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

DESIGNATION OF SPEAKER PRO TEMPORE

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


I hereby appoint the Honorable Heather Wilson 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, but in no event shall debate extend beyond 9:50 a.m.

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

LIVABLE COMMUNITIES IN A GLOBAL ECONOMY

Mr. BLUMENAUER. Madam Speaker, one aspect of the livable community in a global economy is the struggle of this Congress to understand the huge and complex nation, that is China. An ancient society, over 4,000 years old, and a large country, almost beyond our comprehension, more than four times the United States, a quarter of the world’s population. In my lifetime, we have turned a blind eye to the cruelty and corruption of the Kuomintang government, headed by Chiang Kai-Shek.

We chose to support that effort during World War II. We ended up making some unfortunate decisions perhaps only history will judge, but the recent evidence suggests that we did not have to make as much of an enemy of Mao Tse-Tung and the communists. This tragic miscalculation came into fore during the Korean war, when General MacArthur defied President Truman and enlarged the conflict and ultimately cost thousands of United States lives that was unnecessary. At the time, of course, in the well of this Congress, MacArthur was viewed as a hero and Truman was vilified.

History has shown that President Truman was, in fact, a visionary in a number of respects; one of our greatest presidents, praised by no one less than Ronald Reagan, but we have seen the ebb and flow on this floor where Congress simply has not exercised proper perspective.

We saw where Richard Nixon, who was characterized during his early career as a red bairer, as someone who was against the Communist Chinese, yet he was able during his presidency, one of the most enduring and lasting contributions was to swing the balance of power towards a more strategic alliance with China, and that hastened the collapse of the former Soviet Union. We have seen China behave as a nation of what appears to be to us in excess. The great leap forward, costing millions of lives of their own people, the cultural revolution of the seventies, the current turmoil that is in this context is perhaps a little more understandable, but one thing is very clear, that we are seeing unprecedented access to the Chinese people, more and more educated abroad, particularly in the United States.

Even with the Internet access, it is transforming the internal dynamics of China. The United States does not have to sit back helplessly as we look at forces in China but nonetheless it seems to me important that we do not use heavy-handed, clumsy behavior, assuming that the United States can isolate China and make it bend to our dictates. It is important that we use trade and our economic relationship as tools.

There is no turning back. Our history, both of the United States and of the West in general, has been mixed with the Chinese and there is much to make them apprehensive, but the United States has paid a heavy price for miscalculating during World War II, during the Korean War and Vietnam.

The United States and China spies on each other continuously but we really do not know each other very well. I am hopeful that this week on this floor Congress will reject the notion that we ought not to treat China as we do 180 other countries, with normal trade relations, because if we are able to take that important step, it is only going to hasten the further change and progress within China, strengthening our country, strengthening the Chinese people and their economy, and ultimately the world itself will be a better place.

A DEBT MONEY SYSTEM

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

Mr. METCALF. Madam Speaker, there is a fundamental flaw in our money system that allows money to be created as a debt instrument. It is called a debt money system, and money must never be created and loaned into circulation. The reason this must be avoided at all costs is that when interest is charged on money at the point of issue, the interest is mathematically unpayable.
This can be illustrated. Let me give just a quick example. It is an oversimplification. Let us say that five people design a money system. They create $50 in currency without intrinsic value, paper currency, say. Each one borrows $50 to repay it in one year and, of course, they will pay interest on it. They will each pay $1 in interest.

Now, this is obviously a flawed system because if only $50 is created, a year later it is impossible for $55 to be repaid. Someone in the system is going to lose their collateral that they pledged for the loan.

Unfortunately for us, this is the kind of system which has been imposed on this country. The deeper problems do come to light as we look carefully at our monetary system.

Now, there will always be some people who are better managers, just good at business, just good by luck, not by their choices. That is the first group. They will prosper in any system. Then there is the upper middle class who will manage a satisfactory standard of living. Then next is the lower middle class, who are just surviving, satisfactory standard of living by working two jobs or being frugal in their spending or so forth.

Number four, there are the working poor who really do work hard but at low paying jobs they can never get ahead at all.

Number five, at the bottom are the hopeless poor who may work some or are on some sort of welfare but have little chance to better their situation in the real world. They are the last hired in good times and the first fired when the economy is slipping.

Now, it is easy to say this group does not have the skills, probably true; does not want to work, probably not true, but in any event there is strong evidence that the system, the system we have, plays a critical role in their lack of success.

Let’s suppose there are five heads of families that live on a new continent. We will just invent a situation. Again, they work hard, bartering for things. The plan proposed would be to issue the certificates, as I mentioned, and they would be the medium of exchange. They issue fifty pieces of paper or fifty certificates and they have to each repay one certificate at the end of the year, and thus the interest on it is impossible to be paid. That is, if money is issued in a lack of collateral the interest is impossible to be repaid.

Now, it is easy to see in a simple situation like that, or example, but it is impossible to see in our huge national monetary system which has hundreds of billions of dollars of debt, created and extinguished. Actually, it is estimated that about $20 billion is extinguished and created each day in America, causing the fundamental flaw in our system and a fact of creating money out of thin air and loaning it into circulation at interest makes the interest mathematically impossible to be paid.

The result is that this system builds more and more debt which cannot be repaid, resulting ultimately in monetary problems, anything from a minor recession to a major hair-curling depression such as we experienced in the 1930s. These things are the result or can be the result of a flawed monetary system.

The point I make is that we must understand the danger of relying on the issue of debt money. It is the responsibility of Congress to understand this issue and its ramifications, and change the way we issue the Nation’s money. More on this later.

A PERMANENT NEGOTIATOR TO FACILITATE DIRECT TALKS ON NAGORNO KARABAGH MUST BE APPOINTED

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

Mr. Pallone. Madam Speaker, the foreign operations appropriations bill, which this House is expected to begin debating later this week, contains an important provision that is extremely timely and deserves our support. Language in the foreign ops legislation addresses the need for a negotiated settlement to the Nagorno Karabagh conflict; names the important position of special negotiator for Nagorno Karabagh and NIS, the Newly Independent States of the former Soviet Union, regional conflicts is currently vacant.

The Committee on Appropriations urged the Secretary of State to move forthwith to appoint a permanent special negotiator to facilitate direct negotiations and any other contacts that will bring peace to the long suffering people of the South Caucasus.

Madam Speaker, Nagorno Karabagh is an historically Armenian populated region that declared its independence as the Soviet Union was breaking up. The neighboring Republic of Azerbaijan, which claims Nagorno Karabagh as part of its own territory, went to war to prevent Karabagh, known to the Armenian people as Artsakh, from achieving its independence.

The people of Karabagh prevailed in battle and Azerbaijan agreed to a cease-fire in 1994 but, Madam Speaker, a permanent negotiated settlement acceptable to all sides has been elusive. The U.S. has played a leading role in the effort to resolve this conflict, as a co-chair of the Minsk Group, under the auspices of the Organization for Securitity and Cooperation in Europe. The U.S. has had three of our diplomats serve in the post of special negotiator to try to resolve this conflict. Madam Speaker, the position of special negotiator recently became vacant with the departure of Donald Kyeser, a career diplomat who moved on to another post in the State Department.

Mr. Keyser, our third special negotiator, played a major role in shaping a new plan to settle the conflict, known as the Common State proposal. Despite their substantial reservations, both Armenia and Nagorno Karabagh agreed to the Common State proposal as a basis for negotiations. Unfortunately, Azerbaijan flatly rejected this proposal.

Mr. Keyser worked very hard to move this process forward, so his departure leaves a major void. At this critical juncture, we must get another permanent special negotiator in place without delay, preferably either a very senior diplomat or perhaps another American recognized for leadership in public policy and public life, someone who can command the respect necessary to win the confidence of all parties to the conflict.

To echo and amplify the language in the foreign ops bill, I will be circulating amongst our colleagues here a letter to President Clinton and Secretary Albright urging that they move to appoint a special negotiator immediately.

Madam Speaker, two weeks ago Armenia’s ambassador to the United States, Ambassador Rouben Shugarian, came to Capitol Hill to brief Members of Congress and our staff about the Nagorno Karabagh peace process, and one of the most positive developments of late has been the increase in direct contacts between the presidents of Armenia and Azerbaijan. The presidents of the two countries recently met privately in Geneva.

The surprise announcement that came out of the meeting was a tentative agreement to have Nagorno Karabagh participate directly in the next session of face-to-face talks. While it may be too soon to talk of a breakthrough, Armenian President Kocharian stated that he believes Azerbaijan’s President Heydar Aliyev is serious about achieving a solution to the Karabagh conflict. Ambassador Shugarian spoke at our recent meeting with cautionary optimism about other avenues for direct talks, and it is important for this process to continue and indeed to be accelerated as much as possible.

That is why today I want to stress that the presence of a permanent U.S. special negotiator to facilitate direct negotiations and other contacts is extremely important at this time. I urge the administration to act quickly to appoint a new and permanent special negotiator.

BUDGET PRIORITIES

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 19, 1999, the gentlewoman from Georgia (Ms. McKinney) is recognized during morning hour debates for 5 minutes.

Ms. McKinney. Madam Speaker, in the 1980s, at the height of the so-called...
Reagan revolution, Congress passed a Budget Act which made trickle down economics the policy of the land. Under the banner of fiscal conservatism, that budget provided for large increases in military spending, along with sweeping tax cuts that mainly benefited the wealthy. With that money, the military would receive the funding it needed to maintain at tremendous expense a Cold War era military reserve. The bottom line is that we maintain a Cold War-era military that we depended upon to win the Cold War and prepare for the real world of today and tomorrow. Instead, we are layering unrealistic demands on top of Cold War needs. As a result, the emergency supplemental appropriations bill became a Christmas tree, laden with gifts of pork for everyone, and the rate of the increase in military spending now increases by 8% of the Federal Security Low Income Housing and Nutrition programs. It is clear to me that our national security cannot be measured in bombers alone. I believe our national security depends equally on our domestic programs and constructive foreign policy initiatives. We cannot continue to spend nearly half of all of our Federal discretionary dollars on military programs. This misplaced priority compromises our national security by shortchanging our investments in programs that make for real security: A healthy, well-educated, properly housed citizenry.

Does the U.S. really need a military that is big enough to simultaneously fight two major regional wars? Why does the U.S. need to continue to station 100,000 troops in Europe? Europe cannot defend itself. Why is the United States spending $35 billion per year to maintain over 6,000 nuclear weapons on high alert against an enemy that no longer exists? Why should the U.S. spend another $11 billion on a missile defense system that is technologically infeasible and strategically destabilizing? Why not close the military bases that the Department of Defense can no longer afford to support, converting them into profitable commercial and industrial centers? Why should the DOD get more money when it cannot even find over $9 billion worth of inventory and continues to give away millions in over payments to contractors?

More money is not the answer to Pentagon waste. Instead, we should end the obsolete U.S. Cold War military, invest instead in developing multilateral civil institutions such as the organization for cooperation and security in Europe. These steps will reduce the cost of the U.S. Government by more than $40 billion a year.

THREATS OF HATE MUST STOP AGAINST SAN FRANCISCO'S CHINESE-AMERICAN POPULATION

The SPEAKER pro tempore. Under the Speaker's new, needed policy of Jan. 19, 1999, the gentleman from California (Mr. LANTOS) is recognized during morning hour debates for 5 minutes.

Mr. LANTOS. Madam Speaker, some time back I rose in the well of this House to denounce the burning of Black churches in the south. A few weeks ago, it was my duty and the duty of my like-minded colleagues to denounce the burning of three synagogues in California. Today it is my painful duty to speak out against a new and different incipient hate crime. I am proud to represent the City of San Francisco in this body. San Francisco is viewed across the globe as one of the most spectacularly beautiful places on Earth, but its real beauty comes not from its location and topography and buildings but from the richness of the cultural variety of its citizens.

In recent days, our Chinese American population has been intimidated, attacked, assaulted, with hate literature of the most pernicious type. I stand here, Madam Speaker, calling on these merchants of hate to stop their nefarious and hideous business.

San Francisco's Chinese American community is one of the most law abiding, industrious, hard working, patriotic segments of our society. They deserve our respect and our recognition; not the ouzo of hate literature and threats of thugs who are in the process of attempting to intimidate a population which for generations has contributed so richly, not only to the cultural variety but also to the economic vibrancy of our city.

This attack on San Francisco's Chinese American community must stop. I call upon the major law enforcement agencies at all levels to be ultra vigilant in seeing to it that these merchants of hate will not go beyond their threats and, in fact, engage in physical actions of intimidation against the Chinese American population.

San Francisco prides itself, and justly so, in providing a secure, safe, and civilized haven to all its citizens. The Chinese American community of the City of San Francisco is entitled to nothing less.

I intend to meet with the leadership of that community to reassure them that my colleagues in this body and indeed our Federal Government is fully prepared to protect them in all their rights and privileges as American citizens.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule 1, the Chair declares the House in recess until 10 a.m. Accordingly (at 9 o'clock and 25 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 at 10 a.m.

PRAYER

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

Let us pray using the words of Psalm 100:

Make a joyful noise to the Lord, all the earth. Serve the Lord with gladness. Come into His presence with singing. Know that the Lord is God. It is He that made us, and we are His.
We are His people, and the sheep of His pasture.

Enter His gates with thanksgiving and His courts with praise.

Give thanks to Him, and bless His name.

For the Lord is good,

His steadfast love endures forever,

And His faithfulness to all generations.

Amen.

THE JOURNAL

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

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

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

The SPEAKER. The question is on the Chair's approval of the JOURNAL.

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

Mr. FROST. 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. Evidently a quorum is not present.

Pursuant to clause 8, rule XX, further proceedings on this vote will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. McNULTY) come forward and lead the House in the Pledge of Allegiance.

Mr. McNULTY 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2290. An act to amend title 38, United States Code, to provide a cost-of-living adjustment in rates of compensation paid for service-connected disabilities, to enhance the compensation, memorial affairs, and housing programs of the Department of Veterans Affairs, to improve retirement authorities applicable to judges of the United States Court of Appeals for Veterans Claims, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which concurrence of the House is requested:

S. 1402. An act to amend title 38, United States Code, to enhance programs providing education benefits for veterans, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR). The Chair will entertain 15 one-minutes on each side.

25TH ANNIVERSARY OF LEGAL SERVICES CORPORATION

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

Mr. ARMNEY. Mr. Speaker, today the White House is holding a party celebrating the 25th anniversary of the Legal Services Corporation.

Mr. Speaker, this is no time to celebrate. We now know that the Legal Services Corporation massively misrepresented its caseload to Congress. In fact, according to a recent study, LSC misreported a full one-third of its cases to Congress. That kind of waste and mismanagement are hardly causes for celebration.

LSC was inflating numbers. LSC was giving Congress misleading information. LSC was wasting taxpayer money. And worst of all, it was neglecting the very people it claims to help.

Mr. Speaker, we cannot reward poor performance and misleading information. No birthday celebration can paper over the fact that the Legal Services Corporation is not helping as many people as it claims.

Now that the false cases have been exposed, it is clear that LSC does not deserve the funding it has been getting. In fact, Mr. Speaker, perhaps they should make their case before the false claims court.

Mr. Speaker, given LSC's habit of inflating numbers by a third, I would not be surprised if that birthday cake at the White House today has 33 candles on it.

TRIBUTE TO JUDGE FRANK M. JOHNSON

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

Mr. FROST. Mr. Speaker, on July 23 the Nation lost a great American when Judge Frank M. Johnson died at his home in Montgomery, Alabama.

Judge Johnson was truly an American hero, a man of decency and courage, and whose dedication to the principles of the Constitution ensured that all Americans might enjoy the rights and privileges accorded to the citizens of this Nation by that great document.

His most celebrated decisions came in the early years of the civil rights movement in this country. After Rosa Parks refused to give up her seat on a Montgomery bus, Judge Johnson ruled that the regulation that required her to stand in order that a white passenger might sit was in violation of the 14th Amendment.

Following the savage beating of civil rights marchers, which included our own colleague the gentleman from Georgia (Mr. Lewis) by Alabama state troopers as they attempted to march from Selma to Montgomery, Judge Johnson moved that those marchers should be allowed to express their grievances through a peaceful demonstration.

In his ruling, he said that those marchers were doing nothing more than exercising their Constitutional right to assemble peacefully to seek redress of grievances.

He struck down laws that prohibited African-Americans from serving on juries, signed the order to force the integration of the University of Alabama, took part in the case that led to the one man, one vote ruling by the Supreme Court and had a hand in scores of other cases that led to desegregation of public facilities throughout the South.

Mr. Speaker, I believe this great man did indeed yield true justice. The country has lost a great man.

LANCE ARMSTRONG, AN INCREDIBLE COMEBACK

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

Mr. JOHNSON. Mr. Speaker, we have got a new hero named Lance Armstrong as a professional cyclist.

In October of 1996, he was diagnosed with cancer, threatening not only his career but his life. Last Sunday afternoon, Lance, who grew up in Plano, Texas, in our district, won the Tour de France by 7 minutes, 37 seconds.

Armstrong's triumph over the France landscape is a testament to the strength of human mind, body, and spirit when put to the test and a testament to faith in God that miracles do happen.

The fact that an American won the race for the first time in 9 years is reason enough for national celebration. But Armstrong's victory over cancer gives a very real, very special hope to the many Americans who are struggling with cancer.

Today we say bravo and congratulations, Lance, for a victory that will go down as one of the most incredible comebacks in history.

America is in your debt. God bless you.

AMERICA MUST NOT TOLERATE MURDERERS

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

Mr. TRAFICANT. Mr. Speaker, the Yosemite murderer confessed to four
brutal killings. Cary Stayner said he beheaded one victim. Cary Stayner then said he had killed the mother and her 15-year-old daughter. Cary Stayner then said he killed their 16-year-old friend as well. Then Cary Stayner apologized to his colleagues. Cary Stayner said, "I'm sorry."

Beam me up, Mr. Speaker. I say it is time for a jury to tell Cary Stayner, Goodnight, sweet Prince. It is time to meet the devil.

An America that tolerates murderers like Cary Stayner is an America that will have more murderers like Cary Stayner.

I yield back the record number of victims laid to rest in cemeteries all over America.

THREE CORNERSTONES OF REPUBLICAN BUDGET PROPOSAL

(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, the Republican budget proposal contains three important provisions, some of which our friends on the other side appear to be ignoring.

First, it contains a Social Security and Medicare lockbox requirement which locks away 100 percent, every dime of the money collected from FICA taxes and requires that it all goes towards Social Security, Medicare.

Secondly, it provides for substantial debt reduction. Debt held by the public would be reduced by over $2 trillion over the next 10 years.

And third, it provides for tax relief they are debating.

Social Security and Medicare, debt reduction, and tax relief. Those are the three cornerstones of our budget proposal. It seems that Social Security and Medicare and debt reduction are being forgotten in all of the debate.

Our plan is fair, balanced, and responsible. It protects seniors, begins paying down the national debt, and gives taxpayers a break.

MASSIVE REPUBLICAN TAX BREAK IS OUTRAGEOUS AND EXCESSIVE

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

Mr. CROWLEY. Mr. Speaker, the massive House Republican tax break is outrageous and excessive, threatening opportunities to strengthen Social Security, Medicare, and education.

I just listened to Republican analyst Kevin Phillips, in comments made today: "We can fairly call the House legislation the most outrageous tax package of the last 50 years. It is worse than the 1981 excesses. You have to go back to 1948, when the Republican 80th Congress sent a kindred bill to President Harry Truman. Harry Truman vetoed it, calling the Republicans 'bloodsuckers with offices in Wall Street.' Not only did he reelect them, but the Democrats recaptured Congress."

House Republicans have also proved that they are more concerned about big tax cuts for the wealthy than providing relief for America's school districts by failing to take a prime opportunity to include a real school construction initiative.

The tunnel vision by Republicans on a big tax break for the rich senselessly blocks commonsense tax incentives that would provide crucial aid to America's schools.

Republican priorities put wealthy Americans over the needs of our children. Mr. Speaker, we must put our children before the wealthy in this country.

AMERICANS SHOULD HOLD ON TO MORE OF THEIR HARD-EARNED MONEY

(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, it is very interesting to come to the well of this Chamber; and we can always depend on something. It is as predictable as the swallows returning to San Juan Capistrano and the buzzards going back to Hinckley, Ohio. We always hear from my liberal friends every excuse in the book as to why the American people should not keep more of their hard-earned money.

I appreciate my good friend from New York and his lesson in revisionist history. It is always interesting to hear the rationale of those doomed to defeat because they fail to recognize that, if given a choice, we believe Americans should hold on to more of their hard-earned money instead of sending it to Washington bureaucrats to waste.

While we are talking about children, I am curious as to why my liberal friends think that those working Americans who earn $40,000 a year are somehow rich. Because it turns out those who make $40,000 a year are four times as much in taxes as those who earn $20,000 a year.

Finally, Mr. Speaker, I point this out: It is real simple what we want to do with the surplus, the overcharge. We want to take $2 of that surplus and put it away, lock it away for Social Security and Medicare. And then with the other dollar that remains, we want to give it back to the American people because it is their money, and in that way we will secure America's future and the majority in this Chamber.

DO NOT VOTE TO CONDEMN UNTIL WE KNOW WHAT IT IS

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

Mr. STRICKLAND. Mr. Speaker, it troubles me that sometimes in this Chamber we stand and say things that we ought not to say. We criticize people that we have no right to criticize.

We recently voted to condemn a scientific study and an organization, an organization that has done as much as any organization in this country to fight child abuse. I wonder how many of us read the study before we were willing to vote to say that the methodology was flawed. I wonder how many of us were technologically competent to make that decision.

I believe that we ought to observe the Ten Commandments. One of those Commandments says, you ought not to bear false witness against your neighbor.

When we say things about an organization or about an individual scientist that are untrue or unsubstantiated, in my judgment, we have violated that Commandment.

We ought to have the decency not to vote to condemn something until we know what it is we are voting to condemn.

GOVERNMENT SHOULD NOT KEEP TAXPAYERS' HARD-EARNED MONEY

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

Mr. CHABOT. Mr. Speaker, Republicans are proposing a tax cut. In fact, we passed it in the House of Representatives here just last week. Democrats criticized it, and now they say they want to target a tax cut. But there is a big difference. Republicans are targeting all taxpayers. If they pay taxes, they get a tax cut. To liberal Democrats that is not fair. To their way of thinking only if the government decides whether they are worthy of some social engineering should they get a tax cut. And if they are carrying most of the tax burden, they are the last persons the liberal Democrats here in the House want to give a tax cut to. For most taxpayers, when a liberal wants to give a targeted tax cut, well, this is a euphemism for "you are not getting one." It troubles me that sometimes in this Chamber we stand and say things that we ought not to say. We criticize people that we have no right to criticize.

Let me say again what the Republican approach to tax cuts is, if one is a taxpayer, one gets to keep some of one's hard-earned money. It is not the Government's money. It belongs to the American people that we have no right to criticize.

Yes, it is a question of fairness and it sends an important signal to the American people that hard work will be rewarded.

REPUBLICAN BUDGET BETTER AT DEBT REDUCTION THAN DEMOCRAT PROPOSALS

(Mr. BALLENGER asked and was given permission to address the House for 1 minute.)
Mr. BALLenger. Mr. Speaker, I want to reiterate. The Republican budget contains $200 billion more in debt reduction than does the Democrat proposals. You heard that right. Our budget is better on debt reduction than the Democrat budget is according to the Congressional Budget Office.

But one would never know it from listening to some of my colleagues on the other side of the aisle, many of whom seem to be positively incapable of describing our tax cut proposal accurately.

Republicans call for both tax relief and debt reduction in our proposal. Indeed, our plan would reduce the debt held by the public by slightly over $2 trillion over the next 10 years. To call that irresponsible is reckless or a bit odd. We have a balanced and fair plan that not only provides for debt reduction and tax relief but insists on a Social Security and Medicare lockbox provision for the first time. One hundred percent of the retirement surplus would go to Social Security and Medicare.

In other words, all FICA taxes would actually go towards the programs they were designed to go towards, Social Security and Medicare.

Do Democrats really think that is reckless?

PORKER OF THE WEEK AWARD

(Mr. Hefley asked and was given permission to address the House.)

Mr. HEFLEY. Mr. Speaker, to prevent potential catastrophic nationwide computer meltdown, the Securities and Exchange Commission, or the SEC, is fighting brokers and firms to ensure that their computers actually read "00," as of January 1 of 2000.

A 67-year-old broker who has spent 50 years in the investment business was fined $5,000 for not being Y2K compliant. There is only one problem. This particular gentleman does not own a computer. His operation is so small, he does not actually sell them mutual funds; he just gives advice. He never touches any money at all.

Mr. Speaker, that has not stopped the SEC from demanding a yearly audit of his firm which costs him another $5,000. He went ahead, and he paid the 1988 Y2K fine because he could not afford the money to fight the bureaucracy.

He will not be without a computer for long, however. New SEC regulations insist that all brokers have a computer so they can receive e-mail notices from the agencies.

Here we have a legitimate businessman being harassed and intimidated by his own government agency paid for by his own tax dollars. Outrageous. It is inexcusable and a waste of taxpayers' time and money.

The Securities and Exchange Commission gets my porker of the week award and my disgust.

STOP THE ANTI-MINING GREED

(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, well, here we go again. The left-leaning, antimining zealots want a Federal tax on all mining operations on an estimated, hypothetical, or proposed value of a mine. Moreover, the proposed values are not certain that these mines are nothing but sheer guesses that always grossly overexaggerate the worth of the mineral.

For example, some of these mining opponents cite the Stillwater Mine in Montana as a taxpayer giveaway of $38 billion. Grossly exaggerated, Mr. Speaker. $38 billion could fund a hostile takeover of the Ford Motor Company. This amount of money could purchase the entire metal mining industry in the United States and Canada.

Some claims that patrons of Barrick Gold Mine have a value of $30 billion. Keep in mind that the supposed 10 billion is wrapped up in a small acreage of desert rock. Using their irrational logic, one could say that the raw land beneath the Washington Post printing plant would be worth several billion dollars itself.

In 1956 Georgious Agricola stated the miners should start mining operations in a district only where it is friendly. This quote still holds true today. Stop the anti-mining greed.

MOURNING THE PASSING OF REV. BOOKER T. SEARS OF SPARTANBURG, SOUTH CAROLINA

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

Mr. DEIMINT. Mr. Speaker, every community has citizens that strive to improve the way of life for all those around them. They serve others because they want to, not because they have to.

One such man was Reverend Booker T. Sears of Spartanburg, South Carolina. Last week Reverend Sears, a pioneer civil rights leader and respected community leader, passed away at his home. Reverend Sears was pastor of Thompson Street Baptist Church for nearly 50 years. His efforts within the community helped integrate public schools, desegregate public transportation, and develop many community improvement projects.

Reverend Sears will be remembered as a man who truly cared about all those around him. During his career, he was a mentor to young pastors and a servant to everyone in the community.

Reverend Sears is a testimony of one man who did not give up the lives of thousands, Mr. Speaker. We will miss Reverend Sears. It is now our time to carry on his mission off love and service.

LANCE ARMSTRONG: THE REAL MCCOY

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

Mr. KASICH. Mr. Speaker, Sunday afternoon I took the time to sit and watch Lance Armstrong celebrate as much as it would be appropriate, as Lance Armstrong pedaled the final 2,300 miles into Paris. What an amazing story for a man who many had given up on. Given less than a 50-50 chance to even survive the cancer that racked his body, he had incredible steelly determination, and he was able to not only overcome cancer, but also to prove so many of the sponsors who had given up on him wrong.

As my colleagues know, this is a time in America when we are all in search of heroes, all in search of the real McCoy. As my colleagues know, I think Lance Armstrong is the real McCoy. When he could have said that victory stripe and he was interviewed by the network, he had not prepared some big braggadocio speech. In fact, it took him 2 or 3 questions to finally get Lance Armstrong to say that with determination and the second chance, and the second chance may even be better and greater than the first chance.

Lance Armstrong is humble, determined, and an inspiration and should be a hero to everyone who lives not just in the boundaries of the United States but around the globe to adults, to our seniors, and to children alike.

God bless you, Lance Armstrong, for your accomplishment.

PRESCRIPTION POLITICS

(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 President has proposed that the Medicare program provide free drug prescription. Now a basic understanding of how markets work knows that the President's proposal will increase demand and ultimately drive up the price of prescription drugs. This in turn will cause insurance rates to rise for everyone who has prescription drug coverage and further worsen the burden of those who do not have drug coverage.

As the price of drugs rise, Medicare's financial position will worsen, and this will lead to higher tax costs for everyone and pressure from the government to put price controls on prescription drugs. This will lead to shortages of prescription drugs and a slowdown in research for new drugs. Eventually bureaucrats in Washington will be telling seniors what prescription drugs they are going to be allowed to have.

As the President is proposing free prescription drugs because at first glance it appears to give seniors something for nothing. But he and his advisors know as well as I do the harm that
it will do seniors and the rest of us. He is proposing this to play politics, to try to thwart tax cuts, and try to have a bigger, more powerful government.

RETURN THE BUDGET SURPLUS TO THE PEOPLE IT BELONGS TO

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

Mr. SCHAFFER. Mr. Speaker, government or the people; that is the question. Should the projected budget surpluses be kept in Washington, D.C., or should it be returned to the people it belongs to?

On the liberal side of the aisle, they say, trust politicians. We won't spend it. We'll invest it wisely for you.

On the conservative side of the aisle, we look at human nature. All of our history, and especially the track record of these very same people making these promises and we say, nice try. Let's give it back to the taxpayers before politicians in Washington spend it.

The idea that the same people who blocked Ronald Reagan's attempts at cutting spending and then blamed Reagan for the deficits, the same people who call Republicans extremists every time we try to cut spending, the same people who become hysterical every time Republicans insist on fiscal discipline are now asking us to trust them with the budget surplus. I find that completely absurd, and in any case, that money belongs to the people, not to the government.

THREE THINGS WE HAVE TO DO WITH THE SURPLUS

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

Mr. KINGSTON. Mr. Speaker, we now have a surplus for the first time since 1969, and there are two reasons for this: number one, Congress has brought in the rain on spending; but number two, and more importantly, hard-working Americans have worked their tails off, and tax revenues have increased as a result of it.

I believe there are three things we need to do with that surplus and there are three things that the Republican bill does last: number one, protected and preserved Social Security and Medicare. This bill set aside $1.9 trillion in Social Security and Medicare and used a lockbox device. Keep in mind the President not only wanted to preserve 62 percent of Social Security, the Republican bill preserves 100 percent.

The number two thing this bill does is pays down the debt. For 40 years, liberal Washington spending programs have given us a $5.4 trillion debt. This bill pays it down by over $2 trillion.

And then number three, it gives Americans their refund for overcharge on the government. It gives 792 billion in tax relief, and as liberal Senator Bob Kerrey says, it is not reckless; it is not irresponsible when you are looking at the surpluses that we are.

I hope that the demagoguery in Washington will stop and we can pass this very important bill for the sake of Social Security, Medicare, and the debt.

STOP THEM BEFORE THEY SPEND AGAIN

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

Mr. KINGSTON. Mr. Speaker, it is a rather interesting argument that the Republicans make so that they can pass their tax bill to give the vast majority of its benefits to the wealthiest people in this country, and that is they must give the money to the wealthy so that the Congress will not spend the money. It is interesting because there can be no expenditures of that money without Republican votes.

Last time I looked this morning, the Republicans controlled the Senate and the Republicans controlled the House, but they keep saying, you have to stop me before I spend again. It is the Republicans' Committee on Appropriations that is coming up with phony emergencies. They now want to say that the census was an emergency. We could not predict it, we could not see it, we did not know it was coming. That is compulsory every 10 years. For the last 200 years of this country we have had a census in this country, but somehow now it is an emergency spending so that they can break the caps, so they can spend the surplus supposedly there for Social Security. Every time Government every 10 years. For the last 200 years of this country we have had a census in this country, but somehow now it is an emergency spending so that they can break the caps, so they can spend the surplus supposedly there for Social Security. Every time Republicans insist on fiscal discipline are now asking us to trust them with the budget surplus. I find that completely absurd, and in any case, that money belongs to the people, not to the government.

ABOLISH DOE

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

Mr. ROYCE. Mr. Speaker, $30,000 should be enough to purchase a nice car or make a down payment on a house or pay for a couple of years of college, but $30,000 should not be enough to buy a $9 million supercomputer especially when the technology has the potential to be exported for nuclear weapons research. But that is exactly what the Department of Energy has allowed to happen, and when the DOE officials realized their mistake, they scrambled to buy the computer back for three times the sales price. Now this just does not compute.

The Department has proven time and time again that it does not put a premium on national security, and that is why I have introduced my bill, H.R. 2411, which would eliminate this multi-billion-dollar bureaucracy with confused missions and questionable priorities. Frankly, these are responsibilities that should be handled again by the Department of Defense. We should abolish this agency.

It is time we stopped the Department of Energy from turning our national labs into garage sales. I urge my colleagues to take a closer look at this risk to America's national security interests.

TRADE POLICY TOWARD THE COMMUNIST REGIME IN CHINA

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

Mr. ROHRABACHER. Mr. Speaker, in a few brief minutes this House will consider the issue of what trade policy we shall have towards the Communist regime in China.

It is a bipartisan issue. It is an issue in which there are some Republicans on one side and some Republicans on the other; some Democrats on one side, some Democrats on the other.

I would ask the American people to pay close attention to the debate that we will have on this issue. This debate will determine whether or not this country is remaining true to its principles as stated by our Founding Fathers; whether or not that is indeed our highest value, that freedom and democracy and human rights remain the highest value for the American people.

Mr. Speaker, if we are not committed to those fundamental principles, we will lose in the end, because not only will we not prosper, but our country will be put in jeopardy, our national security will be compromised. This, perhaps, is one of the most important issues that we will discuss this year, and I would hope that the American people pay close attention to the upcoming debate.
The vote was taken by electronic device, and there were—yeas 352, nays 53, answered “present” 1, not voting 27, as follows:

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So the Journal was approved. The result of the vote was announced as above recorded.

Stated for:
Mr. BURTON of Indiana. Mr. Speaker, during rollcall No. 337 I was unavoidably detained. Had I been here I would have voted “yea.”

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The SPEAKER pro tempore, Mr. ARCHER, a Member in support of the joint resolution each will control 1½ hours.

The Clerk read the title of the joint resolution.

The text of H.J. Res. 57 is as follows:

H.J. Res. 57

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on June 3, 1999, with respect to the People's Republic of China.

The SPEAKER pro tempore, Mr. ARCHER, pursuant to the order of the House of Thursday, July 22, 1999, the gentleman from Texas (Mr. ARCHER) and a Member in support of the joint resolution each will control 1½ hours.

Is the gentleman from California (Mr. STARK) in favor of the joint resolution?

Mr. STARK. I am in favor of the joint resolution. PARLIAMENTARY INQUIRY. Mr. TRAFICANT. Speaker, parliamentary inquiry. The SPEAKER pro tempore. The gentleman from Ohio (Mr. TRAFICANT) will state his inquiry.

Mr. TRAFICANT. Speaker, if all of those Members who are controlling time favor normal trade relations for China, I would ask unanimous consent to control half of the time on this side in opposition to normal trade relations for China.

The SPEAKER pro tempore. The Chair would advise the gentleman from Ohio that the time has already been divided, half in favor and half opposed to the joint resolution.

GENERAL LEAVE

Mr. ARCHER. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous matter on House Joint Resolution 57.

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

There was no objection. Mr. ARCHER. Speaker, I ask unanimous consent that I be allowed to yield one-half of my time to the gentleman from New York (Mr. RANGEL) in opposition to the joint resolution, and that he be permitted to yield further blocks of time.

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

There was no objection. Mr. ARCHER. Speaker, I ask unanimous consent that I be allowed to yield half of my time in support of the joint resolution to the gentleman from California (Mr. ROHRABACHER), and that in turn, he be allowed to yield blocks of that time so yielded.

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

There was no objection. Mr. ARCHER. Speaker, I ask unanimous consent that I be allowed to yield half of my time in support of the joint resolution to the gentleman from California (Mr. ROHRABACHER), and that in turn, he be allowed to yield blocks of that time so yielded.

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

There was no objection. Mr. ARCHER. Speaker, I ask unanimous consent that I be allowed to yield half of my time in support of the joint resolution to the gentleman from California (Mr. ROHRABACHER), and that in turn, he be allowed to yield blocks of that time so yielded.

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

There was no objection. Mr. ARCHER. Speaker, I ask unanimous consent that I be allowed to yield half of my time in support of the joint resolution to the gentleman from California (Mr. ROHRABACHER), and that in turn, he be allowed to yield blocks of that time so yielded.
Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong opposition to the resolution, which would cut off normal trade relations between the U.S. and China.

The relationship between China and the U.S. is very fragile now, as we all know, perhaps more fragile than ever. A number of developments have contributed to the precarious position in which we find ourselves today: the concern about Chinese espionage, escalating tensions between China and Taiwan, the mistaken bombing of the Chinese embassy in Belgrade, and more recently, the repression of Chinese civilians who practice their faith.

In no way should we discount the gravity of these developments, nor their impact on the U.S.-China relations. Rather, we should respect the significance of each and resolve to improve the situation. We should certainly not take steps that would cause relations to deteriorate even further, lest we risk far greater consequences for America, for China, and for the entire world.

Mr. Speaker, denying normal trade relations to China at this volatile stage would be such a step, and that is why I strongly oppose this resolution. House Joint Resolution 57 purports to subject all Chinese imports to prohibitive duty rates averaging about 44 percent. Of our 234 trading partners, only six countries such as Cuba, Laos, and North Korea, receive this exclusionary tariff treatment.

As a practical matter, China would likely retaliate with mirror sanctions against U.S. exports of goods and services to China totalling $18 billion and growing. Exports to China support 200,000 U.S. jobs. These are high caliber high-paying jobs, paying about 15 to 18 percent above the average manufacturing wage.

American firms and workers have competitors in Japan and Europe with a keen interest in this dynamic market. China’s infrastructure needs require a total of $744 billion over the next decade, including transportation, power, and communication, and many, many other services. They must be sourced abroad. Japan and Europe will be more than happy to replace the United States as a reliable supplier to China, capturing the business Americans would be forced to forfeit.

The question is, who will be hurt? The answer is, not the Chinese. It will be American workers losing high-paid manufacturing jobs.

House Joint Resolution 57 penalizes U.S. consumers, as well. China supplies low-priced consumer goods such as toys and games, apparel, shoes, and simple electronics. Americans, particularly those in lower-income brackets, depend on access to these reasonably priced items for their families, to improve their family’s standard of living.

Mr. Speaker, I yield the remainder of my time to the gentleman from Illinois (Mr. CRANE), and I ask unanimous consent that he be permitted to distribute it as he sees fit.

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

Mr. Speaker, I oppose renewing normal trade relations with the People’s Republic of China. Indeed, it may be among the world’s oldest civilizations, but today those wonderful people are lead by barbarous fascists.

The gentleman from Texas (Mr. ARCHER), chairman of the Committee on Ways and Means, asked: Who is hurt? I can give my colleagues a list of the companies that are hurt. And the current relationships with China: Millions of Tibetans, 6 million having been killed since the Chinese occupation in 1949; 2,000 political prisoners, these are just religious dissidents; 30 to 40 million people suffer from hunger; millions have murdered NTR and would deal a devastating blow to the people of Hong Kong as they struggle to maintain their way of life and autonomy following the territory’s reversion to China. Taiwan’s economy, too, would suffer with severe disruption. Securing Chinese cooperation on dangerous issues such as North Korea and the weapons proliferation will never happen without a functioning trade relationship between the U.S. and China.

China is one of the world’s oldest and most influential civilizations. I recognize that progress toward a more democratic and open society is slow, agonizing, irregular; but it is common sense to appreciate that China will not respond positively to draconian trade sanctions. Advancement of human rights, religious freedom, and democratic principles will not be achieved if we cut ties completely with the Chinese people.

American political business and religious leaders need to remain engaged in China in order to further our values there. The most valuable American export to China is American ideals. Religious freedom is increasing in China, and we even see free elections in Chinese villages where non-Communist candidates have been elected. The question is: Would this be happening without the impact of Americans and American society on China? The answer is: No, it would not.

The open lines of communication that accompany a basic trade relationship with China support the economic and foreign policy interests of the United States in a strategically important and dangerous region of the world. We cannot undermine U.S. political, economic, and security interests by unraveling the trade relations that benefit both countries. We cannot turn our backs on the Chinese people who compromise one-fifth of the world’s population. I urge a “no” vote on H.J. Res. 57.

Mr. Speaker, it is my pleasure and privilege to yield 5 minutes to the gentleman from Oregon (Mr. WU), one of the leading Members of the freshman class of the House of Representatives in the Democratic Caucus who has much experience and knowledge in this area.

Mr. WU. Mr. Speaker, thank the gentleman from California for yielding me this time.

Mr. Speaker, as the first Chinese American to stand in this House, as a trade and international trade lawyer, I represent the People who are all too often misquoted. But special responsibilities run deep in this House, because the representatives of the United States of America in Congress assembled almost
exactly 223 years ago committed themselves to the path of liberty and committed to each other their lives, their fortune, and their sacred honor.

America has lead the way for 223 years on the path of freedom, sometimes leading the way with great acrimony and sometimes through great adversity, but always leading the way and shining a light for others to follow.

What this debate is about, it is about who we are as a free people, what we stand for as a country, the courage of this Congress, and the integrity of each of us as individuals. What this debate is not about is engagement. Of course we must engage China, 1.2 billion people.

We are engaged with China, and we will be engaged with China. We must be engaged with China culturally. There are 6,000 Chinese on cultural exchange visas here in the United States. We must be engaged with China educationally. There are 14,000 Chinese on student visas in the United States. We must be engaged with China on environmental issues, on labor issues, on human rights issues. We must be engaged with China on issues where we agree and where we disagree.

Of course we must be engaged with China in business and trade. But the business of America must be more than business alone. An engagement must be through more than just the cash register. Let me give my colleagues the difference between a cash register engagement and real engagement.

Cash register engagement would have us see the Chinese people as workers and as consumers, as 2 billion strong arms to do our work, as 2 million legs to wear American jeans.

Real engagement recognizes the Chinese people as real people, people who have hopes and aspirations, people who would walk the path of freedom without.

Cash register engagement would say they are not ready for freedom. Real engagement recognizes that freedom is young everywhere. It is only 220 years old here in America. It is 150 years old in Britain. It is 100 years old in France, 50 years old in Germany and Japan.

I stand here as living proof that the Chinese people can fully participate in democracy. I stand here as proof that all people deserve to walk the path of freedom.

What have we been walking in the past 10 years? Through two administrations, we have been walking, not the path of freedom, but the moral wilderness. We have been called off the path of freedom by the siren song of the cash register, and we have closed our ears and our eyes to the cash register engagement and real engagement.

Cash register engagement would say they are all enemies of the American people. They are all enemies of the American people. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I oppose this resolution, and I call on my colleagues to vote against it. We, as Americans on the bridge of going into the next century, while we have a boom in our economy, there is no question that, in order to sustain this economic boom, we are going to have to continue to maintain our technological leadership and expansion in trade. The whole thing for the next century is going to be trade, trade, trade, and more trade.

It is true that we have lost a lot of our low-skilled jobs here, and we have to do more to protect those people that have been dislocated and placed out of work. There is no question that, as a result of our important leadership role in the world, that more and more is expected of us to protect the human rights and political rights of other people.

But I think that there is a lot of hypocrisy in terms of America's ability to monitor these things all over the world and, at the same time, to ignore many of the same inequities that exist in our country.

I was among those who lead the fight in sanctions against South Africa because the whole world saw exactly what was happening to majority rule there. But, now, America has singled out China for punishment, and when most of the time we stand alone, Cuba being an example of how just wrong trade policy can get.

It would seem to me that we have an obligation for the next generation to say what we have done to prove that America leads the way in moral leadership; that we have never to explain how we get on the Amnesty International list of terms of violation of human rights; that we have to explain why 18 million Americans are locked up in jail, why 90 percent of them are locked up for nonviolent crimes, and how we find that most all of them came from the most terrible schools that we have in America.

We have to make certain that this new technology, that we have investments in it, and that we move forward and turning away from countries that we trade with, but to take advantage of our power, our influence, to make certain that, by example, we show the people that we protect human rights and political rights in this country and throughout the world.

Mr. Speaker. I should the balance of my time to the gentleman from Michigan (Mr. Levin), and I ask unanimous consent that he be allowed to allocate that time.

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

There was no objection.

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

Mr. Speaker, as the author of this legislation that we are discussing today, I dedicate this bill to Ginetta Sagan, a champion of human rights, who has inspired me for many, many years.

The legislation we are talking about will deny normal trade relations, formerly Most Favored Nation status, to Communist China. This preferential trade status should not be granted to a despotic regime. It should not be granted to regimes that are engaged in aggression, militarism, and a systematic abuse of human rights of their own people.

I certainly disagree with the last speaker who suggested that the United States of America is in some way morally equivalent to this dastardly, nastily tyrannical regime, the world's worst human rights abuser. By ignoring the nature of the Communist regime that rules China with an iron hand we are doing no favor to the American people and we are doing no favor to the Chinese people.

