time until the top of the hour when we have to, by the rules of the House, adjourn.

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the Chair recognizes the gentleman from Arizona (Mr. HAYWORTH) for the remainder of the time until the top of the hour.

Mr. HAYWORTH. I thank my good friend, the gentlewoman from Illinois in the Chair, and I thank her for the adroit manner in which she is administering the rules of the House this evening, and I thank her for the indulgence to continue this conversation with my two colleagues from California until the top of the hour, which will be 9 p.m. in the Western States from whence we hail.

But, Madam Speaker, it is worth noting that our words and observations tonight carry to the American people not a paranoia, not a panic, but a clear, strong resolve that at long last those of us who are given the constitutional authority to provide for the common defense understand the clear and present danger that confronts our constitutional Republic.

We take no glee in it, we wish it were not so. But as former President Reagan said, facts are stubborn things, and as my junior colleague from California points out and the bipartisan words of the Cox committee report, there are disturbing conclusions drawn that force us to reassess our national security, that force us to reassess our trade policy, that force us to reassess the affairs of state that ofttimes come under the heading of foreign policy.

The challenges are real. No amount of spin, no amount of economic prosperity, no amount of lip-biting and empathy can obscure them from any quarter. And again we offer this because, as I was taught again during our district work period when I had the chance to stand alongside veterans in Flagstaff, Arizona, when more than 200 residents of that city came together to commemorate the sacrifices of our war dead, I was reminded that the words of our Constitution are more than verbiage strewn on parchment. They are a living, breathing part of us as a people, and we dare not, we dare not ignore our duties and our responsibilities. And citizen after citizen came to me expressing their real concerns.

Oh, we do not hear about them from the 24-hour news networks, we do not hear about them except in scant effort by the three major news network anchors, but the American people understand that Abraham Lincoln, whom history predestined would preside over the most divisive bloody conflict in our history, understood full well that the American people, once fully informed, would make the correct decision; and our role is to fully inform and to answer this threat and this cause.

And I am so pleased that our colleague from California joins us in his first term that he brings this report; and I would note, Madam Speaker, that those who may hear these words can gain access to the Cox committee report via my office Web site, and I think my colleague from California has more he would like to share from that report and other observations.

I would yield to him at this time.

Mr. OSE. Madam Speaker, it is ironic that we find ourselves here talking about rocket scientists, because under no circumstances do I pretend to be a rocket scientist. However I think, like so many things we are involved in, whether it be running our families with our spouses or raising our children or running our businesses, the devil of doing anything is in the details that are involved. And I want to run through a few things that are in the Cox report in particular related to what used to be the United States' quantitative and qualitative edge in technology and what damage has occurred as a result of the loss of these secrets.

As many people know, the United States has continually improved its ability to deliver intercontinental ballistic missiles, whether it be telemetry or design or payloads or what have you; year after year after year, compared to the situations in other countries where the technology available, for instance to the People's Republic of China or others, was either based on 1950s design or was wholly unavailable, period. And the reason these things are so important and particularly related to the most current news we hear about the loss of secrets from Los Alamos and other laboratories is that the design warheads and the manner in

which they are delivered are significantly improved, both in terms of payload and efficiency, by virtue of having one country steal from us that technology that we have created by virtue of investment over tens of years and billions of dollars.

For instance, what used to be our technology in the 1950s could deliver arguably a relatively small payload accurately. Over the years we have been able to create technology and implement technology that allows us to shrink the size of our warheads, improve the delivery system on a ballistic missile basis and put multiple warheads in a single delivery system as opposed to one warhead per delivery.

The tragedy of the theft of these secrets is that our ostensible trading partners now possess the same ability, as compared to as few as 10 years ago, in the late 1980s, when they were totally incapable, incapable of delivering that kind of a weapon on the United States. And the reason that is important is that, as we go forward, as the House wishes and has adopted with its national ballistic missile defense plan, as we go forward, putting that in place, if we have a missile come to our shores with multiple, independent reentry vehicles, the difficulty of preventing those weapons from detonating are multiplied logarithmically. It is not arithmetic, it is not geometric, it is logarithmic because our ostensible trading partners, instead of having again one warhead per missile have shrunk the size of their warheads and loaded multiple warheads onto the missile, and as they come back into the atmosphere, will release them on target.

This is something that affects every single one of us. It has nothing to do with economic trade in my opinion. This is a national security issue, and it is of great concern to me on this issue, as it has been, as you both know and as many of the others know here as to our intervention in Yugoslavia, that we, number one, are ignoring the national security interests in the case of these ballistic missiles and the information that has been stolen relative to technology and the like in one case, and we are unable to identify a national security interest in another case, that being Yugoslavia.

□ 2350

So the gentleman from Arizona's comment is well made about how to get access to this. I am sure that the gentleman from California (Mr. COX) has it on his web site. I would encourage every American to at least read the forward summary in volume 1. It is frightening information. It is emblematic of the difficulty that we face and the dangers we face in the real world today.

Mr. HAYWORTH. In fact, I thank my colleague for his comments.

Madam Speaker, I would invite every member of this House, with the technological capabilities we all enjoy, to post this unanimous bipartisan report on their individual web sites so that, Madam Speaker, those in this country who are citizens, who are concerned, can have access to this information, full and unfettered, so that they understand the extent to which our national security has been jeopardized.

I yield to my more senior colleague from California.

Mr. ROHRABACHER. I think we have certainly outlined tonight the magnitude of the problem, and my colleague from California has demonstrated that what we are talking about is the survival or the incineration of millions of Americans. I mean, again, it is worse than our worst nightmare could possibly have been 10 and 20 years ago. No one could ever have imagined that this would come about.

But I worked for a guy in the White House who always said that what is important is not just to focus on the problem, but to make sure you always offer a solution, and then look towards the opportunities that you have. So I would just like for a couple of minutes talk about the options that we have and just say, what are they?

Number one, first and foremost, we have to start off with a missile defense system. We have to move forward with missile defense. As my colleague from California just mentioned, it is going to be a lot harder now, because they not only have a missile with one warhead, and a missile that was pretty unreliable, but, thanks to some American companies using technology that we paid for, we paid for it, taxpayers developed that technology to protect us during the Cold War, now it has been given away and stolen and actually sold by our major corporate leaders, some of these major corporate leaders. So we have to go forward with missile defense, do it seriously, and do it as if the lives of our children depend upon it.

Number two, we have to work closely and reestablish close ties and a trusting relationship with the democracies of the Pacific and Asia and the Philippines, Japan, Korea and Thailand, which no longer trust in the word of the United States, which see us kowtowing before this communist dictatorship in Beijing. The democratic peoples of the world have to know they can count on the United States, and especially in that area in Asia and the Pacific region.

Again, we must go back to Communist China and we must alter our fundamental relationship, quit treating them as a friend and begin treating them as a hostile power, which means no more military exchanges, no more scientific exchanges, and especially no more subsidies for our businessmen going over there to invest and building up their economy and their capabilities technologically to build these weapons you are talking about. It is one thing to have the blueprints. It is another thing to have the machine tools and the computer technology in order to accomplish that.

We can start, first of all, doing this by eliminating their ability to have an unfair trade relationship with us, by supporting my resolution of disapproval of normal trade relations in the next couple of weeks, which is going to come before the body.

The American people, all of the veterans you saw and that I saw and you saw in your Memorial Day services, veterans from around the United States, should be here pounding on doors, demanding, demanding that we eliminate most-favored-nation status, that normal trade status with China be denied.

This should be a goal of the American Legion and the Veterans of Foreign Wars. Patriotic organizations around the United States in the next two weeks should mobilize behind this and knock on every Congressman's door, and they will listen if the American people speak. Money talks maybe in these campaign contributions, but in a democracy the voice of the people talk louder, and we can be glad we live in a country where the people's will will be heard. We must invest in democracies and invest in democracy.

What that means is this: How did Ronald Reagan win the Cold War without having to fight with the Soviet Union? We faced the same type of incineration, by the way, you are talking about, with the Soviet Union. The Soviet Union had MIRVed warheads too, did they not? They were a horrible threat to our well-being. For decades we lived under that threat.

Ronald Reagan ended it in a number of ways. He rebuilt our military strength, which is something we need to do, not only missile defense. But what he did, most importantly, was support those people who believe in democracy around the world, whether it was in Nicaragua, where eventually the Nicaraguan freedom fighters, who people on the other side of the aisle did everything they could to prevent us from helping those people they called the Contras, and eventually there was a free election in Nicaragua, and those communists, the Sandinistas, were booted out, even though our colleagues on the other side of the aisle said they represent the real will of the Nicaraguan people.

If we support democracy around the world, and that means especially in China, we should be financing and working just like we did with Lech Walesa in Poland and freedom movements, what Ronald Reagan did all over the world. We should focus on China as if our very national survival depended on us reaching out to the decent freedom-loving people of China. If any message goes out tonight, it should be Communist China, Communist China, may be our enemy. That regime of gangsters may be our enemy.

But our greatest ally, our greatest ally, is the people of China. The Chinese people are our friends. They are wonderful people. They long for the

same type of human dignity and freedom and liberty and justice and opportunity for their families that we long for for our families. They do not hate the United States. They are not our enemies. We have to do everything to work for the freedom-loving people and build up that democracy movement that was wiped out by the Communist Chinese once Ronald Reagan left office.

Let us work with them and build Radio Free Asia. Let us support the freedom movement. It is what is true to our principles. Do not let anybody say we are anti-Asian, anti-Chinese. We are not. We are pro-freedom, and we believe that freedom is the right of every person of every color of every religion and every ethnic background. That is our strength.

Mr. HAYWORTH. Madam Speaker, one can almost anticipate the reflexes action of those who man the spin cycles elsewhere in the sectors of this capital city, those cacophony of critics that we are certain to hear.

A couple of notes should be acknowledged as we conclude this time on the House floor. I thank both of my colleagues.

Number one, it is not enough to say everybody does this, for, if that were the case, we would blame Lyndon Johnson for the John Walker Navy espionage spy ring that began operation in the late 1960s.

No, the analogy may be somewhat quaint, but I think it is appropriate. It is one thing to lock your windows and doors and set an alarm and go on vacation and have folks cut that alarm off, somehow circumvent that system, come into what you thought was your secured home and steal your secrets.

It is quite another thing for your neighbor next door to meet the truck of the would-be burglars, to let them in the House, to help them find your most valuable possessions, and then to disavow any knowledge of that action. And that is just how simple and just how sad the current dilemma we face in fact presents itself.

A couple of final notes. It is sad that this administration has worked at cross-purposes. It has, on the one hand, deployed American forces to more locations than any other administration in the post World War II era, and, at the same time, it has denied the efforts of this common-sense conservative Congress to provide for our national defense, to provide the weapons systems, to provide the manpower and material. So you have a situation where there is work at cross purposes.

Worse still, the actions of this Congress to provide a missile defense system at long last after the news of the Chinese theft, those on the left joined us in bipartisan fashion, and yet this President in subsequent correspondence has, pointed out by our majority leader, sought to reassure the Chinese that we would not mount a missile defense system.

Madam Speaker, the American people deserve better. It should be the mission of this Congress to make sure we provide for the common defense.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT). The Chair will remind Members to direct their remarks to the Chair and not to the television audience.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FORD (at the request of Mr. GEPHARDT) for after 5 p.m. On Tuesday, June 8, on account of personal 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. MCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. FILNER, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Mr. PALLONE, for 60 minutes, today.

Mr. OWENS, for 60 minutes, today.

(The following Members (at the request of Mr. OSE) to revise and extend their remarks and include extraneous material:)

Mr. FLETCHER, for 5 minutes, on June 10.

Mr. BURTON of Indiana, for 5 minutes, on June 15.

## ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1379. An act to amend the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, to make a technical correction relating to international narcotics control assistance.

## ADJOURNMENT

Mr. HAYWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock midnight), the House adjourned until today Wednesday, June 9, 1999, at 10 a.m.

## OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 106th Congress, pursuant to the provisions of 2 U.S.C. 25:

Honorable DAVID VITTER, First Louisiana.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2529. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Raisins Produced From Grapes Grown in California; Increase in Assessment Rate [Docket No. FV99–989–2 FIR] received May 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2530. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule—Funding and Fiscal Affairs, Loan Policies and Funding Operations; Investment Management (RIN: 3052–AB76) received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2531. A communication from the President of the United States, transmitting his requests for FY 2000 budget amendments for the Departments of Commerce, Defense, Justice, State, and Transportation, pursuant to 31 U.S.C. 1107; (H. Doc. No. 106—81); to the Committee on Appropriations and ordered to be printed.

2532. A letter from the Assistant General Counsel for Regulations, Office of Postsecondary Education, Department of Education, transmitting the Department's final rule—William D. Ford Federal Direct Loan Program (RIN: 1840–AC57) received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

2533. A letter from the Director, Regulations Policy and Managment Staff, Food and Drug Administration, transmitting the Administration's final rule— Indirect Food Additives: Polymers [Docket No. 92F–0368] received May 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2534. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to provide a program of grants to children's hospitals to support graduate medical education; to the Committee on Commerce.

2535. A letter from the Assistant Administrator, Bureau for Legislative and Public Affairs, Agency for International Development,

transmitting a draft of proposed legislation to amend the Foreign Assistance Act of 1961 to establish a working capital fund for the United States Agency for International Development; to the Committee on International Relations.

2536. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to address various management concerns of the Department regarding its security cooperation programs; to the Committee on International Relations.

2537. A letter from the Senior Attorney, Federal Register Certifying Officer, Department of the Treasury, transmitting the Department's final rule —Rules and Procedures for Funds Transfers (RIN: 1510–AA38) received April 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2538. A letter from the Senior Attorney, Federal Register Certifying Officer, Department of the Treasury, transmitting the Department's final rule —Federal Government Participation in the Automated Clearing House (RIN: 1510–AA39) received April 14, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2539. A letter from the Director, Office of Personnel Management, transmitting a draft of proposed legislation to amend title 5, United States Code, to provide for appropriate targeting of early retirement offers by Federal agencies; to the Committee on Government Reform.

2540. A letter from the Deputy Assistant Secretary for Fish and Wildlife Parks, Department of the Interior, transmitting a draft of proposed legislation to amend the National Trails System Act to create a third category of long-distance trails to be known as National Discovery Trails and to authorize the American Discovery Trail as the first trail in that category; to the Committee on Resources.

2541. A letter from the Principal Deputy Assistant Secretary for Congressional Affairs, Department of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to authorize a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and dependency and indemnity compensation for survivors of such veterans, to authorize payment of these benefits at full rates for certain Filipinos who reside in the United States, to make improvements in veterans home loan guaranty programs, to make permanent certain temporary authorities; to the Committee on Veterans' Affairs.

2542. A letter from the Director, Bureau of the Census, Department of Commerce, transmitting the Department's final rule—New Canadian Province Import Code for Territory of Nunavut [Docket No. 990416099–9099–01] (RIN: 0607–AA32) received May 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2543. A letter from the Assistant Secretary, Administration for Children and Families, Department of Health and Human Services, transmitting the Service's final rule—Child Support Enforcement Program; Grants to States for Access and Visitation Programs: Monitoring, Evaluation, and Reporting (RIN: 0970–AB72) received April 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2544. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Election to Claim Education Tax Credit [Notice 99–32] received May 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2545. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation that addresses various management concerns of the Department of Defense; jointly to the Committees on Armed Services, Small Business, and Government Reform.

## 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:

*[Omitted from the Record of June 7, 1999]*

Mr. SHUSTER: Committee on Transportation and Infrastructure. House Concurrent Resolution 91. Resolution authorizing the use of the Capitol Grounds for a clinic to be conducted by the United States Luge Association (Rept. 106–171). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. House Concurrent Resolution 105. Resolution authorizing the Law Enforcement Torch Run for the 1999 Special Olympics World Games to be run through the Capitol Grounds (Rept. 106–172). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 898. A bill designating certain land in the San Isabel National Forest in the State of Colorado as the ''Spanish Peaks Wilderness'' (Rept. 106–173). Referred to the Committee of the Whole House on the State of the Union.

*[Submitted June 8, 1999]*

Mrs. MYRICK: Committee on Rules. House Resolution 200. Resolution providing for consideration of the bill (H.R. 1401) to authorize appropriations for fiscal years 2000 and 2001 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 2000 and 2001, and for other purposes (Rept. 106–175). 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:

*[Omitted From the Record of June 7, 1999]*

By Mr. CHABOT (for himself, Ms. SLAUGHTER, and Mr. SHIMKUS):

H.R. 2005. A bill to establish a statute of repose for durable goods used in a trade or business; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 2006. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to require persons who are plan administrators of employee pension benefit plans or provide administrative services to such plans, and who also provide automobile insurance coverage or provide persons offering such coverage identifying information relating to plan participants or beneficiaries, to submit to the Federal Trade Commission certain information relating to such automobile insurance coverage; to the Committee on Education and the Workforce.

By Mr. BLUMENAUER:

H.R. 2007. A bill to authorize the Consumer Product Safety Commission to regulate gun safety, to ban the transfer of a firearm to, or the possession of a firearm by, a person who has been convicted of a violent misdemeanor, and to ban the importation or manufacture of handguns which do not have certain safety features, and to ban the transfer of a firearm to, or the possession of a firearm by, a person who has been twice convicted of drunk driving; to the Committee on the Judiciary, 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.

H.R. 2008. A bill to authorize the Consumer Product Safety Commission to regulate gun safety, and to ban the importation or manufacture of handguns which do not have certain safety features; to the Committee on the Judiciary, 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.

H.R. 2009. A bill to apply the same quality and safety standards to domestically manufactured handguns that are currently applied to imported handguns; to the Committee on the Judiciary.

H.R. 2010. A bill to provide for the establishment of a National Firearm Injury Reporting System, and for grants to States for the collection of information on fatal injuries caused by firearms; to the Committee on Commerce.

By Mrs. CHRISTENSEN:

H.R. 2011. A bill to establish the District Court of the Virgin Islands as a court under article III of the United States Constitution; to the Committee on the Judiciary.

By Mr. DEUTSCH (for himself and Mr. WEXLER):

H.R. 2012. A bill to amend title XVIII of the Social Security Act to provide for coverage of outpatient prescription drugs under the Medicare Program; 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. DUNCAN:

H.R. 2013. A bill to amend the Inspector General Act of 1978 to provide for the appointment of the Inspector General of certain Federal agencies by the President of the United States; to the Committee on Government Reform.

By Mr. FRANKS of New Jersey (for himself, Mr. FRELINGHUYSEN, and Mrs. ROUKEMA):

H.R. 2014. A bill to prohibit a State from imposing a discriminatory commuter tax on nonresidents; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 2015. A bill to amend the Internal Revenue Code of 1986 to provide a 5-year extension for the work opportunity credit and the welfare-to-work credit; to the Committee on Ways and Means.

By Mr. GUTIERREZ (for himself and Ms. BROWN of Florida):

H.R. 2016. A bill to amend title 38, United States Code, to repeal the provision of law requiring termination of the Advisory Committee on Minority Veterans as of December 31, 1999; to the Committee on Veterans' Affairs.

By Mr. HERGER (for himself and Mr. POMBO):

H.R. 2017. A bill to amend the Endangered Species Act of 1973 to enable Federal agencies responsible for the preservation of threatened species and endangered species to rescue and relocate members of any of those species that would be taken in the course of certain reconstruction, maintenance, or repair of Federal or non-Federal manmade flood control levees; to the Committee on Resources.

By Mr. HOUGHTON (for himself, Mr. LEVIN, Mr. SAM JOHNSON of Texas, Mr. HERGER, Mr. MATSUI, Mr. CRANE, and Mr. ENGLISH):

H.R. 2018. A bill to amend the Internal Revenue Code of 1986 to simplify certain rules relating to the taxation of United States business operating abroad, and for other purposes; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mr. ENGLISH, Mrs. THURMAN, Mr. FOLEY, Mr. COOKSEY, Mr. SHOWS, Mr. SANDLIN, Mrs. CLAYTON, Mr. WYNN, and Mr. PAUL):

H.R. 2019. A bill to amend the Internal Revenue Code of 1986 to provide that the unearned income of children attributable to personal injury awards shall not be taxed at the marginal rate of the parents; to the Committee on Ways and Means.

By Mrs. JOHNSON of Connecticut (for herself, Mr. HOUGHTON, Mr. CAMP, Mr. ENGLISH, Mr. FOLEY, Mr. UPTON, Mr. LAZIO, Mr. BOEHLERT, Mr. GREENWOOD, Mr. LEACH, Mr. SHAYS, Mr. EHLERS, Mr. LOBIONDO, Mr. GILCHREST, Mr. BASS, Mr. HORN, Mr. BILBRAY, Mr. KOLBE, Mr. QUINN, Ms. PRYCE of Ohio, Mr. FRELINGHUYSEN, Mr. MANZULLO, Mr. OSE, Mr. SMITH of Michigan, Mr. HOEKSTRA, Mr. DREIER, Mrs. KELLY, and Mrs. ROUKEMA):

H.R. 2020. A bill to amend the Internal Revenue Code of 1986 to provide marriage penalty relief, incentives to encourage health coverage, and increased child care assistance, to extend certain expiring tax provisions, and for other purposes; to the Committee on Ways and Means.

By Mr. KENNEDY of Rhode Island (for himself and Mr. BROWN of California):

H.R. 2021. A bill to amend title I of the Employee Retirement Income Security Act of 1974 and title XXVII of the Public Health Service Act to require group health plans and health insurance issuers to provide coverage for human leukocyte antigen testing; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINTOSH (for himself, Mr. PITTS, Mr. ROHRABACHER, Mr. ENGLISH, Mr. TANCREDO, Mr. BLILEY, Mrs. CHENOWETH, Mr. SOUDER, Mr. ISTOOK, Mr. SESSIONS, Mr. HOSTETTLER, and Mrs. MYRICK):

H.R. 2022. A bill to prohibit compliance by the executive branch with the 1972 Anti-Ballistic Missile Treaty and the 1997 mutilateral Memorandum of Understanding related to that treaty; to the Committee on International Relations.

By Mr. MCINTOSH (for himself, Mr. PITTS, Mr. ROHRABACHER, Mr. ENGLISH, Mr. TANCREDO, Mr. BLILEY, Mrs. CHENOWETH, Mr. SOUDER, Mr. ISTOOK, and Mr. SESSIONS):

H.R. 2023. A bill to provide a schedule for production of elements for a national missile defense system; to the Committee on Armed Services.

By Mr. OBERSTAR (for himself, Mr. LIPINSKI, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 2024. A bill to amend title 49, United States Code, to require air carriers to conduct safety audits of foreign air carriers as a condition of approval of certain cooperative arrangements between the carriers; to the Committee on Transportation and Infrastructure.

By Mr. PASCRELL (for himself, Mrs. MALONEY of New York, Mr. WEINER, Mr. UNDERWOOD, Mr. DELAHUNT, Mrs. MCCARTHY of New York, Mr. MEEHAN, and Mr. BRADY of Pennsylvania):

H.R. 2025. A bill to ban the manufacture of handguns that cannot be personalized, to provide for a report to the Congress on the commercial feasibility of personalizing firearms, and to provide for grants to improve firearms safety; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 2026. A bill to enforce the guarantees of the first, fourteenth, and fifteenth amendments to the Constitution of the United States by prohibiting certain devices used to deny the right to participate in certain elections; to the Committee on House Administration.

H.R. 2027. A bill to require that candidates who receive campaign financing from the Presidential Election Campaign Fund agree not to participate in multicandidate forums that exclude candidates who have broad-based public support; to the Committee on House Administration.

By Mr. PITTS (for himself, Mr. SMITH of New Jersey, Mr. MCINTOSH, and Mr. WOLF):

H.R. 2028. A bill to authorize appropriations for fiscal year 2000 for infant and child health programs under chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, and for other purposes; to the Committee on International Relations.

By Mr. RADANOVICH (for himself, Mr. GIBBONS, Mr. HERGER, Mr. SKEEN, Mr. SESSIONS, Mrs. CHENOWETH, Mr. HILL of Montana, Mr. STUMP, Mr. WALDEN of Oregon, Mr. SIMPSON, Mr. SCHAFFER, Mr. ISTOOK, Mr. CHAMBLISS, and Mr. PETERSON of Pennsylvania):

H.R. 2029. A bill to amend the National Environmental Policy Act of 1969 to require that Federal agencies consult with State agencies and county and local governments on environmental impact statements; to the Committee on Resources.

By Mr. RAMSTAD:

H.R. 2030. A bill to amend title XVIII of the Social Security Act to improve the process by which the Secretary of Health and Human Services makes coverage determinations for items and services furnished under the Medicare Program, 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. SCARBOROUGH (for himself, Mr. SENSENBRENNER, Mr. DELAHUNT, and Mr. CANNON):

H.R. 2031. A bill to provide for injunctive relief in Federal district court to enforce State laws relating to the interstate transportation of intoxicating liquor; to the Committee on the Judiciary.

By Mr. THORNBERRY:

H.R. 2032. A bill to amend the Department of Energy Organization Act to establish a Nuclear Security Administration and an Office of Under Secretary for National Security in the Department of Energy; to the Committee on Commerce, and in addition to the Committees on Armed Services, and Science, 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. WALDEN of Oregon:

H.R. 2033. A bill to amend the Communications Act of 1934 to provide that the lowest unit rate for campaign advertising shall not be available for communications in which a candidate attacks an opponent of the candidate unless the candidate does so in person; to the Committee on Commerce.

By Mrs. WILSON:

H.R. 2034. A bill to provide for the establishment of a School Security Technology Center and to authorize grants for local school security programs, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING:

H.J. Res. 56. A joint resolution recognizing Commodore John Barry as the first flag officer of the United States Navy; to the Committee on Armed Services.

By Mr. ROHRABACHER:

H.J. Res. 57. A joint resolution disapproving the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the People's Republic of China; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H. Con. Res. 125. Concurrent resolution expressing the sense of the Congress in support of the development and use of firearms personalization technology; to the Committee on Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROWN of California (for himself and Mrs. MORELLA):

H. Con. Res. 126. Concurrent resolution to honor the ExploraVision Awards Program and to encourage more students to participate in this innovative national student science competition; to the Committee on Education and the Workforce.

By Mr. HASTINGS of Florida (for himself, Mr. PAYNE, Mr. CHABOT, Ms. LEE, and Mr. CONYERS):

H. Res. 199. A resolution to commend the signing of a cease-fire agreement and to urge a swift solution to the crisis in Sierra Leone; to the Committee on International Relations.

*[Submitted June 8, 1999]*

By Mr. TAUZIN:

H.R. 2035. A bill to correct errors in the authorizations of certain programs administered by the National Highway Traffic Administration; to the Committee on Commerce.

By Mr. HYDE:

H.R. 2036. A bill to protect children; to the Committee on the Judiciary, 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. MCCOLLUM (for himself and Mr. HYDE):

H.R. 2037. A bill to combat youth violence and to protect children from violent crime; to the Committee on the Judiciary.

By Mr. WELLER (for himself, Mr. CARDIN, Mr. CRANE, Mrs. JOHNSON of Connecticut, Mr. ENGLISH, Mr. MCCRERY, Mrs. THURMAN, Mr. FOLEY, Mr. COLLINS, and Mr. JEFFERSON):

H.R. 2038. A bill to amend section 468A of the Internal Revenue Code of 1986 with respect to deductions for decommissioning costs of nuclear powerplants; to the Committee on Ways and Means.

By Mr. STARK:

H.R. 2039. A bill to restore actuarial balance to the Social Security trust funds; to

the Committee on Ways and Means, and in addition to the Committee on the Budget, 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. STUMP (for himself, Mr. EVANS, Mr. QUINN, Mr. FILNER, Mr. EVERETT, Ms. BROWN of Florida, and Mr. MCKEON):

H.R. 2040. A bill to provide for a comprehensive assessment of veterans' cemeteries; to the Committee on Veterans' Affairs.

By Ms. GRANGER (for herself, Mrs. KELLY, Mrs. WILSON, and Ms. PRYCE of Ohio):

H.R. 2041. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide to participants and beneficiaries of group health plans access to obstetric and gynecological care; to the Committee on Education and the Workforce.

By Mr. UPTON:

H.R. 2042. A bill to establish a Commission on health policy for employer-sponsored health plans; to the Committee on Education and the Workforce.