Mr. Speaker, we will be told time and again during this debate that bestowing this preferential trade status on Communist China will tend to civilize more Chinese people and weeter-like rulers there. All empirical evidence suggests the opposite. Since Tiananmen Square 10 years ago, which was a massacre of democracy advocates that the Beijing regime still denies, but since then the trade continues in Tibet and the repression throughout China has escalated.

We have just heard today someone say that freedom of religion has never been greater in China. Yet, in fact, in the last few weeks a new generation of victims are being rounded up and brutalized, many disappearing into the Lao Gai prison camps, which are the Chinese version of the Nazi concentration camps, or the gulag system of the former Soviet Union. These victims are part of a meditation and exercise movement, a religious minority based purely on Chinese cultural and spiritual traditions. This has grown to some 70 million practitioners, including some members of the Communist party and their families.

Yet these innocent people, who have no political agenda, have now joined the Tibetans, the Chinese Muslims, and the Christians, who refused to register in their registered churches, in that they are all becoming enemies of the state.

The leaders of this same tyrannical regime that is persecuting these religious people still boasts in their meetings, and it has been quoted in their last meeting just a month ago, that they will “destroy capitalism.” I think we can read that the United States of America is who they want to destroy.

This is the same regime that is using its annual $70 billion trade surplus, and we are permitting them that trade surplus with our irrational policy that we are talking about today, they are using that to modernize their military. They
are building nuclear-armed missiles based solely on American technology, and stolen American technology, missiles that are aimed at the United States and that could incinerate millions of Americans.

After the Chinese debating this issue in Congress, as their trade surplus with the United States continues to grow, there is absolutely no sign of moderation or liberalization on the mainland of China.

Secondly, Mr. Speaker, we will hear that China must be given this preferential trade status because we cannot isolate or refuse to trade with this vast potential market. Glassy-eyed businessmen can overlook any crime, shut their ears to any pleas for mercy in their quest for the China market. Well, China is the market of the future, it always has been, and as long as it is under Communist Chinese rule, it always will be. The Communist rulers are playing Americans as saps. Little Taiwan, with a $2.5 billion population, produces more from us than all of mainland China with its 1.2 billion people. So does tiny Singapore.

This debate, no matter how the other side may spin it otherwise, is not about isolating China or cutting it off from trade. Americans will still be free to trade with China at their own risk. But those are the operative words we are talking about today. They will be trading at their own risk. The reason these powerful lobbies are pushing for normal trade relations status is that it will permit wealthy financial interests to invest in Communist China with the benefits of subsidies provided by the American taxpayer.

In short, American businessmen will be able to close down their factories in the United States, as they have been doing, and they will be able to move them to China with a subsidy by the taxpayers of the United States of America. And that is what this debate is really all about. Because people will still be free to sell their products over in China, no matter what happens in this particular debate.

This debate is not about free trade. Obviously, it is about subsidy, as I just said. But if it was truly about free trade, I would be on the other side. I believe in free trade. Free trade between free people. What we have is manipulated trade on their side and free trade here. It all ends up benefiting the Communist Chinese and their clique that rules that country. It is not free trade; it is just a masking phrase for a totally insane policy that permits huge tariffs on any American product that they are trying to sell into China versus low tariffs on the Chinese goods that are flooding into the United States and putting our people out of work.

There has been a short-term profit. Sure, but China is a short-term profit, to a few billionaire in the United States. But it is not in the long-term interest of the American people, who are now in the shadow of Chinese nuclear weapons that are aimed at the United States and our cities.

I am asking my colleagues to join me in changing a policy that is out of control and self-destructive. Our current policy is not good for the American people or the Chinese people, it is not making peace more likely, and America's technology is flowing to a regime that is very similar to the Japaneese militarists of the 1930s. This is simply emboldening. I just like our trade policy did with the Japaneese back in the 1930s. We are simply emboldening the bully boys in Beijing to continue their repression, their aggression, and their belligerency.

This immoral policy of accommodating the Japaneese back in the 1930s did not work and did not lead to peace or freedom, and it will not give us peace and freedom in our time. I ask my colleagues to join me in standing up for democracy, for the economic interests of our people, and for a rational blueprint for peace.

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

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

Mr. Speaker, I have a strong opposition to H.J. Res. 57, which would terminate normal trade relations with China 60 days after enactment. By raising tariffs to the prohibitive levels that applied before 1980, and thereby prompting mirrored retaliation on part of the American people, $18 billion of U.S. exports, this resolution would effectively extinguish trade relations between our two countries.

And for my distinguished colleague and friend from California who was just on the floor, I would remind him that his State exported $2.5 billion worth of goods. And these were not all those powerful interests, although maybe in the scrap and waste industry, because the gentleman's State exported $124 million worth of scrap and waste. And I am glad that China was willing to take it instead of dumping it in my back yard.

But in addition to that, manufactured goods out of the State of California were $2.5 billion, and that translates into roughly 40,000, almost 50,000 domestic jobs that pay, on average, 15 to 20 percent more than most jobs.

During the debate today, proponents of the bill will urge Members to send a signal to China in order to protect violations of human rights. Unfortunately, revoking normal trade relations is a rash policy that offers no practical plan for bringing the political and economic change to China that we all seek. I urge my colleagues to support a more pragmatic policy which acknowledges that a nation of 1.2 billion people is more likely to imitate our powerful example over time than it is to bend as a result of our threats.

My goal in maintaining normal trade relations is to support the continued presence of Americans throughout Chinese society, whether they are entrepreneurs, teachers, religious leaders, or missionaries. And speaking of missionaries, I might note that we had a visit here on the Hill with Ned Graham, Billy Graham's son, and they have been engaged in missionary activity in mainland China for several years and have distributed literally millions of Bibles there. They have even contracted with a publishing firm in mainland China to print their Bibles. These contacts would be threatened if we revoked NTR.

Since the economic opening of China by Deng Xiaoping in 1978 and the transition of China from central planned socialism to a more capitalist system, 200 million Chinese citizens have been lifted out of absolute poverty. Likewise, while restrictions on organized religion remain, there has been a marked growth in religious activity in China. "To be sure, there are several severe problems remaining, but listen to Reverend Pat Robertson, who has urged Congress 'to keep the door to the message of freedom and God's love' open, not shut. "In any billion people in spiritual darkness punishes not the Chinese Government but the Chinese people," he wrote. 'The only way to pursue morality is to engage China fully and openly as a friend.'

In the past few years we have observed democracy beginning to take root in the former Communist elections at the village level in China. To date, one in three Chinese citizens have participated in local elections where many successful candidates have been non-Communists.

Many observers believe that freedom in China is greater now than at any other time in its long history. The Chinese Government has allowed an unprecedented increase in the ability to own property, a home or a business, to travel and to keep profits. In a few years, more than half of the state-run industries will be privatized.

While preserving NTR trade status offers hope for improving the welfare of the Chinese people, it is also squarely in the U.S. national interest. Revoking NTR would be interpreted by the Chinese as an act of hostility. This would strengthen the hand of those in China who oppose further reform and that is how the West. It would jeopardize China's new willingness to embrace the market-oriented trade disciplines of the WTO as evidenced in the April 8 package of concessions put on the table by Premier Zhu Rongji at the summit meeting with President Clinton.

U.S. negotiators secured progress toward an expansive bilateral market access agreement, along with Chinese commitments to adopt WTO rules relating to such issues as technology transfer, subsidies, product safeguards, and state owned enterprises. China also agreed to more sanitary and phytosanitary bans on the importation of United States wheat, meat, and citrus products.
If implemented, these commitments could represent substantial new opportunities for U.S. exports to China, because Chinese markets, already huge, will grow even further in areas such as agriculture and information technologies.

Unlike any other major trade agreement, this is a one-sided set of concessions. In exchange for steep tariff reductions and wholesale reforms of the Chinese trading system, the United States gives up nothing. At the same time, China is preserving its positive influence over the direction of the turbulent change that is occurring in China.

I urge the administration to get back to the table with the Chinese as soon as possible. The United States has a unique opportunity at this point in time. In my view, the President should have seized this historic opportunity to lock China into a binding WTO agreement. Clearly, a protectionist move to revoke normal trade relations with China would permanently derail all the potential WTO deal. History in Asia and the political evolution in China will be entirely different if we allow this deal to slip through our fingers.

Maintaining normal trade relations is in the economic interest of all Americans because it preserves 200,000 U.S. jobs which are directly supported by U.S. exports to China.

My home State of Illinois sold almost a billion dollars of products to China in 1992. These are jobs that pay wages, as I indicated earlier, 15 to 20 percent higher than jobs supported by sales to the domestic market. They would be the first casualties in a war of trade retaliation.

Mr. Speaker, trade is the one area where the mutual advantage for China and the United States is clear; and, for that reason, I strongly urge a “no” vote on H.J. Res. 57.

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

Mr. STARK. Mr. Speaker, I am honored to yield 3 minutes to the gentleman from Michigan (Mr. Bonior) the distinguished minority whip.

Mr. BONIOR. Mr. Speaker, I see nothing clear in the advantage of trade with China.

Ten years ago, the Chinese tanks rumbled into Tiananmen Square to crush an historic call for freedom and reform. Despite that danger, many demonstrators stood their ground. Hundreds were beaten; they were arrested; and they were shot.

Now, 10 years later, many of those arrested that grim day are still in prison. One of them, Zhang Shanguang, served 7 years. After Tiananmen Square, he was released, only to be rearrested because he dared to speak out on behalf of laid-off workers.

Just over the past week, Chinese authorities arrested more than 5,000 people solely on the basis of their religious beliefs. They joined countless others already locked away in dark cells and reeducation camps simply because they spoke about their faith or their right to form a union or their right to seek justice in their country.

By any measure, any measure conceivable, this is an abysmal record.

Well, some say we need to give the Chinese authorities more time, we need to give them more time by way of economic incentive to change. We are told to be patient.

Ten years is long enough to see that nothing has changed. In fact, it has gotten worse. The current regime continues to abuse human rights and political rights without the slightest hesitation.

The authorities even arrested a man recently in downtown Beijing for wearing a T-shirt and on the T-shirt were the words “labor rights.” They arrested him and threw him in prison for wearing a T-shirt.

Even as we speak, Nike is negotiating a deal with a sweatshop in China that pays teenage girls 16 cents an hour to make gym shoes that sell for $120 a pair. They work 12 hours a day for 16 cents an hour. And they have no power, no power to speak up for a better deal or to organize or no right to basic dignity, no hope at all in this situation they find themselves in.

That is exactly something we need to take a stand against. If we do not, unless we use our courage to leverage our economic strength to enact real reform, we could give the people of China a chance to help themselves.

Our policy of granting China special trade status no matter what they do year after year has failed.

How long are we going to ignore China’s policy of slave labor, of prison labor, of forced abortions, of ethnic persecution, of religious persecution? And what are we ignoring it for? A $57-billion trade deficit?

Now, this is really surreal when we think about it. We sell more to Belgium than we do to over a billion Chinese. They work 12 hours a day for 16 cents an hour. And they have no power, no power to speak up for a better deal or to organize or no right to basic dignity, no hope at all in this situation they find themselves in.

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not a sufficiently relevant or effective mechanism to press ahead on human rights. On the other hand, I agree that the operation of a normal trade economic relationship will not likely by itself transform China on human rights and Democratic Values.

In a word, we need to find an alternative instrument.

I realize it is not easy to find such, but I urge that we have not worked hard enough in its search. We debate once a year and then mainly wait for the next year.

We, the administration and the Congress, do not spend sustained time trying to persuade other nations to join themselves with us on human rights issues. There is no certain answer. But quite clearly, the withdrawal of NTR is not, partly because idle threats rarely create much, if any, pressure.

So, in both respects, both as to trade and human rights, a "no" vote on this resolution is in order. But, and I say this with the full depth of conviction, it must not be the end of this work on trade and human rights but a stimulus to further vigorous efforts.

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

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

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

Mr. TRAFICANT. Mr. Speaker, I support the resolution. I oppose these so-called normal trade relations with China.

Trade with communist China is a one-way street. It now exceeds $1 billion a week. Experts say it will exceed $70 billion this year.

I want the Members to know that China, with money from Uncle Sam, is buying attack aircraft, nuclear submarines, and intercontinental ballistic missiles.

And we are continuing to simply talk about a trade scenario. Unbelievable.

The record is clear. China has already threatened to nuke Taiwan. And we are now being towed by China with a one-China policy.

China, as we debate this measure, has 14 intercontinental ballistic missiles pointed at American cities according to the Central Intelligence Agency. China is arming terrorist nations who hate America. And we are today voting again to continue a policy that is anti-American and threatens our national security.

The bottom line of this debate: Congress is financing the greatest threat in our Nation’s history.

We have got to be dumb, my colleagues. This is not just a trade matter. This is much more. The records show over the last several years China is spying and buying America right out from under us. And we are today voting again to continue a policy that is anti-American and threatens our national security.

I heard about all of the trade surpluses. I am sure I am going to hear one from Ohio. Ohio has got a deficit with China. Ohio has got a deficit with Japan. The Nation has a $70-billion deficit, and we are in fact threatening the future of each and every one of our constituents and citizens.

I do not know what it is going to take. I do not know what we will have to do until there is a Chinese dragon eating our assets around here. I think that is what it is going to have to take.

I want a reciprocal trade agreement with China, with Japan. Engagement is fine if it is not a one-way toll bridge for America.

I think it is time for our committees who have jurisdiction over trade to start bringing out the trade measures. That is the most significant problem facing our country.

Mr. CRANE. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HOUGHTON) our distinguished colleague.

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

Mr. HOUGHTON. Mr. Speaker, I do not know why we are doing this to ourselves. I mean, every single year we come up and beat the tambourine and hit the drum.

This is not going to go anywhere. We cannot cut off our relationship with China. We do not want to do it. It is the wrong thing to do. There are hundreds of ways to make China an enemy. This just happens to be one of them.

Now, it is very easy to get into specifics here, but let me get to China. I have done business there. I know what they are doing. We have a trade deficit.

It is not going to get turned around soon. There are human rights problems. There are labor problems. There are environmental problems.

But I can remember talking to one of the people in one of our plants over there who said, You can be philosophic about trade relations with China. You can cut it off or increase the tariffs. Let me tell you, my job is on the line; and I want you to remember that, because I am trying to have an impact here not only with my company but also with my family.

We must be able to relate and to talk and share ideas and to trade. How else do things change? I just by shutting off things? No. So to cut off the normal trade status with China, I think it is wrong, and I think we must oppose H.J. Res. 57.

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

Mr. BROWN of Ohio. I thank my friend from California for yielding me this time.

Mr. Speaker, I rise in support of H.J. Res. 57, to deny trading privileges to the People’s Republic of China.

Every year when we debate this issue, America’s CEOs stream into Ronald Reagan Airport seeking special favors for the world’s worst abuser of human rights. They are helped by former government officials that know how the machinery of government operates, including former Secretary of State Henry Kissinger, former U.S. Trade Representative Carla Hills, and former Commerce Secretary Mickey Kantor.

This fall, Mr. Speaker, “Fortune” magazine is sponsoring a 3-day business trip to China. This gala, which CEOs by invitation only of the largest companies in America will attend, will feature dinner with the world’s leading Communist, Jiang Zemin, and will feature lunch with Henry Kissinger. It concludes just prior to the celebration on October 1 of the 50th anniversary of the founding of the People’s Republic of China, the 50th anniversary of the victory of communism, the 50th anniversary of the “who-lost-China” debate.

These CEOs from America’s largest companies, many of them, will travel from Shanghai to Beijing on October 1 to watch a parade in Tiananmen Square. As this military hardware from the People’s Republic of China goes by and is viewed by America’s most prosperous and successful CEOs, most prosperous capitalists as they watch this Communist parade go by, as ludicrous as all this sounds, it is safe to say there probably will not be much discussion by these CEOs to each other or to Communist leaders about the forced abortions in China, probably not much discussion about nuclear weapons sales, technology sales to Pakistan, probably not much discussion about persecution of Christians, probably not much discussion among those Communist leaders and CEOs about China’s slave labor camps or its child labor or all of its human rights abuses.

Mr. Speaker, we should vote “yes” on this Rohrabacher resolution. We should demand to see if China, for only 1 year, can stop its human rights abuses; we should demand to see if China, for only 1 year, can stop its use of slave labor and child labor; we should demand if China, for only 1 year, can begin opening the democracy, the democracy next door, Taiwan; and we should demand, if only for 1 year, that China open up its markets so that instead of a $65 billion trade deficit, persistent trade deficit we have with that country, that maybe we could deal on an equal footing.

Mr. Speaker, a “yes” vote on H.J. Res. 57 is an opportunity to send a message to the American business community and most importantly to the thugs that run the Communist Party in China. It is an opportunity to send a message that this kind of behavior that they have exhibited is no longer acceptable.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. MATSU), an expert on trade matters.

Mr. MATSU. I thank the gentleman from Michigan for yielding me the time.

Mr. Speaker, there is no question that if you look at China’s record on
human rights, on the whole issue of espionag e, the trade deficit, one would have to say that our relationship with China is a very difficult one, it is an uncertain one, and it is one that obviously has a lot of ups and downs. 

I think it is important to continue on our trade relations with China. 

It is somewhat unfortunate that we have this debate tied with trade, because what eventually happens here is the fact that trade continues on and to some extent the comments made by the opponents of trade with China become diminished. We should really highlight the issues of human rights, the whole issue of proliferation, but it should be in a different forum, one in which we can all join together and deal with it.

The reason we must continue on trade with China is pretty simple. China is 22 percent of the world population. One out of every five individuals on this planet is Chinese. Over the next 20 or 30 years, China will become one of the most dangerous players in the world if we begin to try to isolate them; or, on the other hand, if we engage the Chinese, perhaps, not certainly but perhaps, we can enter into a period where the U.S. and China and other countries of the free world begin to operate and work together. This is a strategic issue for the United States. This is an important issue for the United States.

Let me address, if I may, the issue of human rights just for a moment in conclusion. Yes, there is political repression in China and there is very little political rights in China. On the other hand if we were to continue on our trade relations with China.

I urge my colleagues to vote for the bill to disapprove NTR for China.

Mr. CRANE. Mr. Speaker, I include for the RECORD the article referred to by the gentleman from California (Mr. MATSUI). It was an L.A. Times article that was written by the chairman of the Committee on Rules. 

END THE U.S.-CHINA ROLLER COASTER

(By David Dreier)

Twists and turns, slow and measured ascents followed by storms and changes. A roller coaster at your local theme park? No, U.S.-China relations over the last few years. And it's a bad way for two enormous and important countries that often face off on the Pacific Rim to deal with one another. The U.S. should seize the incoming opportunity to fashion common-sense trade rules that will offer the American and Chinese peoples greater hopes for stability, prosperity and freedom. 

The U.S.-China relations roller coaster will crest this summer as the annual trade debate over normal trade relations—sometimes called “most favored nation” status—is held. The PRC is now applying for admission to the World Trade Organization. These intricate trade negotiations and rules that the stuff of lawyers and government officials are vitally important because prices, product quality, consumer choice, jobs and investments are ultimately tied to trade. Trade with Asia is critical to California and America's continued economic growth.

The American people have been exposed to China in the last year like never before. Unfortunately, much of this attention has been the negative headlines of espionage, protests against the tragic damaged bombing of the Chinese embassy in Belgrade, illegal campaign activities. Though these all deserve to be discussed and examined in full, what has not received enough attention has been the truly revolutionary change sweeping across China.

China is literally revamping its entire economic system, an enormous undertaking. It's the equivalent of the people switching to driving on the other side of the road, repudiating their whole political ideology and changing their economic system all at once. This type of economic and political revolution can't happen overnight. If it does, there could be such instability and shock to the system that widespread and political repression might reappear.

When China tried swift, radical change during the Cultural Revolution and the Great Leap Forward, 60 million people died. But things are changing in China, and mostly for the better. We can be under no illusions about the fact that the Beijing government is a representative, authoritarian dictatorship. Yet although political rights are largely nonexistent, there is no question that personal freedom is on the rise, due in large part to market engagement.

Year after year, the United States has extended normal trade relations to China, the objections of those who believe curtailment trade will solve our problems with China. I have never understood the argument that limiting Chinese interaction with America will somehow strengthen democratic institutions and revered individual spirit of free enterprise would somehow strengthen democratic activists and weaken entrenched interests. Trade with China is not a threat or reward that should be given and taken away; it is a crucial tool needed to foster change and reform in a very old, proud and different country.

This annual debate over commercial relations with China will end once that country
is admitted to the WTO and agrees to take its confidential marketing strategies or cost structures to China, you figure 20,000 jobs per billion, that is 280,000 jobs. That is hardly as many as the Chinese have killed in Tibet since their horrid reign. It is how you decide you want to take care of people.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. WELLER). (Mr. WELLER asked and was given permission to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, I rise in opposition to this resolution and urge a "no" vote.

I stand here today in support of free trade with China, our globe's most populous nation, our fourth largest trading partner. When we have issues such as this before this House, I am often asked, as I travel throughout the diverse district that I have the privilege of representing, what does this all mean to America? A stable and sensible and reasonable trade negotiation, divorced form the wild roller coaster ride of yearly fights and political trends, will increase prosperity and improve the lives of the American and Chinese people.

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Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from California (Ms. PELOSI), the leader in the efforts to ensure that the American workers are protected.

Ms. PELOSI. Mr. Speaker, I have to husband the time very carefully because we proudly have so many people who want to come to the floor today to speak on behalf of human rights in China, fair trade for the United States, and a safer world.

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front in these last years of increased engagement. Indeed, the continued detention of religious figures as well as of democracy advocates only point up the necessity for unrelenting official U.S. firmness on issues of human rights and religious freedom.

The trade status debate may not be the best forum to discuss the Congress’ important opportunity to raise the priority of human rights and religious liberty. Therefore, I urge you to send as clear a message as possible by voting to overturn the President’s waiver of the relevant sanctions of the 1974 Trade Act. A strong vote to deny MFN/NTS status to China should strengthen the Administration commitment to human rights at the top of the China agenda and send a strong signal that the status quo is not acceptable.

Sincerely yours,

MOST REVEREND
THOMAS E. MCCARRICK,
Archbishop of Newark, Chairman, International Policy Committee, U.S. Catholic Conference.

So, Mr. Chairman, I plead with my colleagues who have voted on the other side of this issue. Ten years is enough. The trade deficit has gone from 3 billion to 56 billion. It will be $67 billion for this year.

It has not led to better trade relations, it has not led to more U.S. products in China. Quite the reverse. A $67 billion trade surplus for the regime to consolidate its power, the proliferation of weapons of mass destruction continues, the human rights violations continue. And this past week, there have been arrested between 10 and 20,000 people for the practice of their self-help, for their own self-help group. Ten to 20,000 people, no food, no water. Do not give the regime a waiver to abuse human rights, abuse trade practices, and proliferate weapons of mass destruction.

Vote for the Rohrabacher amendment. This is not normal.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER).

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

Mr. ROEMER. Mr. Speaker, I rise in strong support of normal trade relations with China and do so because we are confronted with two choices. The choices are clear and simple. We can have a constructive and purposeful engagement policy with China or we can have a new Cold War with a new evil empire with new costs to our taxpayers for a larger defense budget.

Now I think that we have made some limited progress with China—probably the most important bilateral relationship that we are going to have with any country in the world over the next 50 years. What are some of the things that we have done where we have been successful? I think we can hear a lot of the problems on the floor today. Well, one example is the East Gates International headed by Ned Graham, the son of the Reverend Billy Graham, has been able to distribute 2.5 million Bibles legally in China since 1992 and help us work towards some more religious freedoms.

With respect to proliferation and arms control efforts, China has joined the nuclear nonproliferation treaty; they have signed a chemical weapons convention; they have signed the biological weapons convention; they have signed the Comprehensive Test Ban Treaty; and they have signed the International Convention on Civil and Political Rights.

Now there are some successes. Have they made enough progress on human rights? Absolutely not, and that is one of the reasons why we need to engage them, and I had a meeting with a host of Chinese students courageously demonstrated in Tiananmen Square, Chinese students courageously demonstrated in support of democracy, but they were met by violence from a regime fearful of change. We continue to stand for human rights in China, and I firmly believe that a continued policy of principled and purposeful engagement reinforces our efforts to move China toward broader freedoms and openness. We have successfully influenced China to make significant progress, but much more must be achieved.

We continue to have serious differences with China on human rights, their efforts to acquire sensitive information, nuclear non-proliferation, regional stability and transnational threats such as drug trafficking, terrorism, and smuggling people across borders. We will continue to deal directly with these differences. As the President stated when he announced his decision to extend NTR: “We pursue engagement with our eyes wide open, without illusions.”

Accordingly, we should continue to speak and negotiate frankly about our differences and to firmly protect our national interests. However, a policy of disengagement and confrontation would serve only to strengthen those in China who oppose greater openness and freedom. Through constructive engagement, we will remain sensitive and respond quickly to ongoing human rights violations, including China’s recent massive crackdown on members of Falun Gong and religious suppression in Tibet and against Protestant “house churches” in Henan.

In particular, we should call for the immediate release of these Chinese activists—Xu Wenli, Qiong Yongming and Wang Youcai—who received stiff prison sentences for advocating the Chinese Democracy Party last year.

Earlier this year, I met Premier Zhu Rongji at the Blair House and wrote a follow-up letter that was signed by ten Members of the House of Representatives who support NTR in which we called for their immediate release.

Clearly, trade encourages human rights, and it has facilitated the work of Western religious ministries active in China. For example, East Gates International, headed by Ned Graham, son of evangelist Billy Graham, has been able to distribute 2.5 million Bibles legally in China since 1992. This organization can communicate freely with its contacts in China because of the proliferation of information-exchange technology such as e-mail, faxes, and cellular telephones—a development made possible by trade and economic reform. As Billy Graham has written, “Do not treat China as an adversary but as a friend.”

Revolving NTR would rupture our relationship with a third of the world’s population and jeopardize our political and economic security. Such an action would make China more defensive, isolated and unpredictable, weakening the forces of change and nullifying the progress achieved so far. Moreover, revoking NTR would undermine our efforts to engender constructive Chinese participation in international organizations and China’s adherence to international standards on human rights, weapons of mass destruction, crime and drugs, immigration, the environment, economic reform and trade. Indeed, constructive engagement means advancing U.S. interests in tangible ways.

As Brent Scowcroft said in a recent New York Times article, “The U.S. has at least another two decades to encourage China’s responsible development before it presents us with a direct military challenge. As China’s intentions are clarified, both the U.S. and its regional partners will be able to make constant course adjustments.” To be sure, we will keep a close eye on China, particularly in the wake of its recent moves in the disputed Spratly Islands where it has unilaterally intensified military exercises, and its hostile posturing against Taiwan.

While the Cox Report uncovered troubling lapses in security at the U.S. national laboratories, we must maintain perspective on China’s undeniable but extraordinary vulnerability. To that end, we should continue to engage China in easing tensions on the Korean Peninsula, as well as cooperation efforts to combat terrorism, drug trafficking and intellectual property piracy. As a result of our engagement policy, China has joined the Nuclear Nonproliferation Treaty and Zangger Committee, the Chemical Weapons Convention, and the Biological Weapons Convention. Additionally, China signed the Comprehensive Test Ban Treaty and pledged to ratify it soon, and has ceased nuclear cooperation with Iran.

Furthermore, maintaining NTR with China—as every President has requested since 1980—is good for U.S. farmers, workers, small businesses, and the economy. Last year, we exported $14 billion worth of goods, and the Chinese market is China’s largest growing market abroad. Revoking NTR would invite retaliation against U.S. exporters and investors, as tariffs on imports from China would immediately increase from an average 6 percent to 44 percent. In turn, China would immediately start buying from our European and Asian competitors. This would seriously jeopardize more than 400,000 U.S. jobs which currently depend on exports to China and Hong Kong.
Moreover, withdrawing from our constructive engagement policy will preclude us from pursuing opportunities to open new markets to American products. Earlier this year, the U.S. negotiated far-reaching market access for agricultural and industrial goods as well as a wide range of service sectors. Additionally, significant new access was gained to the important rules of commerce, but differences remain on the implementation and duration of provisions governing dumping and product safeguards.

We also successfully negotiated tariff reductions with China from 80 percent to 25 percent in the near term and 40 percent with auto tariffs decreasing to an average of 10 percent. However, without NTR, we cannot reasonably hope to pursue additional tariff reductions to further open Chinese markets to U.S.-made automobiles, nor improvements to consumer financing so that more autos can be purchased. We must also encourage China to update its antiquated distribution system which penalizes foreign competitors.

Improving trade relations is similar to peeling an onion, as numerous layers must be pared before the job is finished. I am hopeful that the Chinese will approach improving future trade relations with a view to the whole picture, rather than making small adjustments one layer at a time. At the same time, China must demonstrate progress for individual liberties, including releasing arrested political religious and human rights activists, if they hope to continue to enjoy strong relations with the United States.

Mr. Speaker, I am confident that constructive engagement with China will lead to positive results, aiding us in our trade interests and foreign policy goals of religious freedom and improved human rights. I strongly encourage my colleagues to support constructive engagement and vote against this resolution to disapprove Normal Trade Relations with China.

Mr. ROHRABACHER. Mr. Speaker, I am happy to hear about all these agreements Communist China has signed.

Mr. Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. Wolf). (Mr. Wolf asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, I rise in opposition to MFN. I know it is a difficult vote for a lot of Members and there is a lot of soul searching, so I just want to tell people why I am strongly opposed to MFN.

For me it is an issue of the soul; it is an issue of conscience; it is an issue that 10 years from now when I look back and want to know that I did my best and not what was right, maybe people differ, but what I think my God told me to do.

Now I think we maybe in a situation similar to the Parliament in the 1930’s in Great Britain when Winston Churchill tried to alarm people about what was taking place, and yet they still wanted to trade with Nazi Germany, and Nazi Germany went on to do horrific things. My sense is, and I hope I am wrong, but this is what is going to happen if we continue to trade with China.

And I would say to my friend from Indiana, they are the evil empire and they are the evil empire like Ronald Reagan said in 1983 with regard to the Soviet Union.

There are 13 Catholic bishops in jail in China today. I would change my vote if they set those bishops free. Bishop Su, who has been in jail because of his defiance to the gentrification from New Jersey (Mr. Smith); he has been in jail for over 20 years. Thirteen Catholic bishops, a large number of Catholic priests are in jail. There is the gentleman from New Jersey (Mr. Smith). He can tell my colleagues about Bishop Su. I hear all these missionaries quoted. Does anyone ever quote Bishop Su any more? Does anyone even ask to see Bishop Su any more?

There are a large number of Catholic priests in jail. There are a large number of evangelical house church people that are in jail. Muslims in China are being persecuted like my colleagues will not believe. I have a letter talking about electric volts and shocks being used on their people.

Then there is Tibet. I am the only Member of Congress who has been to Tibet for years. When I was there, and we came in not as a Member of Congress, but as a tourist, I was told of unbelievable persecution. Lhasa is a Chinese city. It is no longer a Tibetan city. The Chinese government has destroyed 4,000 monasteries, not 4 monasteries, but 4,000 monasteries.

There are more slave labor camps in China today than when Solzhenitsyn wrote the book Gulag Archipelago. The book was a best seller. We all went out and bought the book. The Chinese government is suppressing and persecuting practitioners of Falun Gong. In the past several weeks, China has been engaging in one of the largest crackdowns of a group of people since the Tiananmen massacre of 1989. Thousands of Falun Gong practitioners, including many of its leaders and government officials, have been arrested. It is estimated that over 40 million people in China practice Falun Gong, many of them poor or unemployed. They are not involved in politics, but the Chinese government has chosen to crack down on this movement.

This illustrates perfectly why I continue to oppose NTR for China. Many argue that the way to improve human rights in China is to keep giving China NTR status. The problem is that this has been our policy for the past ten years, but human rights have not improved. China’s human rights record is as bad today as it was in 1989, when the Chinese government killed and injured hundreds of students who peacefully demonstrating for political reform on Tiananmen Square.

The persecution of the underground Christian church continues.

Many Protestant pastors, Catholic bishops and priests are still being arrested, fined, beaten, and imprisoned. Some have been in prison for many, many years—even decades. I will insert for the Record a partial list of Chinese Christians currently detained or imprisoned for religious reasons.

House church Christians and laypeople are still being arrested, fined, beaten and imprisoned. Bibles are still being confiscated.

The Tibetan culture and religion are still being systematically destroyed. Tibetan Buddhist monks and nuns are being arrested and tortured. Tibetan Buddhist monasteries are still being controlled by cadres of Chinese communist security officials. The Tibetan people are still being deprived of their freedom, their livelihood and their culture.

I have seen the repression in Tibet with my own eyes. It is frightening.

Muslims in the Northwest region of China are still being persecuted—Amnesty International issued a comprehensive report on persecution of Muslim Uyghurs earlier this year. Uyghurs are being arbitrarily detained.
Thousands of Uyghur political prisoners are in jail and are being tortured. Recently, a group of Uyghurs shared with the Congressional Human Rights Caucus how they had been tortured in prison. I am submitting for the RECORD the testimony of Mr. Abudgheni Musa, who was arrested and tortured in 1995 for organizing a peaceful youth rally.

Democracy activists are still being watched, arrested, imprisoned, held under house arrest and sent to reeducation through labor camps. Scores of individuals associated with the Democracy Party have been arrested and given long sentences in the last few months.

Over one hundred Tiananmen Square protesters are still in prison.

Those wishing to remember the 10th anniversary of the tragic events of spring 1989 when hundreds of protesters were brutally massacred at Tiananmen Square were prevented by the Chinese government from doing so. The families of the dead, wounded and exiled who are demanding an apology from the government of China for its actions in 1989 are being persecuted.

The Chinese government has allowed and encouraged protesters to destroy the U.S. Embassy in Beijing. They bused in people. The Chinese Ambassador insulted the intelligence of the American people on Sunday talk shows with his demands.

China runs a massive system of gulag slave labor camps—the laogai. The State Department’s 1998 report on human rights in China said 230,000 people were detained in “re-education through labor camps” in China at the end of last year. People are sent to re-education through labor camps without a trial or any kind of judicial proceeding.

China still has a program in which the kidneys, corneas and other organs are taken from executed prisoners and sold to foreign buyers for tens of thousands of dollars. Some of these organs are being peddled in the United States, against U.S. law.

It still engages in coercive population practices—including forced abortions and sterilizations. There are 7 to 15 million abortions a year in China, 6 to 12 times more than in the United States. The Population Research Institute, most of these abortions are performed under duress, with threats, bribes and sanctions—and sometimes outright force—used to elicit compliance.

So nothing has really changed with regard to human rights in China.

Our policy has done nothing to improve China’s behavior regarding proliferation. According to Director of Central Intelligence George Tenet, China remains a “key supplier” of technology to proliferators. The Select Committee on National Security and Military/Commercial Concerns with the People’s Republic of China chaired by Representative Chris Cox found clear evidence that design information stolen from the United States will enable China to build thermonuclear warheads and attach them to ICBM missiles sooner than would have otherwise been possible. It said “the PRC has the infrastructure and the technical ability to use elements of U.S. warhead design information in the PLA’s next generation thermonuclear weapons. The PRC could begin serial production of such weapons during the next decade. . . .” It also concludes, “The Select Committee judges that elements of the stolen information on U.S. thermonuclear warhead designs will assist the PRC in developing new types of mobile ICBM’s, which may be tested this year.” China’s mobile ICBM missiles will have the ability to hit the United States.

We are giving China the economic means to develop these weapons.

While it may be painful for some if we restrict China’s ability to trade on favorable terms with the United States, China is now a greater threat to the U.S. national security than it has ever been in the past.

We also need to remember that China has deliberately tried to influence our political process through illegal campaign donations.

Our current policy has yielded very little progress on issues that the American people care about. Some 67 percent of Americans surveyed by Zogby earlier this year said that they believe the U.S. is putting increased restrictions on trade with China because of China’s human rights abuses. Many Americans are concerned about China’s nuclear espionage as well.

It is interesting to note that in years past, when the Chinese government actually feared that MFN would be taken away by this Congress, people were released on their treatment in prison improved. Wei Jingsheng, one of China’s most noted dissidents, wrote in a recent message to Congress, “Although the lack of while a consistency in U.S. policy has prevented effective pressure on China to democratize, the effectiveness of the use of the MFN issue to improve conditions for political prisoners and limit arrest of dissidents has been clearly shown.”

He has a personal example. In late 1993, after serving 14 years in jail, he was released from prison at a time when China wanted to be selected to host the year 2000 Olympics and President Clinton had publicly threatened now to renew MFN again unless human rights improved. He was arrested again in early 1994, but in a guest house where he was free to go out for dinner with a police escort. Once President Clinton assured the Chinese privately that he would delink trade from human rights in 1994, Wei was moved to a harsh prison where conditions were very bad. He was kept there until he was released on medical parole in 1997 after intense international pressure.

I submit for the RECORD a copy of his statement.

Nobody has been released in the last few weeks in China. Quite the opposite. China is engaged in one of the harshest crackdowns on dissent this decade.

China knows they have nothing to fear from this Congress. Beijing is confident that trade will trump everything else and the American government will continue to make any concessions necessary to ensure favorable conditions for trade.

This Congress must stand up for the values of freedom and democracy. We must be on the side of those fighting for freedom, not standing with the oppressors. The hundreds of political and religious prisoners in jail in China today are counting on this Congress to speak out for them. It may be the only thing that saves their lives or wins their freedom.

Trade has not brought freedom to China despite ten years of unconditional NTR, but this debate and vote is not actually about restricting trade with China. We all know that at the end of the day the status quo will not change. But if the House were to disapprove NTR for China, it would send a powerful message to Beijing—one the Chinese government will not forget.

Let’s change our course—let’s vote for one year not to renew NTR.

I think about the Catholic bishops, the Chinese priests, the Tibetan Buddhist monks and nuns, the Falun Gong practitioners, the Uyghur Muslims, the democracy activists and the many, many others who are sacrificing their freedom for their beliefs. Think about them when you cast your vote. Our current policy has done nothing to help them. This vote may be the only hope they have.

PERSONAL TESTIMONY

Dear honorable congressmen and congresswomen,

Today I thank you very much for giving me this precious opportunity to testify before you. My name is Abudgheni Musa. I am a Uyghur from Ghulja City in the Xinjiang Autonomous Region in China. I want to testify on the brutal torture methods of the Chinese government through my personal accounts of suffering in the Chinese prison.

In February 1995, some young Uyghur businessmen and I organized The Ili Youth Mashrap, a traditional Uyghur cultural event, in order to improve morality, say no to drugs, strengthen our religious faith and build local economy. This traditional event brought strong social impact on the Uyghurs in Ghulja City and was welcomed everywhere. However, the social impact of Mashrap shocked and worried the Chinese authorities. Thus, it became the very reason for the Chinese government to suppress the Mashrap and its participants.

As a result, the Chinese government labeled Mashrap as illegal and then started arresting the Uyghur youth that organized and participated this event.

The Ghulja municipal police arrested me on June 7, 1996 and detained me in Yengi Hayat prison. In jail, I constantly and repeatedly faced physical and mental torture from the Chinese prison guards.

Two days after my arrest at 12:30 a.m., the Chinese prison guards dragged me into a
basement interrogation cell and started interrogating and torturing me. Since then, the Chinese guards started a habit of torturing me every night.

All of the Chinese guards spoke very good Uyghur language. These Chinese guards put me in the electric chair for seven times. For five times, they put a high voltage electric shock that caused me to convulse all over my body. My heart irregularly pounded and my eyes blackened. I fainted several times during the tortures. Exactly on the seventh day of my arrest, again the Chinese guards dragged me to the basement for confession in the middle of the night. They came with three toothpicks in one hand and a dog's top into my genital. The more the guard inserted the more he wound it. This caused severe damage to my urinary system. As a result, I fainted up and I urinated blood for more than a month.

During the torture, one of the Chinese guards pointed his finger at me and said, "We will castrate the inferior masculinity of your turban-heads and prostitute your girls. What can you turban-heads do to us great Chinese nation? With our spit, your will all drown."

I stayed for only a week in the hospital. The Chinese prison guards seriously tortured me. The Chinese guards tortured me seriously and severely injured me for more than one and a half-month. In the end, I collapsed because of fever, coughing with blood, sweating, frailty, lung problems and genital pain. I could stand and go to the rest room only with the help of others. I was bedridden for many days in the cell.

On July 20, the Chinese prison doctor came to see me. He was shocked to know my death in jail, he ordered the jail to send me to the municipal military hospital on July 25th.

July 27, 1999

CONGRESSIONAL RECORD Ð HOUSE

H6445

WASHINGTON, DC, JUNE 30, 1999.

DEAR REPRESENTATIVE: The upcoming vote on extending "normal trade relations" status to the People's Republic of China prevents the Congress with a significant opportunity and challenge to send an unmistakably clear message about our national concern for the protection of basic human rights.

Each time over the past several years when the issue has arisen, it has been our conviction that no Administration has been sufficiently committed to pressing the Chinese authorities on their systemic violations of certain fundamental human rights. Our Congress has focused particularly on the threat to religious freedom and we have repeatedly cited the persecution of religious groups, such as the unregistered Protestant and Catholic churches, and the intrusive interference by the state in the internal life of the "open" or recognized churches. The persecution and control of Tibetan Buddhism is especially shameful and known to all.

The Chinese authorities have continued their efforts to raise these issues with the Chinese authorities, but little, if
anything, has changed on the human rights front in these last years of increased engagement. Indeed, the continued detention of religious figures as well as of democracy advocates underscores the necessity of unpre- senting official U.S. firmness on issues of human rights and religious freedom.

The trade status debate may not be the best forum, but it does offer the Congress an important opportunity to raise the priority of human rights and religious liberty. Therefore, I urge you to send as clear a message as possible by voting to overturn the President’s waiver of the relevant sanctions of the 1974 Trade Act. A strong vote to deny MFN/NTS status to China should strengthen the Administration’s commitment to putting human rights at the top of the China agenda and sending a strong signal that the status quo is not acceptable.

Sincerely yours,

Most REVEREND THEODORE E. MCCARRICK, Archbishop of Newark; Chairman, International Policy Committee, U.S. Catholic Conference.

FRC URGES HOUSE TO TAKE A STAND FOR HUMAN RIGHTS AND FREEDOM, REJECT “ABNORMAL TRADE STATUS” WITH CHINA.

WASHINGTON, DC—“On June 3, President Clinton, with callous audacity commem- orated the eve of the 10th anniversary of the Tiananmen Square massacre by asking Congress once again to reward China with new- 


The Clinton Administration has made an effort to raise issues of human rights, labor rights, and religious freedom with the Chinese, but little has changed. The current de- 


tending official U.S. firmness on issues of human rights and religious freedom.

THE CENTER FOR RELIGIOUS FREEDOM, FREEDOM HOUSE, PRIORITY LIST—CHINESE CHRISTIANS PERSECUTED FOR RELIGIOUS REASONS, JULY 14, 1999

1. Peter Xu Yongze. Pastor Peter Yongze Xu, China’s most prominent underground Protestant leader, was sentenced to three years of labor camp on September 25, 1997, in Beijing, during the “rectification of public order.” His trial was closed to the public and he was denied a defense lawyer. Pastor Xu, the 56-year-old leader of the three- to four-million Stronger New Birth Movement of evangelicals, was arrested on March 16, 1997, as he was meeting with other leaders of large evangelical churches in China. His wife and several of his associates were also imprisoned.

2. Liu Fenggang. A 37-year-old active member of a unofficial Protestant house-church in Beijing, Liu was arrested on August 9, 1995, at his home as part of a general crack- 

do the United Methodist Church,

JULY 27, 1999

Dear Representative: This week’s vote on whether to extend most favored nation status to the People’s Republic of China pre- 
sents Congress with a basic choice about human rights.

Every year when the issue has been voted, we have watched carefully for signs of im- 


provement in China’s human, labor, and en- 

vironmental rights record. Last year, we did not urge Congress to withhold this trading status from China. We were waiting to see if the Administration’s overtures to China lead to changes in China’s actions. The past year, however, despite promises from the Clinton Administration, that China’s poli- 
cies were improving, we have observed slipp- 
ge in the most basic rights in China.

The persecution of indigenous people and their religions is of special concern to me. The situation of the Tibetans is most well known, but all of the 50 or so indigenous peo- 

pies in China experience restrictions of their freedoms.

The Clinton Administration made an effort to raise issues of human rights, labor rights, and religious freedom with the Chinese, but little has changed. The current de- 

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3. Wang Changqing. A 52-year-old house- 

church leader of the Zhoukou Prefecture, Henan province, Wang and five other Chris- 

tens were imprisoned for one and a half years. He is from the Tongnan 
neighborhood in Wu Tong town in Tong 
Xiang Country, Zhejiang Province, an area 
that has been targeted for severe repression by a specific Party directive. His house 

court with eight rooms was destroyed com-

pletely. He was in jail 1992 lev- 

ed the church and confiscated personal property.

5. Pei Zhongxun (Korean Name: Chun 
Changho), the 75-year-old Protestant lead- 
er from Shanghai, Pei, was arrested in August 1983 for counter-revolutionary activi- 
ties. Accused of spying for Taiwan (be- 

sides being a member of the Taiwan-based 

distributing Bibles and other Christian lit- 
erature to others in the house-church move- 
m
to be held at the Shengjian Motor- 
camp.

13. Zhang Chun Xia. Evangelical Zhang was 

imprisoned on August 10, 1997 in Ping Ding 
Shan, Henan, He has been sentenced to two and a half years of education through labor.