By Mrs. KELLY:

H.R. 2043. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide to participants and beneficiaries of group health plans access to unrestricted medical advice; to the Committee on Education and the Workforce.

By Mr. SHERWOOD:

H.R. 2044. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide to participants and beneficiaries of group health plans access to pediatric care; to the Committee on Education and the Workforce.

By Mr. TOOMEY:

H.R. 2045. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide to participants and beneficiaries of group health plans access to emergency medical care; to the Committee on Education and the Workforce.

By Mr. FLETCHER:

H.R. 2046. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to ensure access by participants and beneficiaries of group health plans to information regarding plan coverage, managed care procedures, health care providers, and quality of medical care; to the Committee on Education and the Workforce.

By Mr. TALENT (for himself and Mr. DOOLEY of California):

H.R. 2047. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees; to the Committee on Education and the Workforce.

By Mr. BLAGOJEVICH (for himself and Mrs. MCCARTHY of New York):

H.R. 2048. A bill to amend section 922(x) of title 18, United States Code, to prohibit the transfer to and possession of handguns, semiautomatic assault weapons, and large capacity ammunicition feeding devices by individuals who are less than 21 years of age, and for other purposes; to the Committee on the Judiciary.

By Mr. DAVIS of Virginia (for himself and Mr. WOLF):

H.R. 2049. A bill to rename Wolf Trap Farm Park for the Performing Arts as ''Wolf Trap National Park for the Performing Arts''; to the Committee on Resources.

By Mr. LARGENT (for himself and Mr. MARKEY):

H.R. 2050. A bill to provide consumers with a reliable source of electricity and a choice of electric providers, and for other purposes; to the Committee on Commerce, and in addition to the Committees on Ways and Means, Transportation and Infrastructure, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO:

H.R. 2051. A bill to amend title 49, United States Code, to require the Secretary of Transportation to investigate and hold public hearings in response to petitions claiming unreasonably high air fares or inadequate air carrier competition at airports; to the Committee on Transportation and Infrastructure.

By Mr. DEFAZIO (for himself and Mr. WALDEN of Oregon):

H.R. 2052. A bill to provide the State of Oregon with a role in decisions made on environmental restoration and waste management at the Department of Energy's Hanford Reservation; to the Committee on Commerce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself and Mr. BOEHLERT):

H.R. 2053. A bill to allow taxpayers to designate contributions to charity on their return of tax and to establish the Checkoff for Charity Commission to ensure that such contributions are paid to the designated charities; 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. ENGLISH (for himself, Mr. OSE, Ms. PRYCE of Ohio, Mr. RAMSTAD, Mr. SHAYS, Mr. SCHAFFER, Mr. FOLEY, Mr. SHAW, Mr. GARY MILLER of California, Mr. NETHERCUTT, Mr. SANDLIN, and Mr. DAVIS of Florida):

H.R. 2054. A bill to amend the Internal Revenue Code of 1986 to reduce for individuals the maximum rate of tax on unrecaptured section 1250 gain from 25 percent to 20 percent; to the Committee on Ways and Means.

By Ms. ESHOO:

H.R. 2055. 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 Commerce.

By Mr. FORBES:

H.R. 2056. A bill to establish United States Government policy regarding the necessity of requiring the full withdrawal of all Syrian military, security, intelligence and proxy forces from Lebanon and the restoration of Lebanon's independence; to the Committee on International Relations, and in addition to the Committees on Ways and Means, and Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOSTETTLER (for himself, Mr. ADERHOLT, Mr. BARTLETT of Maryland, Mrs. CHENOWETH, Mr. JONES of North Carolina, Mr. LEWIS of Kentucky, Mr. MCINTOSH, Mr. PICKERING, and Mr. TANCREDO):

H.R. 2057. A bill to amend the Revised Statutes of the United States to eliminate the chilling effect on the constitutionally protected expression of religion by State and local officials that results from the threat that potential litigants may seek damages and attorney's fees; to the Committee on the Judiciary.

By Mr. ISAKSON:

H.R. 2058. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for estate tax purposes equal to the value of the decedent's individual retirement plans, section 401(k) plans, and certain other retirement plans; to the Committee on Ways and Means.

By Mr. KING (for himself and Mr. STUPAK):

H.R. 2059. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to extend the retroactive eligibility dates for financial assistance for higher education for spouses and dependant children of Federal, State, and local law enforcement officers who are killed in the line of duty; to the Committee on the Judiciary.

By Mr. LIPINSKI (for himself and Mr. CRAMER):

H.R. 2060. A bill to amend title 23, United States Code, and the Internal Revenue Code of 1986 to make revenues from excise taxes imposed on fuel used in trains available for projects for the elimination of hazards of railway-highway crossings, and for other purposes; to the Committee on Transportation and Infrastructure, 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. LUCAS of Kentucky:

H.R. 2061. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to reduce the amount of funds to a State that does not have in effect certain provisions; to the Committee on the Judiciary.

By Mrs. MALONEY of New York (for herself and Mr. CASTLE):

H.R. 2062. A bill to amend the Right to Financial Privacy Act of 1978 with respect to financial exploitation of older or disabled individuals; to the Committee on Banking and Financial Services.

By Mr. MARKEY:

H.R. 2063. A bill to provide for a study of marketing practices of the firearms industry; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEAL of Massachusetts:

H.R. 2064. A bill to suspend temporarily the duty on instant print film; to the Committee on Ways and Means.

H.R. 2065. A bill to suspend temporarily the duty on instant print film; to the Committee on Ways and Means.

By Mr. PICKERING (for himself, Mr. THOMPSON of California, and Mr. CHAMBLISS):

H.R. 2066. A bill to amend the Food Security Act of 1985 to authorize the annual enrollment of land in the wetlands reserve program, to extend the program through 2005, and for other purposes; to the Committee on Agriculture.

By Mr. RYAN of Wisconsin:

H.R. 2067. A bill to require that, for purposes of the 2000 census, members of the armed forces on active duty be allocated to their home of record, and overseas military dependents be allocated to their last United States residence or, alternatively, to the same place as the member of the armed forces; to the Committee on Government Reform.

By Mr. SALMON (for himself, Mr. BAKER, Mr. GRAHAM, Mr. CUNNINGHAM, Mr. STUMP, Mr. PAUL, Mr. GOSS, Mr. CAMPBELL, Mr. ROYCE, Mr. HOEKSTRA, Mr. SOUDER, Mr. COOKSEY, Mr. COBURN, Mr. MCCRERY, Mrs. KELLY, Mr. FOLEY, Mr. HAYWORTH, Mr. BARTON of Texas, Mr. SESSIONS, Mr. SENSENBRENNER, and Mr. CALVERT):

H.R. 2068. A bill to amend title XVIII of the Social Security Act to remove the sunset and numerical limitation on Medicare participation in MedicareChoice medical savings account (MSA) plans; 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. STARK:

H.R. 2069. A bill to permit Secretary of Health and Human Services to adjust Medicare payments to reflect deviations from generally accepted practice in overserving or underserving Medicare beneficiaries; 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.

H.R. 2070. A bill to provide for development and implementation of a single, unified prospective payment system for post-care hospital services; 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. TALENT:

H.R. 2071. A bill to suspend temporarily the duty on a certain chemical used in the textile industry and in water treatment; to the Committee on Ways and Means.

H.R. 2072. A bill to suspend temporarily the duty on a certain chemical used in the paper industry; to the Committee on Ways and Means.

H.R. 2073. A bill to suspend temporarily the duty on a certain chemical used in water treatment; to the Committee on Ways and Means.

H.R. 2074. A bill to suspend temporarily the duty on a certain chemical used in water treatment and beauty care products; to the Committee on Ways and Means.

H.R. 2075. A bill to suspend temporarily the duty on a certain chemical used in photography products; to the Committee on Ways and Means.

H.R. 2076. A bill to suspend temporarily the duty on a certain chemical used in peroxide stabilizer and compounding; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 2077. A bill to establish a National Forest Preserve consisting of certain Federal lands in the Sequoia National Forest in the State of California to protect and preserve remaining Giant Sequoia ecosystems and to provide increased recreational opportunities in connection with such ecosystems; to the Committee on Resources.

By Mr. TALENT:

H.R. 2078. A bill to suspend temporarily the duty on a certain chemical used in the textile industry; to the Committee on Ways and Means.

By Mr. THUNE:

H.R. 2079. A bill to provide for the conveyance of certain National Forest System lands in the State of South Dakota; to the Committee on Resources.

By Mr. TRAFICANT:

H.R. 2080. A bill to amend title 18, United States Code, to transport maximum security prisoners across State lines to prisons that are not classified to handle maximum security prisoners; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico (for himself, Mrs. MCCARTHY of New York, Mr. MOORE, Ms. KILPATRICK, Mr. WU, Mr. HOLDEN, Ms. HOOLEY of Oregon, and Mr. UDALL of Colorado):

H.R. 2081. A bill to provide for the appointment of an Assistant United States Attorney for each judicial district for the purpose of prosecuting firearms offenses; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H.R. 2082. A bill to amend the Internal Revenue Code of 1986 to restore pension limits to equitable levels, and for other purposes; to the Committee on Ways and Means.

By Mr. WATTS of Oklahoma:

H. Con. Res. 127. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to present a gold medal on behalf of Congress to Rosa Parks; to the Committee on House Administration.

By Mr. SHERMAN (for himself, Mr. GILMAN, Mr. GEJDENSON, Mr. SMITH of New Jersey, Mr. LANTOS, Mr. BERMAN, Mr. WAXMAN, Mr. ACKERMAN, Mr. MARTINEZ, Mr. MENENDEZ, Mr. HILLIARD, Mr. WEXLER, Mr. ROTHMAN, Mr. CROWLEY, Mr. HOEFFEL, Mr. NADLER, and Mr. WEINER):

H. Con. Res. 128. Concurrent resolution expressing the sense of the Congress regarding the treatment of religious minorities in the Islamic Republic of Iran, and particularly the recent arrests of members of that country's Jewish community; to the Committee on International Relations.

By Mr. BILBRAY (for himself and Mr. GREENWOOD):

H. Res. 201. A resolution recognizing the importance for families to pledge to each other to be organ and tissue donors; to the Committee on Commerce.

By Ms. KAPTUR (for herself, Mrs. MORELLA, Mrs. MALONEY of New York, Mrs. KELLY, Mrs. CAPPS, Mrs. JONES of Ohio, Ms. LEE, Ms. WOOLSEY, Ms. MILLENDER-MCDONALD, Mrs. NAPOLITANO, Mr. FROST, Mr. BROWN of Ohio, Ms. ROYBAL-ALLARD, Mrs. THURMAN, Mr. REYES, Mrs. NORTHUP, Mr. FILNER, Mrs. MINK of Hawaii, Ms. JACKSON-LEE of Texas, Ms. HOOLEY of Oregon, Mr. COSTELLO, Ms. SLAUGHTER, Ms. BERKLEY, Ms. STABENOW, Ms. DELAURO, Ms. RIVERS, Mr. FATTAH, Ms. LOFGREN, Mr. CUMMINGS, Mr. CONYERS, Ms. SCHAKOWSKY, Mr. BROWN of California, Ms. KILPATRICK, and Mr. SANDERS):

H. Res. 202. A resolution expressing the sense of the House of Representatives that the artwork displayed in the Capitol and in the office buildings of the House of Representatives should represent the contributions of women to American society; to the Committee on House Administration.

By Mr. RYAN of Wisconsin:

H. Res. 203. A resolution acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as firefighters; to the Committee on Government Reform.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

*[Omitted from the Record of June 7, 1999]*

H.R. 8: Mr. BILIRAKIS, Mr. JEFFERSON, and Mr. ABERCROMBIE.

H.R. 14: Mr. GREENWOOD.

H.R. 21: Mr. KING, Mr. BERMAN, and Mrs. MYRICK.

H.R. 25: Mr. FRANKS of New Jersey.

H.R. 48: Mr. GOODLING.

H.R. 49: Ms. CARSON and Mr. MOORE.

H.R. 72: Mr. LUCAS of Kentucky, Mr. PETERSON of Minnesota, Mr. HALL of Texas, and Mr. BLUNT.

H.R. 116: Mr. CLAY.

H.R. 175: Mr. YOUNG of Alaska, Mr. PALLONE, Mr. MENENDEZ, Mr. MCCOLLUM, Mr. GONZALEZ, Mr. MARTINEZ, Mr. TOWNS, Mr. KIND, Mr. GREEN of Texas, Mr. THOMPSON of Mississippi, Mr. BRYANT, Mr. OWENS, Mr. REYES, Mr. HOLT, Mr. DIAZ-BALART, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. WATERS.

H.R. 194: Mr. CAMP.

H.R. 206: Mr. GEJDENSON.

H.R. 219: Mr. CHABOT.

H.R. 242: Mr. TERRY and Mr. LATHAM.

H.R. 316: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 324: Ms. PELOSI.

H.R. 353: Mr. PHELPS, Mr. LATHAM, Mr. ORTIZ, and Mr. ISAKSON.

H.R. 354: Ms. PRYCE of Ohio.

H.R. 363: Mr. PICKETT.

H.R. 383: Ms. DANNER.

H.R. 417: Mr. DELAHUNT.

H.R. 443: Mr. WEINER.

H.R. 483: Mr. ALLEN and Mr. MALONEY of Connecticut.

H.R. 486: Mr. BOEHLERT, Mrs. BONO, and Mr. THUNE.

H.R. 500: Mr. FILNER.

H.R. 518: Mr. HYDE.

H.R. 561: Mr. FRELINGHUYSEN and Mr. MARTINEZ.

H.R. 614: Mr. PICKETT and Mr. CAMPBELL.

H.R. 625: Mr. JEFFERSON.

H.R. 673: Mr. BILIRAKIS.

H.R. 688: Mr. MCKEON and Mr. PETERSON of Pennsylvania.

H.R. 708: Mr. SNYDER.

H.R. 710: Mr. TAYLOR of Mississippi.

H.R. 749: Mr. ISTOOK.

H.R. 785: Mr. LEWIS of Georgia.

H.R. 798: Mr. SESSIONS and Mr. THOMPSON of Mississippi.

H.R. 832: Mr. GEJDENSON and Mr. HINCHEY.

H.R. 835: Mr. HAYWORTH, Mr. KENNEDY of Rhode Island, Mr. WALSH, Mr. SESSIONS, Mr. HOSTETTLER, and Mr. PAYNE.