11. Wu Bing Fang. The 22-year-old brother 

of imprisoned evangelical Su Yuhan was im- 

prisoned on March 16, 1997, in Zhenzhou, Henan. There is no further information on his legal situation.

7. Qin Musheng. Evangelical Qin was ar- 

rested with Pastor Peter Xu Yongze and im- 

prisoned on March 16, 1997, in Zhenzhou, Henan. He has been sentenced to two and a half years of education through labor.

8. Qing Jing. Qing, the 30-year-old wife of 

Pastor Peter Xu Yongze, was arrested along 

with her husband on March 16, 1997, in 

Zhenzhou, Henan. She has been sentenced to two and a half years of education through labor.

9. Sister Feng Xian. Evangelical Feng was 

arrested with Pastor Peter Xu Yongze and imprisoned on March 16, 1997, in Zhenzhou, Henan. She has been sentenced to two and a half years of education through labor.

10. Su Yu Han. The 37-year-old evangelical 

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Shan, Henan province, is affiliated with the “Jerusalem of China” where the Chinese House Church movement was initiated in the 1980s and is the primary church in the ministries of millions of Christians in China.

14. Zhao Song Yin. Evangelical Zhao was imprisoned on August 10, 1997, in Ping Ding Shan, Henan province, affiliated with China Evangelistic Fellowship, is being detained in Zhenglin Labor Educational Camp in Henan.

15. Philip Guoxing Xu. Philip Xu is a 43-year-old traveling preacher and Bible teacher based in Shanghai, was arrested on June 16, 1997, and is presently in solitary confinement. Since late 1997, he has been allowed family visits and was allowed to send a letter from prison in May 1998. His legal status is uncertain. He was sentenced without a trial to three years of labor camp (with labor at day and solitary confinement at night) in DA FUNG in northern Jiangsu province. His wife was turned away when she tried to visit him on October 22, 1997, and was sent back to Shanghai. Previously, he had been arrested on March 14, 1989 for a “thorough investigation.” At that time the authorities found “no political motivation, no intention for subversion, no illegal collecting money, and no sexual misconduct,” he was released. He had also been arrested on November 6, 1989 while teaching a Bible class in a labor camp without trial for three years of labor camp. After completing that sentence, Guoxing was released. He is married, and now has a young daughter.

16. Hu Shoubin. Hu Shoubin, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Tongxian Municipal Labor Educational Camp in Hebei.


19. Hei Qunhu. Hei Qunhu, a Protestant from Hebei province, affiliated with China Evangelistic Fellowship, is being detained in Tongshan Labor Educational Camp in Hebei.

20. Huan Debao. Huan Debao, a Protestant from Hebei province, affiliated with China Evangelistic Fellowship, is being detained in Tongshan Labor Educational Camp in Hebei.

21. Yang Xiaoan. Yang Xiaoan, a Protestant from Hebei province, affiliated with China Evangelistic Fellowship, is being detained in Shangqiu Labor Educational Camp in Henan.


23. Ye Kesheng. Ye Kesheng, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

24. Xiao Minghai. Xiao Minghai, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.


26. Wang Xuchua. Wang Xuchua, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

27. Li Zhongbang. Li Zhongbang, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

28. Wang Xiaofang. Wang Xiaofang, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

29. Liu Lin. Liu Lin, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

30. Meng Qingli. Meng Qingli, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

31. Lin Fei. Lin Fei, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.


33. Xu Ying. Xu Ying, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

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37. Li Zhongbang. Li Zhongbang, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.


39. Li Liya. Li Liya, a Protestant from Hubei province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

40. Hou Feng. Hou Feng, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

41. Tian Lin. Tian Lin, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

42. Meng Qingli. Meng Qingli, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Xinyang Municipal Labor Educational Camp.

43. Wu Guifang. Wu Guifang, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Urumqi Labor Educational Camp in Xinjiang.

44. Gao Churen. Gao Churen, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Baofeng Labor Educational Camp in Henan.

45. Lii Hai-Kuan. Lii Hai-Kuan, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Baofeng Labor Educational Camp in Henan.

46. Zhang Wenbo. Zhang Wenbo, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Baofeng Labor Educational Camp in Henan.

47. Lin Ke-Wei. Lin Ke-Wei, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Baofeng Labor Educational Camp in Henan.

48. Peng Shu-Xia. Peng Shu-Xia, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Baofeng Labor Educational Camp in Henan.

49. Wang Chuan-Bing. Wang Chuan-Bing, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Baofeng Labor Educational Camp in Henan.

50. Zhang Chunxia. Zhang Chunxia, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Baofeng Labor Educational Camp in Henan.

51. Wu Juecheng. Wu Juecheng, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Baofeng Labor Educational Camp in Henan.

52. Zhang Chunxia. Zhang Chunxia, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Baofeng Labor Educational Camp in Henan.

53. Xu Dajiang. Xu Dajiang, a Protestant from Henan province, affiliated with China Evangelistic Fellowship, is being detained in Baofeng Labor Educational Camp in Henan.

54. Zhao Wua. Zhao Wua is a 50-year-old (born 1948) evangelical Christian woman from Shanghai who was arrested on December 28, 1997, and is detained in a labor camp. A graduate of the government-sponsored East China Theological Seminary, she resigned from the Patriotic Three-Self movement and began to evangelize independently. Her husband has disappeared and she believes that he has been kidnapped by government agents in a covert operation.

ROMAN CATHOLICS

55. Bishop Zeng Jingmu. [Transferred to house arrest on May 9, 1998] The 78-year-old Roman Catholic Bishop of Yujiang, Jiaxing, was sentenced to four years of “re-education through labor” in the laogai for his religious activities for being arrested the previous November. He had already spent about two decades in communist prisons for his faith. Reportedly, Bishop Zeng was weakened by a serious case of pneumonia which he had contracted during labor camp detention in October 1995. In 1994, he had been arrested on August 14, one day before an Assumption Day raid by Public Security officials in the town of Yujiang and held without charge until December 1994. He has been arrested by Amnesty International as a prisoner of conscience.

56. Bishop An Shuxiu. Bishop An was arrested in February 1996 as a preemptive strike against the popular annual May 24 Catholic Pilgrimage to the shrine of Mary in the grounds of Donggu Temple in Hangzhou. Donggu Temple was then a public building, and all ceremonies were prohibited. All clergy were denied access to the temple. He is an auxiliary bishop to Bishop Su.
Fan, the 74-year-old acting bishop of Shanghai, was again placed under detention in early December 1994. He has been tried in secret.

According to most recent report, he is being held under a form of house arrest on the top of a mountain. He had previously been detained for 15 years, he was subjected to extensive torture. In one incident, the board, which was used to beat him, was reduced to splinters. The police then ripped apart a wooden door and continued to beat Bishop Fan until it also disintegrated into splinters. Other torture used against him included being hung from his wrists while being beaten on his head, and on another occasion being placed in a cell which was partially filled with water. Bishop Fan was kept there for days, unable to either sit, lie down or sleep. He suffered and extensive hearing loss as a result. In 1996, Bishop Su wrote a courageous letter of protest about religious violations by Chinese government authorities. He was arrested on January 7, 1994, but released two months later. He had been subjected to frequent short detentions at the hands of the Public Security Bureau. He was previously arrested on August 27, 1995, and held at a detention center in Qingyuan, Guangdong, of Yixian, Hebei province, Bishop Shi was originally arrested in December 1990 and held by Xushui County Public Security Bureau. His whereabouts are a form of house arrest. He was previously imprisoned for his faith during the Cultural Revolution.

Bishop Shi was sentenced in January 1996 to two years of imprisonment at a "reform through labor" camp because of his faith. He was released but if he has he probably was returned "prisoner." It is not known if he has been released but if he has he probably was returned to his previous status as an "employee detaining prisoner." Bishop Shi was previously arrested on April 21, 1994, while celebrating Mass, and released on August 29, 1994. Beginning in 1995, he served 13 years in prison. Because of his refusal to re-nounce ties with the Vatican. Upon completion of prison term, he was transferred to a "reeducation through labor" to make bricks at No. 4 brick factory in Xining. After another 13 years of this forced labor, he was refused government permission to return to his home in Shanghai. He was forced to continue working at the No. 4 brick factory in Xining until his re-arrest in April 1994. He was secretly ordained a priest in 1986 and carried out his apostolic work in the province of Qinghai.

Rev. Liao Haiping. Rev. Liao is a 68-year-old priest in Fuzhou, Jiangxi province. Arrested on August 4, 1995, he was last known to be detained at Lin Chuan City's detention center. Father Liao has a heart condition and high blood pressure, but he is not allowed to receive any treatment.

Bishop Han Dingsiang. Bishop Dingsiang was arrested in Yong Niang. He has been arrested and released several times and it is believed he is currently in jail.

Bishop Fan Jingtao. Bishop Jingtao has been prevented by police from exercising his ministry.

Bishop Liu Guandong. Bishop Guandong, of Yixian, has been under surveillance and restrictions of movement.


Rev. Guo Bo Le. A Roman Catholic priest from Shanghai, Rev. Guo was sentenced in January 1996 to two years of imprisonment at a "reform through labor" camp because of "illegal religious activity." He was arrested while celebrating Mass on a boat for about 250 fishermen. Guo’s other "illegal" activities included administering the sacraments of the underground Catholic church. He was also arrested for organizing an underground Catholic procession, teaching Bible classes and "boycotting" the Catholic Patriotic Association.

Bishop Shi was secretly ordained a priest in 1986 and carried out his apostolic work in the province of Qinghai.

72. Rev. John Wang Zhongfa. Rev. Zhongfa, a 67-year-old Roman Catholic priest of Wenzhou diocese, Zhejiang province, was arrested in November 1996. The priest, labeled "Number One Evil" by security officials, was arrested for organizing an unauthorized Marian event last October. According to a report from a Catholic source in Hong Kong, Fr. Wang is out of 15,000 yuan (U.S.$1,800) bail but must report regularly to police. He was arrested while conducting a private funeral service for a nun.

73. Rev. Shi Wende. Rev. Wende, of Yixian diocese, Hebei province, was arrested on March 14, 1998, while conducting Mass at a private home. The priest's name remains unknown.

74. Fr. Deng Roulun. Fr. Roulun, a first apostolic Administrator of the Diocese of Yuyi, was arrested in Jiangxi province on November 24, 1997, and sentenced in January 1998 to one year of re-education through labor for "disturbing the peace." He was Gucheng city, which imposed the sentence. He is reportedly scheduled to expire on November 23, 1998. The priest, labeled "Number One Evil" by security officials, was arrested for organizing an unauthorized Marian event last October. According to a report from a Catholic source in Hong Kong, Fr. Wang is out of 15,000 yuan (U.S.$1,800) bail but must report regularly to police. He was arrested while conducting a private funeral service for a nun.

75. Rev. Shi Wende. Rev. Wende, of Yixian diocese, Hebei province, was arrested on March 14, 1998, while conducting Mass at a private home. The priest's name remains unknown.
arrested were jailed or tortured. Their current whereabouts and legal status are unknown. The following 11 names are those identified as detained:

97. Li Xinxin. Li Xinxin, a Catholic, was arrested in 1996 and sentenced to three years in prison.

98. Pan Kunming. Pan Kunming, a Catholic from Yunnan, was arrested in 1996 and sentenced to five years.

99. Rao Yanping, Rao Yanping, a Catholic from Yuhang, was arrested in April 1996 and sentenced to four years.

100. Wang Chengqun. Wang Chengqun, a Catholic from Baoding, was arrested in 1996 and sentenced to three years.

101. Yang Zhubin. Yang Zhubin, a Catholic from Jiari, was arrested in 1996 and sentenced to five years.

102. Yang Xianliang. Yang Xianliang, a Catholic, was arrested in Easter 1996. He was sentenced to three years.

103. Yao Ning. Yao Ning, a Catholic from Yuhang, was arrested in April 1996 and sentenced to two years.

104. Yao Shiming. Yao Shiming, a Catholic from Yangzhou, was arrested in 1996 and sentenced to two years.

105. Ye Xiaofeng. Ye Xiaofeng, a Catholic from Yuyao, was arrested in 1996 and sentenced to two years.

106. Gao Shuyun. Gao Shuyun, a Catholic from Jiangxi province, was arrested in August 1996. She was sentenced to three years.

107. Guo Jun. Guo Jun, a Catholic from Yuyao, was arrested in 1996 and sentenced to two years.

108. Guo Shaoming. Guo Shaoming, a Catholic from Yuyao, was arrested in 1996 and sentenced to three years.

109. He Jian. He Jian, a Catholic from Yuyao, was arrested in 1996 and sentenced to two years.

110. Zhou Zhenpeng. Zhou Zhenpeng, a Catholic from Anhui, was arrested in 1996 and sentenced to two years.

The events described above show clearly the reason that a representative of the Chinese Catholic Church met with me in 1994 was that many in the inner circles of the CCP believed that I could influence the future of MFN, due to my meeting with Secretary of State Warren Christopher.

Among the conditions which were promised to me at that time, some were met very faithfully. Even though I had been illegally kept in prison. From the end of 1995 until early 1997, as lobbying for “permanent MFN status” for China was called for openly in the U.S. Congress, the CCP convened a meeting on politics and law, and the ranking politicians and law enforcement committee members, publicly called for a crackdown on resistance, hunger strikes and other activities by political prisoners.

Conditions for political prisoners in China’s jails quickly became more oppressive. Almost all conditions necessary to sustain life disappeared, many more were beaten and the use of handcuffs and punishment cells became more common. I also received this type of treatment. For details, please see the newspaper reports from the first part of 1997. Of course, my missing MFN status had not been made public, the Chinese government had already received reliable assurances of this from the American side. At the same time, Mr. Li Wenzhao was returned to the U.S., and after I came to the U.S. in 1997 I received proof that confirmed my earlier suspicions.

While the Chinese government began to lobby in the U.S. for permanent MFN status, I was sentenced to 14 years and was sent to prison. From the end of 1995 until early 1997, I was lobbying for “permanent MFN status” for China, calling for openly in the U.S. Congress, the CCP convened a meeting on politics and law, and the ranking politicians and law enforcement committee members, publicly called for a crackdown on resistance, hunger strikes and other activities by political prisoners.

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Distinguished Gentlewoman from Connecticut.

Mr. CRANE. Mr. Speaker, I urge my colleagues from Virginia to consult with the Reverend Billy Graham and Pat Robertson.

Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Connecticut (Mrs. Johnson).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in strong opposition to this resolution. Denying NTR to China will undermine our interests, United States economic interests. It is our 12th largest market and increased imports from the United States 11 percent last year all on products made by highly skilled workers earning high wages.

Connecticut exports to China in 1998 totaled more than $301 million ranking it tenth in the Nation. Connecticut businesses and its workers have a direct interest in maintaining normal trading relations with China and with further opening China's markets. With a quarter of the world's population and the third largest economy, China's buying power and growing market makes us a key player in the years ahead. If we do not engage this emerging major market, other nations will replace U.S. companies and their significant profits gained as a competitive advantage over us. That has already happened in the helicopter and other markets through short-sighted American policy.

Mr. Speaker, it is just a fact that China is making quiet but significant progress in many areas. Unlike Russia, China has recognized the need to restructure their own businesses and has gradually sold many to foreign companies. They are modernizing their economy without the level of unemployment, crime, and turmoil that has plagued other nations faced with this challenge.

Furthermore, western companies have brought management practices to China that develop individual initiative and respect workers' ideas. They have brought more stringent health and environmental standards accomplishing goals like reducing industrial waste 35 percent and harmful air emissions 36 percent, as did Carrier since 1995.

And western companies have brought more opportunity to workers like Otis Elevator's home ownership program.

In addition, China has had direct elections in half its villages, gaining experience with secret ballots and multi-candidate elections. In some provinces, 40 percent of the candidates are young entrepreneurs and not Communist Party members. In 1997, as part of the rule of law initiative the training of legal aid lawyers began.

In sum, China is modernizing its economy and governance through a process that has a long history and cultural traditions, but that should not obscure the growth of values in common with people in the west. It should certainly not obscure our common interest in the growth of trade between our nations based on the principles that undergird the WTO relationships. By renewing NTR and working with China to enter WTO we can help China adopt free and fair trade practices that make our goods more affordable. Distribution rights under WTO will provide access to customers. Good for China, good for us.

I urge renewal of the normal trade relations with China and opposition to this resolution of disapproval.

I rise in strong opposition to this resolution. Denying NTR to China will undermine our entire U.S. economic interests. It is our 12th largest market and increased imports from the U.S. 11 percent last year. With a population of 1.2 billion, China imported approximately $18 billion worth of U.S. goods and services in 1998, supporting thousands of high-wage, high-skill, export-related American jobs. This represents an increase of more than 11 percent from the previous year, making China the 12th largest U.S. export market.

Connecticut exports to China in 1998 totaled more than $301 million, ranking it 10th in the nation. Connecticut businesses and its workers have a direct interest in maintaining normal trade relations with China and in further opening its markets.

With a quarter of the world's population and third largest economy, China's buying power will grow tremendously in the years ahead. If we do not engage this emerging major market, other nations will replace U.S. companies and use the significant profits gained as a competitive advantage over us. That has already happened in the helicopter market with U.S. producers guilty of short-sighted policy.

It is just fact that China is making quiet but significant progress in many areas. Unlike Russia, China recognized the need to restructure their own businesses and has gradually sold many to foreign companies. They are modernizing their economy without the level of unemployment, crime, and turmoil that has plagued other nations faced with this challenge. Furthermore, western countries have brought stringent management practices to China that develop individual initiative and respect workers' ideas, have brought management health, safety and environmental standards, accomplishing goals like reducing industrial waste 35 percent and harmful air emissions by 36 percent as did Carrier since 1995 and western companies have brought new opportunities to workers like Otis Elevator home ownership programs.

In addition China has held direct election in half its villages, gaining experience with secret ballots and multi-candidate elections. In some provinces, 40 percent of the candidates are young entrepreneurs and not Communist party members. They seek better schools and roads, and are cracking down on corruption.

As part of rule of law initiative, the training of legal aid lawyers began.

In sum, China is modernizing its economy and governance through a process that is harmonious with its cultural traditions, but that should not obscure the growth of values shared by people in the world.

China is modernizing its economy and governance through a process that is harmonious with our cultural traditions, but that should not obscure the growth of values shared by people in the world. China is now on the verge of gaining membership in the World Trade Organization. WTO membership requires a country to adopt free and fair trade practices. We must encourage this progress toward a more open market economy because with it will come the opportunity for American companies to distribute their goods in China far more broadly and the lower Chinese tariffs will make our goods competitive in that growing market. It should certainly not obscure the fact that China has shown significant interest in the growth of trade between us based on the principles that undergird WTO relationships (transparency of law and regulation, equal treatment of foreign and domestic producers, lower tariffs and reduced non-tariff barriers, intellectual property protection and dispute settlement through a fair process.) By allowing NTR and working with China to enter the WTO, we can help China “adopt free and fair” trade practices and assure the growth of our economy. The lower tariffs required by WTO will make our goods more affordable and the distribution rights under WTO will provide us access to customers good for us and good for China.

Denying normal trade relations with China will only limit our ability to influence and work with China in other areas of mutual concern. Only a policy of principled and persistent engagement will promote American interests on all issues from economic security to non-proliferation, the rule of law and human rights.

I urge the renewal of normal trade relations with China and opposition to this resolution of disapproval.

Ms. PELOSI. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. Lewis), a champion for human rights throughout the world and at home.

Mr. LEWIS of Georgia. Mr. Speaker, the supporters of Most Favored Nation status may have changed the name to “Normal Trade Relations,” but the situation in China has not changed. In fact, the conditions are getting worse.

Just a few days ago, the Chinese government conducted its largest crackdown since Tiananmen Square. Thousands of religious worshippers were arrested. Chinese soldiers took people from their homes and places of worship. Some were beaten. The human rights abuses continue, and yet there are those who would reward China with MFN.

Business as usual, trade as usual, and China does not change. We are sending the wrong message. We have a moral obligation, a mission, and a mandate to stand up for human rights and for democracy. We must send a strong message that China must change its ways if it wants to continue trading with the United States. Our foreign policy, our trade policy must be a reflection of our ideals and values. Renewing MFN allows China to continue its terrible abuses without repercussions.

Where are our moral values? Where are our principles? I believe in free and fair trade, but it must not be trade at any price, and the price of renewing MFN for China is too high.

Mr. Speaker, I urge my colleagues to support this resolution. I want to thank the gentlewoman from California (Ms. Pelosi) for taking the lead.
in standing up for human rights and for democracy in China.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL), a member of the Committee on Ways and Means. (Mr. NEAL asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, we should continue normal trade relations with China. This is a very important issue to the United States of America, as well as to the future of China.

As is the case with almost all important legislation, the rhetoric is heated and the arguments are exaggerated. That is only natural, because the debate we are involved in is a complexity that oftentimes is far beyond the immediate issue in front of us: trade.

The debate ranges on both sides to economic, political, strategic, security, and ideological. Yet, we must have one vehicle to express our opinions, our positions, and even our frustrations about our relationship with China.

China is the largest emerging market in the world, and it is increasingly important politically and militarily to the United States. China's leadership will, whether we like it or not, shape much of what happens throughout Asia and the Pacific. We must try to influence what happens inside of China. We must work hard to make sure that this country is moving in the direction we want.

Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. GILMAN) asking for recognition, and I thank the gentleman for yielding me time.

Mr. Speaker, I rise in strong support of H.J. Res. 57, a resolution disapproving granting MFN, now called NTR, to the People's Republic of China.

It has been 10 years since the massacre of Tiananmen Square, and since then, the world has witnessed a marked deterioration of human and religious rights in the People's Republic of China and in occupied Tibet and in East Turkestan. Since 1989, our trade deficit has grown from $6 billion to a projected $67 billion. China's policies continue to reflect its new-found economic and military power. Both under MFN and under NTR, China is willing to say that there has been no change in China during the last 20 years.

I do not think anyone would say that there has been no change in China. Mr. Speaker, we must influence China if we are to have unrestricted access to our U.S. markets.

U.S. industry estimates of intellectual property losses in China due to counterfeiting and due to trademark piracy have continually exceeded $2 billion over the past several years. Some U.S. companies, estimate losses from counterfeiting account for 15 to 20 percent of their total sales in China. It is my understanding that Microsoft alone has lost an estimated $1 billion in software piracy in China over the past 10 years.

Mr. Speaker, the administration's transfer of American resources and wealth through our so-called “engagement policy” with the dictators in Beijing has led to serious long-term consequences. The engagement policy failure has fueled an enormous trade imbalance that dwarfs all reason. China's enormous foreign currency reserves permits Beijing to belligerently discount U.S. products without transfer of deadly weapons of mass destruction to terrorist nations. So-called engagement has cleared the way for China's regional hegemony.

China's experts within the administration have presided over this Nation's singular greatest foreign policy disaster. It has led to the thefts of our nuclear weapons designs, the weakening of our national security and strategic alliances, and the trivialization of respect for our American interests.

Last week, it was reported that a Protestant worshipper was killed by security forces; and this week, thousands of followers of Falun Gong, the spiritual movement that was recently outlawed, were arrested.

Accordingly, Mr. Speaker, I support H.J. Res. 57 and urge my colleagues to support this important resolution.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. RODRIGUEZ).

Mrs. BIGGERT asked and was given permission to revise and extend her remarks.

Mr. Biggert. Mr. Speaker, I rise today to urge my colleagues to oppose the resolution revoking Normal Trade Relations for China.

Many of my colleagues have said that this body should signal our disapproval of the People's Republic of China's policy by denying NTR. I would caution those who seek to send such a signal to first answer one very basic question: Will your vote to revoke NTR for China today actually change the behavior of China tomorrow? Think about it. Will ending NTR freeze the political prisoners, reverse the abuse of human rights, and stop the persecution of religious groups? Will denying NTR teach the youth of China the values of democracy, the principles of capitalism, and the merits of a free and open society?

Make no mistake; ending NTR for China will not achieve these goals. It will portend, however, the end of U.S. trade with China and the end of our influence in China.

Mr. Speaker, I urge my colleagues to retain our influence and our trade relations with China by voting against the resolution today.

Mr. Speaker, I rise today to urge my colleagues to vote against the resolution to revoke Normal Trade Relations (NTR) for China.

Many of my colleagues have said that this body should signal our disapproval of Chinese policy by denying NTR.

Mr. Speaker, I would caution those who seek to “signal” China by ending NTR to think twice about the likely consequences and first answer one very basic question.

Will your vote to end NTR for China today actually change the behavior of China tomorrow? Think about it.

Will ending NTR freeze the political prisoners, reverse the abuse of human rights, and stop the persecution of religious groups?

Will denying NTR bolster the moderates or will it strengthen the hands of the hard-liners as they struggle to control the future course of China's policies?

Most importantly, will revoking NTR teach the youth of China the values of democracy, the principles of capitalism, and the merits of a free and open society?

Mr. LEVIN. Mr. Speaker, I urge my colleagues to oppose the resolution revoking Normal Trade Relations for China.

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Mrs. PELOSI. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), who has been a...
champion of human rights, particularly in the New Independent States and in eastern and central Europe, and a champion throughout the world for human rights.

Mr. HOYER. Mr. Speaker, I thank the gentleman from California for yielding to me, who herself has been such a great leader on this issue.

I rise today in strong support of House Joint Resolution 57 disapproving the extension of Normal Trade Relations with the People's Republic of China.

We have, of course, none of us a quarrel with the 1.2 billion citizens of China. But in extending this trading status we have to ask ourselves, what has the Chinese Government done, one of the last Communist dictatorships on earth, to deserve, to merit this consid-eration?

The Chinese Government's record reads, frankly, more like an indictment. China flagrantly violates the human rights of its own citizens and international labor standards. It fomented anti-American hatred after our clearly accidental bombing in Belgrade. It recently began saber-rattling against Taiwan, and it repeatedly, repeatedly has been unwilling to make meaningful economic reforms.

This past June marked the 10th anniversary of the Chinese Government's crackdown on the advocates of democracy in Tiananmen Square. Has the injustice stopped since Tiananmen? No, not at all. Over the past few months the government has once again detained dissidents, handing down sentences of up to 4 years in prison for, and I quote, "subverting State power, assaulting the government, holding illegal rallies, and trying to organize workers laid off from a State-run firm." I suggest all of those are values that America holds dear.

The Washington Post reported this past Sunday that Chinese security forces repressed up to 4,000 people in Beijing alone during a massive nationwide crackdown against the popular Buddhist-based spiritual movement, Falun Gong. But the human rights and labor standard violations are only one in a series of provocative acts by the Chinese Government.

China's recent threat of military action against Taiwan threatens the very security of that region. In addition, the brazenness of nuclear weapons tests shows that the Chinese government has once again detained dissidents, handing down sentences of up to 4 years in prison for, and I quote, "subverting State power, assaulting the government, holding illegal rallies, and trying to organize workers laid off from a State-run firm." I suggest all of those are values that America holds dear.

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Michigan (Mr. LEVIN) has 25 minutes remaining; the gentleman from Illinois (Mr. LEVIN) has 30 minutes remaining; the gentleman from California (Mr. ROHRABACHER) has 25 minutes remaining; and the gentleman from California (Ms. PELOSI) has 22 minutes remaining.

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

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

Mr. BERRY. Mr. Speaker, trade with China is absolutely essential. We face the challenges that trade with China poses, or we can turn our back and face the consequences: lost markets for America's farmers and the possibility of food shortages in China. China does not put our jobs up against the lives of its own people. They have 25 percent of the world's population and 7 percent of the world's arable land. We have an agriculture trade surplus with China that is absolutely essential to our agricultural community.

In 1997, U.S. agricultural sales to China totaled $4 billion. We have a huge trade surplus in agriculture with China, 250 percent in our favor. They are one of our largest wheat customers.

China has a large youth market. They are increasing food imports. NTR is critical to our market access. As the Chinese economy improves, more value-added goods will be bought. China will have to play fair to enter the World Trade Organization. China must show improved access to U.S. agriculture products and revoking NTR will derail this progress.

Engagement will result in improvements. We want a peaceful and prosperous China. One billion hungry people do not lead to a stable democracy. The U.S. is well-positioned to maintain positive relations. Turning our back on China today would be a huge mistake.

I urge Members to vote to maintain trade with China. Vote no on House Joint Resolution 57.

Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. STEARNS), a great champion of American values.

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

Mr. STEARNS. Mr. Speaker, I rise this afternoon to support House Joint Resolution 57, to disapprove the extension of what I call most-favored-nation trading status for China.

To my colleagues on both sides of the aisle, I say that we as Americans are not being true to our heritage if we continue to do business with people who are tyrants, who trample upon all that we hold sacred. Let me repeat that, we are foolish to do business with tyrants who trample upon all that this great Nation holds sacred.

Adam Smith wrote the Wealth of Nations, and we all use it as a guide in trade relations. He quotes three reasons to put up tariffs and protect American companies. One is for retaliation of unfair trade practices, which has been occurring. Two is to phase out trade tariffs in our country to protect obsolete industries. We should do this as a moral imperative. Lastly, it is to protect a nation's national security.

I submit to this body today, the question on this resolution is one of our national security. We cannot continue to arm ourselves to the teeth with our money, has provided missiles to Iran and nuclear technology to Pakistan, has fired missiles towards Taiwan to intimidate its government, has launched the greatest missile buildup in Asia since the 1930s. It is continuing to warn Japan and trying to intimidate it.

Mr. Chairman, this is a country that is arming for war. It has stolen U.S. satellite missile technology, has targeted 13 of its 18 intercontinental ballistic missiles at the United States of America. It has ignored our protests of the persecution of Christians and political dissidents.

Are we being prudent? Are we going to turn our back on all the sacred heritage of our country for the dollar sign? I submit that China itself is dysfunctional, it is going to have a currency collapse soon and we should not go forward with the most favored nation status for China.

In the sixth century B.C., Chinese general Sun Tzu wrote, "The opportunity to defeat the enemy is often provided by the enemy himself." Are we providing China this opportunity? I urge the approval of this resolution.

ANNOUNCEMENT BY THE SPEAKER pro tempore

Mr. SHIMKUS. The Chair will remind Members that all graphs and charts to be used on the floor should be put in place at the beginning of the speaker's presentation and then removed at the end of the speaker's presentation, so the Chair would ask Members to take down charts that are not utilized at that time.

Mr. CRANE. Mr. Speaker, I yield 1 minute to our distinguished colleague, the gentleman from New Jersey (Mr. FRELINGHUYSEN). (Mr. FRELINGHUYSEN asked and was given permission to revise and extend his remarks.)

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

I rise in opposition to this resolution and in support of continuing trade relations with China. For my part, I do not believe that isolating China economically will do anything to improve their human rights. Nor do I believe that we should make the mistake of now believing we can isolate one quarter of the world's population and then expect to have any influence on their social and political institutions.

I, too, am outraged by the political and religious oppression that has taken place in China, but shutting the few openings in China that exist cannot stop it. Rather, I believe that the more involved we become the more we are commercially engaged with China, the more results we can achieve in secur-
Mr. Speaker, trade does open the window of the world to the Chinese people and to our American ideals. We need to keep that window open. Closing it hurts us more than China.

Mr. Speaker, I rise in opposition to H.J. Res. 57 and in support of continuing Normal Trade Relations (NTR) with China.

This debate over China NTR gives focus to our economic, as well as strategic relations, with China. And this debate allows Members to express the deep concerns of all Americans about political and religious oppression that occurs in China.

For my part, I do not believe that isolating China economically will do anything to improve their human rights record. We must not make the mistake now of believing we can isolate one-quarter of the world's population and then expect to have any influence on their social and political institutions.

I, too, am outraged by political and religious oppression that has taken place in China, but shutting the few openings in China that exist cannot stop it. Rather, I believe that the more involved we become, the more we are commercially engaged with China, the more results we can achieve in securing greater political and religious freedoms for the people of China as well.

Trade does open the window to the world for the people of China. In that regard, just let me talk briefly about just one industry—the telecommunications industry—and what its greater presence will do for the people of China. All of our lives are being changed dramatically by the “information” revolution. And, all of us realize that increased access to information for the people of China from sources outside China is one of the best ways we have of exposing Chinese citizens to new ideas, to broader horizons, and to new opportunities and choices for their future.

Our American telecommunications companies are at the forefront of building the infrastructure that makes information available to people around the globe.

So, let’s look at China’s market for these information technologies.

China is adding the equivalent of one million cell phones per month.

China is adding the equivalent of one Bell company per year.

In 1998, only ten percent of China’s population had a telephone in their home.

In the U.S., roughly one half of all households have access to the Internet. In Brazil, one out of 70 families has access. In China, only one out of 400 families has access.

Yes, this is a vast untapped market for U.S. companies. And, I can assure that if we are not in China, all of our foreign competitors will be.

But it is also much more than an untapped market. Expanding access to information for the Chinese people is an untapped opportunity to expose them to our ideals and our freedoms.

There are so many other examples of both the economic and strategic opportunities in China.

And those economic opportunities are significant.

Last year alone, the United States exported $18 billion in goods and services to China, now our fourth-largest trading partner. Already, hundreds of thousands of American jobs are supported by trade with China.

For my State of New Jersey, China is now our fifth largest trading partner. Our exports to China amount to over $350 million and that trade employs some 5,000 to 8,000 residents of my state. And the potential for growth is enormous.

Here are a few examples.

One New Jersey company that has been active in China for twenty years, signed a contract for the largest single boiler project in Chinese history. This project alone will yield $310 million in orders for American goods and services, including sales for many small and medium sized companies.

Another New Jersey infrastructure company projects a market of $18 billion for its products in China over the next decade. And their sales have already increased 100% over the past five years.

One of our energy companies anticipates a $13 billion market in China over the next ten years.

For one of our insurance companies, 40% of their new premiums were sold in China in 1998.

It is clear from just these few examples that failing to extend Normal Trade Relations Status to China will slam the door shut for American products and services in the world's most populous market. It only serves to leave China open to our foreign competitors who all have major hurdles in their dealings with China. American companies and their employees would be punished by this shortsighted action, not the Chinese government.

Again, renewal of NTR is as much an economic decision as it is a key component of our national strategy to integrate China more fully into the family of nations. We need to maintain a stable political and economic relationship with China.

I believe that the best way to promote the cause of human freedom and democracy and our American ideals is our very presence, economically and otherwise, in China.

Therefore, I urge my colleagues to vote against this resolution and in support of extending Normal Trade Relations with China.

Ms. BELOSI. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL), who has been so very hard at work on behalf of human rights in China and a fair deal for the American worker.

Mr. PASCRELL. I ask the gentleman to give me permission to revise and extend his remarks.

Mr. PASCRELL. Mr. Speaker, I rise today in strong support of House Resolution 57. I find it interesting that talk of the same folks who talk about political espionage are here defending trade.

To those who argue for us to continue putting the leaders of Beijing above the workers of America, I ask them to please listen for a moment. This is hypocrisy. After years of hearing the same arguments for most-favored-nation trading status, it is time for this Congress to say enough is enough.

Extending this status to China has failed to produce the results we want. We still see unconscionable human rights abuses, which we would not tolerate in other countries. We still see nuclear weapons proliferation, which we have not tolerated in other nations. We still see a widening trade deficit every year.

The annual exercise of reviewing and renewing China’s NTR status has been an exercise in futility. America needs a new approach. The data tells us what we need to do today. We are told we need to engage China in order to achieve our economic goals. Let us get beyond the rhetoric and look at the facts.

There are two tracks to the last year’s deficit with China, not close the gap. If the trend continues, our trade deficit would reach $66 billion. What does this huge imbalance mean to American taxpayers, American workers? China has engaged that strategy to manage trade, not normalize trade. It ignores intellectual property rights, it evades restrictions on Chinese textile exports, and has put the Great Wall up to prohibit foreign products from entering the market.

The U.S. levies an average NTR tariff rate of 2 percent on the Chinese. They levy a 17 percent rate on NTR trade. This is a one-way street. We should think about the families in America, and the strongholds of our competitiveness allowing this unfairness to continue.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I rise in strong opposition to the resolution that would end normal trade relations with China. With normal trade relations, our farmers and ranchers can sell their products in China on the same terms as their competitors from Canada, Australia, South America, and Europe.

Last year U.S. agricultural exports to China exceeded $3 billion, making it the fourth largest market in the world for U.S. agricultural products. Demand for agricultural products is likely to increase as China’s economy continues to grow at a rate of about 8 percent annually. That is why our competitors are eager for us to give up on the Chinese market.

In recent years the Canadian Wheat Board has worked tirelessly to promote its products in China. The Australians hold an 8 percent stake in a flour and feed mill in Shenzhen, China, and it brought together a consortium to upgrade China’s grain handling and storage facilities with $1 billion worth of projects.

Our farmers are facing record low prices. While our competitors are building market share in China, we sit here and debate whether we even want to have a normal trade relationship with its 1,237,000,000 customers.

We must continue our efforts towards WTO membership for China. However, we have consistently told China that its entry to the WTO depends upon a commercially meaningful agreement.
China cannot expect to maintain indefinitely the $1 billion per week trade surplus it currently enjoys with the United States.

In agriculture, the message seems to have been received. China is changing slowly, but it is changing sufficiently in connection with its bid to join the WTO, China has agreed to reduce over-all average tariffs for agricultural products from the current 30 to 50 percent to 17 percent by 2004. For priority U.S. products, the rate will be even lower. It has also agreed that with entry into WTO, China's net agricultural imports would increase by over $30 billion annually. That is a benefit to the United States, workers, men and women producing the tractors, making all of the products that are utilized here in the United States.

I urge my colleagues to join me in supporting normal trade relations with China by voting no on this disapproval. Mr. ROHRABACHER. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. Coburn), a healer, a doctor, a person concerned about human health and human beings.

Mr. COBURN. Mr. Speaker, I thank the gentleman forgiving me to me. Mr. Speaker, I have put a sign I know that not everybody can read, but this is a contrast between two countries, country A and country B. It is the exact representation made by the State Department human rights in those two countries as of the end of 1998.

I want to share with the Members just a minute what our own government says about these two countries. Then I am going to tell Members what these two countries are. The government human rights record worsens significantly, there were problems in many areas, including extrajudicial killings, disappearances, torture, brutal and inhuman treatment, arbitrary arrests, and detention. That is country A.

Country B, the government's human rights record deteriorated sharply beginning in the final months of the year with a crackdown against organized political dissent. Abuses included instances of extrajudicial killings, torture, mistreatment of prisoners, forced confessions, arbitrary arrests, detention, lengthy incommunicado detention, and denial of due process.

One other as we look at this, discrimination and violence against women remain serious problems. Discrimination against women and ethnic minorities worsened during the year.

Country B, discrimination against women, minorities, and the disabled. Violence against women, including coercive family planning practices, which sometimes include forced abortion, forced sterilization, prostitution, trafficking in women and children, and abuse of children. They are all problems.

I want Members to know who these two countries are. Country A we just spent billions of dollars bombing. It is called Yugoslavia, the great enemy Yugoslavia, that perpetrated such terrible acts on the Kosovar Albanians. We spent billions bombing them.

The other country, country B, is China, which we have elevated and said we must trade with regardless of what they do to their people. We are schizophrenic if we do continue to have normal trade relations with China. Why would we bomb one that has an identical record, and say the other must be our best trading partner?

Mr. CRANE. Mr. Speaker, I yield 1 minute to our distinguished colleague, the gentleman from Michigan (Mr. KROLLENBERG).

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

Mr. Speaker, I rise today in strong support of extending normal trade relations to China. Trade between the United States and China is a net plus for the American people. It supports hundreds of thousands of high-paying jobs. It creates competition in the economy. It results in the American people receiving better goods and services at the same time.

During today's debate, and I have heard much of it already, there has been a lot of talk about the trade deficit, about nuclear espionage and human rights. These are very important. They deserve our immediate attention. However, disrupting our economic relationship with China will not do anything to solve these problems. It will only add more tensions to an already tense relationship with the Chinese and create bigger problems in the long run.

Mr. Speaker, I therefore urge my colleagues to protect the economic interests of the United States by supporting normal trade relations with China. Vote for House Joint Resolution 57, and yes for better paying jobs and greater economic opportunities for the American people.

Ms. PELOSI. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from Wisconsin (Ms. BALDWIN), who has been a hard worker for human rights throughout the world and a star in the freshman class.

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

Ms. BALDWIN. Mr. Speaker, I rise today in opposition to renewing normal trade relations with China. I do believe that the United States needs to engage with China in an ongoing dialogue about joint economic concerns, but our dialogue cannot be limited to a discussion of trade. America's agenda needs to be broadly based, reflecting our democratic values, like free speech, freedom of religion, the right to privacy, and the right to organize. Trade is only a part of our relationship with China.

This is my first time participating in this annual ritual of NTR renewal. I call it a ritual because each year we walk through the same steps in which many of us criticize China's political and social repression. Then the majority decides we must continue NTR as our best hope for creating change in China.

I certainly seem to make sense except for one thing. It has not been working. Since 1989, when we began this NTR renewal ritual, we have seen some reforms. However, no similar progress is being made on human rights, labor standard, and democratic reform. Therefore, I urge my colleagues to join me in voting in favor of H. Res. 57.

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

Mr. BLUMENAUER. Mr. Speaker, I thank the gentleman from Michigan for his courtesy in yielding me this time.

Today the United States and China spend hundreds of millions of dollars spying on each other. But despite all the spying, I do not think we really know each other very well.

China is in fact a study in contradictions. Today, it is more modern and open than ever before in its 4,000-year history. Yet, it is in fact reacting defensively in an agitated fashion regarding the continued controversy with Taiwan.

We have our demonstrators outside here on the grounds of the Capitol dealing with the local religious movement, Falun Gong, that has captured so much interest in China.

It is an ancient nation that is modernizing rapidly, but this society filled with state-run activities is paying a substantial price as it downsizes its bureaucracy, modernizes its institutions, and privatizes its state-owned industry.

The United States has paid a terrible price in the past for misunderstanding China. During World War II, we bet on the wrong horse. Barbara Tuchman's brilliant biography of JQe Stillwell makes clear the waste of resources for the corrupt Kuomintang government of Chiang Kai-Shek, who was not interested in fighting the Japanese, when we could have done something more constructive with Mao Tse-Tung.

During the Korean War, we had thousands, tens of thousands, of needless American casualties at General McArthur, in flagrant disregard of orders and common sense, overplayed his hand. Yet, the Cold War was won more quickly in part because Richard Nixon had the courage to reverse his course of action and engage in a strategic alliance with China.

Lots of countries we disagree with abuse human rights and do not honor democracy or the free market. Sometimes, sadly, that happens with the United States companies. We gave arms to terrorists with Ronald Reagan.

Normal trading relations does not mean we condone that behavior. It just
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gives us more tools and opportunity to do something about it. The world will be a better place sooner. One only has to review 4,000 years of Chinese history and look at where we are today to know that we are, in fact, on the right path.

Mr. ROHRABACHER. Mr. Speaker, it is my honor to yield 4½ minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Subcommittee on International Operations and Human Rights.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from California for yielding me this time. I want to thank the gentleman for leading our debate and introducing his resolution.

Mr. Speaker, each year at this time, Congress has the opportunity to review the results of the administration’s China policy, and each year it becomes more clear how miserably that policy has failed.

In the 5 years since President Clinton delinked China’s MFN status from human rights, there has been significant regression in progress in China. Now, as we hold this debate, Beijing is conducting another major crackdown, the most important internal security exercise since the Tiananmen Square massacre against religious freedom.

Mr. Speaker, the Chinese government knows this vote is taking place today. We are being watched, and we are being tested. The test is simple. If we ignore the latest escalation in the brutality, if we just vote the same way we have in the past, then we fail. We will have abandoned the Chinese people. We will have abandoned our ideals of democracy and human rights.

I ask my colleagues, what will it take for us to say no more business as usual with Communist China? I would respectfully submit that any reasonable limit has been passed a long time ago.

Mr. Speaker, the administration’s so-called policy of constructive engagement on behalf of human rights has been a disaster, even according to the administration’s own benchmarks. In quarterly reports, Amnesty International tracks the seven human rights policy goals that President Clinton announced before his 1998 trip to Beijing. Those Amnesty reports detail a complete lack of progress in all categories. Let me explain. On the release of all prisoners of conscience and Tiananmen Square dissidents, Amnesty reports total failure, regression.

Two, review of all counter-revolutionary prison terms: Total failure, no progress.

All religious freedom. Amnesty reports total failure, no progress.

Four, prevent coercive family planning and harvesting of organs: Total failure, no progress.

Five, fully implement pledges on human rights treaties: No progress.

Six, review of reeducation through labor system: Total failure, no progress.

Seven, end police and prison brutality: Again, Amnesty reports total failure, no progress.

Mr. Speaker, the Communist government of the PRC blatantly and systematically violates the most fundamental human rights. They beat, torture, and stamp out political dissents. Just listen to television news. It is happening before our very eyes. The Beijing dictatorship imprisons religious leaders, ranging from the 30-year-old Panchen Lama to Bishop Su and Bishop Su of Baoding. The gentleman from Virginia (Mr. Wolf) mentioned this holy and heroic man earlier. I led a human rights delegation to China a few years ago. Bishop Su met us and celebrated mass. For that he was put into prison. Bishop Su said nothing offensive about the government. He loved those who hated him.