H.R. 845: Mrs. JOHNSON of Connecticut.

H.R. 859: Mr. SAM JOHNSON of Texas.

H.R. 860: Mrs. MINK of Hawaii and Mr. ABERCROMBIE.

H.R. 906: Mr. ENGLE.

H.R. 965: Mr. GOODLING, Mr. WELLER, Mr. BOEHLERT, Mr. BARCIA, Mr. SCHAFFER, Mr. WELDON of Florida, Mr. OWENS, Mr. GREEN of Texas, Mr. MCGOVERN, Mr. RAHALL, Mr. BILBRAY, and Mr. ROHRABACHER.

H.R. 1037: Mr. MORAN of Virginia, Mr. WYNN, Ms. LEE, and Mr. MEEHAN.

H.R. 1053: Ms. LEE.

H.R. 1071: Mr. FRANK of Massachusetts.

H.R. 1082: Mr. THOMPSON of California.

H.R. 1083: Mr. BAKER, Mr. KINGSTON, Mr. NORWOOD, Mr. SWEENEY, and Mr. ETHERIDGE.

H.R. 1093: Mr. GUTKNECHT.

H.R. 1095: Mrs. CAPPS, Ms. SLAUGHTER, Ms. RIVERS, Mr. MINGE, Mr. MARKEY, Mr. RUSH, Ms. VELAZQUEZ, Mr. BROWN of California, and Mr. FILNER.

H.R. 1108: Mr. CUMMINGS.

H.R. 1111: Mr. SNYDER, Mr. CLEMENT, and Mr. FRANK of Massachusetts.

H.R. 1149: Ms. KILPATRICK.

H.R. 1187: Mr. BARTLETT of Maryland, Mr. PHELPS, Ms. JACKSON-LEE of Texas, Mr. INSLEE, Mr. MCCOLLUM, Mr. LIPINSKI, Mr. LOBIONDO, Ms. PELOSI, Mr. HEFLEY, Mr. CLYBURN, Mr. MEEHAN, Mr. LATOURETTE, Mr. MOAKLEY, Mr. SPRATT, and Mr. COSTELLO.

H.R. 1193: Mr. TIERNEY, Ms. CARSON, Mr. WELDON of Pennsylvania, Mr. TOWNS, and Mr. COSTELLO

H.R. 1196: Mr. FORBES.

H.R. 1229: Mr. NEY.

H.R. 1247: Mr. CUNNINGHAM, Mr. SHOWS, Mr. BOEHLERT, Mr. KING, Mr. HYDE, Mr. SKELTON, Ms. KAPTUR, Mr. UNDERWOOD, Ms. BERKLEY, and Mr. CAPUANO.

H.R. 1289: Mr. HINCHEY, Mr. FALEOMAVAEGA, and Mr. UNDERWOOD.

H.R. 1300: Mr. COSTELLO and Mrs. MORELLA.

H.R. 1304: Mr. TURNER, Mr. ROTHMAN, Mr. DICKS, Mr. GARY MILLER of Califonria, Mr. HOLT, Mr. LOBIONDO, Mrs. MORELLA, Ms. BERKLEY, Mr. PASTOR, Mr. GILMAN, Mr. BARCIA, Mr. WU, Mr. FRANKS of New Jersey, and Mrs. KELLY.

H.R. 1313: Mr. ABERCROMBIE, Mr. BLUMENAUER, Mrs. CHRISTENSEN, Mr. BOUCHER, and Mr. RAHALL.

H.R. 1315: Mr. DIXON.

H.R. 1317: Mr. KLECZKA.

H.R. 1324: Mr. GILMAN, Mrs. JONES of Ohio, Mr. FARR of California, and Ms. PELOSI.

H.R. 1326: Mr. HALL of Texas, Mr. COOKSEY, Ms. CARSON, Mr. HOLT, and Mr. LAHOOD.

H.R. 1336: Mr. LATOURETTE.

H.R. 1349: Mr. SENSENBRENNER, Mr. RILEY, and Mr. JONES of North Carolina.

H.R. 1355: Mr. BONIOR, Mr. LANTOS, and Mr. GREENWOOD.

H.R. 1382: Mr. BACHUS, Mr. PETRI, Mr. ARCHER, Mr. SOUDER, and Mr. PICKETT.

H.R. 1387: Mr. PRICE of North Carolina, and Ms. HOOLEY of Oregon.

H.R. 1388: Mrs. ROUKEMA, Mr. MALONEY of Connecticut, Mr. GEJDENSON, Mr. HINCHEY, Mr. RUSH, Mr. DEFAZIO, Mr. KING, Mr. INSLEE, Mr. SMITH of Washington, Mr. LEWIS of Georgia, Mr. RODRIGUEZ, Mr. MEEHAN, Ms. SCHAKOWSKY, Mr. COSTELLO, Mr. COYNE, Mr. LIPINSKI, Mr. SERRANO, Mr. MCINTOSH, Mr. BISHOP, Mrs. MINK of Hawaii, Mr. NEAL of Massachusetts, Mr. PAYNE, Mr. PASTOR, Ms. VELAZQUEZ, Mr. MICA, Mr. MATSUI, Mr. STARK, Ms. PELOSI, Mr. PRICE of North Carolina, Mr. WALSH, Mr. SHERMAN, Mr. ANDREWS, Mr. MENENDEZ, Mr. SHAW, Mr. LAMPSON, Mr. SHAYS, Mr. BAKER, and Mr. CROWLEY.

H.R. 1398: Mr. HERGER.

H.R. 1399: Mrs. THURMAN, Mr. LAMPSON, Mr. HALL of Ohio, Mrs. MORELLA, Ms. CARSON, and Mr. BROWN of Ohio.

H.R. 1414: Mr. MOORE.

H.R. 1423: Mr. GREEN of Texas, Mr. OXLEY, Mr. KOLBE, Mrs. MORELLA, Ms. SCHAKOWSKY, Ms. KILPATRICK, and Mr. REYES.

H.R. 1424: Mr. GREEN of Texas, Mr. OXLEY, Mr. KOLBE, Mrs. MORELLA, Mr. BARCIA, and Mr. REYES.

H.R. 1456: Mr. BROWN of California, Mrs. TAUSCHER, Mr. ABERCROMBIE, Mr. CLAY, Mrs. MORELLA, and Mr. BACHUS.

H.R. 1459: Mr. GOODLING.

H.R. 1463: Mr. HYDE and Mr. FRELINGHUYSEN.

H.R. 1484: Mr. CLEMENT.

H.R. 1485: Mr. BROWN of California, Mr. MCDERMOTT, and Ms. PELOSI.

H.R. 1491: Mr. HINOJOSA.

H.R. 1495: Mr. RAHALL, Mr. PASTOR, Ms. NORTON, Ms. MILLENDER-MCDONALD, Mr. MEEKS of New York, and Mr. DIXON.

H.R. 1496: Mr. GUTIERREZ, Mr. JONES of North Carolina, Mr. DEMINT, and Mr. RADANOVICH.

H.R. 1520: Mr. JEFFERSON, Mr. ARMEY, Mrs. MORELLA, Mr. FROST, and Mr. SOUDER.

H.R. 1546: Ms. DUNN.

H.R. 1567: Mrs. NORTHUP.

H.R. 1579: Mr. GILLMOR, Mr. BARCIA, Mr. MEEHAN, Mr. CLAY, Mr. MARKEY, Mr. TIERNEY, Mr. UDALL of Colorado, Mr. LIPINSKI, Ms. MCCARTHY of Missouri, Mr. KILDEE, Mr. GONZALEZ, Ms. MILLENDER-MCDONALD, Mr. DAVIS of Florida, Mr. LEVIN, Ms. LEE, and Mrs. NAPOLITANO.

H.R. 1584: Mr. CASTLE, Mr. GILMAN, and Mr. GREENWOOD.

H.R. 1585: Mr. INSLEE and Mrs. KELLY.

H.R. 1586: Mr. BACHUS and Mr. TERRY.

H.R. 1592: Mr. CLYBURN, Mr. BARRETT of Nebraska, Mr. WICKER, Mr. TAUZIN, Mr. PICKETT, Mr. COLLINS, Mr. KINGSTON, Mr. MORAN of Kansas, Mr. BURTON of Indiana, Mr. BRYANT, Mr. GILMAN, Mr. DICKEY, Mr. PETERSON of Minnesota, Mr. KING, and Mr. CAMP.

H.R. 1603: Mr. SENSENBRENNER.

H.R. 1621: Mr. CALLAHAN.

H.R. 1631: Mr. BARCIA.

H.R. 1665: Mr. BOUCHER, Mr. FOSSELLA, Mr. PICKETT, and Mr. FRANKS of New Jersey.

H.R. 1670: Ms. KILPATRICK and Mr. JACKSON of Illinois.

H.R. 1691: Mr. WELLER, Mr. BLUNT, and Mr. GREEN of Wisconsin.

H.R. 1710: Mr. CALVERT.

H.R. 1714: Mr. DREIER, Mr. BURR of North Carolina, and Mr. PICKERING.

H.R. 1731: Mrs. THURMAN, Mr. BOEHLERT, and Mr. BALDACCI.

H.R. 1734: Mr. ESHOO.

H.R. 1776: Mr. ENGLISH, Ms. HOOLEY of Oregon, Mr. EDWARDS, Mrs. MYRICK, Mr. BALDACCI, Mr. GOODE, Mr. BISHOP, Ms. DANNER, Mr. YOUNG of Alaska, Mr. RAHALL, Mr. HILL of Montana, and Mr. UPTON.

H.R. 1824: Mrs. NORTHUP, and Mr. NEAL of Massachusetts.

H.R. 1839: Mr. GILMAN, Mr. WYNN, Mr. ENGLISH, and Mr. MENENDEZ.

H.R. 1857: Mr. DOYLE, and Mr. HINCHEY.

H.R. 1858: Mr. BARTON of Texas, and Mr. KASICH.

H.R. 1862: Ms. SLAUGHTER, Mr. BONIOR, Mr. ENGEL, Ms. BERKLEY, and Mr. GEJDENSON.

H.R. 1932: Mr. REGULA, Mr. BURTON of Indiana, Mrs. ROUKEMA, Mr. WOLF, Mr. LAZIO, Mr. SMITH of New Jersey, Mr. FORBES, Mrs. MORELLA, Mr. EDWARDS, Ms. WATERS, Mr. MCDERMOTT, Mr. OBEY, Mr. BROWN of Ohio, Mr. BENTSEN, Mr. DICKS, Mrs. LOWEY, Mr. PAYNE, Mr. JEFFERSON, Mr. BORSKI, Mr. KLINK, Mr. UDALL of Colorado, Ms. DEGETTE, Mr. TIERNEY, Mr. MEEHAN, Mr. CONYERS, Mr. MCINTYRE, Mr. CONDIT, Mr. HALL of Texas, Mr. MCNULTY, Mr. HALL of Ohio, Mr. OLVER, Mr. CAPUANO, Mr. GILCHREST, Mr. GALLEGLY, Mr. PEASE, Mr. HORN, Mr. UPTON, Mr. ROGAN, Mr. GOODLING, Mr. PORTMAN, Mr. DIXON, Mr. MCHUGH, Mr. MARKEY, and Mr. CASTLE.

H.R. 1937: Mr. SCHAFFER, Mr. HEFLEY, Mr. MCINNIS, Mr. NORWOOD, and Mr. LARGENT.

H.J. Res. 55: Mr. HILLEARY, Mr. TIAHRT, Mr. OSE, Mr. ROHRABACHER, Mr. TURNER, and Mr. CUNNINGHAM.

H. Con. Res. 34: Mr. QUINN.

H. Con. Res. 60: Mr. REGULA, Mr. MCINTOSH, Ms. CARSON, and Mr. SWEENEY.

H. Con. Res. 77: Mr. GALLEGLY.

H. Con. Res. 94: Mr. BARTLETT of Maryland, and Mr. BALLENGER.

H. Con. Res. 107: Mrs. CUBIN, Mr. RYAN of Wisconsin, Mr. SENSENBRENNER, Mr. JONES of North Carolina, Mr. CRANE, Mr. CUNNINGHAM, Mr. SESSIONS, Mr. NEY, Mr. DOOLITTLE, Mr. GIBBONS, Mr. BRADY of Texas, and Mr. FOLEY.

H. Con. Res. 109: Mr. SKELTON, Mr. WEINER, and Mr. DAVIS of Florida.

H. Con. Res. 116: Mr. LEWIS of Georgia, Mr. PALLONE, Mr. CUMMINGS, Ms. JACKSON-LEE of Texas, Mr. FRANK of Massachusetts, Mr. MCGOVERN, Mr. MCDERMOTT, Mr. BROWN of California, Ms. PELOSI, Mr. BROWN of Ohio, Mr. FARR of California, and Ms. RIVERS.

H. Con. Res. 119: Mr. HOLT and Mr. SHOWS.

H. Con. Res. 124: Mr. LANTOS, Mr. ABERCROMBIE, Mr. COOK, Mr. UNDERWOOD, and Ms. ROYBAL-ALLARD.

H. Res. 16: Mr. RAMSTAD.

H. Res. 41: Ms. HOOLEY of Oregon, Mr. NETHERCUTT, Mr. MCINTYRE, and Mr. RADANOVICH.

H. Res. 80: Mr. PETERSON of Pennsylvania.

*[Submitted June 8, 1999]*

H.R. 7: Mr. CALVERT.

H.R. 17: Mr. HULSHOF and Mr. BOEHNER.

H.R. 36: Ms. ESHOO, Mr. FARR of California, and Mrs. TAUSCHER.

H.R. 44: Mr. HINCHEY.

H.R. 65: Mr. HINCHEY, Mr. CLEMENT, and Mr. HANSEN.

H.R. 82: Mr. LOBIONDO and Mr. WEINER.

H.R. 121: Mr. CALLAHAN.

H.R. 155: Mr. COLLINS.

H.R. 179: Mr. ABERCROMBIE and Mr. CRAMER.

H.R. 184: Mr. BATEMAN.

H.R. 205: Mr. HANSEN.

H.R. 212: Mr. NEY, Ms. LOFGREN, Mr. GUTKNECHT, Mr. INSLEE, and Mr. COBURN.

H.R. 218: Mr. GEKAS.