The Chinese government also harvests and sells the internal organs of executed prisoners. Harry Wu—the Chinese human rights leaders testified about this practice at one of my hearings. China, as we all know forces women who have unauthorized pregnancies to abort their babies and to then be sterilized against their will. Brother and sister travelers to China—forced abortion is common place. China continues to brutalize the indigenous peoples of Tibet and of Xinjiang Uighur Autonomous Region, and it summarily executes Muslim Uighur political and religious prisoners.

Mr. Speaker, when will we learn the lesson that, when dealing with the PRC, the U.S. cannot settle for paper promises or deferred compliance? The Chinese dictatorship regularly tells bold-faced lies about the way it treats its own people. It says, for example, that nobody died in Tiananmen Square. Mr. Cho Hao Tlea, the Defense Minister in this city, said no one died there.

Mr. Speaker, in a hearing of several of the leaders of the democracy movement, some of the dissidents in correspondence who gave compelling testimony about how people died at Tiananmen Square, and, yet, the defense minister said nobody died. Incredibly, I invited the defense minister to our hearing—he was a no show.

Mr. Speaker, as we know, the Chinese Government claims religious freedom exists in the PRC. We know now there is no religious freedom. But brother knows better.

Mr. Speaker, since my time is about to expire, I just want to remind Members that when the business community and the administration want to see intellectual property rights protected, what do we do? We threaten sanctions. I believe we should put people at least on par with pirated software, CDs, and movies. This Congress should declare that torture, forced abortion, and mistreatment of prisoners against humanity count at least as much as protecting copyrights and consumer goods. Sanctions do work if consistently applied.

I urge a “yes” vote on the very important resolution of the gentleman from California (Mr. ROHRABACHER). And salute him for his wisdom in offering it today.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. EWING).

Mr. EWING. Mr. Speaker, I thank the gentleman from Illinois for yielding me this time.

Mr. Speaker, I rise today to oppose the resolution which would unilaterally isolate China from the U.S. only. Support normal trade relations with China. I support China being a part of the WTO. China will be one of the superpowers in the next millennium. Peaceful co-existence between us is to all of our benefit.

Now, all we understand that things are not as we would like them in China. But how do we most impact China? It is by engaging them, engaging them in how to handle human rights, by engaging them in fair trade, our intercourse with China since the close of the Cold War has paid dividends. To put our head in the sand and to walk away from it would be ill-advised.

Mr. Speaker, I come to the floor today to again express my strong support for continuing Normal Trade Relations with China.

Since I came to Congress in 1991, this debate has gone on every year and every year I have come to the floor to explain how important trade with China is to our farmers.

It is essential that we continue to grant Normal Trade Relations to China. China will be the most important market for the United States in the 21st Century and granting Normal Trade Relation status is the foundation of any typical bilateral trading relationship.

The recent negotiations for China’s accession to the World Trade Organization are proof that China is ready to join the international trade community and we cannot pass up this opportunity.

My home state of Illinois is the 6th leading exporter in the United States and over half a million jobs in Illinois rely on exports. The current crisis in agriculture has placed a spotlight on the huge need for increased foreign market access.

USDA has predicted that 75% of the growth in American farm exports over the next 10 years will be to Asia—and China will make up over half of this amount.

China is already America’s 4th largest agriculture export market and if the administration will complete the WTO accession agreement our farmers and ranchers will have the level playing field that they have been waiting for.

I urge members to vote against this resolution of disapproval and urge the Administration to complete the bilateral agreement for China’s accession to the WTO.

Mr. Speaker, I am pleased to yield 1 minute to the gentleman from California (Ms. WOOLSEY), a person who has been a faithful trooper in the fight for human rights throughout the world and a great leader.

Ms. WOOLSEY. Mr. Speaker, we have been told that, with MFN, China has made progress in many areas. To that I ask, what progress?
Right now, as we speak, thousands of Buddhists have been and are being arrested and jailed, and are being arrested and jailed for their beliefs, and that is their only crime. Repression of religion is not progress.

Just last year, last year, three founders of the China Democracy Party were jailing for expressing opposition to China policy. Repression of democracy is not progress.

Child labor and forced labor of political prisoners continues to be business as usual in China. Denial of workers' rights is not progress. Forced abortion, nuclear proliferation, and an expanded trade deficit is not progress. Extending China's NTR status amounts to rewarding China for continuing its human rights violations.

Vote to support real progress. Vote for H.J. Res. 57.

Mr. LEVIN. Mr. Speaker, I yield 2½ minutes to the very distinguished gentleman from Virginia (Mr. Moran).

Mr. MORAN. Mr. Speaker, we are not in conflict over the facts. I think we agree on the facts. What we are debating is the conclusions as to how to best address those facts.

We agree that forced sterilizations and forced abortions occur, and they are wrong. We are not disputing that. We agree that communism does not work, that it is a bankrupt ideology, that it offends the human condition, that it represses the human spirit, that it is just plain wrong.

But I would hope we would also agree on other facts that cannot be disputed. One such fact is that there is no other major nation that does not extend normal trading relations with China. That is all we are talking about, continuing the normal trading relations that we extend to every other trading partner, but for a very few pariahs.

We would also hope that we would agree that there are about 200,000 Americans dead here. We would also hope that we would agree that if we cut off normal trading relations with China and isolate them, that there is an adverse impact upon our economy, and that there will be other countries coming in to fill the gap, countries who, in many cases, have far less commitment to human rights and economic progress, and individual liberties than the United States does. We must all share a confidence in our universal values to human rights. Surely, no one on the other side is suggesting that we who will vote to extend NTR to China are so heartless that we don't care about the numerous violations of human rights that occur on a daily basis.

I think these things are clear. So when we weigh all the facts, we who agree that human rights are being violated every day, have come to the conclusion that the best way to change China is to insist upon it.

They will insist upon a free enterprise economy. Eventually, they will become a democratic state. That is what we want. We agree on the facts. We want to get to the same place. We are just as committed.

Supporting normal trade relations with China. Reject this resolution before us today. Give the Chinese people their best chance to break the chains of communist ideology.

I rise to oppose this resolution and support renewal of normal trade relations with China. This is not a disagreement over facts but rather over judgement on how best to address those facts. I share the concerns expressed by some of my colleagues regarding human rights abuses by the People’s Republic of China.

I am deeply troubled by the religious persecution that is occurring in China, including the recent crack-down on Falun Gong practitioners. Christians, Catholics and anyone who puts their faith above their State is considered to be a threat to China’s leaders today. However, I disagree with the premise that discontinuing normal trade relations will somehow positively improve human rights in China.

Promoting normal trade and continued economic engagement over time, will help open up Chinese society. History has proven this inevitability. The very activities that trade and engagement bring to China help foster a climate under which religious teachings can spread and flourish.

Canceling or conditioning NTR further isolating China would only damage our interests and undermine support among our allies to keep pressure on the Chinese government to institute more fundamental political and economic reforms and human rights protections.

I would like to remind my colleagues that trade is not a partisan issue. NTR status for China has been supported by every President, Republican and Democrat alike, who has confronted this issue.

By continuing normal trading relations with China, we extend ordinary tariff treatment that we grant to all but a few nations. We are not providing China special treatment and we are not endorsing China’s policies. We are simply supporting the best way to promote U.S. interests.

But, we should continue normal trade relations with China for more than just economic reasons. It is in our national interest.

By resuming NTR with China, we advance our long-term national interests in achieving democratic and market reforms in the world’s most populous nation.

Our national interest are best served by a secure, stable and open China. The way we engage the Chinese government will help determine whether it joins a community of nations and follows the rule of law or becomes more isolated and unpredictable.

Continuing normal trading relations with China also serves our best economic interests. Approximately 200,000 U.S. jobs are tied directly to U.S. exports to China.

In the absence of this relationship, we would be placing our firms that are making great strides gaining new market share in China at a severe disadvantage.

We would be standing alone in a trade policy that neither our allies nor our trade competitors would follow. Our competitors would reap the benefits of business opportunities that would otherwise go to U.S. firms.

The United States is the only major country that does not extend “permanent” normal trade relations to China. Revoking NTR status with China would only increase prices which U.S. consumers pay for goods and services and ultimately cost U.S. jobs. If the Chinese do not buy our products, they will buy them from Europe and other Asian countries.

We would also be passing the cost of higher tariffs on Chinese imports, more than $500 million annually, on to U.S. consumers. Clearly, it’s the American consumer who loses if we do not continue NTR with China.

Higher tariffs on Chinese imports would only shift our demand for inexpensive, mass-market consumer goods to other developing countries and would not result in a net gain in U.S. manufacturing jobs.

China is the fifth largest trading partner of the U.S. Two-way trade between the U.S. and China has increased almost tenfold between 1990 and 1997, increasing from roughly $10 billion to $75 billion.

This growth is expected to continue to rise in the 21st century as more Chinese benefit from an improved standard of living and increased purchasing power.

Our current trade imbalance with China can best be narrowed through increased trade and liberalization of the Chinese economy. As their income rises, demand for high-quality U.S. products increases and our trade deficits decline.

In short, we have much to lose and little to gain by failing to continue our current trading relationship with China. I urge my colleagues on both sides of the aisle to vote in our national interest and support normal trade relations with China.

Mr. ROHRABACHER. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. Burton), the man who has studied this issue and realizes that Japan and Nazi Germany were both very, very developed in their economy, and they also were aggressors and human rights abusers.

Mr. BURTON of Indiana. Mr. Speaker, here we go again. First we gift wrap and hand over to Communist China virtually all of our Chinese sensitive secrets. Now we are going to grant them most preferential trade status. What in the world is going on?

China has stolen data on the W-88 nuclear warhead and the neutron bomb. They have funneled illegal campaign contributions to the Democratic party and the administration. They are transferring missile technology to countries like North Korea and Iran. They continue to violate basic human rights.

They are circumventing our trade laws by transshipping their textile goods through third countries.

Does this sound like a country that deserves preferential treatment?

According to Paul Redmund, the CIA’s chief spy hunter, China’s spying was far more damaging to national security than Aldrich Ames and would turn out to be as bad as the Rosenberg, who were executed back in the 1950s for that.

A team of U.S. nuclear experts practically fainted when the CIA showed
them the data that China has stolen. The Chinese penetration is total, said one official. They are deep, deep into the labs' black programs, thus endangering every man, woman and child in this country.

Why are we rewarding China for its spying? For God's sake, this is the country that funneled illegal contributions to President Clinton's 1996 reelection campaign. This is the country that told Johny Chung, we like your President, and then gave him $300,000 to give to the Democrat Party.

Johnny Chung testified under oath that he was directed to make illegal contributions to the President's campaign by General Ji, who is the head of China's military spy operations worldwide. General Ji met with him three times and ordered that $300,000 be directed to Chung for political contributions here in the United States.

One of its joint ventures was the Indonesia-based international firm called the Lippo Group. Its chairman is J James Riady, close friends of the President, and who frequently visited the White House. James Riady's chief adviser on political donations was J ohn Huang, a former employee of Lippo. John Huang recently took a job from the Clinton administration at the Commerce Department. He later left Commerce to work for the Democratic National Committee where, with the help of James Riady, he collected nearly $3 million in illegal contributions from China. Mr. Speaker, Johny Chung, J john Huang, and Charlie Trie together raised over $3 million in illegal donations that we know of that have been linked to the Bank of China.

We had 121 people take the fifth amendment or flee the country. A number of the most important people among this list are hiding in China. When my staff attempted to travel to China to interview these people, the Chinese Government denied us visas and threatened to arrest our investigators. Does this sound like a country that deserves preferential trade status? Does this sound like a country that is productive. They have told me that revoking NTR would strengthen the Chinese regime and actually intensify these human rights abuses.

We should listen to these people, many of whom have committed their lives to China. I know the language, they know the culture, and they know the mentality. And I wish to share a couple of comments from them with my colleagues.

Reverend Daniel Su, a member of a Christian church in China says, "To revoke China's NTR status as a way to better its human rights performance is like setting your car on fire when it stalls."

I have many quotes which I will not have the time to say here, but listen to this quote of a letter signed by 32 Christian groups working in China. "NTR is the core of America's engagement policy toward China. Taking it away will hurt the Chinese people, particularly those who are persecuted because of their religious faith. When U.S.-China relationships deteriorate, Christians in China will be blamed and penalized."

Mr. Speaker, let us listen to these people who have a deep, longstanding involvement in China. They are working in China because they love the Chinese people and believe that revoking NTR will hurt those that we are seeking to help. I believe it is more effective for the U.S. to address our human rights abuses through diplomatic perspective. Support NTR.

Ms. PELOSI. Mr. Speaker, I would like to make an inquiry about how much time is remaining in the debate. The SPEAKER pro tempore. The gentleman from California (Mr. LEVIN) has 18 minutes remaining; the gentleman from California (Mr. ROHRABACHER) has 14½ minutes remaining; the gentleman from Illinois (Mr. CRANE) has 17½ minutes remaining; and the gentleman from Michigan (Mr. LEVIN) has 21½ minutes remaining.

Ms. PELOSI. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. STARK). The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California? There was no objection.

Mr. CARDIN. Mr. Speaker, China's human rights record ranks with the former Soviet Union and the former apartheid government of South Africa. It is one of the proudest moments in the history of our Nation and the world to use trade to bring about change in the Soviet Union, when we used trade to bring about change in South Africa, and we can do it again. The reason is quite clear. China needs the U.S. consumer. It gives us leverage for change. It has worked in the past and it will work again.

U.S. consumers should not be financing the oppressive regime in China, and that is exactly what they do if we extend the Most Favored Nation status. It gives our country leverage, and when the regime begins to yield control of the time back to the Speaker.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN). Mr. GREEN of Texas. Mr. Speaker, I thank the gentleman from Michigan (Mr. LEVIN), a member of the Committee on Ways and Means, for yielding me this time.

In the past, I have always supported normal trade relations with China, and this year it is much more difficult because of the response of the Chinese Government and the people of China to the accidental bombing of the embassy in Belgrade. A country that wants to bend an opponent does not use misfortune or tragedy as an opportunity to attack our diplomats and also to damage United States property.

I have worked with companies in my district to expand their business in China. I expected a much different response from a country that has such a long history and is known for its courtesy. I hope the Government of China realizes they cannot expect our friendship and cooperation on one day and then attack our country's representatives the next.

Our balance of trade deficit with China bothers me a great deal. Knowing the state of our relations with China, it is not the time to revoke
normal trade relations. We need to have cooler thoughts, both in our government and in China. By not renewing normal trade relations for this year, we invite international competitors to establish a stronger foothold while further isolating our companies in what has the potential to be one of the largest consumer markets. Again, our competitors are not as concerned about the human rights in China as we are.

Nor do I believe that this is just the annual renewal of normal trade relations with China. We have a lot of work to do before we admit China to the World Trade Organization, but we are heading down the right path, to this in one step in that direction. We will revisit this issue again, if not this fall, again next year.

Mr. Speaker, I urge rejection of this resolution.

Mr. LEVIN. Mr. Speaker, 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. Speaker, I rise in strong opposition to this measure which would disapprove continued normal trade relations trading status with China.

As we know, NTR trading status does not provide any preferential treatment but rather grants the ordinary tariff treatment that the United States extends to virtually every nation in the world. Fewer than a dozen countries do not have NTR status, including North Korea, Cuba, Afghanistan, Iran, Iraq, and Libya.

The problem with the underlying resolution, as well intentioned as it is among its sponsors, is, I believe, that it will alienate any type of relationship we may have with China. And while we have had severe problems because of their espionage program against the United States, and we all have severe concerns about their human rights violations, I do not think it is a country that we want to just cut off relations with. I think there are both foreign policy concerns and economic concerns.

Furthermore, I think, in my opinion, there really are two China's. There is the old hard-line China that is fighting the new market-oriented China. And we have a fight going on in the upper levels of the Chinese Government of whether or not to move the economy towards more market orientation, which we know will bring about capital and this is bringing about more freedoms in the countries; and the old-hard line regime that wants to stop that. I think by cutting off trade relations, as the underlying resolution would propose to do, it would undercuts those who want to move towards a more market-oriented government.

Finally, what effect would this have? This would force the Chinese to devalue their currency, which would be in direct opposition to the resolution where the U.S. has about 35 percent of its export market. That, in turn, would increase our trade deficit here, cost American jobs, not create American jobs; and I think that would be detrimental to the American economy. So to vote for this resolution, while well intentioned, it is, in my opinion, a vote against American industry and a vote against American jobs.

Mr. Speaker, maintaining China's NTR status is important because of the significant impact it has on the U.S. economy. In 1998, the U.S. exported over $14 billion in goods and services to China, benefitting thousands of U.S. companies and hundreds of thousands of American workers. In the state of Texas, exports to China provide jobs and income for more than 33,000 families; and China and Hong Kong were the state's seventh-largest export market in 1998. In Houston, the trade ties to China are equally significant. Trade through the Port of Houston totaled $577 million in 1997, with exports accounting for 76 percent of that total.

The relationship between the U.S. and China has undergone significant strain in recent months with the theft of nuclear weapons secrets, the accidental NATO bombing of the Chinese Embassy in Belgrade, increased tensions between China and Taiwan, and China's recent crackdown on political demonstrators. While these are legitimate national security concerns, U.S. security interests would not be enhanced if relations with China worsen as a result of revoking NTR. The best way to bring about broad and meaningful change in China is through a continued policy of frank, direct engagement that enhances our ability to work with and influence China on a broad range of concerns. While the bilateral relationship continues to be tested, it is vitally important that the fundamental elements of the relationship be maintained.

Failure to renew NTR would further destabilize the Pacific Rim region economically and politically at a time when many Asian countries are beginning to recover from their worst financial crisis since World War II. Revoking NTR would put additional pressure on China to devalue their currency, likely resulting in another round of currency devaluations in Asia that could undermine the efforts of the International Monetary Fund and the U.S. Treasury to contain the crisis and worsen our trade deficit.

Through our continued policy of engagement, the U.S. has worked to ensure that China's accession to the World Trade Organization is predicated on strong commercial terms that provide significant market access for exports of U.S. goods and services. Our policy of engagement has also obtained significant Chinese cooperation on 21st century security, nuclear proliferation, drug trafficking and human rights. Much work remains to be done.

Normal trade relations will continue to advance the process of opening China, exposing Chinese people to American ideas, values and personal freedoms.

A policy of principled engagement remains the best way to advance U.S. interests and create greater openness and freedom in China. The renewal of NTR trading status is the centerpiece of this policy, and I urge my colleagues to reject this resolution and support continued trade with China.

Mr. Speaker, I hope my colleagues will defeat the resolution.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. Jones), a man who represents tens of thousands of U.S. Marines and their families in his district, and a man who cares deeply about American national security.

Mr. JONES of North Carolina. Mr. Speaker, I rise today in strong support of H.J. Res. 57. For the last 5 years, I have opposed extending Most Favored Nation status to China. Every year the administration promises that our relations with the Communist country will improve, and every year China proves us wrong.

In 1995, Congress extended normal trade status to China. The conditions were to stop abusive human rights practices and stop exporting lethal weapons. China has not stopped these practices. The CIA reported in 1996 that China was the greatest supplier of weapons of mass destruction and technology to foreign countries.

China has not put an end to its long and established history of human rights abuses, like forced abortion and sterilization. China never lives up to its promises.

The Chinese citizens who seek democracy are often jailed, tortured, and even killed. Religious leaders are harassed and incarcerated, and places of worship closed or destroyed when the government and church are not sanctioned by the Chinese Government.

Mr. Speaker, what is more frightening is that our own government seems unconcerned about the security of America. This administration turns a blind eye when China sells technology to our enemies and steals our nuclear secrets.

Mr. Speaker, before we extend this economic advantage to China, we must see proof that China is serious about extending freedom to the Chinese people and becoming a partner in this world.

Mr. Speaker, I support H.J. Res. 57 and encourage my colleagues to do the same.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. Ose).

Mr. OSE. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in opposition to the resolution.

I would like to take a few moments to discuss the effects of trade on our economy. Whenever trade policy is discussed, people forget the many benefits that free trade bestows on our Nation. Today, tradeable goods represent approximately 30 percent of our Gross National product, and the export sector remains one of the shining lights of our economy. Exports have grown rapidly in the last decade, creating thousands of new jobs, and these jobs pay considerably more than those that are unrelated to trade.

Trade also benefits consumers. As these trade barriers fall, resources are able to flow more efficiently. American companies engaged in international trade become leaner and more competitive. As a result, consumers in all our districts enjoy lower prices and better products.
Indeed, the efficiencies created by trade have been a critical component to the economic prosperity we now enjoy. I urge my colleagues to defeat this resolution.

Mr. STARK. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. LEE) in support of this resolution to not oppose normal trade relations with China.

Ms. LEE. Mr. Speaker, I thank my colleague from California (Mr. STARK) for his consistent work on behalf of human rights throughout the world.

Mr. Speaker, I am joined with my very courageous colleague from Oregon (Mr. Wu) in support of this resolution to not oppose normal trade relations with China.

I do not cast this vote lightly. My district is part of the wonderful gateway to Asia. Our local economy is heavily dependent on our trade with China even with the trade deficit increasing from $63 billion to about $70 billion.

However, I am acutely and painfully aware of the importance of basic human rights for all people throughout the world. There continues to be major violations by the Chinese Government of the rights of the Chinese people.

I am a firm believer of self-determination for China. China has chosen communism. That is their right. However, it is wrong to round up, to intimidate, and to arrest people, place them in slave labor camps with no due process.

The time is now to send a strong, unyielding message that the United States will not condone mass suffering and oppression.

We are not talking about cutting off our relationship with China. We want to modify our trade relations so that people of China and the United States can benefit from a fair and free trade policy.

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

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

Mr. DOOLEY of California. Mr. Speaker, I rise today to express my position to this resolution of disapproval regarding normal trade relations with China.

Clearly, the United States’ relationship with China is complicated. Recent events, including the bombing of the Chinese Embassy in Belgrade, China’s reaction to the bombing, and evidence of spying in our national labs have only added complexities to our relationship.

We are all in agreement that we must take steps necessary to protect our national security interests and to ensure that our nation’s intelligence programs prevent future security breaches. But at this critical juncture, we would be foolish to abandon our economic and political relationship with China and with it our ability to influence their economic, political, and humanitarian policies in the future.

I agree with Presidents Clinton, Bush, Reagan, Carter, and Ford that a policy of engagement is better than a policy of isolation. We cannot afford to embrace a Cold War mentality that would demonize and isolate China.

A policy of economic and political engagement is the surest way to promote U.S. interests in China, to advance democracy and human rights within China, and to enhance future economic opportunities for U.S. workers and businesses.

In addition to today’s important vote, we must move swiftly to finalize a WTO agreement that will bring China into the international trade community. The United States is aggressively pursuing a WTO agreement for the past 21 months, and Ambassador Barshefsky should be complimented for the agreement that she has negotiated to date; and her efforts have been realized.

While a WTO agreement would present tremendous opportunities for U.S. workers and businesses, bringing China into the WTO is more than just a matter of market share. China’s accession into the WTO will lock China into a rules-based international organization and bring them into the legal framework of the international community through the WTO.

Mr. Speaker, I recognize the problems that currently exist in China. I appreciate the efforts of some of my colleagues and remain committed to improving the area of human rights and trade policy and proliferation.

Since the reestablishment of diplomatic relations with China in 1979, total trade between our two nations has increased from $4.8 billion in 1980 to $75.4 billion in 1997. This makes China our fourth largest trading partner. China’s economy is growing at an average rate of almost 10 percent a year, making it one of the fastest growing economies in the world.

In order for the United States to remain the dominant economic power in the world, we cannot close the door on the most populous nation in the world. China will continue to have a growing influence on the world’s economy. For U.S. businesses and workers to continue to prosper and grow, we need continued economic engagement with China by renewing Normal Trade Relations.

In addition to today’s important vote, we must move swiftly and finalize a WTO agreement that will bring China into the international trade community. The United States has been aggressively pursuing a WTO agreement for the past 21 months, and while an agreement has not been finalized, the deal currently on the table presents tremendous market opportunities for all sectors of the U.S. economy including agriculture, information technology, financial services, and manufacturers. Ambassador Barshefsky and her negotiating team are to be commended for their extraordinary efforts in reaching this unprecedented agreement.

As a member who represents the nation’s number one agricultural district, I want to thank the Administration for negotiating an agreement that presents tremendous opportunities for U.S. producers. With respect to agriculture, high Chinese tariffs on nearly all agricultural products would be reduced substantially over the next four years. It is projected that by the year 2003, about 37 percent of the world food demand will come from China. American ranchers and farmers are the most efficient in the world, and we are in the WTO agreement on the table would move to level the playing field and allow U.S. agriculture tremendous access to the world’s largest agricultural market.

And agriculture isn’t the only sector that would benefit. The agreement would also open Chinese markets to a number of U.S. industrial products and services including information technology products, automobiles, insurance, and financial services. Quotas on information technology products would be reduced from 153 percent to zero, and China would agree to adhere to the Information Technology Agreement negotiated in 1996. In addition, the agreement offers U.S. investment in telecommunications and entertainment for the first time, and would subject China to WTO requirements to protect ownership and intellectual property and ensure respect for U.S. copyrights, trademarks, and patents. Automobile tariffs would be reduced from 80–100 percent to 25 percent. American insurance companies would be able to sell a wide range of products throughout China, as compared to the current policy that limits life insurance sales to Shanghai and Guangzhou. And American banks would be able to operate anywhere in China.

In addition to tariff reductions and other market access agreements, bringing China under the umbrella of the WTO would make China accountable for its trade practices and subject to WTO enforcement actions.

I support the Administration’s policy, and am encouraged by recent reports that negotiations will resume in the near future. In spite of the recent strains on our relationship with China, it is in our overwhelming interest to finalize a WTO agreement and maintain our policy of economic and political engagement.

A policy of continued engagement is the most effective tool we have to protect our national security interests and promote our economic political ideals.

Mr. Speaker, I recognize the problems that currently exist in China, and I appreciate the effort of some of my colleagues in remaining committed to improvements in the area of human rights, trade policy, and proliferation. However, I strongly disagree with the philosophy of isolation and disengagement, and believe it would be a mistake to disapprove the extension of NTR.

Mr. ROHRBACHER. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. TANCREDO), a member of the Committee on International Relations, a strong voice for America’s values and American security.

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

Mr. Speaker, I rise today in support of House Joint Resolution 57, which was commendably introduced by the gentleman from California (Mr. ROHRBACHER) in direct defiance to the Jackson-Vanik subsequently renewed by the President on June 3.

Mr. Speaker, we are here today to address an issue that we characterize as
normal trade status, normal trade relations, and we want to extend it.

The implications, of course, going along with that phrase “normal trade status,” “normal trade relations,” would be that something good is happening. We want to see if it and then we want to continue it, normal trade relations. But in reality, Mr. Speaker, nothing good is happening as a result of having these trade relationships with China.

Now if, in fact, do not export very much and as a matter of fact every year it gets worse. The amount of products that we actually export from the United States to China is relatively small. A variety of reasons: The Chinese, of course the government keeps a number of obstacles in place to prevent us from actually exporting our merchandise. And beyond that, of course, there is no market.

Relatively few people in China can buy anything when the average income is $600 a year. That is one problem.

On the other side, of course, we do import a great deal from China; and we say that this is a good thing because we can import products that are cheaper, our consumers can buy cheaper products.

Well, it is absolutely true that we can buy cheaper products from China. It is much more difficult for American workers to compete with workers in China. Because, of course, workers in China, for the most part, are not paid anything. They are, in fact, slave laborers.

A recent South China Morning Post article stated, China directory contains detailed financial information on 99 labor camps with annual commercial sales of $942 million to the United States.

In other words, we import almost a billion dollars of slave labor products, slave labor products. How proud does that make my colleagues feel?

Vote for the amendment.

Mr. CRANE. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. PORTMAN), our distinguished colleague on the Committee on Ways and Means.

Mr. PORTMAN. Mr. Speaker, I rise today to support the continuation of normal trade relations between the United States and China.

There is no doubt that China has, in fact, been a significant factor in the economic expansion we have all enjoyed in this country during the 1990s. In my own district, in Cincinnati, Ohio, we have almost doubled our exports to China during that time period. That means more jobs for my constituents, more prosperity for the families and businesses that I represent in southwest Ohio, and a healthy economy for my area, for the State of Ohio, and for the entire country.

But China is far from perfect. The lack of respect for human rights, the findings of the Cox report, the situation in Tai-
a change of policy because they feel that America's real goals, our goals of trying to secure the world, our goals of trying to help our friends and allies, some of whom are threatened by China, will always be superseded by what they view as corporate greed.

Let me prove them wrong. Let us pass Rohrabacher.

Mr. CRANE. Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BARRETT). (Mr. BARRETT of Nebraska asked and was given permission to revise and extend his remarks.)

Mr. BARRETT of Nebraska. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in support of extending normal trade relations with China and in support of keeping open the lines of communication and the doors through which we not only trade goods and services but also promote ideas and sell democracy.

The House should soundly defeat this resolution.

For many, China's spying and its poor record on human rights are reason enough to oppose this resolution. But, it's not enough. And it would be counter-productive. Ignoring and trying to punish this country of 1 billion accomplishes nothing but further isolating the very people we want to help. And we risk undermining a peaceful relationship with a country emerging as a world superpower.

The lines of communication and trade must stay open. It is through them that the power of American ideals, such as respect for the individual and the importance of individual freedom, can be shared. I will agree with many of my colleagues who have taken the floor today to call this a vote about abortion, but I disagree that a vote for this resolution is a vote about abortion. I want to keep open the means we have to touch those lives and let those poor people know there is a form of government that would never allow coerced abortions and force sterilizations upon its citizens.

By engaging China, we have and do make a positive difference. Change has been slow in China, but change will continue only with our continued input and influence.

No less important are the benefits to America of NTR. We must consider what denial of NTR will do for our exporters, especially US farmers and ranchers. We're in the depths of a price crisis in agriculture. Our producers haven’t received prices this low for many times before. Engaging China through trade does not constitute an endorsement of China's actions or policies. As Secretary of State Madeleine Albright correctly stated in a letter to Congress, “Revolving normal trade relations would do nothing to encourage the forces of change in China. It would not free a single prisoner, open a single church, or expose a single Chinese citizen to a new idea. It would seriously disadvantage America's growing economic interest in China, rupture the overall United States-Sino relationship, and place at risk efforts to bring China into a rules-based international community.”

I would hasten to add that revoking normal trade relations with China would also jeopardize thousands of American jobs and would dramatically drive up prices for American consumers.

Mr. Speaker, I urge a “no” vote on this resolution.

Mr. STARK. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, the most constructive step Congress can take today to fortify our Nation's political ideals and economic foundation is to say “no” to renewing China's “special” trade status. There is nothing “normal” about China's trade relationship with the United States today. It is astounding abnormal, with gigantic and growing trade deficits.

This year it will amount to over $60 billion more of China's goods coming into this country than our exports allowed into their nation; over half a million lost jobs in the United States; China, now the second largest holder of U.S. dollar reserves and buying political influence around the world with that money, restructuring their markets and transshipping goods through Japan here to the United States.

All I can say is our ancestors in the Kay and Rogowski families came to this country for freedom. They were freedom lovers. They were opportunity lovers. I refuse to be a placeholder in this Congress for Chinese state monopolies or the Communist Party, and I certainly will not be a placeholder for some of the largest multinational corporations on the face of the globe who merely want to make profits off the backs of those who work as slaves.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. BECERRA), a member of the Committee on Ways and Means.

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in opposition to H.J. Res. 57 which would cut off normal trade relations with China.

We have heard a number of bad things that have been occurring in China and certainly all of us would agree that they must change. But there are, I think, a number of issues that have to be raised before we deal with the issue of normal trade relations and decide what we should do with a country as large and as important as China.

I respect the point of view of my colleagues who have expressed support for this resolution, especially the gentlewoman from California (Ms. Pelosi) and the gentleman from California (Mr. STARK) who have been so adamant on this issue and so in many ways responsible in what they have done. We must change that trade imbalance that we have with China. That is not tolerable. The human rights conditions in China must improve. We all know that. And the piracy of American ingenuity, our intellectual products, whether it is our films, our music, we must protect all of those things from piracy that we see going on in China. But you cannot negotiate and you cannot settle anything if you are not willing to sit down at the table with folks. You have to engage. There is no way we can ever deal with the piracy issues, the human rights issues, the issues of the trade imbalance, if we are not willing to sit down with the Chinese and say, “This is where we need to go together.” It would be foolish for us to just all of a sudden break.

Are the Europeans, any European country breaking relations with China on economic matters? Are the Asians, any Asian country breaking economic relations with China? Are the Latin Americans, any Latin American country breaking relations with China because of the issues that we have raised? None of us. Not one. Not one country that is part of the WTO has said, “We’re going to treat China the way this resolution would have the U.S. treat China.”
Mr. PAUL. Mr. Speaker, I thank the gentleman for yielding me this time. I rise in opposition to this resolution and in support of free trade.

Mr. Speaker, the reason a country engages in free trade is not altruism—we do not engage in free trade out of the benevolence of a trading partner. Even if the reciprocal country does not lower its tariffs we can still benefit.

Open and free trade with all nations, short of war, should be pursued for two specific reasons. One is it's a freedom issue: the right of the citizens of a free country to spend their money any way they see fit, anywhere in the world. And two, free trade provides the best deal for consumers allowing each to cast dollar votes with each purchase respecting quality and price. The foreign competition is a blessing in that it challenges domestic industries to do better. The Japanese car industry certainly resulted in American car manufacturers offering more competitive products.

In setting trade policy we must not assume that it is our job to solve any internal political problems of other governments or any more than it is their responsibility to deal with our internal shortcomings.

Our biggest problem here in the Congress is that we seemingly never have a chance to vote for genuine free trade. The choice is almost always between a disguised trade or sanctions-plus-protectionism. Our careless use of language (most likely deliberate) is deceitful.

Genuine free trade would involve low tariffs and no subsidies. Export-Import Bank funding, OPIC, and trade development subsidies to our foreign competitors would never exist. Trading with China should be permissible, but aid should never occur either directly or through multilateral banking organizations such as the IMF or World Bank. A true free trade policy would exclude the management of trade by international agencies such as the WTO and NAFTA. Unfortunately, these agencies are used too frequently to officially place restrictions on countries or firms that sell products “too cheaply” — a benefit to consumers but challenging to domestic or establishment “competitors.” This is nothing more than worldwide managed trade (regulatory cartels) and will eventually lead to a trade war despite all the grandiose talk of free trade.

Trade policy should never be mixed with the issue of domestic political problems. Dictatorial governments trading with freer nations are more likely to respect civil liberties if they are trading with them. Also, it is true that nations governments trading with freer nations are more likely to respect civil liberties if they are trading with them. Also, it is true that nations with extensive trade relations are simply less likely to go to war with each other than countries without these ties.

Renewing NTR with China will benefit our economy by expanding U.S. export opportunities and by providing American consumers access to low-cost goods.

Finally, Mr. Speaker, renewing NTR with China will help the Chinese people to liberate themselves from the dictatorship under which they live. Chinese Communist leadership has embarked on, what is for them, a dangerous course. Unlike most other Communist dictatorships this century, Deng Xiaoping chose to open China to foreign investment and enterprise and engagement with the West. His bet was that he could enjoy the economic benefits of capitalism without losing the Communist Party's monopoly on political control.

If we engage China, Deng’s successors will lose that bet and the people of China will be the winners of freedom. Freedom is ultimately indivisible and once tasted, Mr. Speaker, it is irresistible. People who enjoy economic freedom will demand political freedom. People who read American newspapers will eventually demand their own free press. People who travel to the United States on business will see the incomparable superiority of freedom and in time demand it for themselves.

I urge my colleagues to vote against this resolution.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Speaker, I thank the gentleman from Illinois for yielding me this time.

Mr. Speaker, rejecting this resolution and renewing NTR with China will help to safeguard American security with respect to a potential adversary, will serve American economic interests, and will encourage policies that will allow individual liberty, the rule of law and thus respect for human rights ultimately to flourish in China. The security will help to protect free enterprise and self-expanding trade opportunities that it brings in nonmilitarily sensitive goods reduces the likelihood of military conflict between the United States and China. Countries with extensive trade relations are simply less likely to go to war with each other than countries without these ties.

Renewing NTR with China will benefit our economy by expanding U.S. export opportunities and by providing American consumers access to low-cost goods.

Mr. KUCINICH. Mr. Speaker, this is one of the most opportune resolutions presented to Congress since the adjournment of the last session. It is one that is supported by a broad coalition of individuals, organizations, and, importantly, Members of Congress.

Mr. Speaker, this resolution, the China Trade Act of 2000, was introduced by Representatives Mr. Kucinich of Ohio, Mr. Hyde of Illinois, and myself. It is a resolution that could have great ramifications in the Pacific Basin and, most importantly, on the ability of the United States to address critical security concerns in the region.

This resolution is a necessary step to renew the Preference Trade Act with China. The current legislation is scheduled to expire on July 1, 2000. The Administration has, unfortunately, indicated that it will not support renewal of the Act at the time the legislation comes to the floor of either Congress.

The United States has strong strategic and economic interests in the region. To maintain our leadership in the region, it is critical that we assert our presence in the Pacific Basin.

Mr. Speaker, this resolution is a recognition of the fact that the Pacific Rim is the most dynamic of the key economic regions of the world. It is a recognition that our strategic interests are intertwined with those of our Pacific neighbors.

Mr. Speaker, this resolution makes it clear that we support the renewal of the NTR Act and recognizes the critical importance of the relationship with China. This resolution was supported by the vast majority of Members of Congress who believe that the United States has a vital interest in maintaining our relationship with China.

Mr. Speaker, I urge Members to vote against this resolution.
It is time for the United States to get some guts and gumption and to do something about it.

I rise today to express my serious concern regarding normal trade relations with China. Opponents of the resolution argue that while China continues to engage in many notorious practices, they believe that revoking normal trade relations is too drastic a step and would most likely prove to be counterproductive.

This year's annual vote on the trade status between the United States and China has China's markets to American products, commerce, and Congress, be focused on action items of what we should be doing.

First of all, that it is horrific, of the siege of the American embassy in the former Yugoslavia which we apologized, I think we should demand compensation for the U.S. embassy and its consol offices. I believe we should demand, of course, the relationship between Taiwan and China, actually engage in making sure that there is a fairness and an ability to negotiate and not to oppress what we should want to ensure that there is no transshipment and no dumping along with some of the other issues of slave labor. We have been too meek and mild in our negotiations. And, yes, we did offer a resolution in the United Nations which failed, and I do comment that our administration for doing that, but we should do it over and over and over again. And then we have not been successful in the trade imbalance. What we need to do is to make as part of our key trade efforts, to ensure the small and medium-sized businesses.

The policies with China have been wrong for Democrats and Republicans. It is time for the United States to get some guts and gumption and to do something about it.

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The policies with China have been wrong for Democrats and Republicans.
(Mr. NUSSLE asked and was given permission to revise and extend his remarks.)

Mr. NUSSLE. Mr. Speaker, I rise in opposition to the resolution, in support of normal trade relations.

Mr. BEREUTER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER asked and was given permission to revise and extend his remarks.

Mr. BEREUTER. Mr. Speaker, as chairman of the Subcommittee on Asia and the Pacific and a member of the Cox Committee, I rise in opposition to the resolution. I strongly support the continuation of NTR status for China because it is clearly both in America’s short-term and long-term national interests. Continuing NTR is not about granting a favor or a preference to China; it is about acting in our own national interest. That is what this debate is all about. Rather than ranting and raving about problems in human rights and democratic freedoms, I prefer to focus realistically on doing something about them. This is not the right forum for addressing those issues.

Mr. Speaker, ever since President Nixon traveled to China, U.S. policy has sought to promote a stable and peaceful Asia where America’s trade interests could be advanced without sacrificing security. Successive administrations have expanded trade relations and economic liberalization key tenets of our China policy. The goal is not only to expand U.S. trade, but also to provide a means of giving China a stake in a peaceful, stable, economically dynamic Asian Pacific region and pulling that country into an international community.

Overall, this responsible approach has been successful despite the increasingly problematic nature of Sino-American relations. It has protected not only our own national interests, but also those of our friends and allies.

The U.S. has convinced nearly every other country in the region that the best way to avoid conflict is to engage each other in trade and close economic ties. Abandoning this basic tenet of our foreign policy with respect to China would be a serious shock and one that would create almost no positive results in China or in our relationship with that country and its people. It unnecessarily wastes our precious foreign policy leverage and seriously damages our Government’s credibility with the leadership of China and with our allies. It hinders our ability to coax the Chinese into the international system of world trade rules, non-proliferation norms, and human rights standards. Moreover, Beijing knows the United States cannot deny NTR without severely harming American workers, farmers, consumers or businesses, or do it without devastating the economies of Hong Kong and Taiwan.

It is true as NTR opponents argue, that ending normal trade relations with China would deliver a very serious blow to the Chinese economy, but the draconian action of raising the average weighted tariff on Chinese imports to 44 percent harm the United States economy as well. China is already the 13th largest market abroad for American goods and the 4th largest market for American agricultural exports. If NTR is denied to China, Beijing will certainly retaliate by raising tariffs on $14 billion in U.S. exports to China. As a result, many of the approximately 200,000 high-paying export jobs related to United States-China trade would disappear while the European Union, Canada, Japan, Australia, Brazil, and other major trading nations would rush to fill the void.

Maintaining NTR is crucial to being able to re-engage in negotiations with China on its accession to the World Trade Organization (WTO), negotiations which could result in a much greater opening of China’s markets to U.S. agricultural, industrial and service exports. As the pending agreement is export-oriented, it is the American worker, farmer and businessman who benefit from increased sales to China. The agreement would also incentivize Chinese reforms that reduce the competitive coercion on American businesses to transfer their industrial technology to China or for China to require manufacturing offsets to transfer jobs from the United States to China.

Just focusing specifically on agriculture for a moment, it is certainly worth remembering that the American Farm Bureau has called China “the most important growth market for U.S. agriculture in the 21st century.” The U.S. Department of Agriculture estimates that, over the next decade, 75 percent of the growth in American agriculture will be to markets in Asia, of which half will come from increased U.S. exports to China. In the China WTO accession negotiations and have been halted but which the Administration quite rightly wants to resume having mistakenly rejected a commercial viable package during Premier Zhu’s visit last April, it is China that is making all of the concessions. The United States is not giving up anything. In manufactured goods and service exports, the news was almost in-credibly good. In agriculture, for example, the pork, beef, soybean, corn and wheat markets to China which could be opened up to American exports today would be opened significantly with tariffs dropping from over 40 percent today down to 12 percent or lower. Informal trade negotiations during what we hope will be their final phase and jeopardizing the substantial benefits to American exports and jobs a new trade agreement and increased access to the WTO promise. Revoking NTR would turn our grand slam home run into a dismal strike-out. Rejecting NTR status for China is self-evidently neither in our short term nor our long term national interest.

Some have advocated the revocation of NTR status for China in order for its espionage operations against the United States. As one of the nine members of the bipartisan Cox Select Committee (Select Committee on U.S. National Security and Military/Commercial Concerns with the People’s Republic of China) which investigated and reported on Chinese espionage, and as a former counter-intelligence officer in our military, this Member adamantly rejects such linkage. The United States has been and will continue to be the target of foreign, including Chinese, espionage. We should have expected China to spy on us, just as we should know that others, including our allies, spy on us. While our outrage at China for spying is understandable, that anger and energy ought to be directed on correcting the severe and inexcusable problems in our own government. Our losses are ultimately the result of our own government’s lax security, indifference, naivete and incompetence, especially in our Department of Energy weapons laboratories, the National Security Council and the Federal Bureau of Investigation. The scope and quality of our own counter-intelligence operations, especially those associated with the Department of Energy’s weapons labs, are completely unrelated to whether or not a country like China has NTR status. Indeed, revoking NTR status for China does absolutely nothing to improve the security of our weapons labs or protect mili-tarily sensitive technologies. However, this feel-good symbolic act of punishment would inflict severe harm on American business and the 200,000 American jobs that exports to China provide. It makes no sense to punish American farmers and workers for the gross security lapses by our own government of which the Chinese—and undoubtedly other nations—took advantage.

We should first remember to do no harm to our own Nation and America’s citizens. Therefore, Mr. Speaker, this Member is strongly opposed to House Joint Resolution 57 and urgently urges its rejection.

Mr. SANDERS. Mr. Speaker, I yield 30 seconds to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, we currently have a $67 billion trade deficit with China which equates to the loss of 1 million jobs. It also is lowering real wages for American workers. Should the working people of this country be forced to compete against desperate people who are paid 20 or 30 cents an hour? Should we continue a policy that actually encourages American workers out on the street and runs to China and hires those people? I think not.

It is clear to see that our trade deficit with China has skyrocketed over the years, and hundreds of thousands of good paying American jobs have been exported. In 1993 we had a $22 billion trade deficit with China. Last year the deficit was $60 billion. Thanks to this administration’s misguided trade policies, we have traded away good paying American jobs.

Mr. Speaker, over the years we have been bending over backwards for Beijing. I ask the question: Why?

Mr. Speaker, I rise today in strong support of H. J. 57, a resolution to disapprove normal trade relations with the People’s Republic of China.