H.R. 232: Mrs. MORELLA and Mr. ISAKSON.

H.R. 239: Mr. BROWN of California, Mr. WAXMAN, Mr. DAVIS of Illinois, Mr. JEFFERSON, Mr. CAPUANO, and Mr. GEJDENSON.

H.R. 248: Mr. PAUL and Mr. MORAN of Kansas.

H.R. 271: Mr. LIPINSKI, Mr. LAZIO, and Ms. BERKLEY.

H.R. 274: Mr. BILBRAY, Mr. LARGENT, Mr. ISAKSON, Mr. TURNER, Mr. OSE, Mr. CALVERT, Ms. BERKLEY, Mr. DICKS, Mrs. CAPPS, Mr. MOAKLEY, Mr. FARR of California, Mr. POMBO, Mr. OLVER, Mr. WELLER, Ms. MILLENDER-MCDONALD, and Mr. GEKAS.

H.R. 303: Mr. HINCHEY, Mr. GOSS, Mr. CLEMENT, and Mr. HANSEN.

H.R. 315: Mr. BECERRA and Mrs. MINK of Hawaii.

H.R. 347: Mr. HUNTER and Mr. WHITFIELD.

H.R. 353: Mr. ANDREWS, Mr. GARY MILLER of California, Mr. MURTHA, Mr. FARR of California, Ms. HOOLEY of Oregon, Mr. ABERCROMBIE, and Mr. LARSON.

H.R. 354: Mr. GREENWOOD and Mr. COYNE.

H.R. 358: Mr. REYES.

H.R. 360: Mr. MARTINEZ and Mr. BONIOR.

H.R. 382: Mr. MARTINEZ.

H.R. 405: Mr. HOLDEN, Mr. BLUMENAUER, Ms. ROS-LEHTINEN, Ms. HOOLEY of Oregon, Mr. MALONEY of Connecticut, Mrs. KELLY, and Mr. BARRETT of Wisconsin.

H.R. 413: Mr. GREENWOOD, Mrs. MCCARTHY of New York, Ms. HOOLEY of Oregon, Mr. LAMPSON, Mr. ALLEN, Mr. WYNN, Mrs. TAUSCHER, Mr. HOLT, Mr. CASTLE, and Mr. FATTAH.

H.R. 417: Mr. REYES.

H.R. 425: Ms. KILPATRICK, Ms. VELÁZQUEZ and Mr. MARTINEZ.

H.R. 486: Mr. TIAHRT, Mr. DAVIS of Florida, and Mr. SWEENEY.

H.R. 489: Mr. GREEN of Texas, Mr. JACKSON Illinois, Mr. MEEDS of New York, and Ms. DANNER.

H.R. 515: Mr. WU, Mr. VENTO, and Mr. MENENDEZ.

H.R. 531: Mr. LOBIONDO, Mr. BATEMAN, Mr. CLEMENT, and Mr. SESSIONS.

H.R. 534: Mr. ANDREWS and Mr. DAVID of Virginia.

H.R. 558: Mr. CAMPBELL.

H.R. 576: Mrs. NORTHUP.

H.R. 595: Mr. KANKORSKI, Ms. KILPATRICK, Mr. FILNER, and Mr. FROST.

H.R. 629: Ms. KILPATRICK.

H.R. 655: Mr. TIERNEY, Mr. PRICE of North Carolina, and Mr. MOAKLEY.

H.R. 664: Mr. UDALL of New Mexico.

H.R. 679: Mr. DAVIS of Illinois.

H.R. 680: Mr. SMITH of Washington, Mr. GOODE, Mr. SALMON, and Mr. SANDERS.

H.R. 690: Mr. FILNER and Mr. RODRIGUEZ.

H.R. 693: Mr. SANDERS.

H.R. 716: Mr. BARR of Georgia.

H.R. 721: Mr. FALEOMAVAEGA, Mr. CLEMENT, and Mr. GILCHREST.

H.R. 724: Mr. WEINER and Ms. JACKSON-LEE of Texas.

H.R. 732: Mr. BARCIA.

H.R. 750: Mr. MASCARA and Mr. CALVERT.

H.R. 756: Mrs. NORTHUP and Mr. FLETCHER.

H.R. 765: Mr. CHAMBLISS and Mr. SCHAFFER.

H.R. 776: Mr. BERMAN, Ms. PELOSI, Mr. WAXMAN, Mr. ENGEL, and Mr. GEJDENSON.

H.R. 783: Mr. CAMPBELL, Mr. TRAFICANT, Mr. PETERSON of Pennsylvania, Mr. BORSKI, Ms. STABENOW, Mr. WELLER and Mr. ABERCROMBIE.

H.R. 784: Mr. RAHALL, Mr. MCINTYRE, Mr. DELAHUNT, Mr. HINCHEY, Mr. BUYER, and Ms. MCCARTHY of Missouri.

H.R. 792: Mr. CANADY of Florida, Mr. GILCHREST, Mr. ISAKSON, Mr. KINGSTON, and Mr. TERRY.

H.R. 797: Mr. BROWN of California.

H.R. 798: Ms. BERKLEY.

H.R. 803: Mrs. MYRICK, Mr. LEWIS of Kentucky, Mr. CALLAHAN, Mrs. THURMAN, Mr. WICKER, Mr. DIAZ-BALART and Mr. SMITH of Washington.

H.R. 804: Mr. DOYLE, Mrs. CAPPS and Mr. WEYGAND.

H.R. 809: Ms. BROWN of Florida and Ms. WOOLSEY.

H.R. 815: Mr. PHELPS, Mr. WATKINS, and Mr. MEEKS of New York.

H.R. 817: Mr. HULSHOF.

H.R. 827: Ms. BALDWIN, Mrs. TAUSCHER, Ms. CARSON, Mr. UDALL of New Mexico, Ms. NORTON, Mr. GILCHREST, Mr. THOMPSON of Mississippi and Mr. COSTELLO.

H.R. 828: Ms. KILPATRICK.

H.R. 842: Mr. BOYD.

H.R. 846: Mr. JEFFERSON, Ms. JACKSON-LEE of Texas, Ms. CARSON, and Ms. PELOSI.

H.R. 850: Mr. UDALL of New Mexico.

H.R. 854: Mr. OLVER and Mr. BOUCHER.

H.R. 860: Mr. COYNE.

H.R. 869: Mr. BOEHLERT, Mr. FRANKS of New Jersey, and Mr. BILBRAY.

H.R. 890: Mr. ENGEL and Mr. BLUMENAUER.

H.R. 895: Mr. TIERNEY, Mr. PALLONE, and Ms. LOFGREN.

H.R. 919: Mr. MCNULTY.

H.R. 920: Mr. WEINER, Mr. BLAGOJEVICH, and Ms. SCHAKOWSKY.

H.R. 922: Ms. ROS-LEHTINEN and Mr. BACHUS.

H.R. 941: Mr. JEFFERSON and Mr. MARTINEZ.

H.R. 957: Mr. SCHAFFER, Mr. PASTOR, Mr. BISHOP, Ms. BROWN of Florida, and Mr. CRAMER.

H.R. 959: Ms. ESHOO and Ms. PELOSI.

H.R. 979: Mr. WALDEN of Oregon, Mrs. LOWEY, Ms. KILPATRICK, Mr. CAPUANO, Mr. SHIMKUS, Mr. PHELPS, Mr. FRANK of Massachusetts, Ms. LEE, Mr. BROWN of California, Mr. MASCARA, and Mr. LAZIO.

H.R. 996: Mr. JOHN, Mr. KIND, Mr. MENENDEZ, and Ms. VELAZQUEZ.

H.R. 997: Mr. TURNER, Mrs. CAPPS, Mr. MOAKLEY, Mr. DICKS, Mr. POMBO, Mr. CALVERT, Mr. KNOLLENBERG, Mr. OLVER, Mr. HOLT, Mr. ORTIZ, and Mr. HALL of Ohio.

H.R. 1001: Mr. DICKEY, Mr. BLUMENAUER, Mr. FRANKS of New Jersey, Mr. PITTS, Mr. DEFAZIO, Mr. PICKETT, Mr. SENSENBRENNER, and Mr. SWEENEY.

H.R. 1020: Mr. SKELTON, Mrs. CHRISTENSEN, Mr. REYES, Mr. THOMPSON of Mississippi, Ms. VELÁZQUEZ, Mr. SANDERS, Mr. SMITH of WASHINGTON, and Mr. WAXMAN.

H.R. 1032: Mr. SHUSTER, Mr. LARGENT, and Mr. COOK.

H.R. 1044: Mr. GREENWOOD, Mr. RADANOVICH, Mr. EVANS, and Mr. PICKETT.

H.R. 1046: Mrs. MINK of Hawaii.

H.R. 1063: Mr. CAPUANO, Mrs. MINK of Hawaii, and Mr. BILBRAY.

H.R. 1070: Mr. CUNNINGHAM, Mr. SALMON, Mr. ANDREWS, Mr. CARDIN, Mr. DICKS, Mr. SHAW, Mr. LAMPSON, and Mr. BONILLA.

H.R. 1071: Mr. FARR of California and Mr. HINOJOSA.

H.R. 1102: Mr. BONIOR, Mr. MCNULTY, Mr. QUINN, Mr. KING, Mr. WOLF, Mr. LEVIN, Mr. UPTON, Mrs. MINK of Hawaii, Mr. GOODLING, Mr. EWING, Mr. FORBES, and Mr. MCINTOSH.

H.R. 1106: Mr. COOKSEY, Mr. KINGSTON, and Mr. TAYLOR of Mississippi.

H.R. 1111: Mr. WEYGAND and Mr. HOYER.

H.R. 1112: Mr. VENTO.

H.R. 1115: Mr. COOK, Mr. BLAGOJEVICH, Mr. HINCHEY, and Mr. LOBIONDO.

H.R. 1130: Mr. STUPAK, Mr. MARTINEZ, and Mr. LANTOS.

H.R. 1154: Ms. KILPATRICK, Mr. WEINER, and Mr. RODRIGUEZ.

H.R. 1159: Mr. BACHUS.

H.R. 1180: Mr. LAHOOD, Mr. HOLT, Ms. KAPTUR, and Mr. THOMPSON of Mississippi.

H.R. 1194: Mr. CLYBURN.

H.R. 1217: Mr. LEACH, Mr. MORAN of Kansas, Mr. SPENCE, Mr. MOORE, Mr. EVANS, Mr. ROTHMAN, Mr. QUINN, Mr. PICKETT, Mr. FRANKS of New Jersey, Ms. MCCARTHY of Missouri, and Mr. BILIRAKIS.

H.R. 1221: Mr. YOUNG of Florida, Mrs. MEEK of Florida, Mr. COOK, and Ms. SLAUGHTER.

H.R. 1227: Ms. PELOSI.

H.R. 1228: Mr. MCHUGH.

H.R. 1254: Mr. DIAZ-BALART.

H.R. 1256: Mr. BRYANT.

H.R. 1264: Mr. BAKER and Mr. ARMEY.

H.R. 1265: Mr. BARTON of Texas, Mr. DINGELL, and Mr. PALLONE.

H.R. 1272: Mr. HOSTETTLER.

H.R. 1273: Mr. BLUNT.

H.R. 1287: Mr. FOSSELLA and Mr. EWING.

H.R. 1291: Mr. EDWARDS, Mr. STUMP, Ms. RIVERS, Ms. SCHAKOWSKY, Mr. LARSON, Mrs. CAPPS, Mr. GREENWOOD, Mr. MCKEON, and Mr. METCALF.

H.R. 1292: Mr. NEAL of Massachusetts and Mr. BROWN of California.

H.R. 1294: Mr. JEFFERSON and Mr. KUYKENDALL.

H.R. 1300: Mr. LATHAM and Mr. PETERSON of Minnesota.

H.R. 1326: Mr. JONES of North Carolina, Mrs. ROUKEMA, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. BARRETT of Wisconsin.

H.R. 1331: Mr. UNDERWOOD, Mr. PRICE of North Carolina, and Mr. ENGEL.

H.R. 1337: Mr. FLETCHER, Mr. EHRLICH, Mr. NUSSLE, and Mr. NEAL of Massachusetts.

H.R. 1344: Mr. OLVER and Mr. MCINNIS.

H.R. 1347: Mr. SHOWS and Mr. BLUNT.

H.R. 1352: Mr. BLUMENAUER, Mr. NADLER, Mr. LIPINSKI, Mr. HINCHEY, Mr. OLVER, Mr. FILNER, Ms. BERKLEY, Mr. MENENDEZ, Mr. ENGLISH, Mr. MARTINEZ, Mr. CROWLEY, and Ms. SANCHEZ.

H.R. 1355: Mr. NADLER and Mr. DEUTSCH.

H.R. 1372: Mr. LOBIONDO.

H.R. 1380: Mr. CALVERT.

H.R. 1434: Mr. GRAHAM.

H.R. 1436: Mr. GRAHAM.

H.R. 1437: Mr. GRAHAM.

H.R. 1438: Mr. GRAHAM.

H.R. 1439: Mr. GRAHAM.

H.R. 1445: Mrs. MORELLA, Mr. PRICE of North Carolina, and Mr. TERRY.

H.R. 1469: Mr. BOSWELL.

H.R. 1495: Mr. HINCHEY and Mr. LANTOS.

H.R. 1497: Mr. HINOJOSA, Mrs. TAUSCHER, Ms. KILPATRICK, Ms. BERKLEY, Ms. GRANGER, and Mrs. MALONEY of New York.

H.R. 1505: Mrs. MEEK of Florida, Mr. LEACH, Mr. ANDREWS, Mr. SOUDER, Mr. LATOURETTE, Mr. PETERSON of Pennsylvania, Mr. HOEFFEL, Mr. CALLAHAN, Mr. DOYLE, Mr. RAHALL, Mrs. THURMAN, Mr. QUINN, and Mr. BACHUS.

H.R. 1507: Mr. GIBBONS, Ms. BERKLEY, Mr. PASTOR, and Mrs. BONO.

H.R. 1511: Mr. WATTS of Oklahoma, Mr. FOLEY, Mr. CANADY of Florida, and Mr. TERRY.

H.R. 1515: Mr. WALSH, Mr. PRICE of North Carolina, Mr. BALDACCI, Ms. BROWN of Florida, Mr. HALL of Ohio, Mr. BLAGOJEVICH, Ms. JACKSON-LEE of Texas, Mr. CARDIN, Mrs. MINK of Hawaii, Mr. KIND, Mr. ACKERMAN, Ms. KILPATRICK, Ms. CARSON, Mr. STARK, Mr. MATSUI, Mr. KILDEE, Mr. COSTELLO, Ms. WOOLSEY, Mr. KLECZKA, Ms. RIVERS, Mr. HINCHEY, Mr. KUCINICH, Mr. DIXON, and Ms. BALDWIN.

H.R. 1530: Mr. STEARNS and Mr. DEUTSCH.

H.R. 1543: Mr. DIAZ-BALART.

H.R. 1578: Mr. BLUNT and Mr. HERGER.

H.R. 1593: Mr. CALVERT.

H.R. 1621: Mr. LOBIONDO.

H.R. 1625: Mr. DAVIS of Virginia.

H.R. 1631: Mr. WATERS and Ms. NORTON.

H.R. 1634: Mr. TIAHRT, Mr. FOLEY, Mr. NEY, Mr. SHIMKUS, Mr. ENGLISH, Mr. MCCOLLUM, Mr. KINGSTON, Mr. CLEMENT, and Mr. WATTS of Oklahoma.

H.R. 1671: Ms. CARSON.

H.R. 1690: Mr. BROWN of California.

H.R. 1704: Mr. RAHALL.

H.R. 1706: Mr. BURTON of Indiana.

H.R. 1710: Mr. BURTON of Indiana and Mr. GRAHAM.

H.R. 1736: Mr. BARRETT of Wisconsin, Mr. ACKERMAN, Mr. TIERNEY, Mr. DEFAZIO, Mr. BONIOR, Mr. HINCHEY, and Mr. COYNE.

H.R. 1760: Mr. LATOURETTE, Mr. BARCIA, Mr. ETHERIDGE, Mr. NEY, Mr. MCGOVERN, Mr. HORN, Mr. MCHUGH, and Ms. HOOLEY of Oregon.

H.R. 1773: Mr. COYNE.

H.R. 1777: Mr. MALONEY of Connecticut and Mr. HINCHEY.

H.R. 1788: Mr. BALLENGER, Mr. FROST, Mr. SANFORD, Ms. SCHAKOWSKY, Mr. BROWN of California, Mr. KASICH, Mr. LIPINSKI, Mr. WEINER, and Mr. LOBIONDO.

H.R. 1791: Mr. PASTOR and Mr. SHAYS.

H.R. 1795: Mr. GARY MILLER of California, Mr. EHLERS, and Mr. RAHALL.

H.R. 1798: Mr. FROST.

H.R. 1804: Mr. JEFFERSON.

H.R. 1819: Mr. HINCHEY.

H.R. 1827: Mr. SESSIONS, Mr. GOODE, Mr. DOOLITTLE, Mr. MCHUGH, Mr. TERRY, Mr. SOUDER, Mr. ENGLISH, and Mrs. MYRICK.

H.R. 1832: Mr. MORAN of Virginia and Mr. SANDLIN.

H.R. 1837: Mr. WALSH, Mr. LATOURETTE, Mr. WEYGAND, Mr. PHELPS, Mr. LEWIS of Kentucky, Mr. HOLT, Mr. GALLEGLY, Mr. DIXON, Mr. GREEN of Texas, and Mr. ETHERIDGE.

H.R. 1838: Mr. SCHAFFER, Mr. FORBES, and Mr. WEXLER.

H.R. 1841: Mr. DIAZ-BALART, Mr. FRANK of Massachusetts, Mr. MCDERMOTT, Mr. BROWN of California, and Mr. WYNN.

H.R. 1842: Mr. GONZALEZ, Mr. DELAHUNT, Mr. METCALF, Mr. WATTS of Oklahoma, Mr. MCHUGH, Mr. KENNEDY of Rhode Island, and Mr. GREEN of Wisconsin.

H.R. 1847: Ms. CARSON.

H.R. 1848: Mr. SANDERS, Ms. SLAUGHTER, and Ms. KILPATRICK.

H.R. 1849: Mr. MOORE.

H.R. 1850: Mr. FRANKS of New Jersey, Ms. BERKLEY, and Mrs. MALONEY of New York.

H.R. 1871: Mr. FARR of California, Mr. GEORGE MILLER of California, Mr. RUSH, Mr. BERMAN, and Mr. HINCHEY.

H.R. 1885: Mr. WEINER and Mr. DELAHUNT.

H.R. 1899: Mr. ENGLISH, Mr. MATSUI, Mr. EHRLICH, Mr. THOMPSON of California, Mr. LEWIS of Georgia, Mr. FRANK of Massachusetts, Ms. SCHAKOWSKY, Mr. ROTHMAN, Mr. DEFAZIO, Mr. CROWLEY, Mr. WEINER, Mr. MALONEY of Connecticut, Mr. MCDERMOTT, Mr. MCNULTY, Mr. BAIRD, Mr. MCGOVERN, Mr. WELDON of Pennsylvania, Mr. PAYNE, Ms. PELOSI, Mr. TRAFICANT, Mr. KILDEE, Ms. SLAUGHTER, Mr. PETERSON of Minnesota, Ms. MCCARTHY of Missouri, Mr. LATOURETTE, Mr. GORDON, Mrs. CAPPS, Mr. KLECZKA, Mr. WU, Mr. TIERNEY, Mr. ACKERMAN, Mr. QUINN, Ms. KILPATRICK, Mr. HINCHEY, Mr. FORBES, and Mr. MASCARA.

H.R. 1913: Mr. MINGE.

H.R. 1917: Mr. FRANK of Massachusetts, Mr. BRYANT, Mr. NEY, Mr. MOAKLEY, Mr. COOK, Mr. BOUCHER, Mr. DELAHUNT, Mr. OLVER, Mr. DUNCAN, Mr. BONIOR,

H.R. 1921: Mr. CALVERT.

H.R. 1929: Ms. KILPATRICK and Mr. BROWN of California.

H.R. 1939: Mr. RANGEL, Mr. CALVERT, Ms. MILLENDER-MCDONALD, Mr. CAPUANO, and Mr. BORSKI.

H.R. 1941: Mr. FROST, Mr. GREEN of Texas, Mr. MEEHAN, Mr. PETERSON of Minnesota, Ms. DANNER, Mrs. CHRISTENSEN, Mr. FARR of California, Ms. KILPATRICK, Mr. HINCHEY, and Mr. DEFAZIO.

H.R. 1975: Mr. ADERHOLT.

H.R. 1977: Ms. DELAURO, Mr. WOLF, Mr. CAMP, Mr. MCNULTY, Mr. OLVER, Mr. FRANK of Massachusetts, Mr. OBERSTAR, Mr. SANDERS, Ms. MILLENDER-MCDONALD, Mrs. MORELLA, Mr. PETERSON of Minnesota, and Mr. HINCHEY.

H.R. 1979: Mrs. KELLY.

H.R. 1980: Mr. HORN.

H.R. 1993: Mr. CLEMENT, Mr. CLYBURN, and Ms. HOOLEY of Oregon.

H.R. 1994: Mr. WATKINS and Mr. ENGLISH.

H.R. 1998: Mr. OBERSTAR and Mr. MEEHAN.

H.R. 1999: Mr. OBERSTAR and Mr. BAKER.

H.R. 2003: Mr. ENGEL, Ms. ROYBAL-ALLARD, and Mrs. MCCARTHY of New York.

H.R. 2004: Ms. MCKINNEY, Mr. DICKS, and Ms. ROS-LEHTINEN.

H.R. 2013: Mr. CLEMENT.

H.J. Res. 21: Mr. POMBO and Mr. DEAL of Georgia.

H.J. Res. 46: Mr. STUPAK, Mr. KING, Mr. OWENS, Mrs. KELLY, and Mr. HINCHEY.

H.J. Res. 47: Mr. BROWN of California.

H.J. Res. 55: Mr. TAYLOR of North Carolina.

H. Con. Res. 8: Mr. GRAHAM.

H. Con. Res. 30: Mr. PETERSON of Pennsylvania and Mr. MILLER of Florida.

H. Con. Res. 97: Mr. SERRANO, Mr. CAPUANO, Mr. WEINER, Mr. MCGOVERN, Mr. WEYGAND, Mr. LUTHER, Ms. HOOLEY of Oregon, Mr. OLVER, and Mr. ABERCROMBIE.

H. Con. Res. 100: Mr. ROTHMAN and Ms. BERKLEY.

H. Con. Res. 109: Mr. BARRETT of Nebraska and Mr. CAMPBELL.

H. Con. Res. 112: Mr. SHOWS and Mr. SAXTON.

H. Con. Res. 113: Mr. PHELPS.

H. Con. Res. 119: Mr. FROST and Mr. ENGLISH.

H. Con. Res. 120: Ms. ROS-LEHTINEN, Mr. PASTOR, Ms. CARSON, Mr. SMITH of Washington, Mr. CALVERT, and Mr. GREEN of Texas.

H. Res. 19: Mr. FRELINGHUYSEN, Mr. BAIRD, Mr. GARY MILLER of California, and Mr. KILDEE.

H. Res. 89: Mr. CAPUANO and Mr. LANTOS.

H. Res. 147: Mr. LEWIS of Georgia and Mr. MCGOVERN.

H. Res. 155: Mr. BONIOR, Mr. BILIRAKIS, Mrs. BONO, Mr. CONDIT, Mr. DELAHUNT, Mr. DIAZ-BALART, Mr. DREIER, Mr. DUNCAN, Mr. ENGEL, Mr. FILNER, Mr. FOLEY, Ms. KILPATRICK, Mr. LOBIONDO, Mr. MATSUI, Mr. NADLER, Mrs. NAPOLITANO, Mrs. TAUSCHER, and Mr. WEYGAND.

H. Res. 169: Mr. PORTER and Mr. BROWN of California.

H. Res. 183: Mr. ROHRABACHER, Mr. WICKER, Mrs. KELLY, and Mr. CHAMBLISS.

## DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

*[Omitted from the Record of June 7, 1999]*

H.R. 111: Mr. FARR of California.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1401

OFFERED BY: MR. COX OF CALIFORNIA

AMENDMENT NO. 14: At the end of division A (page 326, after line 16), insert the following new title:

### TITLE XIV—PROLIFERATION AND EXPORT CONTROL MATTERS

**SEC. 1401. REPORT ON COMPLIANCE BY THE PEOPLE'S REPUBLIC OF CHINA AND OTHER COUNTRIES WITH THE MISSILE TECHNOLOGY CONTROL REGIME.**

(a) REPORT REQUIRED.—Not later than October 31, 1999, the President shall transmit to Congress a report on the compliance, or lack of compliance (both as to acquiring and transferring missile technology), by the People's Republic of China, with the Missile Technology Control Regime, and on any actual or suspected transfer by Russia or any other country of missile technology to the People's Republic of China in violation of the Missile Technology Control Regime. The report shall include a list specifying each actual or suspected violation of the Missile Technology Control Regime by the People's Republic of China, Russia, or other country and, for each such violation, a description of the remedial action (if any) taken by the United States or any other country.

(b) MATTERS TO BE INCLUDED.—The report under subsection (a) shall also include information concerning—

(1) actual or suspected use by the People's Republic of China of United States missile technology;

(2) actual or suspected missile proliferation activities by the People's Republic of China;

(3) actual or suspected transfer of missile technology by Russia or other countries to the People's Republic of China: and

(4) United States actions to enforce the Missile Technology Control Regime with respect to the People's Republic of China, including actions to prevent the transfer of missile technology from Russia and other countries to the People's Republic of China.

**SEC. 1402. ANNUAL REPORT ON TECHNOLOGY TRANSFERS TO THE PEOPLE'S REPUBLIC OF CHINA.**

(a) ANNUAL REPORT.—The President shall transmit to Congress an annual report on transfers to the People's Republic of China by the United States and other countries of technology with potential military applications, during the 1-year period preceding the transmittal of the report.

(b) INITIAL REPORT.—The initial report under this section shall be transmitted not later than October 31, 1999.

**SEC. 1403. REPORT ON IMPLEMENTATION OF TRANSFER OF SATELLITE EXPORT CONTROL AUTHORITY.**

Not later than August 31, 1999, the President shall transmit to Congress a report on the implementation of subsection (a) of section 1513 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2174; 22 U.S.C. 2778 note), transferring satellites and related items from the Commerce Control List of dual-use items to the United States Munitions List. The report shall update the information provided in the report under subsection (d) of that section.

**SEC. 1404. SECURITY IN CONNECTION WITH SATELLITE EXPORT LICENSING.**

(a) SECURITY AT FOREIGN LAUNCHES.—As a condition of the export license for any satellite to be launched outside the jurisdiction of the United States, the Secretary of State shall require the following:

(1) That the technology transfer control plan required by section 1514(a)(1) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2175; 22 U.S.C. 2778 note) be prepared by the Department of Defense, and agreed to by the licensee, and that the plan set forth the security arrangements for the launch of the satellite, both before and during launch operations, and include enhanced security measures if the launch site is within the jurisdiction of the People's Republic of China or any other country that is subject to section 1514 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999.

(2) That each person providing security for the launch of that satellite—

(A) be employed by, or under a contract with, the Department of Defense;

(B) have received appropriate training in the regulations prescribed by the Secretary of State known as the International Trafficking in Arms Regulations (hereafter in this section referred to as ''ITAR'');

(C) have significant experience and expertise with satellite launches; and

(D) have been investigated in a manner at least as comprehensive as the investigation required for the issuance of a security clearance at the level designated as ''Secret''.

(3) That the number of such persons providing security for the launch of the satellite shall be sufficient to maintain 24-hour security of the satellite and related launch vehicle and other sensitive technology.

(4) That the licensee agree to reimburse the Department of Defense for all costs associated with the provision of security for the launch of the satellite.

(b) DEFENSE DEPARTMENT MONITORS.—The Secretary of Defense shall—

(1) ensure that persons assigned as space launch campaign monitors are provided sufficient training and have adequate experience in the ITAR and have significant experience and expertise with satellite technology, launch vehicle technology, and launch operations technology;

(2) ensure that adequate numbers of such monitors are assigned to space launch campaigns so that 24-hour, 7-day per week coverage is provided;

(3) take steps to ensure, to the maximum extent possible, the continuity of service by monitors for the entire space launch campaign period (from satellite marketing to launch and, if necessary, completion of a launch failure analysis); and

(4) adopt measures designed to make service as a space launch campaign monitor an attractive career opportunity.