It is clear to me that our trade deficit with China has skyrocketed over the years, and hundreds of thousands of good paying American jobs have been exported. In 1993, we had a $22 billion trade deficit with China. Last year, the deficit was $60 billion. Thanks to the Administration’s misguided trade policies, we’ve traded away good paying American jobs.

Mr. Speaker, over the years, we’ve been bending over backwards for Beijing. Why?

They need us more than we need them. They need the American market. We have one of the strongest and wealthiest consumer markets in the world. They sell billions of dollars of their products in our market. They need us. They need America. But while they insist we open up more of our markets, they’ve steadfastly refused to open up theirs.

Then why should we give NTR to China? Supporters argue that by staying engaged with China is the only way we can improve their behavior. But I would ask those supporters, in the last twenty years, have we seen any improvements?

Has China improved their human rights record? No. They’re still considered one of the most egregious offenders in the world. They prosecute Christians, throw pro-democracy activists in labor camps and gulags, and promote forced abortions and sterilization. Has China improved their unfair trade practices? No. They continue to keep out American products by imposing high trade barriers. They dump our shores with their cheap products, but won’t allow us to fairly sell American goods in their market. Communist Taiwan, a little island of only 23 million people, buys American products, but won’t allow us to fairly sell American goods.

Has China been our friend in the international arena? No. They send spies over to steal our nuclear technology. They continue to threaten their democratic neighbors in the Pacific region. They recently renewed threats to keep Taiwan from declaring itself an independent state. They refused to join international efforts to control nuclear proliferation. They continue to sell advanced missile technology to rogue nations.

We’ve given China opportunity after opportunity to show their friendship. We’ve offered our hand in friendship, but they’ve refused to take it. They continue to confront us as enemies.

A recent article in The People’s Daily, a Communist controlled newspaper in China, the U.S. was likened to Nazi Germany. Is that the action of a friend? Mr. Speaker, extending NTR to China is not in line with our strategic interests, and it is not in line with American ideals. I urge all of my colleagues to vote for this resolution and against NTR for China.

Mr. LEVIN. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. Davis).

Mr. DAVIS of Florida. Mr. Speaker, I rise in strong opposition to the Rohrabacher amendment, and listening to the arguments that have been made today that suggest we discontinue normal trade relations with China, one of the points that is being made is that we need to send a message to China that we disapprove particularly of some of the reprehensible behavior that appeared to have occurred recently with their government.

I agree we need to send a message to China. They certainly should not be engaged in conduct that is contrary to the very values which we stand for and practice every day. But I strongly disagree that this is the proper means by which to send a message.

This is not just a sense of Congress, this is not just a message. This is a complete collapse of our trade relationship with China.

Listen to what some of the missionaries have said who serve in that country and care very deeply about many of the human rights issues that we have discussed here on the Floor of the House.

They have argued for constructive engagement to continue in China.

Let us not set off another trade war just to send a message. The United States trade representative has estimated that it could cost consumers as much as half a billion dollars in increased prices for shoes, clothing, and small appliances if we were to end this trade relationship entirely and set off a trade war.

The debate on this issue has been raised today by a number of very eloquent speakers, what has changed since we have allowed normal trade relations to continue over the years? Where have we seen progress? Well, what is about to change is that we hopefully will have a debate on the House floor in just a few months about whether China enters the World Trade Organization, and this will be an incredibly fundamental debate. It will be an opportunity for us to engage China on a broader scale than ever before in an attempt to expose them to our values and to expose them to more people from our country.

A number of us met with the premier of China just a few months ago, and many of us told him that, as we begin to trade more with this country, we invariably will expect more from that country as we expose them to our values, as we exchange more citizens on a regular basis. We believe democracy will be contagious, we believe our values will be contagious because we think that we stand for many universal truths. That is when constructive engagement really begins to have a dramatic and long term impact, when we have an exchange of ideas, and we talk as a Congress about how we are going to use that to really have truly long-term improvement in the lives of the citizens of China regardless.

Let us support this sensible resolution. Let us end the policy which just does not work.

of what their government chooses to do and the progress the government chooses to make.

So today let us send the appropriate message which is this is not an endorsement of policies that China is engaging in that we strongly disagree with, but it is a clear recognition once again that a trade war is not in our Nation's best interests and that we should defeat this motion today.

Mr. ROHRABACHER. Mr. Speaker, I reserve the balance of my time for the moment.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Speaker, I rise in support of normal trade relations with China and in opposition to this resolution of disapproval. I have grave concerns about the Chinese Government. Their policy and practice include religious persecution, stealing our national secrets, unfair trade practices, and military intimidation of their neighbors.

Let us be clear. The Chinese government is no friend of the United States or democracy. However, I would subscribe to Ronald Reagan's philosophy on détente and adversariness: contain them militarily, engage them diplomatically, and flood them with Western goods and influence.

Sadly, the Clinton-Gore administration has taken the military front from the diplomatic front; yet on the trade front where Congress has a say, we should not fail. Maintaining normal trading relations is important to the Chinese people, but it is also important to California farmers. These hard-working farmers support 14 million jobs in California, have led the nation in production since 1948. California's agricultural exports to China have risen nearly 50 percent since 1993 and now total over $2.4 billion annually.

With all these exports to China, California sent an equal amount of American ideals, moral values, and capitalism.

Mr. STARK. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I wanted to just take a moment to respond to some comments I have heard here today.

First, we are here to complain about a policy that does not work. To those who say that the trade will lead to human rights, this trickle-down notion, this trickle-down liberty notion has not worked. So we do not want to start a trade war with China. I am going to tell my colleagues why that is not going to happen.

First of all, though I want to recognize once again that the name has been changed from Most Favored Nation status to Normal Trade Relations, and that the name was not changed to protect the innocent. The human rights violations continue. As we speak, the regime that we want to hand $67 billion to is rounding up people for their freedom of expression in China.

On the trade issue, here is the item: $71 billion. So if we threaten to revoke MFN or NTR, whatever colleagues want to call it, the Chinese are not going to walk away. Where are they going to sell $71 billion dollars' worth of goods? They cannot. The same threat that the administration used on intellectual property violations should apply here. So they are not going any place with 72 billion dollars' worth of goods.

I urge my colleagues to vote aye on the resolution.

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

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

PARLIAMENTARY INQUIRY

Mr. ROHRABACHER. Mr. Speaker, parliamentary inquiry?

The SPEAKER pro tempore (Mr. SHIMkus). The gentleman will state his parliamentary inquiry.

Mr. ROHRABACHER. Mr. Speaker, I would like to ask a question of the Chair.

Is there some notion or plan for a quorum call? So we just finish this debate in the next few minutes, and there will be no quorum call?

The SPEAKER pro tempore. No. Mr. ROHRABACHER. Then I reserve the balance of my time.

The SPEAKER pro tempore. At this point no quorum is not in order. The debate continues until closing when Members are recognized for closing statements. Members will be recognized in reverse order of opening. First, the gentleman from California (Mr. ROHRABACHER); secondly, the gentleman from Michigan (Mr. LEVIN); third, the gentleman from California (Mr. STARK); and, fourth, the gentleman from Illinois (Mr. CRANE).

Mr. CRANE. Mr. Speaker, I yield 2½ minutes to our distinguished colleague, the gentleman from Arizona (Mr. KOLBE).

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

Mr. Speaker, here we go again. It is just like clock work. As spring turns into summer and the throngs of tourists begin their dissent on the Nation's Capital once again, we come to the House floor for what has become an almost ritualistic debate about trade relations with China. Once again, we find ourselves driven to view our trade relations with 1.3 billion people through the narrow prism of a decades-old statute that has not been fit to this situation. Mr. Speaker, it is time for us to end this kind of debate. If we are ever to develop a truly coherent and a comprehensive policy towards this nation, the largest on the face of this planet, we have to break free from this debate.

Our relationship with China is complex, and it is increasingly important. There are a myriad of issues that are intertwined in this relationship: nuclear proliferation, regional security, the bilateral trade balance, intellectual property protection, religious freedom, the future of Taiwan, Tibet and Hong Kong, and political and economic freedom for the people of China. How can we possibly deal with these complex issues through an annual congressional debate that asks a single question: Should we conduct commercial relations with China on the same basis that we do with other countries?

Mr. Speaker, I call upon my colleagues to take a step forward with me today. Vote down this resolution of disapproval and join in forging a truly comprehensive policy towards the people of China. I believe to my very core that the most important thing we can do for human rights in China is to help bring a rules-based system of trading to that and the only way we can do this is to get China into the World Trade Organization. We must help those who are reformers in China to help themselves. We must continue to work to bring the rule of law to China. We must strengthen the relationship with our allies by maintaining a strong military presence in that region, and we must be clear and consistent in our message to the Chinese government.

But one thing is clear. This annual debate over whether we will continue our political and economic relations with China is never constructive. It hampers our ability to formulate a comprehensive and effective policy towards the region, and I believe it is time for it to end.

Mr. Speaker, I urge a renewal of Normal Trade Relations. History has shown economic growth to be an effective catalyst for political change. The principles of individual liberty and a freedom embodied in economic liberalization will prevail, but only if we have the political courage to make the right choice to let them flourish, and that means renewing Normal Trade Relations with China.

Mr. STARK. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, last year legislation overhauling the Internal Revenue Service included a provision changing the term Most Favored Nation trading status to Normal Trade Relations. Apparently, supporters of MFN for China decided that changing the name would make this debate go away. The debate is the same. Only the names have been changed in order to protect the guilty.

And make no mistake about it, the People's Republic of China is guilty. They are guilty of stealing American nuclear weapons secrets. They are guilty of proliferating weapons of mass destruction around the world. They are guilty of gross violations of human rights. They are guilty of a wide array of unfair trade practices. China has already been convicted in the court of
public opinion. The question is, what is this Congress going to do in response to China’s reckless behavior? Are we going to extend Normal Trade Relations for another year, or are we going to stop business as usual until China reforms its ways?

Let us look at Beijing’s proliferation rap sheet. They refuse to join international efforts to stem proliferation of nuclear arms, continue to transfer advanced ballistic missile technology to Syria and Pakistan; and they provide nuclear and chemical weapons technology to Iran, and they refuse to comply with the nuclear nonproliferation treaty. The Central Intelligence Agency has reported in February of this year that China remains a key supplier of technology inconsistent with nonproliferation goals.

Mr. Speaker, the only thing that will really make them reexamine this behavior is if this Congress actually denies them Most Favored Nation, Normal Trade Relations. Let us not forget that we already have a $60 billion trade deficit with them. Only Japan exceeds it, and that will not last for long. They continue to proliferate in proliferation activities; they continue to engage in human rights violations.

Mr. Speaker, I urge a “yes” vote on this disapproval motion.

Mr. EDWARDS. Mr. Speaker, in an imperfect world, we do not have the choice of dealing with perfect nations. Certain states are far from perfect as a nation, as are we, and I must admit I am especially bothered by recent detentions in China, and I hope the Chinese know that this Congress is sensitive to those detentions.

But we have a choice today. It is engagement, or it is isolation. Let us see how that has worked in other circumstances. We chose isolation in the case of our dealings with Cuba. What has happened? Thirty-eight years later Castro is in power. Let us choose engagement and look at that and its track record. We chose to engage the former Soviet Union. Today, they are a democratic nation, struggling with an economy, albeit, but a democratic nation.

The choice today is not dealing with perfect nations; it is a choice between isolation and engagement. I would suggest that the policy of engagement with China, as important of a nation as it is, is in the best interests of America and the world in the 21st century.

Mr. ROHRABACHER. Mr. Speaker, I ask unanimous consent to yield 2 minutes to the gentleman from California (Mr. STARK) to be used for yielding on his side.

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

There was no objection.

Mr. STARK. Mr. Speaker, I yield such time as he may consume to the gentleman from Iowa (Mr. GANSKE).

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

Mr. GANSKE. Mr. Speaker, I rise in support of the joint resolution and in opposition to the extension of MFN to China.

Mr. Speaker, I rise in support of this resolution and in opposition to the extension of normal trade relations with China.

Our agricultural economy is in a desperate situation and we need to move to improve access to international markets. But China has had years to prove that it is a viable market for American agricultural products and has failed to do so.

Despite years of engagement and normal trade relations, our trade with China has been going backwards and we still face severe roadblocks in agricultural goods.

Let’s review some of the supposed benefits the United States has realized from normal trade relations:

- Our overall trade deficit had increased from $6.2 billion in 1989 to $56.9 billion in 1998.
- The average Chinese tariff on agricultural imports is 40%.
- Some agricultural commodities are assessed tariffs greater than 100%.
- Agricultural exports to China have actually decreased by nearly $100 million since 1989.
- Such a deal! I am sure those that claim trade benefits from this relationship have some “lake front” property in the Gobi desert for us too.

I believe we must increase our access to international markets for a variety of agricultural commodities, especially meat like pork.

Like many of my colleagues and my constituents, I am concerned about the future of America’s pork industry. China is a huge potential market—there are more than one billion people in China and they consume vast quantities of pork.

Well, let’s take a look at how this market has treated the American pork industry under normal trade relations:

Chinese pork production in 1997 was 42.5 million metric tons compared to the 7.8 metric tons produced in the U.S. How can we expect to increase pork exports to this market that produces 6 times the amount of pork we do when there are agricultural barriers in place?

U.S. pork exports to China in 1997 totaled only 150,000 metric tons—less than 2% of our domestic production.

Overall pork and swine exports to China in 1998 amounted to only $6.5 million dollars.

Some point to recent reductions in agricultural tariffs on certain products as an indication of Chinese capitulation. Yet, they fail to note that China continues to implement severe non-tariff trade barriers.

The U.S. Trade Representative reported this year that China still conducts import substitution. In other words, the Chinese government does deny permission to import foreign products when a domestic alternative exists, or, given their closed society, whenever they want.

Look at the numbers I just cited: China produces a lot of pork. NTR will not alter this competitive structure.

Normal trade relations have not altered these protectionist policies and will not promote changes in the future.

Years of normal trade relations have not resulted in a significant reduction in trade restrictions. Normal trade with China has not resulted in a better trade relationship.

Instead, China has sold us a bill of goods in which realization of potential markets remains perpetually around the corner.

The result has been an increase in our trade deficit with a Communist regime.

Let’s think about that. We can argue the benefits and detriments of trade with China all day. But we also need to consider that this commitment our government spied on American nuclear facilities.

They stole vital American nuclear secrets. They have the capability to strike American soil with nuclear weapons!

How can we reward such actions with Most Favored Nation trading status? That’s right—we may have changed its name, but the impact is the same—Most Favored Nation.

What kind of message do we want to send to the international community? We can send one of two messages:

- Steal from us, threaten your neighbors and violate your people’s basic human rights and you will reap the benefits of American capitalism.

Or, “Play by rules, respect the security of your neighbors and preserve the rights of your people, or feel the consequences of your actions.”

Let’s send the right message. That America will not be violated or manipulated.

I urge my colleagues to vote against rewarding this country with preferential trade status and vote for House Joint Resolution 57.

Mr. ROHRABACHER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. Cox), the distinguished chairman of the Cox Commission, a bipartisan select committee that was set up to investigate certain national security challenges that we face with Communist China.

Mr. COX. Mr. Speaker, we are here today to debate the President’s waiver of the Jackson-Vanik law, which, by its terms, requires that in order to get lower tariff treatment, the People’s Republic of China must have fair immigration policies. Yet, having listened to the debate, I have not heard the substance of Jackson-Vanik come up at all; neither the supporters nor the opponents of this resolution have even mentioned the PRC’s immigration policies.

Instead, this debate has been cast by the opponents of the resolution as a debate about free trade, and by the supporters of the resolution as a debate about political, economic, religious, civil and other human rights concerns in the People’s Republic of China.

If this resolution really were about free trade, if this debate were really about free trade, then I would vote in support of free trade, because it is in America’s interests and it is in the interests of all of our trading partners. It is at least arguable that human rights violations are a separate issue from the question of tariff rates on beanie babies being imported into the United States.

Sadly, I had to vote against the resolution in a Congress dominated by the forces of protectionism.
say the People's Republic of China's record, making extravagant claims about the progress of democracy in China; there is none, or the liberal limbs of certain of China's Communist rulers. That certainly requires a double standard. Then Guatemala's, with the democratic government and people and society in Taiwan buy far more from the United States than all of the PRC and have one of the highest standards of living in the world.

Whitewashing human rights abuses in the PRC, which is what this debate has come to symbolize is not in our Nation's interests, nor in the interests of the people of China. It is for this reason, especially on a vote that is largely symbolic, that the Senate has already granted this waiver and everyone knows that there will not be a two-thirds vote in the Senate or the House or both to override, so especially on a symbolic vote, I cannot join with the opponents.

Last year, President Clinton signed a law passed by this Congress that required the Secretary of Defense to send us a list of People's Liberation Army-controlled companies operating in the United States. The administration is in violation of that law; they have been for how many years, I do not know, but the President has already granted this waiver and every one knows that there will not be a two-thirds vote in the Senate or the House or both to override, so especially on a symbolic vote, I cannot join with the opponents.

The PRC really does deny freedom of speech; the PRC really does deny freedom of thought. The Communist government really does persecute religious groups that it cannot control, and it really has jailed millions of people, prisoners of conscience, in the notorious laogai slave labor camps that Harry Wu has so courageously documented.

Mr. CRANE. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. SALMON).

Mr. SALMON. Mr. Speaker, this is not a lot of time to debate such a sensitive issue, but I will say this. After having served a mission from my church among the Chinese people, after having learned about their language and their culture and communicating one-on-one more favorably for 2 years in my youthful life, I learned a lot of things, not only about their society, but about our society. I have learned one thing painfully clear in my life, and that is you never improve any relationship by walking away from it. Right now I think this relationship is at an all-time low and I think both sides have some culpability in that situation.

But I think you are wrong about this; the last speaker was right on. There are human rights violations, there are problems with Taiwan, there are nuclear nonproliferation problems. But I will say this as well: when it comes to the espionage issue, I do not fault China nearly as much, or I would attach any kind of responsibility for this falling asleep at the switch. Let us not try to penalize China what we should take out on this administration for doing its job. Let us not close the door on a lot of people who would like to be able to open up their doors to Christianity, and they would not get that opportunity, I believe, if we revoke MFN. Please, let us vote against this measure.

Mr. STARK. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KASICH).

Mr. KASICH. Mr. Speaker, I think that it is important that we recognize that in a community of nations, there are going to be differences between nations. And in fact, the differences between our Nation and China represents a fundamental difference in the political system where we honor representative government; in the economic system, where we recognize the value of capitalism and free markets; and in the value system that underpins our society we recognize the fact that we answer at the end of the day to a higher being. Frankly, the Chinese reject all of that. They do not share our political objectives; they do not share our political system; they do not share our economic system; and they do not share our value system.

Does that mean we should totally isolate them and walk away? The answer is no. But in the course of relations, there are times when we will get along better than when we will not get along.

But the problem has been that the Chinese continue to engage in proliferation, including recent reports that involve proliferation of sensitive technology to the North Koreans, of all nations of the world, that perhaps provides for us the most complicated set of problems that the Chinese have proliferated to the North Koreans, in addition to other nations in the world.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Guam (Mr. UNDERWOOD).

Mr. UNDERWOOD. Mr. Speaker, I rise in strong opposition to this resolution. I have listened to some of my colleagues today who want to revoke normal trade relations status for China. I, too, am deeply concerned that top nuclear secrets were stolen from U.S. nuclear laboratories, but I blame the United States more than I blame China. In my judgment the Clinton administration failed to understand the fundamental difference between promoting a strong business relationship with China and maintaining a strong strategic military advantage with that Nation. The distinguished Cox Report counsels changes in our counterintelligence and military security, but it does not call into question our business relations with China. I, for one, would support maintaining normal trade relations with China, not favored, but normal relations.

We should not give up on trade relations between our two countries. A nation cannot have a prosperous free market economy without educating its citizens. The more educated a country's citizens become, the more they will demand an open society and freedom. Only through economic and social development will China truly take place, making China, the United States, and the world a better place.

Mr. LEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Guam (Mr. UNDERWOOD).

Mr. UNDERWOOD. Mr. Speaker, I rise in strong opposition to House Joint Resolution 57, which would revoke normal trade relations with the People's Republic of China. I fully recognize the emotional content of the debate today.
July 27, 1999

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Some have characterized this as a debate about whether China has violated human rights and whether China has much of a defensible record on religious freedom, or whether they have much of a progressive record towards democracy. But I readily concede and I think most people who stand in opposition to the resolution readily concede that China does not have a sterling record on any of these items. In fact, it has an abysmal record.

But this is really a debate as to whether the denial of normal trade relations will have much of an effect on any of these matters. Closing the door to the PRC, and in de facto punishing it with high tariffs, is not the answer to alleviating human rights conditions there or preventing espionage in the future. This is just simply too simplistic.

The United States is already tied to the rest of the globe, sophisticated and integrated tapestry of economic, political, and social co-existence. We need to maintain our policy of engagement with China.

Mr. Speaker, I rise in opposition to H.J. Res. 57, which would invoke Normal Trade Relations (NTR) with the People’s Republic of China (PRC).

Closing the door to the PRC and de facto punishing it with high tariffs is not the answer to alleviating human rights conditions there or preventing espionage in the future. Nor is it the answer to protecting the national interest in global commerce and leadership. What evidence do we have that suspension of NTR would lead to a conciliatory PRC ready to bend at the will of American morality and ethics? None of the other, formidable, free traders and many observers will attest that NTR suspension will backfire on the United States guaranteed. A minimum of 400,000 American jobs, which depend on exports to the PRC and Hong Kong, will be threatened. In addition, closure of the Asian financial crisis will stall and further hurt American businesses and workers. Our economic competitors would be more than eager to supplant the United States as one of the PRC’s largest trading partners. It takes little genius to realize that the phenomenon that has protected the United States from the Asian crisis has been our aggregate consumption. This measure would be sure to stymie this indeed.

The political ramifications of suspending NTR with the PRC are clearly negative. There is the danger of hard-line PRC leaders and the rest of the globe in a sophisticated web of nuclear secrets. This so-called solution is too simplistic a plan. The fact is the United States is already tied to the rest of the globe in a sophisticated and integrated tapestry of economic, political, and social co-existence. Punishing the PRC would be more than just business, and engagement must be more than just the cash register. This debate is about how we view the Chinese people and about how we view ourselves.

Cash register engagement views the Chinese people as just workers and consumers, 2 billion strong arms to do our work, 2 billion people to wear American jeans. Full engagement recognizes that Chinese people are people like us, people with hopes and aspirations, aspirations to walk the path of freedom that we have blazed.

That, Mr. Speaker, is what this debate is really about. It is about who we are as a free people, what are our values, what does this Congress stand for; our integrity as individuals. Can we live up to the legacy of our forefathers, those in this Congress who saw themselves to liberty, and in so doing, pledged their lives, their fortunes, and their sacred honor?

In this debate, in this debate I would like to address three groups.

First, the Chinese people, so rich in culture and history and heritage, I encourage them to strive not just for prosperity but for freedom, also, because if they achieve prosperity, their children will thank them. But if they achieve both prosperity and liberty, their children will view them the way that I view my parents, as ordinary people who rose to extraordinary challenges. And in rising to these great challenges, they became giants of their era. I just want to say what I achieved against what my parents achieved in their era, their children will measure themselves against the legacy of freedom and prosperity that they can leave. We rise to the challenge of history.

To the people of Oregon, those who have honored me back home with the greatest honor that an immigrant boy who came to this country not being able to speak English could ever hope to have, to represent them in this Congress, to know that we have a trade-dependent State, but they and I understand that the business of America must be more than just business.

We understand that those who came West, whether they came West across the ocean in creaking wooden ships or whether they came West across the prairie in creaking wooden wagons, they came West not just to get rich, they came West to be free.

I am fully in support of improving the lives of PRC citizens, which includes greater democracy, respect for human rights, and regional stability, but suspending NTR is not the way to do it. Engaging the PRC is the answer. I urge my colleagues to oppose H.J. Res. 57 in the interest of the American people.

Mr. STARK. Mr. Speaker, I yield 7 minutes to the distinguished gentleman from Oregon (Mr. Wu).

Mr. WU. Mr. Speaker, I thank the gentleman from California for yielding time to me.

Mr. Speaker, as the first Chinese American to serve in this House, as a high technology and international trade attorney, I have a special responsibility in this debate. I thank my colleagues for the honor of speaking now.

This debate is not about engagement, because we all believe in engagement; but not just business engagement, because the business of America must be more than just business, and engagement must be more than just the cash register. This debate is about how we view the Chinese people and about how we view ourselves.

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fostering understanding between nations for centuries. Creating an environment of normal relations and ongoing engagement only serves to lower the walls of fear and suspicion while building a spirit of cooperation through trade and commerce.

Make no mistake, our relationship with China is complex and evolving, a road filled with obstruction. We have legitimate concerns about nuclear proliferation: our own security protection, the security of Taiwan and the rest of the region, and human rights.

So what should be our objective with China with respect to trade relations? I believe that liberalized trade with a Communist society in the process of opening itself up to the community will some day deliver to our trading partners our most precious gift, and that is the gift of freedom.

There is important work being done in China by western groups attempting to fan this flame of democracy. The National Endowment for Democracy and the International Republican Institute are just two such groups sowing the seeds of freedom inside China. Ned Graham, a resident of my home State of Washington and son of evangelist Billy Graham, has been very successful in spreading the message of religious freedom in China.

His group, Eastgates, International, has distributed 2.5 million Bibles in China since 1992. According to Mr. Graham, he can communicate freely with his contacts in China because of the proliferation of information exchange technology, a development that has been made possible by trade and economic reform.

Continuing normal trade relations with China, the United States' fourth largest trading partner, will only serve to build on this success. I urge my colleagues to oppose this resolution.

Mr. CRANE. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from California (Mr. DREIER), the honorable chairman of the Committee on Rules.

Mr. LEVIN. Mr. Speaker, by prearrangement, I yield 1 additional minute to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, I thank both of my friends for yielding this time to me.

Mr. Speaker, this is not a debate between those who care about national security and the security of our Nation's labs and those who care about trade. In fact, national security is our number one priority and should continue to be. In a bipartisan way, we are going to work to address that.

At the same time, we can not ignore the very important issues of human rights and of religious persecution. Mr. Speaker, I will take a back seat to no one when it comes to raising concerns about those human rights issues.

Ten years ago this summer, I joined with my colleagues marching to the Chinese Embassy to protest the Tiananmen Square massacre. I just last week, I met with family members of the Falun Gong religious movement whose relatives are being persecuted in China.

The fact of the matter is, our national interests are best served by maintaining commercial relations with our fourth largest trading partner and an emerging power in the Pacific. The key fact today is that the very same reforms that have built our vibrant commercial relationship have been the single most powerful force for change in the 5,000-year history of China.

Now, in the last 2 decades, China has undergone a remarkable transformation. I should say to my colleagues that I have raised the issue of Taiwan that 2 decades ago, in Taiwan, there was a very repressive regime. Yet, women's rights, and that was key to bringing about democratization.

So in the last 2 decades, if we look at China, it has, in fact, undergone a remarkable transformation driven by market reforms and an open door to trade and foreign investment. Now this transformation is changing Chinese society and accelerating progress towards increased personal freedom, individual economic choice, and access to outside sources of information.

Many thoughtful analysts who study these changes that are taking place in China believe that the best hope for freedom and democracy in China lies along this path of reform.

About 10 days ago, I called professor Harry Rowen at the Hoover Institution who served in the Reagan administration, in fact one of the great experts on China to ask him if this year's bad news in U.S.-China relations has caused him to change his mind about the long-term prospects for political freedom in China, which he wrote about 3 years ago in "National Interests." His response was a reality today, it is just as true that we are witnessing several remarkable pro-democratic developments in China.

For the first time in Chinese history, the judicial system gives criminal suspects the same basic rights afforded our system. Forced confessions have been ruled invalid as a means of proving guilt. These reforms have led to a rapid rise in commercial litigation and are leading our companies to challenge the investment of our businessmen in China, in Communist China, to give jobs to their people and put our people out of work, give them the ability to outcompete us with our technology.

Under those rules of the game, we have had a $70 billion trade surplus. What have they done with that? They have used it to modernize their weapons. With that technology that they stole from us, from our missiles, and our weapons systems, they are using the $70 billion to build weapons as long as they keep their high tariffs and roadblocks to American manufactured products. In other words, they end the Chinese tariff advantage against our products.

Does it do anything? It eliminates the subsidies. This resolution, H.J. Res. 57, would end the trading status which eliminates the subsidies. Our resolution eliminates the subsidies and loan guarantees that are now given to U.S. companies to set up factories in the United States and set them up in Communist China in order to take advantage of slave labor. Do we really want to subsidize businessmen this way? This resolution ends that practice.

Yes, it changes the current rules of the game. Under the current system, under those rules of the game where they can have high tariffs against our products, we let them flood their products into our country. We have made the investment of our businessmen in China, in Communist China, to give jobs to their people and put our people out of work, give them the ability to outcompete us with our technology.

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Does a government like this deserve normal trade relations? I say no. It is time to change the rules of the game to protect America's interest, America's security.

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

Mr. Speaker, I feel deeply about the outstanding issues with China. We have had, indeed, a healthy debate. These are the right issues. Unfortunately, this resolution is the wrong answer.
I want to talk about trade and human rights. We have to be concerned about the imbalance of trade as shown on this chart. We have to be concerned about how we integrate a still non-market economy and one that is not based on law into one that is based on the rule of law and on free market economy rules. We have to worry about that integration and how it is going to occur.

I very much disagree with those who think it is easy, that we should have just signed on the dotted line when Premier Zhu was here. There were outstanding issues that needed to be resolved, both in terms of market access and also in terms of the role of capital markets and labor markets in China when it is still not anything close to a market-based society.

How are we doing that? The best hope is to negotiate these issues in WTO accession by China. That is the best way to do it. Are we there yet? No. Can we get there? If we do not, will we vote “no” on permanent NTR? If we make more progress, I could vote “yes.”

But look, face it, all of our concern about market issues, about the imbalance of trade. It is an every-day job on trade. It is an every-year job on human rights. I feel deeply about this, too.

One of my family entered China the day of Tiananmen Square. But, look, face it, all of our concern about market issues, about the imbalance of trade. It is an every-day job on trade. It is an every-year job on human rights.

Let us first talk about trade. In 1998, the year before Tiananmen Square, we had a $3.5 billion deficit with China. In 1997, it was $50 billion. This year, it will be $70 billion. In fact, our exports to China this year will decline to less than $1 billion. We export more to Belgium, a country of 10 million people, than we export to China.

Why is this the case? It is the case because we are not allowed to export our goods. They do not want our goods. They have a one-way trade. They want to support the deficits they have with most every other country in the world with what they can sell to the United States. They want to play us for a sucker because we are willing to let them do it.

If we continue to be willing to let them do what they want to do, the trade deficit with China will be $100 billion soon, $140 billion, $200 billion. How much unfair trade do we want to put up with? It makes no sense.

The gentleman from California (Mr. Dreier) says we have to maintain commercial relationships. This much? How much is enough commercial relationship to allow them to make all so-called progress? This is ridiculous. There is no common sense in it whatsoever.

Now let us talk about rule of law.

A country that arrests people for speaking their minds is not about to protect people’s property. A country that seizes political dissidents is not about to protect our property. A country that seizes the assets of foreign companies is not about to protect our property. If we do not take a stand on MFN, ultimately there is no way to get China to ultimately accept a rule of law and protect our property.

Finally, let me talk about human rights. Abraham Lincoln said that our Declaration of Independence gave liberty not alone to the people of this country, but hope to all the world for all future time. The issue of human rights is not just an American issue, it is an issue for every human being in this world. And the primary reason to take this stand today against MFN for China is because they refuse, right till today, to give their people basic, decent human rights.

We remember Tiananmen Square, but let us look forward to today. There is a group in China that wants to practice its own form of religious belief, Falun Gong. They are arresting people today who do not want to express their beliefs. They are arresting people in the Chinese government who are suspected now of allowing the people to carry out these beliefs in China.

Tell me if they are making progress. They are making progress in the wrong direction. When will America stand up and clearly say that the human rights we enjoy must be enjoyed by every citizen in this world, including the billion people who live in China.

Today is the day to take that stand. Vote for this resolution. Let us stand for trade, let us stand for rule of law and let us stand, most importantly, for the human rights of the people in China.

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

Mr. Oxley. Mr. Speaker, I rise in opposition to the resolution.

A country that arrests people for speaking their minds is not about to protect people’s property. A country that seizes political dissidents is not about to protect our property. A country that seizes the assets of foreign companies is not about to protect our property.
However, I firmly believe that engagement with China offers the best hope for democratic reform there. I have to ask what opponents of engagement hope to accomplish by revoking NTR. To my mind, it would be a step backward.

Again, I urge my colleagues to oppose this resolution and promote, rather than stifle, positive change in China.

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

Mr. Speaker, let me wrap up by expressing my total commitment to the traditional bipartisan support we have given toward advancing normal trade relations with China, and I am talking about all of our presidents, President Ford, President Carter, President Reagan, President Bush, President Clinton, all of them; and most recently, in addition, 17 former secretaries of State, Defense and national security advisers, all of whom endorse the view that the policy we have pursued of continuing normal trade relations with China...

Normal trade relations supports U.S. jobs. In addition to that, it maintains our ability to create a positive change in China, paves the way for further trade liberalization, and preserves our security interests.

Mr. Speaker, I urge my colleagues to vote “no” on H. J. Res. 57.

Mr. CRANE. Mr. Speaker, I yield my time.

I come to the floor today to again express my strong support for continuing Normal Trade Relations with China.

Since I came to Congress in 1991, this debate has gone on every year and every year I have come to the floor to explain how important trade with China is to our farmers.

It is essential that we continue to grant Normal Trade Relations to China. China will be one of the superpowers in the next millennium. Peaceful coexistence is of benefit to us all.

Now, we all understand that things are not as we would like them in China. But how do we most impact that? I think by engaging them in fair trade, our discourse with China as we would like them in China. But how do we most impact that? I think by engaging them in fair trade, our discourse with China.
law last year, this process has not been put into action. The bill also allowed the President to take additional action against PLA-owned companies by doing things like denying these particular companies NTR status. However, the Administration has not taken advantage of this provision.

At this time, the PLA uses U.S.-derived profits to build weapons—weapons that may well be used against the United States. In other words, the PLA continues to run a number of Chinese companies, and is able to take profits from these companies—who sell their products in the United States—and turn around and use these profits to build weapons. Free market capitalism is an admirable objective, but it must be pursued without supporting PLA.

In addition, there are the continuing concerns about religious and human rights in China. The country continues to pursue policies in these areas that warrant condemnation.

The latest saber-rattling over Taiwan is another deeply troubling development in regard to China.

Finally, I am not able to support NTR for China due to the fact that, although we have been voting each year since 1980 to renew NTR, there still has not been a sufficient move toward a balance of trade between the two countries. We continue to maintain a United States trade deficit with China, and during the past decade it has increased from $6 billion to an expected $305 billion by the end of 1999.

I am hopeful that consideration of the inclusion of China in the WTO will be the start of a move toward more open access to the Chinese market and that it will provide a fundamental change in dynamics between the two countries that will result in fair trade practices. While I understand the importance of maintaining trade relations with China, I also think that it is important that our country be on an equal footing with China in regard to trade.

If China were to resume negotiations on entry into the World Trade Organization and reach a bilateral agreement with the United States on the terms of participation, the issue of NTR would merit a thorough reconsideration. However, I believe that the primary benefit in judgment, would accrue to the United States.

I urge my colleagues to support this resolution of disapproval.

Mr. HOYER. Mr. Speaker, I rise today in strong support of House Joint Resolution 57, which would disapprove the President's extension of Normal Trade Relations—what used to be called Most Favored Nation status—with the People's Republic of China.

Let me stress, I have no quarrel with the more than 1.2 billion citizens of China. They are a generous and honorable people. But, in extending this trading status, we have to ask ourselves: What has the Chinese government—one of the last communist dictatorships on earth—done to deserve it?

The Chinese government's record reads more like an indictment. China flagrantly violates the human rights of its own citizens and internationally recognized labor standards. It fomented anti-American hatred after our clearЛенив supportive acts by the Chinese government.

China's recent threats of military action against Taiwan threaten future stability in the region. Although Taiwan's President Lee Teng-hui has retreated on remarks declaring Taiwan a separate state from the mainland, China has proceeded with 'wartime' mobilization drills in protest of those remarks.

In addition, the breach in security at American nuclear weapons labs over the past 20 years and recent revelations concerning the development of the neutron bomb and the long range DF-31 missile raise serious concerns about China's advancing military capability and its commitment to non-proliferation of weapons.

Moreover, China has shown no compunction about violating U.S. intellectual property rights. America has already lost $3 billion in prison seizable, and prohibiting thousands of foreign property rights, shipping products made with prison products from entering the Chinese market through a maze of regulations.

Now, in fairness, it can be said that the people of China are somewhat better off than they were 10 years ago. The government has extended some basic rights to its citizens. Whether starting a business, choosing a job, or watching a foreign movie—these rights, albeit restricted, signal some progress.

But has China gone far enough in adopting democratic policies and respecting human rights? The answer clearly is no.

Undeniably, China is one of the great powers in the world today, and our ability to influence its decisions is limited. But we do know that more than one-third of China's exports today are sold in the United States. In the month of March alone, the Department of Commerce reported a trade deficit with China of $5.25 billion and it is projected to reach $67 billion in 1999.

The extension of Normal Trading Relations is one of the first economic levers we possess that can our China to improve its behavior on these critical issues. We should not forfeit our economic leverage outright. Coddling has never worked.

I implore my colleagues to vote for this Resolution, which would send an unmistakable message to the Chinese government that it cannot continue business as usual.

Mr. COMBEST. Mr. Speaker, I rise in opposition to H.J. Res. 57, a resolution of disapproving normal trade relations (NTR) status for products from China. I believe that it is in the best interest of United States agriculture to continue, and eventually expand, our trading relationship with China.

U.S. agriculture exports to China were more than $2 billion last year. China represents an agriculture market that is vital to the long-term success of our farmers and ranchers. Agriculture trade with China can strengthen development of private enterprise in that country and bring China more fully into world trade membership.

More than 80 agricultural organizations representing producers, processors, and exporters support extension of normal trade relations with China.

There are few countries that do not have normal trade relations (NTR) status with the United States. NTR status allows a country's products to enter into the United States at the same tariff rates that apply to other trading partners. In fact, NTR provides no special treatment. It allows us to treat all countries' imports in the same manner. Failure to do so would create serious negative impact on American agriculture, the first to feel the impact of embargoes and retaliation.

Recently the United States signed a bilateral agreement with China that will break down the artificial barriers China erected for certain U.S. agricultural exports. China has closed its market for far too long to high quality U.S. meat, wheat, cotton and poultry. Under this agreement, China will accept specific science-based standards and our farmers and ranchers will have access to the vast Chinese market.

Failure to continue normal trade relations with China may jeopardize this agreement.

Additionally, I am encouraged by the progress made by the U.S. Trade Representative in negotiating the rules for China's accession to the World Trade Organization. The United States NTR status allows a country's products to enter the United States at the same tariff rates that apply to other trading partners. Under this agreement, China will accept specific science-based standards and our farmers and ranchers will have access to the vast Chinese market.

International trade is important for American agriculture and for the success and prosperity of American farmers and ranchers.

I urge my colleagues to reject H.J. Res. 57. Ms. ESHOO. Mr. Speaker, I rise in opposition to this resolution and in support of extending Normal Trade Relations with China.

U.S. exports to China have quadrupled over the past decade and last year alone, our exports to China has closed its market for $14 billion dollars. Mr. Speaker, there is no doubt that the U.S. economy is envied by the rest of the world. Our economy has rebounded and flourished because we decided it was more prudent to engage our trading partners than to build walls and our borders.

We do have the responsibility to actively continue an aggressive push for human rights and environmental reforms, recognizing that
these responsibilities need not come at the expense of our economic prosperity. They can and should be addressed in concert with economic issues.

The U.S. policy of engagement “with our eyes wide open” best exemplifies the vision needed for global trade success in the new economy.

Today, we should renew this policy and defeat this resolution. I urge my colleagues to oppose this resolution and support the continuation of Normal Trade Relations with China.

Mr. KLECKZA. Mr. Speaker, I rise in opposition to H.J. Res. 57, a motion disapproving of normal trade relations (NTR) with China. I support the continuation of normal trade relations with China because it is in the interests of both the United States and China.

We must realize that normal trade relations does not confer any special benefits upon the Chinese government. NTR status simply means that the United States will not impose prohibitive tariffs on Chinese products. In turn, China must agree to extend NTR treatment to the United States. NTR is a well-established principal under international trade laws and the guidelines of the World Trade Organization.

Nearly every American agrees that China has a long way to go in providing its people with greater political, social, and economic freedoms. Furthermore, concerns about China’s development of weapons of mass destruction and espionage activities are troubling. If I believed revoking China’s NTR status would address these concerns, I would oppose this extension.

Instead of turning our back on China, a policy of continued engagement will allow the United States to press the Chinese government to give its people greater freedoms and a better standard of living. Since the establishment of normal trade relations with China 20 years ago, living standards for average Chinese citizens has increased dramatically. The continued Chinese presence in China has provided the people with access to more outside information and ideas than ever before. Finally, increased American trade and investment in China has provided a foundation for bilateral cooperation that has led to the open forum to discuss sensitive topics such as foreign policy and international security matters.

Trade with China is extremely important to the American economy. According to the National Association of Manufacturers, American businesses exported $14 billion of goods to China in the past year. These sales support nearly $1.1 billion in 1996, and more than $8 billion worth of goods passed through the ports of my state either going to or coming from China.

Trade between the United States and China is of tremendous benefit to both nations. China, with one-quarter of the world’s population, represents the world’s largest emerging market. Although many segments of China’s economy have not yet matured, the United States today exports $14.3 billion worth of goods to China four times greater than 10 years ago—supporting more than 400,000 high-wage jobs. Within the State of Washington alone, exports to China totaled nearly $1.1 billion in 1996, and more than $8 billion worth of goods passed through the ports of my state either going to or coming from China.

China represents a huge potential market for future sales in my state for the sale of aircraft, high-tech products, agricultural goods, and forest products. For aircraft alone, the Chinese market is worth over $140 billion during the next 20 years. Lack of NTR trading status would not only jeopardize access to that market, but also bring retaliation against our country’s trading sectors and hundreds of millions of dollars each year. Let us realize that normal trade relations with China is of tremendous benefit to both nations.

The Select Committee on U.S. Security and Military/Commercial Concerns with the People’s Republic of China, on which I served as Ranking Minority Member, found some very disturbing information with regard to the theft of nuclear technology from our research labs by the PRC. However, the most disturbing finding was the evidence that our losses resulted from our own security and counter-intelligence failures. Together with the Administration, we have begun to take steps to address this problem, and I am hopeful that our plan will be successful in preventing another severe security breach.

Although I fully recognize the seriousness of these thefts, I do not believe that they should deter us from maintaining our trade partnership with China.

Trade between the United States and China is one of the biggest in the world. China, one-quarter of the world’s population, represents the world’s largest emerging market. Although many segments of China’s economy have not yet matured, the United States today exports $14.3 billion worth of goods to China four times greater than 10 years ago—supporting more than 400,000 high-wage jobs. Within the State of Washington alone, exports to China totaled nearly $1.1 billion in 1996, and more than $8 billion worth of goods passed through the ports of my state either going to or coming from China.

China represents a huge potential market for future sales in my state for the sale of aircraft, high-tech products, agricultural goods, and forest products. For aircraft alone, the Chinese market is worth over $140 billion during the next 20 years. Lack of NTR trading status would not only jeopardize access to that market, but also bring retaliation against our country’s trading sectors and hundreds of millions of dollars each year. Let us realize that normal trade relations with China is of tremendous benefit to both nations.

Mr. DICKS. Mr. Speaker, the decision that Congress will make today with regard to maintaining Normal Trade Relations with the People’s Republic of China represents another important step in defining our future relationship with China.

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Mr. ROHRABACHER. 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. The question is on the passage of the joint resolution.

The question was taken; and the Yeas and Nays were ordered to be taken, pursuant to the resolution of Thursday, July 22, 1999.
engineer services, and host nation support, as amount, not to exceed $91,605,000 shall be avail-
September 30, 2004: Provided, That of this
Chief, $1,042,033,000, to remain available until
and for construction and operation of facilities
effective for the purposes of this appropriation,
Corps of Engineers and other personal services
and equipment of temporary or permanent pub-
and for other purposes:
conference report and statement on the
CONFERENCE REPORT ON H.R. 2465,
``nay'' to ``aye.''
LEHTINEN changed their vote from
vote from ``yea'' to ``nay.''
PETRI, and SHADEGG changed their
vote from ``yea'' to ``nay.''
Mr. HOBBON submitted the following conference report and statement on the bill (H.R. 2465) making appropriations for military construction, family hous-
ing, and base realignment and closure
for military construction, family hous-
and equipment of temporary or permanent pub-
National Security and Humanitarian Programs
construction, acquisition, expansion, re-
appropriate for the fiscal year ending September 30, 2000, and for other purposes:
CONFERENCE REPORT (H. REPT. 106-265)
The committee of conference on the dis-
agreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2465) "making appropriations for military construction, family housing, and base re-
and for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their re-
appropriate for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes, namely:
MILITARY CONSTRUCTION, ARMY
For acquisition, construction, installation, and equipment of temporary or permanent pub-
works, installations, facilities, and real prop-
erty for the Air Force as currently autho-
ized by law, $777,238,000, to remain avail-
able until September 30, 2004: Provided, That such amounts of this appropriation as may be determined by the Sec-
Department of Defense may be used for ap-
propriations of both Houses of Congress of his determin-
and the reasons therefor.
MILITARY CONSTRUCTION, DEFENSE-WIDE
For acquisition, construction, installation, and equipment of temporary or permanent pub-
works, installations, facilities, and real prop-
erty for the Air Force as currently autho-
ized by law, $593,615,000, to remain available until September 30, 2004: Provided, That such amounts of this appropriation as may be determined by the Sec-
Department of Defense may be used for ap-
propriations of both Houses of Congress of his determin-
and the reasons therefor.
MILITARY CONSTRUCTION, ARMY NATIONAL
For construction, acquisition, expansion, re-
habilitation, and conversion of facilities for the training and administration of the Army Na-
tional Guard, $90,968,000, to remain available until
1803 of title 10, United States Code, and Military Construction Author-
ization Acts, $277,456,000, to remain available until September 30, 2004.
MILITARY CONSTRUCTION, AIR NATIONAL GUARD
For construction, acquisition, expansion, re-
habilitation, and conversion of facilities for the

**MILITARY CONSTRUCTION, NAVY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Navy Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $121,300,000, to remain available until September 30, 2004.

**MILITARY CONSTRUCTION, NAVAL RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $28,467,000, to remain available until September 30, 2004.

**MILITARY CONSTRUCTION, AIR FORCE RESERVE**


**NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM**

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized in Military Construction Authorization Acts, section 2086 of title 10, United States Code, $81,000,000, to remain available until expended.

**FAMILY HOUSING, ARMY**

For expenses of family housing for the Army for construction, expansion, replacement, addition, expansion, extension and alteration, and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: For Construction, $80,700,000, to remain available until September 30, 2004; for Operation and Maintenance, $1,086,312,000; in all $1,167,012,000.

**FAMILY HOUSING, NAVY AND MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: For Construction, $341,071,000, to remain available until September 30, 2004, for Operation and Maintenance, $691,470,000, for debt payment, $1,232,541,000.

**FAMILY HOUSING, AIR FORCE**

For expenses of family housing for the Air Force for construction, expansion, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: For Construction, $349,456,000, to remain available until September 30, 2004; for Operation and Maintenance, $411,240,000; and for debt payment, $818,392,000; in all $1,167,848,000.

**FAMILY HOUSING, DEFENSE-WIDE**

For expenses of family housing for the activities of the Department of Defense, other than the military departments for construction, including acquisition, replacement, addition, expansion, extension and alteration, and for operation and maintenance, leasing, and minor construction, as authorized by law, as follows: For Construction, $50,000, to remain available until September 30, 2004; for Operation and Maintenance, $41,440,000; in all $41,490,000.

**DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND**

For the Defense Base Family Housing Improvement Fund, $2,000,000, to remain available until expended, as the sole source of funds for planning, administrative, and oversight expenses incurred in carrying out activities undertaken pursuant to U.S.C. 2883, pertaining to alternative means of acquiring and improving military family housing, and supporting facilities.

**BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV**

For deposit into the Department of Defense Base Closure Account 1990 established by section 2006(a)(1) of the Department of Defense Authorization Act, 1991, (Public Law 101-510), $672,311,000, to remain available until expended: Provided, That not more than $254,403,000 of the funds appropriated herein shall be available solely for environmental restoration, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

**GENERAL PROVISIONS**

Sec. 101. Of the funds appropriated in Military Construction Appropriations Acts shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates have been performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

Sec. 102. Notwithstanding any other provision of law, any funds appropriated to a military department for purposes of military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to acquire property, to build or expand facilities, and to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

Sec. 112. None of the funds appropriated in Military Construction Appropriations Acts for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used for any purpose except those specifically authorized in the Military Construction Appropriations Acts.

Sec. 117. Notwithstanding any other provision of law, any funds appropriated to a military department for the construction of any military project may be obligated for architect and engineer contracts for projects to be accomplished in Japan, in any NATO member country bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

Sec. 118. During the 5-year period after appropriations available to the Department of Defense for military construction for projects for military construction in the United States, territories and possessions in the Pacific, and on Kwajalein Atoll expire, the Secretary may use any funds remaining available for military construction projects for which the Secretary determines that such appropriations will not be required during the 5-year period for which the appropriations were made, for making authorized adjustments to such appropriations for obligations incurred during the
SEC. 120. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207a(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526, amendment 207a(2) of such Act, may be transferred to the account established by section 2006a(1) of the Department of Defense Authorization Act, 1991, to be merged with, and available for the same purposes and the same time period as that account.

SEC. 121. No funds appropriated pursuant to this Act may be expended by an entity unless the entity certifies in its annual expending report that the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c), popularly known as the "Buy American Act." 

SEC. 122. (a) In the case of any equipment or products that may be authorized to be purchased on which financial assistance provided under this Act is expended, the entity receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 123. Subject to 30 days prior notification to the Appropriations Committees, additional amounts as may be determined by the Secretary of Defense may be transferred to the Department of Defense Family Housing Improvement Program accounts for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Fund shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, or direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169, title 10, United States Code, pertaining to alternative means of acquiring and improving military housing and supporting facilities.

SEC. 124. None of the funds appropriated or made available by this Act may be obligated or expended for Family Housing activities and facilities for dependent children of uniformed personnel stationed in the United States that are operated by the Federal government, or local school districts.

SEC. 125. (a) Not later than April 30, 2000, the Secretary of Defense shall submit to the congressional defense committees a report examining the adequacy of special education facilities and services available to eligible dependent children of uniformed personnel stationed in the United States. The report shall identify the following:

(1) The schools on military installations in the United States that are operated by the Department of Defense, other entities of the Federal government, or local school districts.

(2) School districts in the United States that have experienced an increase in enrollment of 20 percent or more in the last five years resulting from base realignments or consolidations.

(3) The impact of increased special education requirements, student-teacher ratios, and financial requirements in school districts supporting installations designated by the military departments as compassionate assignment posts.

(4) The adequacy of special education services and facilities for dependent children of uniformed personnel within the United States, particularly at compassionate assignment posts.

(5) Corrective measures that are needed to adequately support the special education needs of military families, including such improvements as the renovation of existing schools or the construction of new schools.

(6) An estimate of the cost of needed improvements, and a recommended source of funding within the Department of Defense.

SEC. 126. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2006a(1) of the Department of Defense Authorization Act, 1991, to the fund established by section 1013(d) of the Demonstration High Technology Procurement Act of 1966 (42 U.S.C. 3374) to pay expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and to be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 127. Not later than April 30, 2000, the Secretary of Defense shall submit to the congressional defense committees a report examining the adequacy of special education facilities and services available to eligible dependent children of uniformed personnel stationed in the United States. 

The Act may be cited as the "Military Construction Appropriations Act, 2000," and the Senate agreement of Conference.

J OINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE 

The managers on the part of the Senate and the House at the conference on the disapproving votes of the two Houses on the amendment to the bill (H.R. 2665) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes, submit the following joint statement to the House of Representatives and the Senate in explanation of the differences and agreement reached upon by the managers and recommended in the accompanying conference report.
The Senate deleted the entire House bill after the enacting clause and inserted the text of Senate bill (S. 1205). The conference agreement includes a revised bill.

**ITEMS OF GENERAL INTEREST**

- The language and allocations set forth in House Report 106-221 and Senate Report 106-74 should be compiled with unless specifically contrary in the conference report and statement of the managers. Report language included by the House which is not changed by the report of the Senate for the conference, and Senate report language which is not changed by the conference is approved by the committee of conference. The statement of the managers, while not report language, by emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases in which the House or the Senate has directed the submission of a report from the Department of Defense, such report is to be submitted to both House and Senate Committees on Appropriations.

- Financial Management.—The conferees agree that the amount requested for construction contingencies, 5 percent for new construction and 10 percent for alterations or additions. Therefore, the conferees have included general reductions which reduce the funding available for contingency within the Department. The conferees expect project-level information to be included within the conference agreement.

- The conference agreement includes reductions totaling $29,900,000 which result from re-estimation of inflation undertaken by the Office of Management and Budget as part of the mid-session review of the budget request. The conferees direct the Department to distribute these reductions proportionally against each project and activity in each account, as follows:

<table>
<thead>
<tr>
<th>Account</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Military Construction, Army</td>
<td>$3,700,000</td>
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<tr>
<td>Military Construction, Navy</td>
<td>$3,000,000</td>
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<tr>
<td>Military Construction, Force</td>
<td>$2,300,000</td>
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<tr>
<td>Military Construction, Defense</td>
<td>$2,300,000</td>
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<tr>
<td>Family Housing Operations, Army</td>
<td>$3,500,000</td>
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<tr>
<td>Family Housing Construction, Navy</td>
<td>$1,000,000</td>
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<td>Family Housing Construction, Navy</td>
<td>$3,600,000</td>
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<tr>
<td>Family Housing Construction, Force</td>
<td>$1,000,000</td>
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<tr>
<td>Family Housing Operations, Air Force</td>
<td>$3,500,000</td>
</tr>
<tr>
<td>Base Realignment and Closure, Part IV</td>
<td>$2,000,000</td>
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<thead>
<tr>
<th>Account</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Military Construction, Army</td>
<td>$25,900,000</td>
</tr>
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</table>

European Construction.—The conference agreement does not provide funding for European construction projects. The conferees direct the Department to use funds that were appropriated in the Fiscal Year 1999 Emergency Supplemental Appropriations Act (P.L. 106-30) to provide full funding for these projects.

Service Academy Military Construction Master Plan.—The conference directs the Under Secretary of Defense for Acquisition and Technology to conduct a joint review of the Service Academies’ military construction, family housing, and operations and maintenance requirements in this or any other Act. This review is to be completed in conjunction with the development of the description of Small Scale Site Development of a Service Academy Master Plan. Accordingly, the conferees direct the Secretary of Defense to submit the plan to the House and Senate committees no later than March 1, 2000. Any future requirements at an Academy must be included in the Master Plan. Furthermore, after the Secretary of Defense has submitted any emergent requirements not included in the plan will require notification of the congressional defense committees.

MILITARY CONSTRUCTION, ARMY

The conference agreement appropriates $1,042,033,000 for Military Construction, Army, instead of $1,223,405,000 as proposed by the House, and $1,067,422,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $91,605,000 for study, planning, design, architect and engineer services, and host nation support in stead of $87,215,000 as proposed by the House and $86,414,000 as proposed by the Senate.

California—Presidio of Monterey: Video Tele-Training Facilities direct.-Facilities direct.-This project is to be accomplished within additional funds provided for unspecified minor construction.

New York— U.S. Military Academy: Cadet Physical Development Center, Phase II.—The conference agreement provides $14,000,000 for the construction of this project, instead of no funding as proposed by the House, and $28,500,000 as proposed by the Senate. The conferees agree the total cost of this project estimated at $85,000,000 is excessive, and are aware this cost estimate includes $37,000,000 for seismic upgrade. According to United States Geological Survey, National Earthquake Information Center documents, the U.S. Military Academy is located in a low-risk seismic area. Additionally, in a Report of Seismic Study on the project, a consultant made the following comment, “Seismic upgrading, subject to review with governing Corps of Engineers and U.S. Military Academy authorities, is not recommended, is not considered cost-effective, and is not practically feasible. As a result of these understandings, the conferees agree to cap the total cost of this project at $63,000,000. The Under Secretary of Defense (Comptroller) is directed to request the appropriate committees of Congress no later than January 15, 2000 on the revised cost estimate for this project, including project-level information presented in Form 1396. The conferees expect project-level information for the project be presented in Form 1396 detail. The conferees further expect the Department to accomplish any required planning and design for this facility.

The conference agreement appropriates $901,531,000 for Military Construction, Navy, instead of $924,183,000 as proposed by the House, and $884,883,000 as proposed by the Senate. Within this amount, the conference agreement earmarks $72,630,000 for study, planning, design, architect and engineer services instead of $65,010,000 as proposed by the House and $66,581,000 as proposed by the Senate.

Florida—St. Petersburg/Tampa Area: Readiness Center.—Of the additional funding provided for this project, the conferees direct that not less than $3,500,000 be made available for the design of this project.
Maryland—Aberdeen Proving Ground (Weide Army Airfield): UH-60 Tie Down Pads.—The conferees direct that this project is to be accomplished within additional funds provided for construction.

Minnesota—Mankato: Training and Community Center.—The current facility used by the 2nd Battalion 158th Infantry Mechanized was originally built in 1953. The facility has deteriorated extensively and is substandard with respect to Minnesota State Building Codes, the Life Safety Code, Occupational Safety and Health Administration (OSHA) regulations, and requirements identified by the Americans with Disabilities Act (ADA). Therefore, the conferees direct the Army National Guard to accelerate the design and to include this project in its fiscal year 2001 budget request.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

The conference agreement appropriates $283,724,010 for Military Construction, Air National Guard, instead of $180,870,000 as proposed by the House, and $238,545,000 as proposed by the Senate.

Rhode Island—Quonset: Maintenance Hangar.—Of the $7,275,000 provided for planning and design within the “Air National Guard” account, the conferees direct that not less than $6,000,000 be available to accelerate and complete the design and any necessary site preparation work for a new hangar to maintain the C-130—30 aircraft assigned to the Rhode Island National Guard. Although the conferees were unable to fund this, and other, meritorious projects due to severe financial constraints, the conferees recognize the urgency of this project. Therefore, the conferees have deferred the project without prejudice and direct the Administration to incorporate the necessary $16,500,000 into the fiscal year 2001 budget request.

MILITARY CONSTRUCTION, ARMY RESERVE

The conference agreement appropriates $111,340,000 for Military Construction, Army Reserve, instead of $105,817,000 as proposed by the Senate.

MILITARY CONSTRUCTION, NAVAL RESERVE

The conference agreement appropriates $28,450,000 for Military Construction, Naval Reserve, instead of $21,574,000 as proposed by the House, and $31,475,000 as proposed by the Senate.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

The conference agreement appropriates $64,404,000 for Military Construction, Air Force Reserve, instead of $66,549,000 as proposed by the House, and $35,864,000 as proposed by the Senate.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

The conference agreement appropriates $83,000,000 for the North Atlantic Treaty Organization Security Investment Program (NSIP) as proposed by the House, instead of $100,000,000 as proposed by the Senate.

The conferees note that the actual requirement for the NATO Security Investment Program (NSIP) was not appropriated in the Fiscal Year 1999 Emergency Supplemental Appropriations Act (Public Law 106-31) to provide adequate funding for this account. North Atlantic Treaty Organization Security Investment Program Funds—The conferees individually agree to a provision, Section 124, which prohibits the use of NSIP funds for any aspect of the Partnership for Peace Program in the New Independent States of the former Soviet Union. The conferees continue the requirement that no funds will be used for projects (including planning and design) related to the enlargement of NATO and the Partnership for Peace. The conferees also identify 2 days in advance of the obligation of funds. In addition, the conferees’ intent is that Section 110 of the General Provisions shall apply to this program.

The Department of Defense is directed to identify separately the level of effort anticipated for NATO enlargement and for Partnership for Peace in its fiscal year in future budget justifications.

FAMILY HOUSING—OVERVIEW

General and Flag Officer Quarters.—The conferees were dismayed to learn the Air Force, in addition to the Navy, has in recent years supplemented family housing funds with regular operations and maintenance funds on general and flag officer quarters. Therefore, the conferees have no recourse but to include a general provision (Section 128) which statutorily prohibits the mixing of operations and maintenance funds and family housing funds on all family housing units, including general officer quarters.

The conferees will continue the existing notification requirements relevant to the appropriate committees of Congress when maintenance and repair costs will exceed $25,000, instead of $15,000 as proposed by the House, for a unit not required in the notification. However, beginning January 15, 2000, the Under Secretary of Defense (Comptroller) is to report on an annual basis all operations and maintenance costs, and expenditures of regular operations and maintenance funds on general and flag officer quarters by all military services. The Inspector General should determine if there were any violations of appropriations law and address corrective actions taken by the Department to preclude future occurrence of these violations.

FAMILY HOUSING, ARMY

The conference agreement appropriates $80,700,000 for Construction, Family Housing, Army, instead of $89,200,000 as proposed by the House and $60,900,000 as proposed by the Senate.

The conferees direct that the following project is to be accomplished within the increased amount provided for construction improvements:

Kentucky—Fort Campbell (26 units) .......................... $2,800,000

The conference agreement appropriates $1,086,312,000 for Operation and Maintenance, Family Housing, Army, instead of $1,093,120,000 as proposed by the House and $1,020,800,000 as proposed by the Senate.

The conferees direct that the following project is to be accomplished within the increased amount provided for construction improvements:

FAMILY HOUSING, NAVY AND MARINE CORPS

The conference agreement appropriates $3,089,812,000 for Construction, Family Housing, Navy, instead of $3,098,810,000 as proposed by the House and $1,179,012,000 as proposed by the Senate.

The conferees direct that the following project is to be accomplished within the increased amount provided for construction improvements:

FAMILY HOUSING, NAVY AND MARINE CORPS

The conference agreement appropriates $3,167,912,000 for Construction, Family Housing, Navy, instead of $3,179,012,000 as proposed by the House and $1,158,900,000 as proposed by the Senate.

The conferees direct that the following projects are to be accomplished within the increased amount provided for construction improvements:

California—Twenty nineteenth Palms

MCAGCC (692 units) ........................................... $5,100,000

Illinois—Great Lakes NTC (127 units) .......................... 14,400,000

North Carolina—Camp Lejeune

MCB (91 units) ........................................... 9,100,000

North Carolina—Eston Point

MCAS (138 units) ........................................... 2,700,000

Pennsylvania—Philadelphia NICP (25 units) .................. 200,000

South Carolina—Parris Island

MCRD (48 units) .................................................. 4,932,000

The conference agreement appropriates $891,470,000 for Operation and Maintenance, Family Housing, Navy and Marine Corps, instead of $895,070,000 as proposed by the House and Senate.

The conference agreement appropriates a total of $1,177,812,000 as proposed by the House and $1,167,012,000 as proposed by the Senate.

FAMILY HOUSING, AIR FORCE

The conference agreement appropriates $349,456,000 for Construction, Family Housing, Air Force, instead of $344,996,000 as proposed by the House and $335,034,000 as proposed by the Senate.

The conferees direct that the following project is to be accomplished within the increased amount provided for construction improvements:

South Carolina—Charleston AFB (50 units) .................. $5,500,000

The conference agreement appropriates $818,392,000 for Operation and Maintenance, Family Housing, Air Force, instead of $821,852,000 as proposed by the House and Senate.

Illinois—Scott Air Force Base: Asbestos Removal.—The conferees understand the Air Force has an immediate problem with a housing complex at Scott AFB in Illinois. The Air Force plans to utilize part of this complex for other purposes, but cannot do so without first completing the removal of the asbestos material. The conferees urge the Air Force to use funds available within the “Family Housing, Air Force Operation and Maintenance” account in this Act to perform the required asbestos removal at Scott AFB.

The conference agreement appropriates a total of $1,167,846,000 for Construction, Family Housing, Air Force, instead of $1,166,888,000 as proposed by the House and $1,156,926,000 as proposed by the Senate.

FAMILY HOUSING, DEFENSE-WIDE

The conference agreement appropriates $50,000,000 for Construction, Family Housing, Defense-wide, as proposed by the House and Senate.

The conference agreement appropriates $41,440,000 for Operation and Maintenance, Family Housing, Defense-wide, as proposed by the House and Senate.

The conference agreement appropriates a total of $41,490,000 for Family Housing, Defense-wide, as proposed by the House and Senate.

FAMILY HOUSING REVITALIZATION TRANSFER FUND

The conference agreement appropriates no funds for the Family Housing Revitalization Transfer Fund, as proposed by the House, instead of $25,000,000 as proposed by the Senate.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

The conference agreement appropriates $2,000,000 for the Department of Defense Family Housing Improvement Fund as proposed by the House instead of $25,000,000 as proposed by the Senate. The reduction from the level proposed by the Senate reflects full funding of construction improvements in the traditional family housing accounts, rather than...
in the Family Housing Improvement Fund. Transfer authority is provided for the execution of any qualifying project under privatization authority which resides in the Fund.

The conference agreement appropriates no funds for the Homeowners Assistance Fund, Defense.

The total estimated requirements for the fund for fiscal year 2000 are estimated at $62,687,000 and will be funded with transfers from the Base Realignment and Closure Account and revenue from the sales of acquired property.

BASE REALIGNMENT AND CLOSURE—OVERVIEW

Construction Projects: Administrative Provision.—The conferees agree that any transfer of funds reported reporting thresholds for any construction project financed by any Base Realignment and Closure Account shall be subject to a 21-day notification to the Committees, and shall not be subject to reprogramming procedure.

Construction Budget Data.—The conferees are concerned about the accuracy and reliability of the base realignment and closure (BRAC) construction budget data provided annually to the Congress. The Office of the Department of Defense, Inspector General and the General Accounting Office recently found deficiencies submitted BRAC military construction data in the fiscal years 1997 through 1999 military construction budgets based on overstated requirements and unsupported specifications and costs. They also found that based on BRAC military construction planning, the actual budgeting requirements are based on an inflation rate that was lower than expected. At the time the fiscal year 2000 budget was submitted to Congress, these funds were withheld from obligation, but have subsequently been made available.

Previously Funded Military Construction.—Based on funds that were requested for three military construction projects that have already been funded or canceled, the conferees recommend an additional reduction of $13,800,000 to the Base Realignment and Closure Account, Part IV. This reduction is based on the disbursement of funds based on an inflation rate that was lower than expected. At the time the fiscal year 2000 budget was submitted to Congress, these funds were withheld from obligation, but have subsequently been made available.

Previously Funded Military Construction.—Based on funds that were requested for three military construction projects that have already been funded or canceled, the conferees recommend an additional reduction of $13,800,000 to the Base Realignment and Closure Account, Part IV. This reduction is based on the disbursement of funds based on an inflation rate that was lower than expected. At the time the fiscal year 2000 budget was submitted to Congress, these funds were withheld from obligation, but have subsequently been made available.

BRAC Construction Planning and Oversight.—The conferees support the BRAC military construction plan and directed the Secretary of Defense to submit a legislative proposal for the BRAC military construction plan to ensure that these deficiencies are corrected in the fiscal year 2001 budget submission.

Future Costs of Environmental Restoration.—The conferees direct the Department of Defense to submit a legislative proposal for the establishment of a Treasury account entitled "Base Realignment and Closure Environmental Restoration", rather than the enactment of future costs for the Operation and Maintenance accounts. The conferees direct the Department of Defense to take the necessary corrective action to ensure that these deficiencies are corrected in the fiscal year 2001 budget submission.

Base Realignment and Closure Account, Part IV

The conference agreement appropriates $672,311,000 for the Base Realignment and Closure Account, Part IV, instead of $705,911,000 as proposed by the House and Senate. This appropriation is based on the conferees' agreement that the conference agreement earmarks $346,403,000 for environmental restoration, instead of $360,073,000 as proposed by the House and $426,036,000 as proposed by the Senate.

Revised Economic Assumptions.—As described earlier in this report, the conferees recommend a reduction of $2,000,000 from the budget request based on reestimation of inflation.

Unreported Proceeds.—The services have collected $11,800,000 more in proceeds from land sales and leases at closing or realigning bases than reported in the fiscal year 2000 budget request. Statutes and Department of Defense guidance state that proceeds from the transfer, lease, or disposal of property due to the Base Realignment and Closure process shall be deposited into the Base Closure Accounts. The conferees understand that, because such proceeds were collected after the development of the budget, the Army did not report $8,000,000 worth of proceeds, and the Navy did not report $3,800,000. The conferees direct the Services to deposit these proceeds into the Base Realignment and Closure Account, and have reduced the Base Realignment and Closure Account, Part IV fiscal year 2000 appropriation by $13,800,000

Funds Previously Withheld.—The conferees recommend a reduction of $13,800,000 to the Base Realignment and Closure Account, Part IV. This reduction is based on the disbursement of funds based on an inflation rate that was lower than expected. At the time the fiscal year 2000 budget was submitted to Congress, these funds were withheld from obligation, but have subsequently been made available.

The conference agreement includes a provision renumbered Section 125, as proposed by the House and the Senate, which requires the Secretary of Defense to notify Congressional Committees sixty days prior to issuing a solicitation for a contract with the private sector for military family housing.

The conference agreement includes a provision renumbered Section 126, as proposed by the House, amended to direct that the Secretary of Defense to notify Congressional Committees sixty days prior to issuing a solicitation for a contract with the private sector for military family housing.

The conference agreement includes a provision renumbered Section 127, as proposed by the Senate, which requires the Secretary of Defense to report on the adequacy of special education facilities for Department of Defense family members. The House bill contained no similar provision.

The conference agreement includes a provision renumbered Section 128, as proposed by the Senate, which requires the Secretary of Defense to report on the adequacy of special education facilities for Department of Defense family members. The House bill contained no similar provision.

The conference agreement includes a provision renumbered Section 130, as proposed by the House, amended to direct that the Army, Navy, Marine Corps and Air Force submit to the appropriate committees of Congress, by July 1, 2000, a Family Housing Improvement Fund. The House bill contained a similar provision.

The conference agreement includes a provision renumbered Section 131, as proposed by the House, amended to direct that the Secretary of Defense to certify that the Department of Defense is to be obligated for Partnership for Peace programs in the New Independent States of the former Soviet Union. The House bill contained no similar provision.

The conference agreement includes a provision renumbered Section 132, as proposed by the House, amended to direct that the Army, Navy, Marine Corps and Air Force submit to the appropriate committees of Congress, by July 1, 2000, a Family Housing Master Plan. The Senate bill contained no similar provision.

The conference agreement includes a provision renumbered Section 133, as proposed by the House, amended to direct that the Secretary of Defense certifies that the Department of Defense intends to proceed with the demonstration of six alternative technologies to chemical weapons incineration before constructing the chemical demilitarization facility at Bluegrass, Kentucky. Pending the Secretary's certification this allows the planning, design and site preparation for the facility and the testing of the alternatives to proceed concurrently. The House bill contained no similar provision.
Those general provisions that are not included in the conference agreement follow:

The conference agreement deletes the Senate provision which prohibits the use of funds for repair and maintenance of any flag and general officer quarters in excess of $25,000 without prior notification to the congressional defense committees.

The conference agreement deletes the Senate provision which restricted the conveyance of land at the former Fort Sheridan, Illinois.

The conference agreement deletes the House provision which reduced various accounts in this Act by five percent.
### Military Construction (In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Installation &amp; Project Description</th>
<th>Budget Request</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Army</strong></td>
<td></td>
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</tr>
<tr>
<td>Anniston Army Depot</td>
<td></td>
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<tr>
<td>Ammunition Demilitarization Facility (Phase VII)</td>
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<tr>
<td>Redstone Arsenal</td>
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<tr>
<td>Test Measurement Lab/Support Facility</td>
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<td>9,800</td>
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<tr>
<td>Air Force</td>
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<tr>
<td>Maxwell AFB</td>
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<tr>
<td>Officer Training School Cadet Dormitory</td>
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<td>10,600</td>
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<td>Defense-Wide</td>
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<tr>
<td>Anniston Army Depot</td>
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<td>Ammunition Demilitarization Facility (Phase VII)</td>
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<tr>
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<tr>
<td>Birmingham ANGB</td>
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<tr>
<td>Base Engineer Maintenance Complex</td>
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<tr>
<td>Daniel Field</td>
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<tr>
<td>Medical Training and Dining Facility</td>
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<td><strong>Total, Alabama</strong></td>
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<tr>
<td>Army</td>
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<td>Whole Barracks Complex Renewal</td>
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<td>Fort Wainwright</td>
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<td>Emission Reduction Facility</td>
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<tr>
<td>Eielson AFB</td>
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<tr>
<td>Repair KC-135 Parking Ramp</td>
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<td>Repair Runway</td>
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<tr>
<td>Elmdorf AFB</td>
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<tr>
<td>Alter Roadway Davis HWY</td>
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<td>Construct C-130 Parking Ramp</td>
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<td>Eielson AFB</td>
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<td>Hydrant Fuel System</td>
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<td>Elmdorf AFB</td>
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<td>Hydrant Fuel System</td>
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<td>Hospital Replacement (Phase I)</td>
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<td>18,000</td>
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<td>Air National Guard</td>
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<td>Army National Guard</td>
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<td>Fort Richardson</td>
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<td>CSMS/MATES</td>
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<td>13,850</td>
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<td>Kulis ANGB</td>
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<td>Composite Support Complex</td>
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<td><strong>Total, Alaska</strong></td>
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<td><strong>Arizona</strong></td>
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<tr>
<td>Army</td>
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<td>Fort Huachuca</td>
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<td>Wastewater Treatment Plant (Phase I)</td>
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<tr>
<td>Navy</td>
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<td>Camp Navajo NAVY DETACHMENT</td>
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<td>Magazines Modernization,</td>
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<td>Yuma Marine Corps Air Station</td>
<td>640</td>
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<td>Child Development Center Addition</td>
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<td>Land Acquisition</td>
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<tr>
<td>Air Force</td>
<td></td>
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<tr>
<td>Davis-Monthan AFB</td>
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<tr>
<td>Aircraft Processing Ramp</td>
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<tr>
<td>Davis-Monthan AFB</td>
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<tr>
<td>Add/Alter Ambulatory Health Care Center</td>
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<td>10,000</td>
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<tr>
<td><strong>Total, Arizona</strong></td>
<td>10,447</td>
<td>48,380</td>
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</table>
### Military Construction (in Thousands of Dollars)

<table>
<thead>
<tr>
<th>Army</th>
<th>Project Description</th>
<th>Installation Budget</th>
<th>Request</th>
<th>Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARMY</td>
<td>Pine Bluff Arsenal Ammunition Demilitarization Facility (Phase IV)</td>
<td>61,800</td>
<td>---</td>
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</tr>
<tr>
<td>AIR FORCE</td>
<td>Little Rock AFB C-130 Squad Operations/Aircraft Maint Unit FAC</td>
<td>---</td>
<td>7,800</td>
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</tr>
<tr>
<td>DEFENSE WIDE</td>
<td>Pine Bluff Arsenal Ammunition Demilitarization Facility (Phase IV)</td>
<td>---</td>
<td>61,800</td>
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</tr>
<tr>
<td>AIR NATIONAL GUARD</td>
<td>Little Rock AFB Vehicle/Base Engine Maintenance Complex</td>
<td>1,081</td>
<td>8,699</td>
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<tr>
<td>AIR FORCE RESERVE</td>
<td>Little Rock AFB Alter Aerial Port Training Facility</td>
<td>209</td>
<td>800</td>
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**TOTAL, ARKANSAS**: 63,890 (79,099)

### California

<table>
<thead>
<tr>
<th>Army</th>
<th>Project Description</th>
<th>Installation Budget</th>
<th>Request</th>
<th>Agreement</th>
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</thead>
<tbody>
<tr>
<td>FORT IRWIN</td>
<td>Land Acquisition (Phase I)</td>
<td>---</td>
<td>19,000</td>
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<tr>
<td></td>
<td>Rotational Unit Facility Maintenance Area</td>
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<td>13,400</td>
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<td></td>
<td>General Instruction Facility</td>
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### Navy

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<tr>
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<th>Project Description</th>
<th>Installation Budget</th>
<th>Request</th>
<th>Agreement</th>
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<tbody>
<tr>
<td>BARSTOW MARINE CORPS LOGISTICS BASE</td>
<td>Test Track/Test Pond Facility</td>
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<td>4,870</td>
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<td>CAMP PENDLETON MARINE CORPS BASE</td>
<td>Armory</td>
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<td></td>
<td>Bachelor Enlisted Quarters</td>
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<td>9,740</td>
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<td></td>
<td>Integrated Communications Hub</td>
<td>960</td>
<td>3,810</td>
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<td></td>
<td>Marine Expeditionary Force Ops/Command Center</td>
<td>---</td>
<td>6,800</td>
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<tr>
<td></td>
<td>Staff Non-Commissioned Officer's Academy</td>
<td>1,640</td>
<td>6,480</td>
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<td></td>
<td>Tactical Vehicle Maintenance Facility</td>
<td>2,210</td>
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<tr>
<td>CORONA NAVAL SURFACE WARFARE CENTER</td>
<td>Measurement Science Laboratory</td>
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<td>7,070</td>
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<td>LEMOORE NAVAL AIR STATION</td>
<td>Aircraft Ordnance Loading Facilities</td>
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<td></td>
<td>Aviation Armament Facility</td>
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<td>Engine Maintenance Shop Addition</td>
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<td></td>
<td>New Gymnasium Facilities</td>
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<td></td>
<td>Site Office Weapon Training Facility</td>
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<td>NAVAL POSTGRADUATE SCHOOL (MONTEREY)</td>
<td>Gymnasium</td>
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<td>NORTH ISLAND NAVAL AIR STATION</td>
<td>Berthing Wharf (Phase I)</td>
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<td>SAN DIEGO MARINE CORPS RECRUIT DEPOT</td>
<td>Physical Fitness Center Addition</td>
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<td>SAN DIEGO NAVAL MEDICAL CENTER</td>
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<td>TWENTYNINE PALMS MARINE CORPS BASE</td>
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<td>TWENTYNINE PALMS NAVAL HOSPITAL</td>
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### Air Force

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<th>Project Description</th>
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<tr>
<td>BEALE AFB</td>
<td>Flightline Fire Station</td>
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<td>EDWARDS AFB</td>
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<td>TRAVIS AFB</td>
<td>Add to Physical Fitness Center</td>
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### Defense Wide

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<td>CORONADO NAVAL AMPHIBIOUS BASE</td>
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<td>LOS ANGELES AIR FORCE BASE</td>
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<td>Doc Center Renovation</td>
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<td>BUDGET REQUEST</td>
<td>CONFERENCE AGREEMENT</td>
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<tr>
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<tr>
<td>AIR NATIONAL GUARD</td>
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<td>FRESNO ANG OPERATIONS TRAINING AND DINING FACILITY</td>
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<td>FORT CARSON</td>
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<td>MOBILIZATION MATERIAL WAREHOUSE</td>
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<td>PETERSON AFB</td>
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<td>US ARMY SPACE COMMAND HEADQUARTERS</td>
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CONGRESSIONAL RECORD – HOUSE

MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

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GEORGIA

ARMY

FORT BENNING
AMMUNITION HOLDING AREA | 420          | 1,400                |
FORT STEWART
CONTINGENCY LOGISTICS FACILITY | ---          | 18,500               |
MULTI-PURPOSE TRAINING RANGE | 1,100        | 7,200                |
WHOLE BARRACKS COMPLEX RENEWAL W/ DINING (PHASE I) | 7,000        | 20,000               |
NAVY
ALBANY MARINE CORPS LOGISTICS BASE ENGINEERING EQUIPMENT SHOP | 1,540        | 6,260                |
AIR FORCE
FORT BENNING
AIR SUPPORT OPERATIONS SQUADRON FACILITY | 911          | 3,900                |
MOODY AFB
SQUADRON OPERATIONS FACILITY | 763          | 3,200                |
TAXIWAY | ---          | 2,750                |
ROBINS AFB
KC-135 FLIGHT SIMULATOR FACILITY | 789          | 3,350                |
DEFENSE-WIDE
FORT BENNING
REGIMENTAL COMMAND AND CONTROL FACILITY | 2,272        | 10,200               |
MOODY AFB
WAR READINESS MATERIALS WAREHOUSE/BIOENVIRONMENTAL ENGINEERING FACILITY | 200          | 1,250                |
AIR NATIONAL GUARD
SAVANNAH INTERNATIONAL AIRPORT
COMPOSITE SUPPORT COMPLEX | 2,116        | 9,800                |
REGIONAL FIRE TRAINING FACILITY | 368          | 1,700                |
ARMY RESERVE
FORT GILLEM
USAR CENTER/ORGANIZATIONAL MAINTENANCE SHOP/DIRECT SUPPORT/WAREHOUSE | 3,610        | 22,121               |
AIR FORCE RESERVE
DOBBINS AFB
ADD/ALTER FACILITY FOR C130-H AIRCREW TRAINING... | 558          | 2,130                |
ROBINS AFB
ADD/ALTER AIR FORCE RESERVE COMMAND HEADQUARTERS AND ALTERNATE TANKER AILIFT CONTROL CENTER | 3,666        | 14,000               |
TOTAL, GEORGIA | 32,413        | 148,761              |

HAWAII

ARMY
SCHOFIELD BARRACKS
WHOLE BARRACKS COMPLEX RENEWAL (PHASE I) | 14,200        | 25,000                |
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**Note:** The table entries represent budget requests and conference agreements for various military construction projects. The data is listed by state and includes the specific projects and their associated costs.
### Installation & Project (in Thousands of Dollars)

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| FORT DIX TRA
ing/Training Technology Battle Lab (Phase II)                          | ---            | 10,015               |
| **ARMY RESERVE**                                                                     |                |                      |
| FORT DIX Centralized Tactical Vehicle Wash Facility                                  | 1,607          | 5,624                |
| TOTAL, NEW JERSEY                                                                     | 8,342          | 94,289               |
| **AIR FORCE**                                                                        |                |                      |
| Kirtland AFB Repair Aprons (Phase I)                                                  | ---            | 14,000               |
| Cannon AFB Repair Runway #2204                                                        | ---            | 8,100                |
| **AIR NATIONAL GUARD**                                                                |                |                      |
| Kirtland AFB Composite Support Complex                                                | ---            | 9,700                |
| TOTAL, NEW MEXICO                                                                     | ---            | 31,800               |
| **ARMY**                                                                             |                |                      |
| Fort Drum Consolidated Soldier/Family Support CNTR (Phase I)                          | ---            | 12,000               |
| United States Military Academy Cadet Physical Development Center (Phase II)           | 28,500         | 14,000               |
| **AIR FORCE**                                                                        |                |                      |
| Rome Research Site Consolidate Intelligence and Reconnaissance Lab                    | 3,002          | 12,800               |
| **AIR NATIONAL GUARD**                                                                |                |                      |
| Hancock Field ANGB Comm-Electronics Training/Ase Complex                              | ---            | 8,900                |
| **ARMY RESERVE**                                                                     |                |                      |
| Fort Wadsworth Add/Alter Usar Center/Organizational Maintenance Shop/Area Maint Support Activity (Phase II) | 2,066          | 5,786                |
| **AIR FORCE RESERVE**                                                                |                |                      |
| Niagara Falls Air Reserve Station Visiting Officers Quarters                           | ---            | 6,300                |
| TOTAL, NEW YORK                                                                       | 33,568         | 59,786               |
| **NORTH CAROLINA**                                                                   |                |                      |
| **ARMY**                                                                             |                |                      |
| Fort Bragg Heavy Drop Rigging Facility                                                | 4,500          | 30,000               |
| Mout Training Complex (Phase II)                                                      | 5,600          | 7,000                |
| UPGrade barracks/D-area (Phase III)                                                   | ---            | 14,400               |
| Composite barracks Complex Renewal (Phase I)                                         | 18,808         | 16,808               |
| Sunny Point Military Ocean Terminal Ammunition Surveillance Facility                  | 550            | 3,800                |
| **NAVY**                                                                             |                |                      |
| Camp Lejune Marine Corps Base Maintenance and Operations Facility                      | 2,120          | 8,400                |
| Physical Fitness Center                                                              | 1,070          | 4,230                |
| Road and Utility Construction                                                        | 2,140          | 8,750                |
| New River Marine Corps Air Station Aircraft Taxiway Addition                          | 130            | 520                  |
| Family Services Center                                                               | 330            | 1,340                |
| Property Control Facility                                                            | 910            | 3,610                |
| **AIR FORCE**                                                                        |                |                      |
| Fort Bragg Air Support Operations Group Facility                                     | 1,076          | 4,600                |
| Pope AFB Dangerous Cargo Pad                                                         | 1,802          | 7,700                |
| **DEFENSE WIDE**                                                                     |                |                      |
| Camp Lejune MCB                                                                      | 2,387          | 10,570               |
| Cherry Point Marine Corps Air Station Aircarwat Survival Training Facility           | 1,000          | 3,500                |
| Fort Bragg Battalion Operations Complex                                               | 2,272          | 18,600               |
| Deployable Equipment Facility                                                        | 1,600          | 1,500                |
### MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

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### Vermont

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### Virginia

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</table>

WASHINGTON

ARMY

FORT LEWIS
AMMUNITION SUPPLY POINT | 1,560 | 5,200 |
PHYSICAL FITNESS TRAINING CENTER | 1,850 | 6,200 |
TANK TRAIL EROSION MITIGATION - YAKIMA (PHASE V) | 2,000 | 12,000 |

NAVY

BANGOR STRATEGIC WEAPONS FACILITY
DS MISSILE SUPPORT FACILITY | 1,600 | 6,300 |

KEYPORT NHC
PIER REPLACEMENT | --- | 6,700 |

PORT HADLOCK NAVAL ORDNANCE CENTER (PACIFIC)
TOMAHAWK MAGAZINE | 870 | 3,440 |

PUGET SOUND NAVAL SHIPYARD
DREDGING | 3,950 | 15,610 |

AIR FORCE

FAIRCHILD AFB
FLIGHTLINE SUPPORT FACILITY | --- | 9,100 |
SURVIVAL TRAINING LOGISTICS COMPLEX | 1,071 | 4,500 |

MCCHORD AFB
C-17 SQUADRON OPERATIONS/AIRCRAFT MAINTENANCE UNIT
FAIRCHILD AFB
ADD TO HYDRANT FUEL SYSTEM | 1,500 | 12,400 |

FORT LEWIS
ORTH DENTAL CLINIC REPLACEMENT | 4,950 | 5,500 |

WHIDBEY ISLAND NAVAL AIR STATION
AIRCRAFT WATER SURVIVAL TRAINING FACILITY | 1,300 | 4,700 |

ARMY NATIONAL GUARD
YAKIMA
MANEUVER AREA TRAINING EQUIPMENT SITE (PHASE I) | 3,464 | 16,316 |

AIR NATIONAL GUARD
FAIRCHILD AFB
COMPOSITE SUPPORT COMPLEX | --- | 9,800 |

AIR FORCE RESERVE
MCCHORD AFB
ADD/ALTER C-17 SQUADRON OPERATIONS AIRCRAFT MAINTENANCE UNIT FACILITY | 864 | 3,300 |

TOTAL, WASHINGTON | 26,837 | 128,966 |
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**Note:** The table represents a tabular format of military construction projects with their respective budget and agreement values for the year 1999.
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<th>ARMY NATIONAL GUARD</th>
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<th>BUDGET REQUEST</th>
<th>CONFERENCE AGREEMENT</th>
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# Military Construction (in Thousands of Dollars)

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<td>ADD/ALTER DENTAL CLINIC</td>
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**TOTAL, UNITED KINGDOM**

13,971

**NATO**

**NATO SECURITY INVESTMENT PROGRAM**

191,000

81,000

**WORLDWIDE UNSPECIFIED**

**ARMY**

**UNSPECIFIED WORLDWIDE LOCATIONS**

HOST NATION SUPPORT

MINOR CONSTRUCTION

PLANNING AND DESIGN

GENERAL REDUCTION

SUPERVISION, INSPECTION AND OVERHEAD

FINANCING ENTRY

REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW).

**NAVY**

**UNSPECIFIED WORLDWIDE LOCATIONS**

PLANNING AND DESIGN

GENERAL REDUCTION

SUPERVISION, INSPECTION AND OVERHEAD

FINANCING ENTRY

REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW).

**AIR FORCE**

**UNSPECIFIED WORLDWIDE LOCATIONS**

MINOR CONSTRUCTION

PLANNING AND DESIGN

GENERAL REDUCTION

SUPERVISION, INSPECTION AND OVERHEAD

FINANCING ENTRY

REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW).

**DEFENSE-WIDE**

**UNSPECIFIED WORLDWIDE LOCATIONS**

ENERGY CONSERVATION IMPROVEMENT PROGRAM

CONTINGENCY CONSTRUCTION

GENERAL REDUCTION

REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW).