**SEC. 1405. REPORTING OF TECHNOLOGY PASSED TO PEOPLE'S REPUBLIC OF CHINA AND OF FOREIGN LAUNCH SECURITY VIOLATIONS.**

(a) MONITORING OF INFORMATION.—The Secretary of Defense shall require that space launch monitors of the Department of Defense assigned to monitor launches in the People's Republic of China maintain records of all information authorized to be transmitted to the People's Republic of China, including copies of any documents authorized for such transmission, and reports on launch-related activities.

(b) TRANSMISSION TO OTHER AGENCIES.—The Secretary of Defense shall ensure that records under subsection (a) are transmitted on a current basis to appropriate elements of the Department of Defense and to the Department of State, the Department of Commerce, and the Central Intelligence Agency.

(c) RETENTION OF RECORDS.—Records described in subsection (a) shall be retained for at least the period of the statute of limitations for violations of the Arms Export Control Act.

(d) GUIDELINES.—The Secretary of Defense shall prescribe guidelines providing space launch monitors of the Department of Defense with the responsibility and the ability to report serious security violations, problems, or other issues at an overseas launch site directly to the headquarters office of the responsible Department of Defense component.

**SEC. 1406. REPORT ON NATIONAL SECURITY IMPLICATIONS OF EXPORTING HIGH-PERFORMANCE COMPUTERS TO THE PEOPLE'S REPUBLIC OF CHINA.**

(a) REVIEW.—The Secretary of Energy, the Secretary of Defense, and the Secretary of State, in consultation with other appropriate departments and agencies, shall conduct a comprehensive review of the national security implications of exporting high-performance computers to the People's Republic of China. As part of the review, the Secretary shall conduct empirical testing of the extent to which national security-related operations can be performed using clustered, massively-parallel processing or other combinations of computers.

(b) REPORT.—The Secretary of Energy shall submit to Congress a report on the results of the review under subsection (a). The report shall be submitted not later than six months after the date of the enactment of this Act and shall be updated not later than the end of each subsequent 1-year period.

**SEC. 1407. END-USE VERIFICATION FOR USE BY PEOPLE'S REPUBLIC OF CHINA OF HIGH-PERFORMANCE COMPUTERS.**

(a) REVISED HPC VERIFICATION SYSTEM.—The President shall seek to enter into an agreement with the People's Republic of China to revise the existing verification system with the People's Republic of China with respect to end-use verification for high-performance computers exported or to be exported to the People's Republic of China so as to provide for an open and transparent system providing for effective end-use verification for such computers and, at a minimum, providing for on-site inspection of the end-use and end-user of such computers, without notice, by United States nationals designated by the United States Government. The President shall transmit a copy of the agreement to Congress.

(b) DEFINITION.—As used in this section and section 1406, the term ''high performance computer'' means a computer which, by virtue of its composite theoretical performance level, would be subject to section 1211 of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note).

(c) ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE LEVELS FOR POST-SHIPMENT VERIFICATION.—Section 1213 of the National Defense Authorization Act for Fiscal Year 1998 is amended by adding at the end the following:

''(e) ADJUSTMENT OF PERFORMANCE LEVELS.—Whenever a new composite theoretical performance level is established under section 1211(d), that level shall apply for purposes of subsection (a) of this section in lieu of the level set forth in that subsection.''.

**SEC. 1408. PROCEDURES FOR REVIEW OF EXPORT OF CONTROLLED TECHNOLOGIES AND ITEMS.**

(a) RECOMMENDATIONS FOR PRIORITIZATION OF NATIONAL SECURITY CONCERNS.—The President shall submit to Congress the President's recommendations for the establishment of a mechanism to identify, on a continuing basis, those controlled technologies and items the export of which is of greatest national security concern relative to other controlled technologies and items.

(b) RECOMMENDATIONS FOR EXECUTIVE DEPARTMENT APPROVALS FOR EXPORTS OF GREATEST NATIONAL SECURITY CONCERN.—With respect to controlled technologies and items identified under subsection (a), the President shall submit to Congress the President's recommendations for the establishment of a mechanism to identify procedures for export of such technologies and items so as to provide—

(1) that the period for review by an executive department or agency of a license application for any such export shall be extended to a period longer than that otherwise required when such longer period is considered necessary by the head of that department or agency for national security purposes; and

(2) that a license for such an export may be approved only with the agreement of each executive department or agency that reviewed the application for the license, subject to appeal procedures to be established by the President.

(c) RECOMMENDATIONS FOR STREAMLINED LICENSING PROCEDURES FOR OTHER EXPORTS.—With respect to controlled technologies and items other than those identified under subsection (a), the President shall submit to Congress the President's recommendations for modifications to licensing procedures for export of such technologies and items so as to streamline the licensing process and provide greater transparency, predictability, and certainty.

**SEC. 1409. NOTICE OF FOREIGN ACQUISITION OF UNITED STATES FIRMS IN NATIONAL SECURITY INDUSTRIES.**

Section 721(b) of the Defense Production Act of 1950 (50 U.S.C. 2170(b)) is amended—

(1) by inserting ''(1)'' before ''The President'';

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(3) by adding at the end the following:

''(2) Whenever a person engaged in interstate commerce in the United States is the subject of a merger, acquisition, or takeover described in paragraph (1), that person shall promptly notify the President, or the President's designee, of such planned merger, acquisition, or takeover. Whenever any executive department or agency becomes aware of any such planned merger, acquisition, or takeover, the head of that department or agency shall promptly notify the President, or the President's designee, of such planned merger, acquisition, or takeover.''.

**SEC. 1410. FIVE-AGENCY INSPECTORS GENERAL EXAMINATION OF COUNTERMEASURES AGAINST ACQUISITION BY THE PEOPLE'S REPUBLIC OF CHINA OF MILITARILY SENSITIVE TECHNOLOGY.**

Not later than January 1, 2000, the Inspectors General of the Departments of State, Defense, the Treasury, and Commerce and the Inspector General of the Central Intelligence Agency shall submit to Congress a report on the adequacy of current export controls and counterintelligence measures to protect against the acquisition by the People's Republic of China of militarily sensitive United States technology. Such report shall include a description of measures taken to address any deficiencies found in such export controls and counterintelligence measures.

**SEC. 1411. OFFICE OF TECHNOLOGY SECURITY IN DEPARTMENT OF DEFENSE.**

(a) ENHANCED MULTILATERAL EXPORT CONTROLS.—

(1) NEW INTERNATIONAL CONTROLS.—The President shall work (in the context of the scheduled 1999 review of the Wassenaar Arrangement and otherwise) to establish new binding international controls on technology transfers that threaten international peace and United States national security.

(2) IMPROVED SHARING OF INFORMATION.—The President shall take appropriate actions (in the context of the scheduled 1999 review of the Wassenaar Arrangement and otherwise) to improve the sharing of information by nations that are major exporters of technology so that the United States can track movements of technology and enforce technology controls and re-export requirements.

(b) OFFICE OF TECHNOLOGY SECURITY.—(1) There is hereby established in the Department of Defense an Office of Technology Security. The Office shall support United States Government efforts to—

(1) establish new binding international controls on technology transfers that threaten international peace and United States national security; and

(2) improve the sharing of information by nations that are major exporters of technology so that the United States can track movements of technology and enforce technology controls and re-export requirements.

At the end of subtitle A of title XXXI (page 419, after line 3), insert the following new section:

**SEC. 3106. DEPARTMENT OF ENERGY COUNTERINTELLIGENCE CYBER SECURITY PROGRAM.**

(a) INCREASED FUNDS FOR COUNTERINTELLIGENCE CYBER SECURITY.—The amounts provided in section 3103 in the matter preceding paragraph (1) and in paragraph (3) are each hereby increased by $8,600,000, to be available for Counterintelligence Cyber Security programs.

(b) OFFSETTING REDUCTIONS DERIVED FROM CONTRACTOR TRAVEL.—(1) The amount provided in section 3101 in the matter preceding paragraph (1) (for weapons activities in carrying out programs necessary for national security) is hereby reduced by $4,700,000.

(2) The amount provided in section 3102 in the matter preceding paragraph (1) of subsection (a) (for environmental restoration and waste management in carrying out programs necessary for national security) is hereby reduced by $1,900,000.

(3) The amount provided in section 3103 in the matter preceding paragraph (1) is hereby reduced by $2,000,000.

At the end of title XXXI (page 453, after line 15), insert the following new subtitle:

**Subtitle F—Protection of National Security Information**

**SEC. 3181. SHORT TITLE.**

This subtitle may be cited as the ''National Security Information Protection Improvement Act''.

**SEC. 3182. SEMI-ANNUAL REPORT BY THE PRESIDENT ON ESPIONAGE BY THE PEOPLE'S REPUBLIC OF CHINA.**

(a) REPORTS REQUIRED.—The President shall transmit to Congress a report, not less often than every six months, on the steps being taken by the Department of Energy, the Department of Defense, the Federal Bureau of Investigation, the Central Intelligence Agency, and all other relevant executive departments and agencies to respond to espionage and other intelligence activities by the People's Republic of China, particularly with respect to the theft of sophisticated United States nuclear weapons design information and the targeting by the People's Republic of China of United States nuclear weapons codes and other national security information of strategic concern.

(b) INITIAL REPORT.—The first report under this section shall be transmitted not later than January 1, 2000.

**SEC. 3183. REPORT ON WHETHER DEPARTMENT OF ENERGY SHOULD CONTINUE TO MAINTAIN NUCLEAR WEAPONS RESPONSIBILITY.**

Not later than January 1, 2000, the President shall transmit to Congress a report regarding the feasibility of alternatives to the current arrangements for controlling United States nuclear weapons development, testing, and maintenance within the Department of Energy, including the reestablishment of the Atomic Energy Commission as an independent nuclear agency. The report shall describe the benefits and shortcomings of each such alternative, as well as the current system, from the standpoint of protecting such weapons and related research and technology from theft and exploitation. The President

shall include with such report the President's recommendation for the appropriate arrangements for controlling United States nuclear weapons development, testing, and maintenance outside the Department of Energy if it should be determined that the Department of Energy should no longer have that responsibility.

**SEC. 3184. DEPARTMENT OF ENERGY OFFICE OF FOREIGN INTELLIGENCE AND OFFICE OF COUNTERINTELLIGENCE.**

(a) IN GENERAL.—The Department of Energy Organization Act is amended by inserting after section 212 (42 U.S.C. 7143) the following new sections:

''OFFICE OF FOREIGN INTELLIGENCE

''SEC. 213. (a) There shall be within the Department an Office of Foreign Intelligence, to be headed by a Director, who shall report directly to the Secretary.

''(b) The Director shall be responsible for the programs and activities of the Department relating to the analysis of intelligence with respect to nuclear weapons and materials, other nuclear matters, and energy security.

''(c) The Secretary may delegate to the Deputy Secretary of Energy the day-to-day supervision of the Director.

''OFFICE OF COUNTERINTELLIGENCE

''SEC. 214. (a) There shall be within the Department an Office of Counterintelligence, to be headed by a Director, who shall report directly to the Secretary.

''(b) The Director shall carry out all counterintelligence activities in the Department relating to the defense activities of the Department.

''(c) The Secretary may delegate to the Deputy Secretary of Energy the day-to-day supervision of the Director.

''(d)(1) The Director shall keep the intelligence committees fully and currently informed of all significant security breaches at any of the national laboratories.

''(2) For purposes of this subsection, the term 'intelligence committees' means the Permanent Select Committee of the House of Representatives and the Select Committee on Intelligence of the Senate.''.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of that Act is amended by inserting after the item relating to section 212 the following new items:

''Sec. 213. Office of Foreign Intelligence.
''Sec. 214. Office of Counterintelligence.''.

**SEC. 3185. COUNTERINTELLIGENCE PROGRAM AT DEPARTMENT OF ENERGY NATIONAL LABORATORIES.**

(a) PROGRAM REQUIRED.—The Secretary of Energy shall establish and maintain at each national laboratory a counterintelligence program for the defense-related activities of the Department of Energy at such laboratory.

(b) HEAD OF PROGRAM.—The Secretary shall ensure that, for each national laboratory, the head of the counterintelligence program of that laboratory—

(1) has extensive experience in counterintelligence activities within the Federal Government; and

(2) with respect to the counterintelligence program, is responsible directly to, and is hired with the concurrence of, the Director of Counterintelligence of the Department of Energy and the director of the national laboratory.

**SEC. 3186. COUNTERINTELLIGENCE ACTIVITIES AT OTHER DEPARTMENT OF ENERGY FACILITIES.**

(a) ASSIGNMENT OF COUNTERINTELLIGENCE PERSONNEL.—(1) The Secretary of Energy shall assign to each Department of Energy facility, other than a national laboratory, at which Restricted Data is located an individual who shall assess security and counterintelligence matters at that facility.

(2) An individual assigned to a facility under this subsection shall be stationed at the facility.

(b) SUPERVISION.—Each individual assigned under subsection (a) shall report directly to the Director of the Office of Counterintelligence of the Department of Energy.

**SEC. 3187. DEPARTMENT OF ENERGY POLYGRAPH EXAMINATIONS.**

(a) COUNTERINTELLIGENCE POLYGRAPH PROGRAM REQUIRED.—The Secretary of Energy, acting through the Director of Counterintelligence of the Department of Energy, shall carry out a counterintelligence polygraph program for the defense activities of the Department of Energy. The program shall consist of the administration on a regular basis of a polygraph examination to each covered person who has access to a program that the Director of Counterintelligence and the Assistant Secretary assigned the functions under section 203(a)(5) of the Department of Energy Organization Act determine requires special access restrictions.

(b) COVERED PERSONS.—For purposes of subsection (a), a covered person is any of the following:

(1) An officer or employee of the Department.

(2) An expert or consultant under contract to the Department.

(3) An officer or employee of any contractor of the Department.

(c) ADDITIONAL POLYGRAPH EXAMINATIONS.—In addition to the polygraph examinations administered under subsection (a), the Secretary, in carrying out the defense activities of the Department—

(1) may administer a polygraph examination to any employee of the Department or of any contractor of the Department, for counterintelligence purposes; and

(2) shall administer a polygraph examination to any such employee in connection with an investigation of such employee, if such employee requests the administration of a polygraph examination for exculpatory purposes.