GENERAL REDUCTION (CHEMICAL DEMILITARIZATION)

PLANNING AND DESIGN

TRI-CARE MANAGEMENT ACTIVITY

SPECIAL OPERATIONS COMMAND

DEFENSE LEVEL ACTIVITIES

**SUBTOTAL, PLANNING AND DESIGN**

33,824

48,324

**UNSPECIFIED MINOR CONSTRUCTION**

DEPARTMENT OF DEFENSE DEPENDENTS EDUCATION

TRI-CARE MANAGEMENT ACTIVITY

SPECIAL OPERATIONS COMMAND
### MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

<table>
<thead>
<tr>
<th>Installation &amp; Project</th>
<th>Budget Request</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEFENSE FINANCE AND ACCOUNTING SERVICE</td>
<td>1,500</td>
<td>1,500</td>
</tr>
<tr>
<td>BALLISTIC MISSILE DEFENSE ORGANIZATION</td>
<td>1,248</td>
<td>1,248</td>
</tr>
<tr>
<td>DEFENSE LEVEL ACTIVITIES</td>
<td>2,800</td>
<td>2,300</td>
</tr>
<tr>
<td>JOINT CHIEFS OF STAFF</td>
<td>8,083</td>
<td>6,083</td>
</tr>
<tr>
<td><strong>SUBTOTAL, UNSPECIFIED MINOR CONSTRUCTION</strong></td>
<td>18,618</td>
<td>18,618</td>
</tr>
</tbody>
</table>

**ARMY NATIONAL GUARD**

| UNSPECIFIED WORLDWIDE LOCATIONS               |                |                      |
| PLANNING AND DESIGN                           | 4,129          | 16,409               |
| UNSPECIFIED MINOR CONSTRUCTION                | 771            | 15,329               |

**AIR NATIONAL GUARD**

| UNSPECIFIED WORLDWIDE LOCATIONS               |                |                      |
| PLANNING AND DESIGN                           | 2,000          | 3,500                |
| UNSPECIFIED MINOR CONSTRUCTION                | 712            | 712                  |
| **FINANCING ENTRY**                            |                |                      |

**NAVY RESERVE**

| UNSPECIFIED WORLDWIDE LOCATIONS               |                |                      |
| PLANNING AND DESIGN                           | 1,778          | 2,750                |
| UNSPECIFIED MINOR CONSTRUCTION                | 1,036          | 2,806                |
| **FINANCING ENTRY**                            |                |                      |

**AIR FORCE RESERVE**

| UNSPECIFIED WORLDWIDE LOCATIONS               |                |                      |
| PLANNING AND DESIGN                           | 1,867          | 1,867                |
| UNSPECIFIED MINOR CONSTRUCTION                | 4,467          | 4,467                |
| **FINANCING ENTRY**                            |                |                      |

**TOTAL, WORLDWIDE UNSPECIFIED**

| World Wide Various                           | 291,575        | 116,264              |

**DEFENSE-WIDE**

| WORLDWIDE VARIOUS                            |                |                      |
| VARIOUS LOCATIONS                            |                |                      |
| POLLUTION ABATEMENT FACILITIES               | 1,300          | 1,300                |

**FAMILY HOUSING, ARMY**

| VIRGINIA                                      |                |                      |
| FORT LEE (97 UNITS)                          | ---            | 8,000                |
| WASHINGTON                                   | ---            | 9,000                |
| KOREA                                         |                |                      |
| FORT LEWIS (48 UNITS)                        | 4,400          | 24,000               |
| FINANCING ENTRY                               | 286            | ---                  |
| CONSTRUCTION IMPROVEMENTS                    | 5,303          | 35,400               |
| FINANCING ENTRY                               | 345            | ---                  |
| PLANNING AND DESIGN                           | 4,300          | 4,300                |
| SUPERVISION, INSPECTION AND OVERHEAD         | 631            | ---                  |
| **SUBTOTAL, CONSTRUCTION**                   | 14,003         | 80,700               |

**OPERATION AND MAINTENANCE**

| MANAGEMENT ACCOUNT                           | 92,453         | 84,185               |
| SERVICES ACCOUNT                              | 47,715         | 47,715               |
| UTILITIES ACCOUNT                             | 220,952        | 220,952              |
| FURNISHINGS ACCOUNT                           | 44,497         | 44,497               |
| MISCELLANEOUS ACCOUNT                         | 482            | 482                  |
| LEASING                                       | 222,284        | 222,284              |
| MAINTENANCE OF REAL PROPERTY                 | 469,211        | 469,211              |
| INTEREST PAYMENTS                             | 3              | 3                    |
| REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW) | ---   | -3,500               |
| **SUBTOTAL, OPERATION AND MAINTENANCE**       | 1,098,080      | 1,086,312            |

**TOTAL, FAMILY HOUSING, ARMY**

|                                | 1,112,083      | 1,167,012            |
### Military Construction (in Thousands of Dollars)

<table>
<thead>
<tr>
<th>Installation &amp; Project</th>
<th>Budget Request</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Family Housing, Navy and Marine Corps</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arizona Marine Corps Air Station (Yuma) (49 units)</td>
<td>---</td>
<td>8,500</td>
</tr>
<tr>
<td>California Lemoore Naval Air Station (116 units)</td>
<td>---</td>
<td>20,188</td>
</tr>
<tr>
<td>Hawaii Kaneohe Bay Marine Corps Air Station (100 units)</td>
<td>5,320</td>
<td>26,615</td>
</tr>
<tr>
<td>Marine Corps Base Hawaii Family Housing (30 units)</td>
<td>---</td>
<td>8,050</td>
</tr>
<tr>
<td>Pearl Harbor Naval Complex (113 units)</td>
<td>6,031</td>
<td>30,188</td>
</tr>
<tr>
<td>Pearl Harbor Complex (96 units)</td>
<td>3,831</td>
<td>19,167</td>
</tr>
<tr>
<td>North Carolina Cherry Point Marine Corps Air Station (180 units)</td>
<td>---</td>
<td>22,036</td>
</tr>
<tr>
<td>Financing Entry</td>
<td>-908</td>
<td></td>
</tr>
<tr>
<td>Construction Improvements</td>
<td>31,708</td>
<td>189,582</td>
</tr>
<tr>
<td>Planning and Design</td>
<td>17,715</td>
<td>17,715</td>
</tr>
<tr>
<td>Supervision, Inspection and Overhead</td>
<td>2,805</td>
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</tr>
<tr>
<td>Revised Economic Assumptions (Mid-Session Review)</td>
<td>---</td>
<td>-1,000</td>
</tr>
<tr>
<td><strong>Subtotal, Construction</strong></td>
<td>64,666</td>
<td>341,071</td>
</tr>
<tr>
<td>Operation and Maintenance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Management Account</td>
<td>82,925</td>
<td>82,925</td>
</tr>
<tr>
<td>Services Account</td>
<td>63,589</td>
<td>63,589</td>
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<tr>
<td>Utilities Account</td>
<td>170,391</td>
<td>170,391</td>
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<tr>
<td>Furnishings Account</td>
<td>32,636</td>
<td>32,636</td>
</tr>
<tr>
<td>Miscellaneous Account</td>
<td>1,180</td>
<td>1,180</td>
</tr>
<tr>
<td>Leasing</td>
<td>145,953</td>
<td>145,953</td>
</tr>
<tr>
<td>Maintenance of Real Property</td>
<td>397,723</td>
<td>397,723</td>
</tr>
<tr>
<td>Mortgage Insurance Premiums</td>
<td>73</td>
<td>73</td>
</tr>
<tr>
<td>Revised Economic Assumptions (Mid-Session Review)</td>
<td>---</td>
<td>-3,600</td>
</tr>
<tr>
<td><strong>Subtotal, Operation and Maintenance</strong></td>
<td>895,070</td>
<td>891,470</td>
</tr>
<tr>
<td><strong>Total, Family Housing, Navy and Marine Corps</strong></td>
<td>959,675</td>
<td>1,232,541</td>
</tr>
</tbody>
</table>

### Family Housing, Air Force

<table>
<thead>
<tr>
<th>Installation &amp; Project</th>
<th>Budget Request</th>
<th>Conference Agreement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona Davis-Monthan AFB (64 units)</td>
<td>2,707</td>
<td>10,000</td>
</tr>
<tr>
<td>California Beale AFB (60 units)</td>
<td>2,301</td>
<td>8,500</td>
</tr>
<tr>
<td>Edwards AFB (98 units)</td>
<td>4,404</td>
<td>16,270</td>
</tr>
<tr>
<td>Edwards AFB (90 units)</td>
<td>4,472</td>
<td>16,520</td>
</tr>
<tr>
<td>Vandenberg AFB (91 units)</td>
<td>4,548</td>
<td>16,800</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>2,537</td>
<td>9,375</td>
</tr>
<tr>
<td>Florida Eglin AFB (130 units)</td>
<td>3,812</td>
<td>14,080</td>
</tr>
<tr>
<td>MacDill AFB (54 units)</td>
<td>2,446</td>
<td>9,034</td>
</tr>
<tr>
<td>Kansas McConnell AFB</td>
<td>---</td>
<td>1,363</td>
</tr>
<tr>
<td>Mississippi Columbus AFB (100 units)</td>
<td>3,327</td>
<td>12,290</td>
</tr>
<tr>
<td>Montana Malmstrom AFB (34 units)</td>
<td>2,050</td>
<td>7,570</td>
</tr>
<tr>
<td>Nebraska Offutt AFB (72 units)</td>
<td>3,343</td>
<td>12,352</td>
</tr>
<tr>
<td>New Mexico Holloman AFB (76 units)</td>
<td>---</td>
<td>9,800</td>
</tr>
<tr>
<td>North Carolina Seymour Johnson AFB (78 units)</td>
<td>3,300</td>
<td>12,187</td>
</tr>
<tr>
<td>North Dakota Grand Forks AFB (42 units)</td>
<td>2,720</td>
<td>10,050</td>
</tr>
<tr>
<td>Minot AFB (72 units)</td>
<td>2,912</td>
<td>10,756</td>
</tr>
<tr>
<td>Oklahoma Tinker AFB (41 units)</td>
<td>---</td>
<td>6,000</td>
</tr>
<tr>
<td>Texas Lackland AFB (48 units)</td>
<td>2,030</td>
<td>7,500</td>
</tr>
<tr>
<td>Portugal Lajes AFB (Azores) (75 units)</td>
<td>3,509</td>
<td>12,964</td>
</tr>
<tr>
<td>Financing Entry</td>
<td>-1,033</td>
<td></td>
</tr>
</tbody>
</table>
## MILITARY CONSTRUCTION (IN THOUSANDS OF DOLLARS)

<table>
<thead>
<tr>
<th>INSTALLATION &amp; PROJECT</th>
<th>BUDGET REQUEST</th>
<th>CONFERENCE AGREEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONSTRUCTION IMPROVEMENTS</td>
<td>34,280</td>
<td>129,252</td>
</tr>
<tr>
<td>FINANCING ENTRY</td>
<td>-128</td>
<td>---</td>
</tr>
<tr>
<td>PLANNING AND DESIGN</td>
<td>17,093</td>
<td>17,093</td>
</tr>
<tr>
<td>SUPERVISION, INSPECTION AND OVERHEAD</td>
<td>1,161</td>
<td>---</td>
</tr>
<tr>
<td>REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW)</td>
<td>---</td>
<td>-1,000</td>
</tr>
<tr>
<td><strong>SUBTOTAL, CONSTRUCTION</strong></td>
<td>101,791</td>
<td>349,456</td>
</tr>
<tr>
<td>OPERATION AND MAINTENANCE</td>
<td>56,413</td>
<td>56,413</td>
</tr>
<tr>
<td>MANAGEMENT ACCOUNT</td>
<td>31,450</td>
<td>31,450</td>
</tr>
<tr>
<td>UTILITIES ACCOUNT</td>
<td>160,117</td>
<td>150,117</td>
</tr>
<tr>
<td>FURNISHINGS ACCOUNT</td>
<td>36,997</td>
<td>36,997</td>
</tr>
<tr>
<td>MISCELLANEOUS ACCOUNT</td>
<td>2,640</td>
<td>2,640</td>
</tr>
<tr>
<td>LEASING</td>
<td>118,509</td>
<td>118,509</td>
</tr>
<tr>
<td>MAINTENANCE OF REAL PROPERTY</td>
<td>415,733</td>
<td>415,733</td>
</tr>
<tr>
<td>MORTGAGE INSURANCE PREMIUMS</td>
<td>33</td>
<td>33</td>
</tr>
<tr>
<td>REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW)</td>
<td>---</td>
<td>-3,500</td>
</tr>
<tr>
<td><strong>SUBTOTAL, OPERATION AND MAINTENANCE</strong></td>
<td>821,892</td>
<td>818,392</td>
</tr>
<tr>
<td><strong>TOTAL, FAMILY HOUSING, AIR FORCE</strong></td>
<td>923,683</td>
<td>1,167,848</td>
</tr>
</tbody>
</table>

---

### FAMILY HOUSING, DEFENSE-WIDE

| CONSTRUCTION IMPROVEMENTS (NSA) | 50 | 50 |
| OPERATION AND MAINTENANCE | 67 | 67 |
| MANAGEMENT ACCOUNT (NSA) | 265 | 265 |
| UTILITIES ACCOUNT (NSA) | 515 | 515 |
| FURNISHINGS ACCOUNT (NSA) | 132 | 132 |
| MISCELLANEOUS ACCOUNT (NSA) | 50 | 50 |
| LEASING (NSA) | 13,374 | 13,374 |
| MAINTENANCE OF REAL PROPERTY (NSA) | 244 | 244 |
| FURNISHINGS ACCOUNT (DIA) | 3,401 | 3,401 |
| LEASING (DIA) | 22,265 | 22,265 |
| MANAGEMENT ACCOUNT (DLA) | 247 | 247 |
| SERVICES ACCOUNT (DLA) | 75 | 75 |
| UTILITIES ACCOUNT (DLA) | 414 | 414 |
| FURNISHINGS ACCOUNT (DLA) | 21 | 21 |
| MAINTENANCE OF REAL PROPERTY (DLA) | 370 | 370 |
| **SUBTOTAL, OPERATION AND MAINTENANCE** | 41,440 | 41,440 |
| **TOTAL, FAMILY HOUSING, DEFENSE-WIDE** | 41,490 | 41,490 |

---

### DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

| DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND | 78,756 | 2,000 |

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### BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV

| BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV | 705,911 | 705,911 |
| REVISED ECONOMIC ASSUMPTIONS (MID-SESSION REVIEW) | --- | -2,000 |
| UNREPORTED PROCEEDS | --- | -11,800 |
| PREVIOUSLY FUNDED MILITARY CONSTRUCTION | --- | -6,000 |
| **TOTAL, BASE REALIGNMENT AND CLOSURE ACCOUNT** | 705,911 | 672,311 |

---

### GRAND TOTAL

| GRAND TOTAL | 5,438,443 | 8,374,000 |
The total new budget (obligational) authority for the fiscal year 2000 recommended by the Committee on Rules, with comparisons to the fiscal year 1999 amount, the 2000 budget estimates, and the House and Senate bills for 2000 follow:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount (in thousands of dollars)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senate bill, fiscal year 2000</td>
<td>8,499,273</td>
</tr>
<tr>
<td>House bill, fiscal year 2000</td>
<td>8,449,742</td>
</tr>
<tr>
<td>Conference agreement, fiscal year 2000</td>
<td>8,374,000</td>
</tr>
</tbody>
</table>

The total new budget (obligational) authority, fiscal year 2000 was $8,499,273, with a difference of $22,401 less than the House bill, and $1,506,731 more than the Senate bill. The conference agreement was $8,374,000, a decrease of $125,273 from the House bill and $125,273 more than the Senate bill. See the adopted Committee report for specific amendments.

The Speaker, Mr. LINDER, recognized the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of the House Appropriations Committee amendments to H.R. 2587, the District of Columbia appropriations bill for fiscal year 2000, the Committee on the Budget; and section 401 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate, the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. The time limit for introduction of the report of the Committee on Rules accompanying this resolution may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may amend 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 the time of electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee of the Whole shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mrs. EMERSON), the gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Madam Speaker, House Resolution 260 would prohibit the use of District and Federal funds from being used to legalize or regulate the sale or use of tobacco products in the District.

Amendment No. 1 offered by the gentleman from Kansas (Mr. TIAHRT), the gentleman from Oklahoma (Mr. LARGENT), the gentleman from California (Mr. BILBRAY) and the gentleman from Georgia (Mr. BARR). These amendments may be offered only by the Member designated in the report and only at the appropriate point in the reading of the bill, shall be debatable for the time specified in the report equally divided and controlled between the proponent and an opponent, and shall not be subject to amendment. The rule also waives all points of order against the amendments that the Chairman may reduce voting time on postponed questions to 5 minutes, provided that the vote immediately follow another recorded vote and that the voting time on the first in a series of votes is not less than 15 minutes.

House Resolution 260 also provides for one motion to recommit, with or without instructions, as is the right of the minority Members of the House.

Madam Speaker, H. Res. 260 is an open rule similar to those considered for other general appropriations bills. Any Member who wishes to offer an amendment to the District of Columbia appropriations bill will have the opportunity to do so.

In addition, in order to better manage the debate, the Committee on Rules has structured the debate on four specific amendments: Amendment No. 1 offered by the gentleman from Kansas (Mr. TIAHRT) would prohibit the use of District and Federal funds on a needle exchange program for illegal drugs, or for any payment to any individual or entity who carries out any such program. Amendment No. 2 offered by the gentleman from Oklahoma (Mr. LARGENT) would prohibit the use of funds from being used to allow joint adoptions by persons who are unrelated by either blood or marriage. Amendment No. 3 offered by the gentleman from California (Mr. BILBRAY) would prohibit a minor's possession of tobacco products in the District. The rule also waives all points of order against the amendments that the Chairman may reduce voting time on postponed questions to 5 minutes, provided that the vote immediately follow another recorded vote and that the voting time on the first in a series of votes is not less than 15 minutes.
or distribution of any schedule 1 substance under the Controlled Substance Act.

Under this open rule, the House will have the opportunity to exercise its responsibility to address these important social issues facing the District. Rather than avoiding controversial issues like needle exchanges, legalizing marijuana, and adoption by domestic partners, Members of this House will be accountable to their constituents and the people of the District. I am sure that this open rule will bring these honest policy disputes out into the open so that the American people will know where their representatives stand on these issues that affect them right in their own towns and neighborhoods.

I also want to discuss briefly the base bill. The rule makes in order H.R. 2587 appropriates a total of $453 million in Federal funding support for the District, which is $200 million below the President's request. Additionally, it sends $6.8 million in District funds back to the people of Washington, $4 million less than fiscal year 1999 but $40 million more than requested by the President.

Madam Speaker, the Committee on Appropriations has once again performed admirably, working within the responsible budget limits imposed by the Balanced Budget Act while managing the available resources to best serve the American people. I applaud the gentleman from Oklahoma (Mr. Istook) and the gentleman from Virginia (Mr. Moran) for their hard work to produce this solid legislation.

While this bill supports a broad range of District programs, I would like to focus on the bill's important provisions to improve education for the students of Washington, D.C. Specifically the bill makes in order in this rule amendments which would prohibit the school from counting ballots cast in an election last year, which would prohibit the city from counting ballots cast in an election last year, which would prohibit the city from contributing its own funds to a needle exchange program specifically designed to stop the spread of HIV/AIDS in this city.

This rule keeps in place what the underlying bill. The Committee on Rules apparently does not think that Mayor Williams and the City Council should be given that kind of responsibility. Instead, it seems to want to create a special committee of nine people that would have the power to make kind of decisions that city councils, county governments and State legislatures in the rest of the country are allowed to make without interference and micromanagement by the U.S. House of Representatives.

The committee totally ignored her, Madam Speaker, and in fact the committee did exactly what she asked it not to do. Madam Speaker, I am here to advocate one social policy over another. I am not here to advocate the use of marijuana for medicinal purposes, or needle exchange programs, or the sale of tobacco to teenagers, but I do think that the Mayor and the Council of this city ought to be given an opportunity to govern and make the kind of decisions that county councils, city councils, county governments and State legislatures in the rest of the country are allowed to make without interference and micromanagement by the U.S. House of Representatives.

Mr. ISTOOK. Madam Speaker, I rise to support this bill and of the underlying bill. I appreciate the Committee on Rules' cooperation in putting the package together and for adhering to the budget that was put together by the Mayor and the City Council in the District of Columbia.

There are certain things, of course, that we undertake pursuant to our constitutional responsibility to address the social issues facing the District. Like needle exchanges, legalizing marijuana, and same-sex marriage, the District residents deserve.

Mr. FROST. Madam Speaker, I yield myself such time as I may consume to the gentleman from Oklahoma (Mr. Istook), the chairman of the subcommittee on the District of Columbia.
This will be the largest program of its kind of any city in the United States of America. We are dead serious about the war on drugs. This bill takes the largest step we have taken toward attacking that problem. I believe it deserves our support.

We also have within this bill the ratification of the bold tax cut plan that was adopted by the city council and the mayor in the District of Columbia beginning with $59 million the first year in 1999. This amounts to over $200 million in recent years, trying to be part of turning it around with economic development initiatives. And we all know, of course, that even if they have a more vibrant economic city, it still has to be a safe city. So we ratified the council's action in this bill at the same time as we undertake the attack on drugs.

We also have $5 million for a special environmental clean up of the Anacostia River. I want to especially commend one of the members of the subcommittee, the gentleman from California (Mr. Cunningham), who took a special interest in that particular measure.

We have a major problem within the District of Columbia, one of the many accumulated problems through many bad years for the District of long-term foster care. And we will continue to work to fosterize the District, to get kids out of long-term foster care and adopted into stable, permanent, loving homes. That is a very important initiative.

The mayor and the council have been very diligent in bringing in, for the second year, a balanced budget within the District of Columbia. Thanks to some changes in the Federal relationship, some expenses that the Federal Government has assumed, they have a balanced budget; and we respect the priorities they put in.

We also create further tools for rightsizing the size of city government. With the Control Board, in recent years, taking the lead and the gentleman who is now mayor of the city, Anthony Williams, who was Chief Financial Officer of the Control Board leading the city, has really worked to cut day-to-day spending to bring the size of city government. There is still a problem with too many city workers for the size of the community. We have $20 million to help them with the downsizing initiative through buyouts and early retirements for persons that should be retired from the city payroll but that we need to make sure that we do it without a disruptive mechanism.

We have these and other important initiatives just like the need to justly justify the accent upon the positive. We have a new mayor, we have a new council that is working diligently on the problems of city government, and we have also made sure that we do not open up new difficulties in this particular bill.

I commend the Committee on Rules because the amendments which they placed in order are amendments which have previously been important to this House of Representatives. For example, the needle exchange prohibition with public funds that we will be voting on later is the identical provision that was approved by the House, approved by the Senate, and signed into law by the President of the United States last year. Their vote on it is to continue that policy, not to create a new one.

The committee has placed in order an amendment that is different in some ways, however, when it comes to the issue of the medical marijuana initiative petition that was conducted in the District.

We dealt with, last year, a prohibition on counting the ballots. The amendment offered by the gentleman from Georgia (Mr. B. Clarke) which we will offer later today that the Committee on Rules has placed in order is not quite the same. It is a prohibition on changing the law in D.C. to legalize marijuana, but it is not a prohibition against counting ballots.

The amendment by the gentleman from Oklahoma (Mr. Largent) relating to adoption needing to be by couples who are related by marriage or by blood is the same language that we adopted by this House last year. It is not something new that has been brought up.

The language of the gentleman from California (Mr. Bilbray) regarding tobacco was also something that was attached by the House to this legislation last year.

So the Committee on Rules has avoided opening new fronts with the amendments that are placed in order. I recognize that there are some issues of social policy where there may be disagreements between persons in the District, persons in this Congress, persons on one side of the aisle and persons on the other side of the aisle. But I think when the House works its will with those amendments, we will see that what remains is a bill that promotes fiscal responsibility, that keeps the budget balanced running a surplus with tax cuts to help with the economic revitalization of the District of Columbia, significant incentives regarding the problems of drugs and crime and their interrelationship in D.C. and other measures such as the gentleman from Georgia (Mr. Linder) has pointed out to strengthen the educational system through the charter schools provision being made permanent.

They are 5 percent of the District's school enrollment right now. They are projected to be 10 percent this fall, and also the education initiative with the D.C. scholarships, as it is called, which is a tuition or grant made permanent after the tuition aid grants that are currently in place in virtually every State in the Union.

These are things that the Committee on Rules has left intact, they have not fostered disagreement or argument over these issues, and I think it is important that, as we consider the rule, we have that perspective. Yes, we will have disagreements over certain items in the bill, but after we resolve those disagreements, I urge people to adopt the underlying bill, and I urge adoption of the rule that makes it possible.

Mr. FROST. Madam Speaker, I yield 5 minutes to the gentleman from the District of Columbia (Ms. Norton).

Ms. NORTON. Madam Speaker, I want to thank the gentleman from Oklahoma (Mr. Istook) and the ranking member, the gentleman from Virginia (Mr. Moran), who have worked so hard and so well to bring the D.C. appropriation to the floor early this year. My thanks also to the gentleman from Illinois (Mr. Hastert) and the gentleman from Florida (Mr. Young) who met with the District's new mayor Tony Williams and me earlier this year and indicated that they would work for early consideration of the city's budget. They have kept that promise.

I want to say a special word of sincere appreciation to the gentleman from Oklahoma (Mr. Istook) in particular for his openness and communication with me and with city officials that enabled us to settle amicably the small differences that inevitably arise. His respect for the work of our new mayor and the D.C. City Council is manifested in the city's consensus budget which came with the approval of the District's Council and to which the gentleman from Oklahoma (Mr. Istook) has now given his approval as well.

This hard work is now threatened by amendments that legislate on the appropriation in ways that are strongly opposed by the new mayor and all the members of the revitalized city council. Congress has the right to make policy decisions for this Nation. You have no right to dictate policy to a local jurisdiction. Yet four bills have been made in order and protected, and they are taken straight out of the annals of authoritarianism.

They would impose on the District a provision that is not only grotesquely anti-democratic, but also is moot, that prohibits local funds for a constitutional test of congressional voting rights, a prohibition on even local funds to contribute to a private life-saving needle exchange that has saved hundreds of residents from death and disease caused by the HIV/AIDS epidemic, a prohibition on unmarried couples jointly adopting a child despite 3,000 children awaiting adoption, and an entire bill banning the possession of tobacco by minors that Mayor Williams has specifically asked be deferred in favor of his own approach, and an amendment that seeks to overturn a local initiative on medical marijuana when no such law has been enacted.

The bill itself also contains two provisions highly objectionable to city
residents and elected officials that I cannot possibly support, a prohibition on the use of even local funds for abortions for poor women and a bar on implementation of the city's domestic partners law.

The district has just elected a new reform minded mayor and revitalized its city council. They have sent us a balanced budget with a surplus consisting only of their own money with prudent investments in neglected services and with a tax cut for residents and businesses, their work should not be undermined by the imposition of the personal preferences of Members on a local jurisdiction when Members are not accountable to local voters. The cumulative effect of these appendages to what is essentially a local budget is so obnoxious that a veto specifically has been threatened. I can only plead with my colleagues to save my appropriation from needless contention and a veto by defeating each and every one of these autocratic, anti-home rule amendments. This rule defeats the good work of the subcommittee by drowning it with irrelevant legislation anathema to the people I represent.

I therefore must ask my colleagues, must I ask my colleagues, to vote against this rule.

Mr. LINDER. Madam Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. FROST. Madam Speaker, I yield 6 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Madam Speaker, I want to thank my distinguished colleague, the chairperson of the appropriations subcommittee, for working very hard on this bill and coming up with a bill that from every budgetary standpoint, from every appropriation standpoint, is a good bill. It should be passed. We should be unanimous here in our support of the consensual budget and put in things that go considerably beyond the funding issues in this bill to determine who is and who is not eligible to adopt children in the District of Columbia. It is going to restrict a lot of fine people from being able to adopt children when we have more than 3,000 kids in need of adoption.

The Cross amendment writes a new definition for commercial firearms. It is an unfunded mandate, imposes a new requirement on District officials to conduct additional screening requirements on applicants for adoption that go considerably beyond the funding issues in this bill. It is not appropriate with the gentlewoman from Michigan (Ms. KILPATRICK) inserts new language, goes beyond the use of funds appropriated in the act and places conditions on private funds.

That is not appropriate for an appropriations bill.

We rejected what he was trying to do in full committee; but yet, the Committee on Rules enables him to take out the language that we agreed to in a bipartisan vote, a strong bipartisan vote in full committee.

The Largent amendment would impose a new Duty District officials. It is an unfunded mandate, imposes a new requirement on District officials to conduct additional screening requirements on applicants for adoption that go considerably beyond the funding issues in this bill. It is not appropriate with the gentlewoman from Michigan (Ms. KILPATRICK).

Mr. MORAN of Virginia. Madam Speaker, I want to thank my distinguished colleague, the chairperson of the appropriations subcommittee, for working very hard on this bill and coming up with a bill that from every budgetary standpoint, from every appropriation standpoint, is a good bill. It should be passed. We should be unanimous here in our support of the consensual budget and put in things that go considerably beyond the funding issues in this bill to determine who is and who is not eligible to adopt children in the District of Columbia. It is going to restrict a lot of fine people from being able to adopt children when we have more than 3,000 kids in need of adoption.

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Mr. LINDER. Madam Speaker, I yield myself such time as required to explain that the only notice that the Committee on Rules got was that the gentlewoman from the District of Columbia (Ms. NORTON) had an amendment to introduce which was not submitted to the Committee on Rules; she mentioned it in her testimony. It is a striking amendment, and it is in order.

Madam Speaker, I reserve the balance of my time.

Mr. FROST. Madam Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK. Madam Speaker, I thank the gentleman for letting us know that the amendment has been stricken and made in order, that the Norton-Kilpatrick amendment will be able to be debated.

I rise in strong opposition to the rule. Madam Speaker, there are 500,000 people who choose to call Washington, D.C. their home. This rule is undemocratic, and it is unfair.

My colleagues may not know it, but the residents of D.C. pay both local and Federal taxes. Last year, some $4.2 billion worth of Federal taxes were paid, more than some States pay. My colleagues may not know it, but D.C.'s population is larger than three other States in our Union who are represented by two Senators, as well as Congress people in this House of Representatives.

The rule that was let yesterday from the Committee on Rules does not allow...
the District to operate as any other American jurisdiction would be allowed to do so: with its own local tax base. I think it is unconscionable, it is undemocratic, and it is unfair.

Madam Speaker, D.C. residents are paying American citizens and are denied full representation here in the Congress. Some of the amendments that are allowed in order ought not be in an appropriations bill, they should go through the regular process. It is a bad rule, it is unfair, it is undemocratic, and I urge my colleagues to vote “no.”

Mr. FROST. Madam Speaker, I ask for a “no” vote on the rule, and I yield back the balance of my time.

Mr. LINDER. Madam Speaker, I urge my colleagues to support this rule and have an open and honest debate on the important issues that the Nation is watching us for.

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

The previous question was ordered.

The SPEAKER pro tempore (Mrs. Emerson). The question is on the resolution.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 2605, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2000

Mr. LINDER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 261 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 261

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. 2605) making appropriations for energy and water development for the fiscal year ending September 30, 2000. The rule provides:

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. The Speaker will provide for an electronic vote without intervening business, provided that the minimum time for electronic voting on the first five questions is five minutes, and that the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for purposes of debate.

Mr. LINDER. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. Moakley), pending which I yield myself such time as may be permitted me as arising from amendments. In considering this resolution, all time yielded is for the purpose of debate only.

Madam Speaker, House Resolution 261 is an open rule providing for consideration of H.R. 2605, the Energy and Water Appropriations bill for fiscal year 2000. The rule provides for 1 hour of general debate, divided equally between the chairman and ranking minority member of the Committee on Appropriations.

The rule waives clause 4(a) of rule 13, which requires a 3-day layover of the committee report. The rule also waives clause 2 of Rule XXI, which prohibits unauthorized or legislative provisions in an appropriations bill, and it waives clause 5(a) of Rule XXI, which prohibits a tax or tariff provision in a bill reported by a committee with jurisdiction over revenues. These are waived against provisions in the bill, except as otherwise specified in the rule.

Madam Speaker, this rule accords priority in recognition to Members who have preprinted amendments in the Congressional Record. This will simply encourage Members to take advantage of the option in order to facilitate consideration of amendments on the House floor. Members of the details of pending amendments.

The rule also provides that the Chairman of the Committee of the Whole may postpone recorded votes on any amendment, and that the Chairman may reduce to five minutes the time limits on points of order and questions to 5 minutes, provided that the Speaker will provide for an electronic vote without intervening motion except one motion to recommit with or without instructions.

First, the bill reduces contractor travel by 50 percent, a decrease of $125 million over last year’s level. The Chairman of the Committee on Appropriations provided $794.7 million for the Bureau of Reclamation to maintain, operate, and rehabilitate Bureau projects and western water infrastructure, which is $2.6 billion below last year’s level.

As we keep our fiscal House in order, we must ensure that all funding is spent efficiently and where it is needed most. This bill achieves this goal. Notwithstanding the constraints we now face after decades of fiscal irresponsibility, this bill provides funds for solar and renewable energy programs, nuclear energy programs, science programs, and atomic energy defense activities.

Madam Speaker, clearly the Department of Energy is a department that is plagued by mismanagement and abuse, and I want to comment on two specific provisions in this appropriations bill that the Committee on Appropriations has taken to reform and improve management and security.

First, the bill reduces contractor travel by 50 percent, a decrease of $125 million from last year’s level. The General Accounting Office has reported widespread abuses of travel funds, excessive waste of taxpayers’ money, and the overall use of contractors on Department of Energy programs. We cannot stand for this kind of mismanagement and waste, and I strongly support the significant reduction in funding for contractor travel in this bill.

I also wanted to comment on the bill's provisions that delays $1 billion in obligations for the Department of Energy until after June 30, 2000, and
until Congress has enacted legislation restructuring the national security program currently under the jurisdiction of the Department of Energy.

The security of our nuclear secrets is vital to this Nation and the Department of Energy. It has shown its self to be inept in the safeguarding of these secrets. While reports have indicated problems with the Department of Energy for years, the Department's confusing structure and overlapping lines of responsibility have continued to undermine any effort to improve security from within the Department. By withholding these funds until Congress restructures the national security program, we send a strong message that this Congress demands improved management and accountability when it comes to protecting nuclear secrets.

Madam Speaker, H.R. 2605 was favorably reported out of the Committee on Appropriations, as was this open rule by the Committee on Rules. I urge my colleagues to support the rule so that we may proceed with the general debate and consideration of this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. PACKARD. Madam Speaker, I thank the gentleman from Georgia (Mr. LINER), my colleague and friend, for yielding me the customary half hour, and I yield myself such time as I may consume.

Madam Speaker, I want to begin by congratulating my colleagues, the gentleman from Indiana (Mr. VICLOSKY), the ranking member of the subcommittee, and the gentleman from California (Mr. PACKARD), the chairman of that subcommittee, for their very hard work. This is their first time steering the Energy and Water Development appropriations bills through committee and they have done an excellent job.

Madam Speaker, like most appropriation bills, this bill is coming to the floor with an open rule that waives points of order against legislating on an appropriations bill, and I urge my colleagues to support it. In general, this is a very good bill which funds some very excellent energy and water infrastructure projects. Specifically, it provides $15.5 billion for the Army Corps of Engineers and $15.5 billion for the Department of Energy.

The Army Corps of Engineers will be able to continue their civil projects, like controlling floods, protecting our shorelines, and supporting navigational and energy projects. They will also receive $951 million in funding for the new Harbor Services Fund, which will make improvements, vast improvements, to our ports and help maintain our harbors. They also will receive $25 million for Challenge 21, which is a river restoration and flood mitigation program.

Madam Speaker, in addition to water projects, this bill also funds the Energy Department, which is responsible for atomic defense activities as well as conducting basic science and energy research activities, which are very important in today's high-tech world.

For instance, Madam Speaker, the Energy Department helps develop clean, non-greenhouse gas power sources, but they might need more funding to do so. Otherwise, our solar and renewable energy programs will take a back seat to those of other countries, and I believe the United States should be on the cutting edge.

Unfortunately, our Internet program was cut as well. This bill cuts funding for the next generation Internet program, also known as Internet 2. This program will help keep the United States on the cutting edge of information and communication technologies by making it easier for universities and government to conduct research using wider bandwidths.

Madam Speaker, now is not the time to be pulling away from the Internet, and I hope this funding can be restored.

Furthermore, as it stands now, Madam Speaker, this bill contains some anti-environmental riders which will make it harder to protect wetlands and harder to protect communities against floods. Because of these anti-environmental riders, I am strongly opposed to this bill.

But under this open rule, the gentleman from Indiana (Mr. VICLOSKY) will be able to offer an amendment which can get rid of those anti-wetland amendments and greatly improve the bill.

Once again, Madam Speaker, I congratulate the gentleman from California (Mr. PACKARD), the chairman of the Committee on Energy and Water Development, the gentleman from Indiana (Mr. VICLOSKY) for their very hard work, and I urge my colleagues to support this open rule and support the bill.

Madam Speaker, I reserve the balance of my time.

Mr. LINER. Madam Speaker, I am pleased to yield such time as he may consume to the gentleman from California (Mr. PACKARD), the chairman of the Subcommittee on Energy and Water Development.

Mr. PACKARD. Madam Speaker, I thank the gentleman from Georgia for yielding time to me. I deeply appreciate the comments of both the gentleman from Georgia and the gentleman from Massachusetts on the rule.

Madam Speaker, this is an open rule. It is a fair rule, one that I totally support, and I want to encourage all the Members to support it, vote for it, and get on with the bill.

Mr. MOAKLEY. Madam Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. VICLOSKY).

Mr. VICLOSKY. Madam Speaker, I would like to use my time on the debate on the rule to do three things. The first is to indicate my support, as well, for passage of the rule. It is a good rule.

Secondly, I would like to thank the gentleman from California (Chairman PACKARD) and to thank all of my colleagues on both sides of the aisle on the committee, and to thank all of the staff for their hard work on this very good bill.

Given the allocations that the subcommittee faced, given the responsibilities that the subcommittee faced, and given the positioning we must place ourselves in to have a successful conference with the other body, I do believe that we have done a very good job.

Having said that, I want to use the remainder of my time to set the stage for the amendment I will offer to the bill. The issue deals with the question of environmental permitting processes that are violative of the Clean Water Act, and the preservation of wetlands in this country.

Wetlands are key in the United States of America, and are vital as far as our water quality. They are valuable as far as the preservation of wildlife habitat, and they are critical for recreational opportunities. We are losing the benefit of these wetlands, and if the language contained in the bill today is not stripped out, we will lose additional wetlands in an unwarranted fashion.

When European settlers began to come to North America, there were 220 million acres of wetlands. As the chart indicates, in 1995, according to the Department of Agriculture, there are only 124 million acres left. According to the Army Corps of Engineers, the Fish and Wildlife Service, and the Environmental Protection Agency, we continue to lose 70,000 to 90,000 acres of precious wetlands every year, and this must stop.

Beginning under the Reagan administration in 1985, it became the policy of our national government to do something about this issue. The ante was upped, so to speak, in 1989 under President Bush.

I have a statement for my colleagues from President Bush dated June 8, 1989. I would like to read it to you, that somewhere around 1989 he would hope that future generations begin to understand that things changed and we began to hold onto our parks and refuges, and we protected our species. In that year, under the Bush administration, the seeds of a new policy about our valuable wetlands were sown, a policy summed up in three simple word by President Bush: "No net loss."

The legislative riders that are added are violative of the Clean Water Act and will lead to the loss of additional wetlands are strongly opposed by the Army Corps of Engineers. They are strongly opposed by the Federal...
I also appreciate the inclusion in this bill of funds for the work of the DOE’s Office of Worker and Community Transition. The activities of this office, which implements the so-called 3161 program, are essential if we are truly to keep faith with the Cold War veterans who worked at Rocky Flats and at the other sites in the DOE’s nuclear weapons complex.

In addition, funding through this office is very important to assist the local communities as they work to address the issues now underway at Rocky Flats, and those that will come after clean-up and closure are achieved.

For example, a number of these communities have joined together to form the Rocky Flats Coalition of Local Governments. This organization, working with other communities and groups, can play a vital role in building consensus about the future uses of both the open space buffer zone and the more intensively developed industrial zone, as well.

So I regret that the bill does not provide all the funds requested by the President for worker and community transition purposes. However, I do understand the tighter constraints under which the Committee on Appropriations has had to work, and I hope that as we proceed with the legislative process, it will be possible to increase that amount to a level more adequate to the program’s important purposes.

However, I am very concerned about the language in the committee report suggesting that the DOE “should prepare for significantly decreased or no funding in fiscal year 2003 for implementing these 3161 programs.” Terminating or even deeply reducing this fund next year would not be wise or appropriate. It would be a serious breach of faith with our Cold War veterans, and would make it that much harder for us to adequately respond to the changed circumstances at Rocky Flats and elsewhere throughout the complex of DOE sites. So I urge the committee to rethink this point, and to refrain from such an approach when it develops next year’s bill.

In addition, there are a couple of areas where I think the bill needs improvement. For example, there are provisions related to wetlands that I think should not be included. I think the bill would work better if it did not include language that could make it harder for us to take action to deal with problems associated with climate change and global warming.

I also have some concerns about the bill’s provisions as they could affect the Western Power Administration and related entities. In my view, though, the most troublesome aspect of the bill is the inadequate funding it would provide for the DOE’s very important programs related to solar and renewable energy, both at home and internationally, as well.

Working with others on both sides of the aisle, the gentleman from Arizona (Mr. SALMON) and I have been working hard to improve this part of the bill to make it even more balanced and a better measure.

I will have more to say regarding the solar and renewable energy programs, but for now let me reiterate my appreciation for the hard work of the Members and staff of the Subcommittee on Energy and Water Development, and the entire Committee on Appropriations.

I urge support for the rule.

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

Mr. MOAKLEY. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Madam Speaker, I rise in support of both the rule and the bill.

For two consecutive years, the Congress has appropriated sufficient funds to complete the widening and deepening of the Houston Ship Channel project in 4 years. This fiscal year, the $60 million appropriation in this bill ensures we will maintain the optimum construction schedule.

Maintaining this schedule is important as it will add an additional $281 million to the project’s rate of investment, return on investment, and save taxpayers $63.5 million in increased escalation and investment costs.

The expansion of the Houston Ship Channel is important on many levels. The port of Houston, connected to the Gulf of Mexico by the 50-mile ship channel, is ranked first in foreign tonnage and second in total tonnage among U.S. ports and eighth in total tonnage among world ports.

With more than 7,000 vessels navigating the channel annually and an anticipated increase over the next few years, the widening and deepening is a necessary step in safeguarding the safety and economic viability of the port and the city of Houston.

The port of Houston provides $5.5 billion in annual business revenues, and creates 196,000 direct and indirect jobs. By generating $300 million annually in customs fees and $213 million annually in State and local taxes, the Houston-Galveston navigation project will more than pay for itself.

I appreciate the subcommittee’s support for the bill and ask my colleagues to support both this rule and the bill.

Mr. LINDER. Madam Speaker, I reserve the balance of my time.
Mr. MOAKLEY. Madam Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DeFazio).

Mr. DeFazio. Madam Speaker, I thank the gentleman for yielding time to me.

Madam Speaker, there is legislation contained in this bill before us that is protected by the rule, legislating on an appropriations bill. This legislation that pertains to the Bonneville Power Administration is very, very problematic, and in fact, is contradicted by language in the manager’s report. But, of course, we know the language in the manager’s report does not hold sway over legislative provisions contained within the bill protected by the rule, riders on the bill.

There are two provisions that are aimed at Bonneville Power Administration and other Federal power marketing agencies that are damaging and very ill-informed. One is incredibly broad, and it would repeal legislation Congress passed by a large majority in the 1992 Energy Policy Act.

It allowed the Bonneville Power Administration to directly fund operations and maintenance at hydroelectric facilities operated by the Army Corps and the Bureau of Reclamation in the Pacific Northwest.

For years, we had a horrendous backlog of needed capital improvements. But then this amendment passed. In fact, now unlike other Federal power marketing agencies and systems around the country, we are pretty much up to date, and it is working very efficiently and effectively, both for the Federal taxpayers and for the region.

Why would this bill repeal that? It is some sort of strange flat-earth view of competition that does not exist and cannot effectively deal with the problem and did not before we had a chance in the statute.

Secondly, the bill would prevent Bonneville Power Administration and other PMAs from cooperating with the utility customers to properly maintain the regional transmission grades.

Here we are worried about system reliability across the country which carries both public and private power, and we are going to undermine that in this bill. That is not a good move for the West or even the Southeast in terms of the Tennessee Valley Authority and other PMAs. It is very damaging. In fact, it is so damaging that I will have to vote against the entire bill, and I would urge other Western Members to do the same.

Finally, there is a provision that forces BPA to discontinue an important infrastructure development. BPA is installing a fiber optic network on its transmission towers to improve its communication and its dispatch of power. It is good business. They need to do that.

At virtually no incremental cost, they could provide excess capacity to remote rural communities who will never see in this century or even in the next 20 or 30 years a private provider stringing fibers to their communities.

BPA owns 80 percent of the transmission. It does not, by policy, allow other people to access or hang things on its transmission. They are the only alternative out there. In some, another misguided attempt to bring about competition that does not exist, and if it did exist, I would not be up here on that particular issue and prohibit them from using their excess capacity at next incremental cost to provide services to those communities.

These are ill-intentioned. They are not overcome by the manager’s language. I urge colleagues to vote against the entire bill unless these are fixed.

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

Mr. LINDER. Madam Speaker, I urge my colleagues to support this open rule. 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. The yeas were 227, the nays were 201

PROVIDING FOR CONSIDERATION OF H.R. 2587, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore (Mrs. Emerson). The pending business is the question of agreeing to the resolution, House Resolution 2587, on which the yeas and nays are ordered.

The Clerk reads the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 227, nays 201, not voting 5, as follows:

[Roll No. 339]

YEAS—227

Mr. PACKARD. Mr. Chairman, I urge all Members to support H.R. 2605 as reported by the Committee on Appropriations. Mr. Chairman, it is my privilege to present to the Committee of the Whole for its consideration H.R. 2605, making appropriations for energy and water development for the fiscal year ending September 30, 2000.