(d) REGULATIONS.—(1) The Secretary shall prescribe any regulations necessary to carry out this section. Such regulations shall include procedures, to be developed in consultation with the Director of the Federal Bureau of Investigation, for identifying and addressing ''false positive'' results of polygraph examinations.

(2) Notwithstanding section 501 of the Department of Energy Organization Act (42 U.S.C. 7191) or any other provision of law, the Secretary may, in prescribing regulations under paragraph (1), waive any requirement for notice or comment if the Secretary determines that it is in the national security interest to expedite the implementation of such regulations.

(e) NO CHANGE IN OTHER POLYGRAPH AUTHORITY.—This section shall not be construed to affect the authority under any other provision of law of the Secretary to administer a polygraph examination.

**SEC. 3188. CIVIL MONETARY PENALTIES FOR VIOLATIONS OF DEPARTMENT OF ENERGY REGULATIONS RELATING TO THE SAFEGUARDING AND SECURITY OF RESTRICTED DATA.**

(a) IN GENERAL.—Chapter 18 of title I of the Atomic Energy Act of 1954 (42 U.S.C. 2271 et seq.) is amended by inserting after section 234A the following new section:

''SEC. 234B. CIVIL MONETARY PENALTIES FOR VIOLATIONS OF DEPARTMENT OF ENERGY REGULATIONS REGARDING SECURITY OF CLASSIFIED OR SENSITIVE INFORMATION OR DATA.—

''a. Any individual or entity that has entered into a contract or agreement with the Department of Energy, or a subcontract or subagreement thereto, and that commits a gross violation or a pattern of gross violations of any applicable rule, regulation, or order prescribed or otherwise issued by the Secretary pursuant to this subtitle relating to the safeguarding or security of Restricted Data or other classified or sensitive information shall be subject to a civil penalty of not to exceed $500,000 for each such violation.

''b. The Secretary shall include, in each contract entered into after the date of the enactment of this section with a contractor of the Department, provisions which provide an appropriate reduction in the fees or amounts paid to the contractor under the contract in the event of a violation by the contractor or contractor employee of any rule, regulation, or order relating to the safeguarding or security of Restricted Data or other classified or sensitive information. The provisions shall specify various degrees of violations and the amount of the reduction attributable to each degree of violation.

''c. The powers and limitations applicable to the assessment of civil penalties under section 234A shall apply to the assessment of civil penalties under this section.''.

(b) CLARIFYING AMENDMENT.—The section heading of section 234A of that Act (42 U.S.C. 2282a) is amended by inserting ''SAFETY'' before ''REGULATIONS''.

(c) CLERICAL AMENDMENT.—The table of sections in the first section of that Act is amended by inserting after the item relating to section 234 the following new items:

''234A. Civil Monetary Penalties for Violations of Department of Energy Safety Regulations.
''234B. Civil Monetary Penalties for Violations of Department of Energy Regulations Regarding Security of Classified or Sensitive Information or Data.''.

**SEC. 3189. INCREASED PENALTIES FOR MISUSE OF RESTRICTED DATA.**

(a) COMMUNICATION OF RESTRICTED DATA.—Section 224 of the Atomic Energy Act of 1954 (42 U.S.C. 2274) is amended—

(1) in clause a., by striking ''$20,000'' and inserting ''$400,000''; and

(2) in clause b., by striking ''$10,000'' and inserting ''$200,000''.

(b) RECEIPT OF RESTRICTED DATA.—Section 225 of such Act (42 U.S.C. 2275) is amended by striking ''$20,000'' and inserting ''$400,000''.

(c) DISCLOSURE OF RESTRICTED DATA.—Section 227 of such Act (42 U.S.C. 2277) is amended by striking ''$2,500'' and inserting ''$50,000''.

**SEC. 3190. RESTRICTIONS ON ACCESS TO NATIONAL LABORATORIES BY FOREIGN VISITORS FROM SENSITIVE COUNTRIES.**

(a) BACKGROUND REVIEW REQUIRED.—The Secretary of Energy may not admit to any facility of a national laboratory any individual who is a citizen or agent of a nation that is named on the current sensitive countries list unless the Secretary first completes a background review with respect to that individual.

(b) MORATORIUM PENDING CERTIFICATION.—(1) During the period described in paragraph (2), the Secretary may not admit to any facility of a national laboratory any individual who is a citizen or agent of a nation that is named on the current sensitive countries list.

(2) The period referred to in paragraph (1) is the period beginning 30 days after the date of the enactment of this Act and ending on the later of the following:

(A) The date that is 90 days after the date of the enactment of this Act.

(B) The date that is 45 days after the date on which the Secretary submits to Congress a certification described in paragraph (3).

(3) A certification referred to in paragraph (2) is a certification by the Director of Counterintelligence of the Department of Energy, with the concurrence of the Director of the Federal Bureau of Investigation, that all security measures are in place that are necessary and appropriate to prevent espionage or intelligence gathering by or for a sensitive country, including access by individuals referred to in paragraph (1) to classified information of the national laboratory.

(c) WAIVER OF MORATORIUM.—(1) The Secretary of Energy may waive the prohibition in subsection (b) on a case-by-case basis with respect to any specific individual or any specific delegation of individuals whose admission to a national laboratory is determined by the Secretary to be in the interest of the national security of the United States.

(2) Not later than the seventh day of the month following a month in which a waiver is made, the Secretary shall submit a report in writing providing notice of each waiver made in that month to the following:

(A) The Committee on Armed Services and the Select Committee on Intelligence of the Senate.

(B) The Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(3) Each such report shall be in classified form and shall contain the identity of each individual or delegation for whom such a waiver was made and, with respect to each such individual or delegation, the following information:

(A) A detailed justification for the waiver.

(B) For each individual with respect to whom a background review was conducted, whether the background review determined that negative information exists with respect to that individual.

(C) The Secretary's certification that the admission of that individual or delegation to a national laboratory is in the interest of the national security of the United States.

(4) The authority of the Secretary under paragraph (1) may be delegated only to the Director of Counterintelligence of the Department of Energy.

(d) EXCEPTION TO MORATORIUM FOR CERTAIN INDIVIDUALS.—The moratorium under subsection (b) shall not apply to any person who—

(1) is, on the date of the enactment of this Act, an employee or assignee of the Department of Energy, or of a contractor of the Department; and

(2) has undergone a background review in accordance with subsection (a).

(e) EXCEPTION TO MORATORIUM FOR CERTAIN PROGRAMS.—In the case of a program undertaken pursuant to an international agreement between the United States and a foreign nation, the moratorium under subsection (b) shall not apply to the admittance to a facility that is important to that program of a citizen of that foreign nation whose admittance is important to that program.

(f) SENSE OF CONGRESS REGARDING BACKGROUND REVIEWS.—It is the sense of Congress that the Secretary of Energy, the Director of the Federal Bureau of Investigation, and the Director of Central Intelligence should ensure that background reviews carried out under this section are completed in not more than 15 days.

(g) DEFINITIONS.—For purposes of this section:

(1) The term ''background review'', commonly known as an indices check, means a review of information provided by the Director of Central Intelligence and the Director of the Federal Bureau of Investigation regarding personal background, including information relating to any history of criminal activity or to any evidence of espionage.

(2) The term ''sensitive countries list'' means the list prescribed by the Secretary of Energy known as the Department of Energy List of Sensitive Countries.

**SEC. 3191. REQUIREMENTS RELATING TO ACCESS BY FOREIGN VISITORS AND EMPLOYEES TO DEPARTMENT OF ENERGY FACILITIES ENGAGED IN DEFENSE ACTIVITIES.**

(a) SECURITY CLEARANCE REVIEW REQUIRED.—The Secretary of Energy may not allow unescorted access to any classified area, or access to classified information, of any facility of the Department of Energy engaged in the defense activities of the Department to any individual who is a citizen of a foreign nation unless—

(1) the Secretary, acting through the Director of Counterintelligence, first completes a security clearance investigation with respect to that individual in a manner at least as comprehensive as the investigation required for the issuance of a security clearance at the level required for such access under the rules and regulations of the Department; or

(2) a foreign government first completes a security clearance investigation with respect to that individual in a manner that the Secretary of State, pursuant to an international agreement between the United States and that foreign government, determines is equivalent to the investigation required for the issuance of a security clearance at the level required for such access under the rules and regulations of the Department.

(b) EFFECT ON CURRENT EMPLOYEES.—The Secretary shall ensure that any individual who, on the date of the enactment of this Act, is a citizen of a foreign nation and an employee of the Department or of a contractor of the Department is not discharged from such employment as a result of this section before the completion of the security clearance investigation of such individual under subsection (a) unless the Director of Counterintelligence determines that such discharge is necessary for the national security of the United States.

**SEC. 3192. ANNUAL REPORT ON SECURITY AND COUNTERINTELLIGENCE STANDARDS AT NATIONAL LABORATORIES AND OTHER DEFENSE FACILITIES OF THE DEPARTMENT OF ENERGY.**

(a) REPORT ON SECURITY AND COUNTERINTELLIGENCE STANDARDS AT NATIONAL LABORATORIES AND OTHER DOE DEFENSE FACILITIES.—Not later than March 1 of each year, the Secretary of Energy, acting through the Director of Counterintelligence of the Department of Energy, shall submit a report on the security and counterintelligence standards at the national laboratories, and other facilities of the Department of Energy engaged in the defense activities of the Department, to the following:

(1) The Committee on Armed Services and the Select Committee on Intelligence of the Senate.

(2) The Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) CONTENTS OF REPORT.—The report shall be in classified form and shall contain, for each such national laboratory or facility, the following information:

(1) A description of all security measures that are in place to prevent access by unauthorized individuals to classified information of the national laboratory or facility.

(2) A certification by the Director of Counterintelligence of the Department of Energy as to whether—

(A) all security measures are in place to prevent access by unauthorized individuals to classified information of the national laboratory or facility; and

(B) such security measures comply with Presidential Decision Directives and other applicable Federal requirements relating to the safeguarding and security of classified information.

(3) For each admission of an individual under section 3190 not described in a previous report under this section, the identity of that individual, and whether the background review required by that section determined that information relevant to security exists with respect to that individual.

**SEC. 3193. REPORT ON SECURITY VULNERABILITIES OF NATIONAL LABORATORY COMPUTERS.**

(a) REPORT REQUIRED.—Not later than March 1 of each year, the National Counterintelligence Policy Board shall prepare a report, in consultation with the Director of Counterintelligence of the Department of Energy, on the security vulnerabilities of the computers of the national laboratories.

(b) PREPARATION OF REPORT.—In preparing the report, the National Counterintelligence Policy Board shall establish a so-called ''red team'' of individuals to perform an operational evaluation of the security vulnerabilities of the computers of the national laboratories, including by direct experimentation. Such individuals shall be selected by the National Counterintelligence Policy Board from among employees of the Department of Defense, the National Security Agency, the Central Intelligence Agency, the Federal Bureau of Investigation, and of other agencies, and may be detailed to the National Counterintelligence Policy Board from such agencies without reimbursement and without interruption or loss of civil service status or privilege.

(c) SUBMISSION OF REPORT TO SECRETARY OF ENERGY AND TO FBI DIRECTOR.—Not later than March 1 of each year, the report shall be submitted in classified and unclassified form to the Secretary of Energy and the Director of the Federal Bureau of Investigation.

(d) FORWARDING TO CONGRESSIONAL COMMITTEES.—Not later than 30 days after the report is submitted, the Secretary and the Director shall each separately forward that report, with the recommendations in classified and unclassified form of the Secretary or the Director, as applicable, in response to the findings of that report, to the following:

(1) The Committee on Armed Services and the Select Committee on Intelligence of the Senate.

(2) The Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

**SEC. 3194. GOVERNMENT ACCESS TO CLASSIFIED INFORMATION ON DEPARTMENT OF ENERGY DEFENSE-RELATED COMPUTERS.**

(a) PROCEDURES REQUIRED.—The Secretary of Energy shall establish procedures to govern access to classified information on DOE defense-related computers. Those procedures shall, at a minimum, provide that each employee of the Department of Energy who requires access to classified information shall be required as a condition of such access to provide to the Secretary written consent which permits access by an authorized investigative agency to any DOE defense-related computer used in the performance of the defense-related duties of such employee during the period of that employee's access to classified information and for a period of three years thereafter.

(b) EXPECTATION OF PRIVACY IN DOE DEFENSE-RELATED COMPUTERS.—Notwithstanding any other provision of law (including any provision of law enacted by the Electronic Communications Privacy Act of 1986), no user of a DOE defense-related computer shall have any expectation of privacy in the use of that computer.

(c) DEFINITIONS.—For purposes of this section:

(1) The term 'DOE defense-related computer'' means a computer of the Department of Energy or a Department of Energy contractor that is used, in whole or in part, for a Department of Energy defense-related activity.

(2) The term ''computer'' means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions, and includes any data storage facility or communications facility directly related to, or operating in conjunction with, such device.

(3) The term ''authorized investigative agency'' means an agency authorized by law or regulation to conduct a counterintelligence investigation or investigations of persons who are proposed for access to classified information to ascertain whether such persons satisfy the criteria for obtaining and retaining access to such information.

(4) The term ''classified information'' means any information that has been determined pursuant to Executive Order No. 12356 of April 2, 1982, or successor orders, or the Atomic Energy Act of 1954, to require protection against unauthorized disclosure and that is so designated.

(5) The term ''employee'' includes any person who receives a salary or compensation of any kind from the Department of Energy, is a contractor of the Department of Energy or an employee thereof, is an unpaid consultant of the Department of Energy, or otherwise acts for or on behalf of the Department of Energy.

(d) ESTABLISHMENT OF PROCEDURES.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy shall prescribe such regulations as may be necessary to implement this section.

**SEC. 3195. DEFINITION OF NATIONAL LABORATORY.**

For purposes of this subtitle, the term ''national laboratory'' means any of the following:

(1) The Lawrence Livermore National Laboratory, Livermore, California.

(2) The Los Alamos National Laboratory, Los Alamos, New Mexico.

(3) The Sandia National Laboratories, Albuquerque, New Mexico.

(4) The Oak Ridge National Laboratories, Oak Ridge, Tennessee.