Mr. Chairman, this bill provides annual funding for a wide array of Federal Government programs, comprehending such diverse matters as national security, environmental cleanup, flood control, advanced scientific research, alternative energy sources, and nuclear power regulation. Programs funded by this bill affect multiple aspects of American life, having significant implications for domestic security, commercial competitiveness, and the advancement of science. I am proud of the bill reported by the Committee on Appropriations without amendment, and I believe it merits the support of the entire membership of this body.

Perhaps the most remarkable aspect of this bill is its constrained size. The measure represents an unqualified victory for fiscal austerity, conservativism, and responsibility. Total funding for the energy and water bill in H.R. 2605 is $20.19 billion. This is more than $900 million below the fiscal year 1999 baseline for energy and water development programs. Further, it is $1.4 billion below the budget request and more than $1 billion less than the energy and water bill passed by the Senate earlier this year.

Mr. Chairman, the substantial cuts contained in H.R. 2605 are real. They are not produced by smoke and mirrors gimmicks or creative accounting. They, rather, are the result of a fiscal discipline demanding reduction in the size, scope, and cost of the Federal Government.

Despite the bill’s deep programmatic reductions, it provides adequate funding for the continuation of high priority programs, promising the greatest return on the investment of taxpayer dollars.

The cost-effective civil works program of the U.S. Army Corps of Engineers, for example, is funded at a level significantly higher than the budget request and slightly higher than the fiscal year 1999 level. This funding is more than offset by considerable reductions in the Department of Energy.

The bill requires, for example, a reduction of $125 million in DOE contractor travel expenses. This is one-half the level of this current year. And, as my colleagues all know, we have received documented evidence of abusive travel in that Department.

Mr. Chairman, I owe a great debt of gratitude to hard-working members of the Subcommittee on Energy and Water Development. They have labored hard under difficult fiscal conditions to provide a bill that is balanced and fair.

I especially want to express my gratitude to the ranking minority member, the honorable gentleman from Indiana (Mr. VISICLOSKY). He has been extremely helpful. Together we have developed a good bill. I know there are one or two items of disagreement, but overall I think both of us support a very good bill.

I am very proud of his efforts and pleased that we have worked as well as we have together. It is in large part due to his effort that we present this bill that merits the support of all the Members on final passage.

Mr. Chairman, I urge all Members to support H.R. 2605.
and shoreline protection demonstrably exceed project costs. The bill acknowledges the importance of water infrastructure by funding the civil works program at $4.19 billion, an increase of $91 million over the fiscal year 1999 level and $283 million over the amount requested by the Administration.

Within the amount appropriated to the Corps of Engineers, $159 million is for general investigations, $1.413 billion is for the construction program, and $1.888 billion is for operation and maintenance. In addition, the bill includes $313 million for the Flood Control, Mississippi River and Tributaries, project. This is an increase of $33 million over the Administration’s patently inadequate budget request. The bill also fully funds the budget request for the regulatory program, general expenses, and the Formerly Utilized Sites Remedial Action Program.

Mr. Chairman, funding for title II, most of which is for the U.S. Bureau of Reclamation, totals $822 million—a reduction of less than $3 million below the fiscal year 1999 level. The bill includes level funding of $75 million for the CALFED Bay-Delta restoration program and fully funds the budget request for the Central Valley Project restoration fund and the Bureau of Reclamation loan program.

Substantial reductions are included throughout title III of the bill, which funds the Department of Energy. DOE spending reductions, however, are not applied indiscriminately. The Committee has examined each program to determine its relative value and merit. As a consequence, the bill includes more than $2.7 billion for the science programs of DOE. This represents an increase of $36 million over the fiscal year 1999 level and reflects our commitment to protecting the Federal investment in our national scientific infrastructure.

Funding for energy supply programs of the Department totals $578 million. This includes $326 million for research and development of solar and renewable energy technologies. Although this falls short of the Administration’s unrealistic budget request, it is a substantial and credible level of funding. Given the Department’s historical difficulties in executing these programs, I submit that the recommendation is more than generous.

The energy supply account also includes $266 million for nuclear energy programs. The bill provides $20 million, an increase of $1 million over last year’s level, for the nuclear energy research initiative. It also includes $5 million, the full amount of the budget request, to initiate the nuclear energy plant optimization program.

The largest spending category in the Energy and Water Bill is that of environmental restoration and waste management at Department of Energy sites. Funding for cleanup activities in title III of the bill exceeds $6 billion—more than $5.44 billion for defense-related cleanup and more than $560 million for non-defense cleanup activities. The Committee is dedicated to the environmental restoration of areas that participated in the development and maintenance of our nuclear weapons complex. This bill reflects the Committee’s continued efforts to accelerate cleanup activities and to accelerate the completion of remediation work at DOE sites. Accordingly, the Committee has provided $1.05 billion, the full amount of the budget request, for defense facilities closure projects. This account concentrates funding on discrete sites that are on schedule for cleanup completion by the year 2006.

The bill includes $4 billion for weapons activities of the Department of Energy. This considerable amount should be sufficient to provide for legitimate requirements of stockpile stewardship and management in the coming year. When Congress agreed to initiate the science-based stockpile stewardship program of the Department, it did so based on the pretense that funding for weapons activities would be contained at $4 billion a year for ten years. In the few short years since this program’s initiation, however, weapons funding has steadily climbed to $4.4 billion in fiscal year 1999, and the budget requests a further increase of $124 million for fiscal year 2000. The Department has demonstrated neither the capacity nor the commitment to contain program expenses, leaving it to Congress to rein in these runaway costs.

In recognition that the national security programs of DOE must be reorganized, the bill includes language fencing $1 billion of the $4 billion weapons appropriation until such time as the national security programs of the Department have been restructured or an independent agency for national security programs has been established. We will not continue to pour money into a dysfunctional security operation without the promise of meaningful reform.

Section 317 of H.R. 2605 contains language intended to impose limits on the ability of Federal power marketing administrations to compete with the private sector in certain areas outside the sale of electricity. It is the intention of the House Managers that this section not vitiate or adversely impact any of the self-financed or ongoing direct financing relationships for power operations and maintenance or power capital rehabilitation between the power marketing administrations (PMAs) and the Bureau of Reclamation or the U.S. Army Corps of Engineers. Likewise, the House Managers do not interpret this provision to impair the ability of PMAs to aid their customers, other utilities, state and local and other Federal government entities or the public in cases of emergencies or disruption of electrical service where assistance is not otherwise available to the requesting entity. Also, it is not the intent of the legislation to prohibit or disrupt the ability of PMAs to carry out the electrical transmission interconnection mandates of the Federal Energy Regulatory Commission’s open access Orders Numbers 888 and 889. Finally, it is not the intent of the provision to disrupt any Y2K planning, testing and modifications necessary for the continued reliability of PMA electrical systems.

Title IV of the bill provides funding for certain independent agencies of the Federal government, including the Nuclear Regulatory Commission, the Appalachian Regional Commission, the Defense Nuclear Facilities Safety Board, and the Nuclear Waste Technical Review Board. Reductions in spending for independent agencies over the past five years have been nothing short of remarkable. In fiscal year 1995, Congress appropriated $470 million for title IV programs. The comparable figure for fiscal year 2000 is $84 million, a reduction of 82%. The bill provides no funding for the Tennessee Valley Authority, eliminating appropriated subsidies to that New Deal-era electric utility.

Mr. Chairman, I owe a debt of gratitude to the hard-working and dedicated Members of the Subcommittee on Energy and Water Development. They have labored under difficult fiscal constraints to produce a bill that is balanced and fair. I am especially grateful to the Ranking Minority Member, the Honorable PETE VISCLOSKY. It is in large part due to his efforts that we present a bill that merits the support of all Members of the House.

Mr. Chairman, I urge all Members to support H.R. 2605 as reported by the Committee on Appropriations.
### ENERGY AND WATER APPROPRIATIONS BILL, 2000 (H.R. 2605)

(Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 1999 Enacted</th>
<th>FY 2000 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
</tr>
</thead>
</table>

#### TITLE I - DEPARTMENT OF DEFENSE - CIVIL

**DEPARTMENT OF THE ARMY**

- Corps of Engineers - Civil
  - General investigations
    - 181,747
  - Construction, general
    - 1,429,645
  - Supplemental appropriations (P.L. 105-277)
    - 35,000
  - Flood control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee
    - 321,149
  - Emergency appropriations (P.L. 106-277)
    - 2,500
  - Operation and maintenance, general
    - 1,853,282
  - Emergency appropriations (P.L. 106-277)
    - 90,700
  - Regulatory program
    - 106,000
  - FUSRAP
    - 140,000
  - General expenses
    - 148,000

- Total, title I, Department of Defense - Civil
  - 4,687,233

#### TITLE II - DEPARTMENT OF THE INTERIOR

**Central Utah Project Completion Account**

- Central Utah project construction
  - 25,741
  - Fish, wildlife, and recreation mitigation and conservation
    - 10,476
  - Utah reclamation mitigation and conservation account
    - 5,000
  - Subtotal
    - 41,217
  - Program oversight and administration
    - 1,263

- Total, Central Utah project completion account
  - 42,480

**Bureau of Reclamation**

- Water and related resources
  - 617,045
  - Loan program (limitation on direct loans)
    - 36,000
  - Central Valley project restoration fund
    - 33,130
  - California Bay-Delta ecosystem restoration
    - 75,000
  - Policy and administration
    - 47,000

- Total, Bureau of Reclamation
  - 782,096

- Total, title II, Department of the Interior
  - 824,586

#### TITLE III - DEPARTMENT OF ENERGY

- Energy supply
  - 727,091
  - Non-defense environmental management
    - 431,200
  - Uranium enrichment decontamination and decommissioning fund
    - 200,200
  - Science and technology
    - 5,655,680
  - Supplemental appropriations (P.L. 105-277)
    - 15,000
  - Nuclear waste disposal
    - 169,000
  - Miscellaneous revenues
    - 136,520

- Total, Department of Energy
  - 8,228,224

**Atomic Energy Defense Activities**

- Weapons activities
  - 4,400,000
- Defense environmental restoration and waste management
  - 4,310,257
- Y2K conversion (emergency appropriations)
  - 10,340
- Defense facilities closure projects
  - 1,038,240
- Y2K conversion (emergency appropriations)
  - 3,500
- Defense environmental management privatization
  - 228,257

- Subtotal, Defense environmental management
  - 5,580,664
- Other defense activities
  - 1,860,676
- Emergency appropriations (P.L. 105-277)
  - 525,000
- Y2K conversion (emergency appropriations)
  - 13,650
- Defense nuclear waste disposal
  - 185,000

- Total, Atomic Energy Defense Activities
  - 12,414,960

**Power Marketing Administrations**

- Operation and maintenance, Southeastern Power Administration
  - 7,500
- Operation and maintenance, Southeastern Power Administration (by transfer)
  - 7,500

- Total, Power Marketing Administrations
  - 12,414,960

### ENERGY AND WATER APPROPRIATIONS BILL, 2000 (H.R. 2605)—Continued

(Amounts in thousands)

<table>
<thead>
<tr>
<th>FY 1999 Enacted</th>
<th>FY 2000 Request</th>
<th>Bill</th>
<th>Bill vs. Enacted</th>
<th>Bill vs. Request</th>
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<td>Emergency appropriations</td>
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<td><strong>TITLE IV—INDEPENDENT AGENCIES</strong></td>
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<td>Appalachian Regional Commission</td>
<td>68,400</td>
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<td>New budget (obligational) authority</td>
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<td>(By transfer)</td>
<td>(50,000)</td>
<td>(45,564)</td>
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Mr. Chairman, I reserve the balance of my time.

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

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

Mr. VISCLOSKY. Mr. Chairman, I would again begin, as I did under the rule, to thank the chairman and all of the members for their good work and for the bill. The bill that is before the House today but to reiterate, as the chairman alluded to in his remarks during general debate, that there is one fundamental disagreement. That is two environmental riders that were added to the legislation. During the amendment process, I will have an amendment to remove those.

I would like to use my time during the general debate to set the stage for the House, if I could, on the two issues before us. Both deal with the Army Corps of Engineers, both deal with the Clean Water Act. If they are not removed from the legislation, the administration has indicated that they would veto the legislation because they are now included.

I would maintain to the body that they should be removed today.

The first deals with the issue of jurisdictional appeal. Today if a property owner wants to find out if there is a wetland on his or her property, they would approach the Corps and receive a determination. If the determination is not satisfactory to the property owner, they would then proceed to the permitting process and thereafter have jurisdiction to go to the U.S. Federal courts.

The Corps, since 1996, and the administration has recognized that this is not good policy. I would acknowledge to all of my colleagues it is not good policy and it ought to change.

The concern there are, in order to promote an administrative appeal process so that if a property owner is aggrieved, there is an appeal process within the Corps itself before recourse is taken, especially to the Federal courts. I think that that is what we should be about and that is the process that we should retain.

In the bill, $5 million is included to fully fund the completion and implementation of this appeal process. And we can leverage the Corps to do it as expeditiously as possible.

I think that the language that was approved by the other body is acceptable and that the offending language on the jurisdictional issue goes for one final portion talking about final agency action.

What the gentleman from California (Mr. PACKARD) would do in the legislation is to suggest that if an appeal is taken, it would be considered a final agency action that is before the property owner could then go to Federal court without first seeking a permit.

I do not believe that this is appropriate policy, because a jurisdictional determination, first of all, does not restrict use of the property. It simply suggests that a permit would be necessary and 95 percent of the permits requested are granted.

Instead of expediting the process, and that this is not what most people want to see encouraged on both sides of the political aisle, it would result in delay. Because instead of people and personnel at the Corps considering permitting evaluations and considering other matters dealing with wetland and nonwetland issues, they would be defending those actions in Federal court. It would burden the courts. It would burden the Department of Justice and it certainly is a burden to the Corps.

Finally, it seeks remedy where there is no harm. The issue only arises if there is a wetland. And it is the primary policy of this Nation it preserve those wetlands. And it only occurs if a permit is required.

So I would suggest to the body that they are not necessary. That is what they are about, to promote an administrative appeal process so that if a property owner is aggrieved, there is an appeal process within the Corps itself before recourse is taken, especially to the Federal courts.

I think that that is what we should be about and that is the process that we should retain.

The second issue refers to a program called Permit 26. And essentially today, and since about 1977, there are 37 different general permits that the Corps of Engineers established to again expedite the process. They are meant to protect wetlands. They are meant to facilitate implementation of the Clean Water Act. If a certain criteria is not met under general permitting, then an individual permit would be necessary.

Permit 26 is the only one of the 37 that does not meet the standards of the Clean Water Act because it is based on size and acreage and not on activity. The administration recognized this in 1996 and began to develop a permitting process that is activity based. In 1996, the Corps reduced acreage and allowed the Permit 26 to continue 2 years while this program proceeded. On July 1 of last year, the situation was extended until March of this year, and comments were solicited from the public.

In October of last year, one of the six activities that had been proposed by the Corps based on the comments received were withdrawn, that dealing with master plan development. The Corps heard the concerns of the property owners over wetlands. An additional comment period was set aside in September of last year.

As we speak, a third comment period relative to this permitting process is now underway. It began on July 21 to make sure that the public input is provided.

It is anticipated, as with the jurisdictional issue, that this permitting situation will be resolved and a final process will be put into place by the end of this year. I think it is inappropriate for us to intervene in an extraordinary fashion to now delay that implementation after the Corps has worked so hard to ensure that it is put in place this year.

I am very concerned about this provision. This is not something that is minor or insignificant. And again, I would remind all of my colleagues that FEMA, the EPA, the Army Corps of Engineers have strongly objected and the administration has now issued a veto threat.

I do believe that the language ought to be removed.

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

Mr. PACKARD. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky (Mr. ROGERS) a member of the full committee and also a member of the subcommittee.

Mr. ROGERS. Mr. Chairman, I rise in strong support of this bill and commend it to the body.

In his first year as chairman, our good friend the gentleman from California (Mr. PACKARD) has done an outstanding job. He has taken the courageous approach to producing this bill, working with a lot less money than his predecessors. He compensated for that with difficult but justified decisions throughout the bill.

This bill restores the public works programs of the Army Corps of Engineers, maintaining commitments between the Federal Government and communities across the Nation for flood control, navigation, and shoreline protection.

The President’s requested budget ignored many ongoing projects and zeroed them out, while at the same time he proposed $80 million in brand new activities.

The administration adopted the practice of low-balling the annual Corps budget, leaving ongoing projects dangling and walking away from front-line responsibilities that Congress has directed and the Corps has proceeded with.

We on the subcommittee have repeatedly hammered the White House for that practice because it breaks the faith between the Congress the Corps and our communities. It is an irresponsible approach to budgeting for our Nation’s needs, and our constituents deserve better.

Fortunately, we have the gentleman from California (Mr. PACKARD) at the helm; and this bill goes a long way towards getting these projects back on track. The recommendation of $4.2 billion will ensure that these vital national priorities are adequately funded.

In addition, Mr. Chairman, I want to speak very briefly in favor of the bill’s provisions regarding wetland permitting.

We have been hearing and we will hear more from the opponents on this issue claiming that the bill reduces Federal protections and allows expanded development on remaining wetland. Simply put, that accusation is false. Neither the intent nor the impact of these provisions will be harmful to the environment.

With regards to the administrative appeals process, the bill’s provisions
merely reflect what the administration expressed support for some time ago. But despite report language in both the 1998 and 1999 bills giving the Corps the direction and the resources to implement an administrative appeals process for jurisdictional wetlands, nothing has happened on comprehensive reform.

The underlying provisions in this bill in no way undermine public interest groups’ rights in the appeals process. It merely gives private property owners, those most affected by the jurisdictional determination, the same rights now afforded to our environmental interest group friends.

The language currently in the bill is a common-sense measure and should have been implemented by the Corps some time ago. I urge the House to support it.

In closing, I will just say that the gentleman from California (Mr. P A C K A R D) and his very capable staff have put together something we can all be proud of. And I would urge everyone to vote in favor of this bill.

Mr. V I S C L O S K Y. Mr. Chairman, I reserve the balance of my time.

Mr. P A C K A R D. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. S H U S T E R), chairman of the Committee on Transportation and Infrastructure.

Mr. S H U S T E R. Mr. Chairman, I thank my good friend for yielding me this time.

I may not be able to be here on the floor when we debate the Visclosky amendment, although it has already been referred to by the gentleman from Indiana (Mr. V I S C L O S K Y). I must say that I rise in strong opposition to that amendment.

This amendment, if it passed, would delete a provision in the bill that simply requires a report to Congress before the Corps of Engineers finalizes extremely controversial changes to the nationwide permitting program. There are at least three compelling reasons to support the modest provisions in the bill and vigorously oppose this amendment:

First, the right to know, truth-imperiling, Congress and the American public have a right to know the costs and workload impacts of sweeping changes to the nationwide permitting program. What is the administration trying to hide? Why are unelected regulators so afraid to assess and disclose information on workload impacts and costs?

Secondly is a question of fairness. While comprehensive reform on wetlands will have to wait for another day, there are some small steps we can take. One is to insist that the administration fully implement the administrative appeals process promised.

Thirdly, accountability, we must hold the administration accountable. President Clinton promised an appeals process in 1993. To date, no process has been established for robust administrative appeals or expedited judicial review.

We have got to hold the environmental extremists and the fearmongers accountable. This bill does not destroy wetlands, risk lives or cause flooding. It is not merely reflecting the Corps to share information with the appropriators and with the authorizers. It is not changing any standards under the Clean Water Act. Stop this misinformation. When the time comes, vote “no” on the Visclosky amendment.

Mr. V I S C L O S K Y. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. W U).

Mr. W U. Mr. Chairman, there is a pilot project at the mouth of the Columbia River, established through the Oregon Graduate Institute and the Marine Environmental Research and Training Station in Astoria, Oregon which provides both real-time and historical model forecasts. The technology from this pilot project could have numerous applications, including channel deepening, habitat restoration and the reduction of flood hazards. Is it the understanding and the ranking member’s understanding that the Army Corps of Engineers can exchange information and provide professional advice to the Oregon Graduate Institute and the Marine Environmental Research and Training Station in the institution’s development and implementation of this system?

Mr. P A C K A R D. Mr. Chairman, will the gentleman yield?

Mr. W U. I yield to the gentleman from California.

Mr. P A C K A R D. Mr. Chairman, I understand the gentleman’s position, and the gentleman is correct.

Mr. V I S C L O S K Y. I am not sure the gentleman will yield, I would agree with the gentleman from Pennsylvania, the gentleman is correct.

Mr. W U. I thank the chairman and the ranking member, let us encourage the Corps to interact with the Institute as this remarkable project moves forward in Oregon.

Mr. P A C K A R D. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. F R E L I N G H U Y S E N), a very valuable member of the subcommittee.

Mr. F R E L I N G H U Y S E N. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today in support of H.R. 2605, making appropriations for Energy and Water Development. Let me first thank the gentleman from California (Mr. P A C K A R D) and the gentleman from Indiana (Mr. V I S C L O S K Y) for their approach to this year’s Energy and Water bill. It is a model of bipartisanship. Likewise, I would like to thank the staff of the committee for their tireless work on behalf of the Nation.

Mr. Chairman, this bill stresses important national priorities while keeping our commitment to downsizing the Federal Government and to keep our budget balanced. Again this year the President’s budget request for the Army Corps of Engineers was woefully inadequate. Despite this committee’s repeated calls for the President to fund the important needs, he chose to ignore us. This bill maintains funding for critical flood safety, coastal protection and dredging projects throughout our Nation and flatly rejects the administration’s efforts to back away from these very important and long-term investments. It restores the needed funds to protect American life and property and promotes our international competitiveness.

In addition to the funding for our Nation’s infrastructure, this bill provides funding for the Department of Energy. While this bill funds many critical programs at the Department, I would like to speak favorably, but do it under extended remarks, about some of the nonproliferation programs that the gentleman from California and a number of us visited in Russia recently. I think these are important investments in protecting our world, and I would like to thank the gentleman from California for taking us to Russia to visit two closed cities, nuclear cities, where we could see firsthand how some of our taxpayer dollars are spent in protecting the world from a growing nuclear problem where, in fact, nuclear materials can get into the wrong hands.

As you know, Mr. Chairman, after the Cold War, our country and the Soviet Union were left with vast stockpiles of nuclear weapons, plutonium and highly enriched uranium. As a result, the mission of safeguarding this material has fallen to the DOE. In particular, the U.S. needed to ensure that Russian nuclear weapons were being dismantled and that the excess fissile materials removed from them were not used again to produce new nuclear weapons.

The Warhead and Fissile Material Transparency Program, one of the many programs established at the DOE, sought to incorporate a comprehensive strategy to work cooperatively with Russia to develop transparency measures providing confidence that Russian nuclear arms were being dismantled. This program has opened doors in Russia which were once closed to the world.

Also, under the Nuclear Cities Initiative, the U.S. and Russia are now joining forces to bring jobs and commercial enterprises to Russia’s nuclear cities. Similarly, the Energy Department is working in Russia to install modern safeguards against further loss of controls over nuclear weapons, elements and knowledge under Material Protection, Control and Accountability System paid for with Energy Department dollars.

Both of these programs are examples of how crucial this international work is and this bill continues to emphasize this importance. The reason I have taken the time to point out a few of these programs is to highlight, that
this appropriations bill is more than just meeting our nation’s infrastructure needs and scientific research. This bill continues our commitments made through treaties and agreements with Russia and underscores the importance of our continued work together to protect the world from new nuclear threats.

Finally, I want to take a moment about fusion research. The Committee worked very hard to see that funds were provided to keep this important research on track. Specifically, I am very pleased that the bill includes $250 million for fusion research. Fusion energy has the potential to be an unlimited and ultra-clean source of energy for the world. After numerous years of declining budgets for this program, it is refreshing to provide this important commitment.

Mr. Chairman, this bill represents real progress towards setting national priorities. I urge my colleagues to support this bill.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Chairman, I thank the gentleman from California (Mr. SHAW) for his assistance in bringing this bill to the floor. They have made a serious effort to keep the bill clean and their dedication to that effort has been instrumental in putting together a bill that moves us forward through the process. I would like to also thank the gentleman from California (Mr. FARR) for his assistance with a matter in the report regarding the Trinity River Diver.

It is my understanding that the report language relating to the Trinity River Diver is meant to ensure that a decision on the Trinity River flows is made in accordance with existing law.

Is that the gentleman’s understanding as well?

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

Mr. THOMPSON of California. I yield to the gentleman from California (Mr. SHAW).

Mr. SHAW. Mr. Chairman, I thank the gentleman (Mr. THOMPSON) and the gentleman (Mr. VISCLOSKY) for yielding me this opportunity to speak.

Mr. Chairman, I want to thank the gentleman from California for bringing such a fine bill to the floor today. Many Members know the difficulty it is for a chairman to wrestle with all the issues that they are confronted with because so many priorities exist around America that we all want to deal with.

We all know the funding constraints the Subcommittee on Energy and Water Development was under this year and I think the gentleman from California did an excellent job of funding Members’ priorities.

I think the gentleman from California did a particularly fine job funding beach renourishment projects which are vital to the economies of our nation’s agricultural heartland and the foreign and domestic markets. It also serves as an economic backbone to the economically challenged areas of the lower Mississippi delta area. A 12-foot navigation channel can increase the cargo-carrying capacity of the existing system with the least investment cost to the Nation. I appreciate the committee’s willingness to address this issue and hope that language will be included in the conference report that would direct the Corps of Engineers to evaluate this issue.

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

Mr. FORD. I yield to the gentleman from California (Mr. SHAW).

Mr. SHAW. Mr. Chairman, I thank the gentleman (Mr. FORD) and the gentleman (Mr. VISCLOSKY) for yielding me this opportunity to speak.

Mr. Chairman, this year’s House bill funds the critical projects list that I just specified that have been designed by the local sponsor, South Florida Water Management, the Corps of Engineers and other entities to the tune of $21 million, an amount greater than the previous 2 years combined, to keep these vital restoration efforts moving forward.

Finally, Mr. Chairman, this year’s House bill funds the critical projects list that I just specified that have been designed by the local sponsor, South Florida Water Management, the Corps of Engineers and other entities to the tune of $21 million, an amount greater than the previous 2 years combined, to keep these vital restoration efforts moving forward.

Mr. FORD. I yield to the gentleman from California (Mr. SHAW).

Mr. SHAW. Mr. Chairman, I thank the gentleman (Mr. FORD) and the gentleman (Mr. VISCLOSKY) for yielding me this opportunity to speak.

Mr. Chairman, this bill plays a critical role in public works projects throughout our coastal district. I am especially grateful to the gentleman from California and the gentleman...
from Indiana for their efforts in the area of shore protection. Since the Clinton-Gore administration decided several years ago to drastically cut shore protection from their annual budget, the Subcommittee on Energy and Water Resources has been able to cut 10 percent of the overall appropriation each year to come up with the additional millions of dollars to meet critical beach erosion needs across our country. This fact, coupled with the budget cap realities, has coastal communities across the country finding themselves severely impacted from the consequences of beach erosion with little Federal relief in sight.

Funding issues aside, I am also concerned over the slow rate of progress being made to renourish beaches in Broward County and Miami-Dade County, Florida, where arcane and archaic Army Corps policies have slowed down beach renourishment projects. I am hopeful that I can work with the subcommittee over the next few weeks to find innovative solutions to overcome these obstacles.

I also would be remiss if I did not express my appreciation to this committee as well as the Subcommittee on Interior and also to the chairman of the full committee the gentleman from Florida (Mr. Young), for their sensitivity to our needs of the environment in the Everglades. The attention that this Congress has given to our environmental needs in Florida has really been most gratifying. I want to express appreciation for the entire Florida delegation on this matter.

I urge my colleagues to vote "yes" on this bill.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I rise today in strong support of this Energy and Water appropriations bill and to thank the gentleman from California and the gentleman from Indiana for all their hard work along with the gentleman from Indiana (Mr. Young) and the gentleman from Wisconsin (Mr. OBEY).

On behalf of my constituents from the Seventh Congressional District, I want to convey my heartfelt gratitude for a very important project made possible by this legislation. This bill allows for an Army Corps of Engineers feasibility study to be conducted in Flushing Bay and Flushing Creek in Queens County in New York City.

This study will develop ideas for improving water quality in these bodies of water and help make them viable again for the citizens of New York.

Mr. Chairman, without Federal funding, Flushing Bay and Flushing Creek would not be cleaned up.

I thank the committee for recognizing the importance of this project to the people of Queens and to agreeing to help us maintain and, more importantly, to improve our bodies of water, and once again, Mr. Chairman, I would like to thank the gentleman from Indiana (Mr. VISCLOSKY), for all his support and help in this effort.

Mr. PACKARD. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. KINNELBERG), a valued member of the subcommittee and the full committee.

Mr. KINNELBERG. Mr. Chairman, I thank the gentleman for yielding this time to me. I appreciate obviously all the work he has done on this bill, his staff included, and the gentleman from Indiana (Mr. VISCLOSKY) in bringing about a great bipartisan proposal. I would like to thank the committee as well for addressing my concerns on back-door implementation of the Kyoto Treaty. This bill includes my language to prohibit the DOE, the Department of Energy, from issuing rules or regulations to implement this fatally flawed agreement until it is ratified by the Senate.

The Kyoto Treaty is unfair. The United States Senate has unanimously voted that it is a bad idea to enter into a treaty that is so unfair.

Given the stakes involved, Congress must be vigilant in ensuring that this agreement is not rammed through the back door. Make no mistake about it. As the offerer of the amendment, I intend that no taxpayer dollars be spent to do any work whatsoever on carbon emissions trading, be it under the rubric of educational materials, or a seminar or otherwise.

Mr. Chairman, I am also pleased that this bill provides much needed funding for nuclear R&D. Nuclear energy, which represents 20 percent of the Nation's energy supply, provides a viable, cost-efficient and clean alternative to fossil fuels. However, for nuclear energy to become a more prominent energy source for the American people in the 21st century, the Federal Government must dedicate more money to nuclear R&D.

This bill provides 20 million for the NERI program, 12 million for the university support programs, and a first-time appropriation of 5 million for the NEPO program. This modest investment of taxpayer dollars will facilitate the development of technology that will make nuclear energy safer and more efficient. It also ensures that the United States will continue to produce the best nuclear scientists in the world, and it provides the resources to improve the efficiency, the safety and reliability of our existing nuclear power plants.

Mr. Chairman, I believe these programs provide enormous benefits to the American people, and I would like to see their funding increased even further. I understand however the realities of this at this time are not possible.

Once again, I do want to sincerely thank the gentleman from California (Mr. VISCLOSKY), the gentleman from Indiana (Mr. VISCLOSKY), I want to recognize the staff again because they did a super job, a tremendous job, in bringing this bill to closure.

So with that I urge a yeas vote on this bill.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS), a valued member of the subcommittee.

Mr. EDWARDS. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, this is not going to be one of the highest profile bills that we will pass before this House this year, but I think it will be one of the most important, one of the most important if my colleagues believe that providing for flood control for communities and urban rural areas across our country is important. One of the most important if they think it is a role of our Federal Government to safeguard the nuclear stockpile, provide for energy research, and help solve the problem and the threat of nuclear proliferation. This bill deals with those crucial, crucial issues.

The reason this bill is not going to be one of the highest profile bills in the Congress is because we had a great chairman of the subcommittee, the gentleman from California (Mr. PACKARD), and a great ranking member, the gentleman from Indiana (Mr. VISCLOSKY), who worked together in a bipartisan, really nonpartisan, fashion on so many of the important decisions that had to be made. And as happens when we have leaders in this House that work together, the press, the national press, pays very little attention to that.

So notwithstanding the honest disagreements as there would be and should be on issues such as the environment and the wetlands issue in this bill, the chairman and the ranking member did an outstanding job of putting together this package on a non-partisan basis.

Let me say personally while I wish we had more money to fund the critical programs in the Department of Energy, the budget simply did not allow that, and I hope the final conference report might include some plus ups in some of those programs.

And as a final note, Mr. Chairman, let me say that I understand that there are between, depending on how one counts them, 800 and a thousand Member requests for additional spending in this bill, and to those who would argue in support of nearly a trillion dollars in domestic discretionary spending in the next 10 years that we can cut domestic discretionary spending by 20 to 40 percent, I would suggest they need to look at the finer details of legislation such as this, important flood control, water research projects; that if they were to be cut by 20 to 40 percent, we would undermine some terribly, terribly important causes and programs for this country.

This is a good bill. Notwithstanding what some folks will say, I think it will be one of the most important bills we deal with. I am looking forward to working with the wetlands, I intend to support it, and I want to again commend the chairman, the gentleman from California (Mr. PACKARD), and the
Mr. PACKARD. Mr. Chairman, I have a series of colloquies that I would like to take care of, if we can during the general debate time, and to begin that series I yield such time as he may consume to the gentleman from Utah (Mr. COOK).

Mr. CANNON. Mr. Chairman, first of all let me express my appreciation for the hard work of the gentleman from California (Mr. PACKARD) and that of the ranking member, the gentleman from Indiana (Mr. VISCLOSKY), in putting together this bill that is before us today.

I know they were approached with many requests that simply could not all be accommodated. I, along with a number of our colleagues, sought funding for a study to be conducted by Oakridge Laboratory of the Atlas Uranium Mill Tailings site in Moab, Utah. I know the gentleman from California is familiar with this issue as this site sits within 750 feet of the Colorado River which runs drinking water for 25 million people.

I understand that funding was not provided because this particular study is not currently authorized. It is my hope that in the coming year, we will secure adequate authorization. At that point would the chairman be willing to work with us to secure funding in the future for this vital study and other remediation efforts?

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

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

Mr. PACKARD. Mr. Chairman, as the gentleman knows, we did not fund any unauthorized projects, and thus this could not be funded. I will be more than happy to work with the gentleman in the future years.

Mr. CANNON. Mr. Chairman, I thank the chairman and the ranking member.

Mr. PACKARD. Mr. Chairman, I yield such time as he may consume to the gentleman from Utah (Mr. Cook).

Mr. COOK. Mr. Chairman, I would like to commend the gentleman from California (Mr. PACKARD) and the entire committee and their staff for the good bill they brought before us. They worked hard to cut wasteful spending out of the Department of Energy's budget.

I do appreciate this opportunity to engage the chairman, the gentleman from California, in a colloquy, and I would like to urge the gentleman to make the Department of Energy's tight budget even tighter. I believe more cuts can be made to questionable grants awarded under the nuclear energy research initiative or NERI program including cold fusion and others.

Now cold fusion can receive a grant, then its administrators are simply not taking seriously their responsibility to the taxpayers. We have to question the adequacy of DOE's peer review process. The whole NERI project needs to be looked at under a microscope. The Department of Energy is not doing this. They are reviewing only the cold fusion grant.

Now here is a perfect opportunity to stop the traditional government solution of money at a problem in the hope that it will go away. The American people are tired of paying more taxes simply because the government sometimes does not know what it is doing.

The focus of the other cuts that I suggest are an unnecessary administrative cost.

I hope my colleague can also work to restore or increase funds for several critical programs such as the computational and technological research to ensure that the cleanup of the Defense sites remains on schedule and to guarantee the Department of Energy can adequately fund its payment in lieu of taxes. The DOE has been in arrears on its obligations in these counties since 1994, and with a grant to DOE they give DOE, they should be able to be current on the PILT.

We also need to ensure the safekeeping of our nuclear secrets by increasing counterintelligence funding.

The gentleman from California has raised funding in this bill for counterintelligence, and I commend him for it, but we need to make sure the job is done right by increasing this funding by about $2 million more.

Mr. Chairman, I also believe, is my understanding that the gentleman from California and the committee will work to make some of these changes in conference to address these concerns and save the American taxpayers money.

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

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

Mr. PACKARD. The gentleman is correct. We will be more than pleased to work with him in conference, and we are trying to resolve this issue.

Mr. COOK. I thank the gentleman very much for engaging me in this colloquy.

Mr. PACKARD. Mr. Chairman, I yield 3 minutes to the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. First of all, I want to congratulate the gentleman from California for his leadership and hard work on this bill, and his time and commitment to the task of the entire Congress. And for this reason, Mr. Chairman, I am here at the well to discuss the ability of the State of Nevada and all affected local governments in the State of Nevada and all affected local governments to be able to monitor and report on this activity.

Therefore, I would ask, Mr. Chairman, that the House conferees work to get $4.772 million for the State of Nevada and $5,432 million for the affected local governments. These appropriated amounts are consistent with the moneys appropriated in the Senate Fiscal Year 2000 Energy and Water Development Appropriations Act.

And as time moves closer to designate Yucca Mountain as a permanent nuclear repository, it becomes imperative that we address the scientific and technical concerns of the citizens of Nevada, and again I would thank the gentleman from California (Mr. PACKARD) for his work on this bill and appreciate his willingness to work with me on this very important issue.

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

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

Mr. PACKARD. Mr. Chairman, I would like to assure the gentleman that I do understand the Yucca Mountain issue, particularly as it relates to the Nevada people, and I will do my best to work with the gentleman in resolving the issues. It is a very, very important issue nationally as well as in the gentleman's state.

Mr. GIBBONS. Mr. Chairman, I thank the gentleman for his understanding on this very important issue. These moneys are important to Nevada and to its future.

Mr. VISCLOSKY. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. Udall).

Mr. UDALL of Colorado. Mr. Chairman, I wanted to take this opportunity...
Mr. WAMP. Mr. Chairman, I thank the gentleman from California (Mr. PACKARD), the chairman of the subcommittee, and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, and all members of the committee, as well as the very fine staff. I have read through most of this very thorough report on for roughly 201 pages; and in those pages we can see fairness. We can see responsibility and thinking about the national interests in all of these various projects that affect millions of our fellow citizens.

For millions of Americans, my colleagues on the subcommittee have shown the way in building what needs to be done to prevent floods, to utilize and purify our waters in many ways, and to enable us to have great harbors.

I thank the chairman of the subcommittee on behalf of the five congressional districts in Los Angeles County where 500,000 people are in the flood plain. It is a very expensive project, but hopefully it will be almost the last year of construction. The flood area is in the most devastated part of the county of Los Angeles. 400,000 aerospace workers became unemployed starting in March of 1988 and for the next decade.

On top of that then, FEMA imposed flood insurance on this project, and millions of dollars were extracted from thousands of low income workers.
The subcommittee and its members were wise to finish this project which affects so many people in a county of 10 million residents.

Again, I thank the gentleman (Mr. PACKARD) and all of the members of the subcommittee and their help. They have shown fairness and recognition of a population in need, and we thank him for it.

Mr. PACKARD. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I yield 2 minutes to the gentleman from Montana (Mr. HILL).

Mr. HILL of Montana. Mr. Chairman, I want to thank the subcommittee for the work they have done on this bill, and I want to draw the gentleman's attention today to an issue that is important to the people of Montana.

Last year, Congress authorized the sale of certain Federally owned cabin sites on Canyon Ferry Reservoir. The proceeds from the sale, estimated to be $28 million in the first year, will be used to improve fish and wildlife habitat and recreational access along the Missouri River. In addition, the sale of the cabin sites would enhance the local property tax base.

Congress made the sale of the cabin sites contingent on the establishment of a $3 million Canyon Ferry Broad Water County Trust, funded in full or in part by in-kind projects carried out by the Bureau of Reclamation. Unfortunately, this bill does not contain any money for these projects.

Does the Chairman believe that it is critical for the Bureau of Reclamation, working in conjunction with the cabin site owners and the local units of government, to identify specific improvement projects around Cabin Ferry in order to ensure that the intent of the Cabin Ferry legislation is fulfilled?

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

Mr. HILL of Montana. I yield to the gentleman from California.

Mr. PACKARD. Mr. Chairman, I want to thank the gentleman. The gentleman is correct. I appreciate his leadership on making me aware of this important issue, and I want to compliment him for his hard work and diligence in attempting to complete this sale.

I look forward to working with the gentleman from Montana on this important projects, and I look forward to the appropriations process.

Mr. HILL of Montana. Mr. Chairman, I thank the chairman for his comments and I look forward to working with the subcommittee and with him in the future to complete this important project.

Mr. PACKARD. Mr. Chairman, I yield 2½ minutes to the gentleman from Washington (Mr. NETHERCUTT), a member of the full committee.

Mr. NETHERCUTT. Mr. Chairman, I also want to thank the gentleman from California (Mr. PACKARD) for the good work that has been done on this bill, as well as express appreciation to the ranking member to try to put this bill together in a way that is fair for all parts of the country who have issues relating to energy and water, especially the work that has been done, Mr. Chairman, on addressing the salmon restoration funding in the Pacific Northwest. There has been tight fiscal constraints this year's budget, and I appreciate the effort that has been undertaken to address those issues of salmon restoration.

The Pacific Northwest has numerous salmon species listed as endangered or threatened, and the committee has expressed concerns about the money spent on restoration efforts. In fact, last year the subcommittee provided $27 million for Columbia fish mitigation efforts by the Corps of Engineers and included report language that questioned the amount of money that has been spent on fish mitigation efforts.

Mr. Chairman, we are delighted that we are making progress in the region, and I want to compliment the gentleman's willingness to provide $65 million in funding for Columbia River fish mitigation efforts. We must continue to look at all options for recovering salmon, including addressing predation by Caspian Terns. The Congress made the sale of the cabin sites contingent on the establishment of a $3 million Canyon Ferry Broad Water County Trust, funded in full or in part by in-kind projects carried out by the Bureau of Reclamation. Unfortunately, this bill does not contain any money for these projects.

I also appreciate the efforts the gentleman has made to address my concerns regarding section 317 of this bill, since it was marked in the full committee last week. I am still concerned about the interpretation of the language, but I appreciate, Mr. Chairman, the clarification of the intent that appears in this bill.

The Federal Power Marketing Administration, such as BPA, Bonneville Power Administration, provides power in the Pacific Northwest. They are interconnected to other transmission systems. In the case of BPA, the transmission lines are interconnected by areas such as California and Wyoming, and even Canada, and were mandated by law to maintain the safety and reliability of the transmission system.

There are times in these remote areas when power marketing administrations may be the only utility capacity available, and having the necessary equipment, of restoring downed transmission lines. PMAs may do this for a public or private utility, thereby expending ratemaking funds, but the operation is done based on reciprocal contracts. In the case of BPA, the ratemakers are reimbursed by the incumbent utility for their work.

So I appreciate the clarification, Mr. Chairman, that has been done with respect to PMAs providing these kinds of services, and the language that the language would be interpreted to prohibit PMAs, including BPA, from providing these reciprocal agreements and could hinder the reliability of the system, especially for remote and rural customers.

I appreciate the gentleman's help in this regard.

Mr. VISCLOSKEY. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. STRICKLAND).

Mr. STRICKLAND. Mr. Chairman, I rise today to address the importance of the Department of Energy's Worker and Community Transition Program. I am greatly concerned and disappointed with the report language regarding this program.

This year's energy and water report states that, "Funding at DOE cleanup sites is no longer needed. The need for enhanced severance payments to contract employees and grants to local communities has declined. Worker and community transition is not an enduring mission of the government. The committee does not intend to continue to fund this program, and the Department should prepare for significantly decreased or no funding in fiscal year 2001."

Mr. Chairman, I represent one of two uranium enrichment facilities which is located in Piketon, Ohio. The other plant is located in Paducah, Kentucky; and I know the gentleman from Kentucky (Mr. WHITFIELD), my friend and colleague, has been very supportive of this program.

Our plants were privatized last summer and since privatization, both sites have experienced significant layoffs. Our communities are bracing for more layoffs this summer with future workforce reductions imminent. Now is not the time to eliminate funding for the Worker and Community Transition Program, because we would effectively lose numerous Cold War veterans without the assistance others have received over the years.

I urge the committee to revisit this issue.

Mr. VISCLOSKEY. Mr. Chairman, I yield 3 minutes to the gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Chairman, I want to thank the chairman of the subcommittee, the gentleman from California (Mr. PACKARD), and the gentleman from Indiana (Mr. VISCLOSKEY), the ranking member. I recognize this is their first year working together, and I think they have done a very good job on this very important bill. I want to thank them for all the money they gave to specific projects in the Pacific Northwest.

Mr. Chairman, as the gentleman from Washington (Mr. NETHERCUTT) did, I want to register my concern, however, about two provisions included in this year's Energy and Water Appropriations Act relating to the power marketing administrations. I understand that the chairman has demonstrated willingness to clarify the language, but I still have deep concerns about the implications, unless the bill language is amended.

Section 316 of the bill would limit the ability of the power marketing administrations to install fiber optic cable. It
is my understanding that the Bonneville Power Marketing Administration is willing to develop a report to the subcommittee which would present their fiber optic capacity needs, projections, construction, and financing plans.

This provision in the bill limits the ability of the Power Marketing Administrations from certain “construction, expansion or upgrades” to dark fiber optic telecommunication lines which are repaid by users. I believe this provision is premature and unnecessary. We should allow the PMAs to complete ongoing projects and allow them to provide the Congress with their view of the public benefits before we enact a legislative provision in this appropriations bill.

Additionally, section 317 prohibits the PMAs from providing emergency transmission system maintenance and repair and reimbursable contract services to their customers, which are provided by service utilities across the country.

This provision not only jeopardizes the safety and reliability of the vast transmission system owned by Bonneville, but also violates the Federal Energy Regulatory Commission’s order 888, which states that the PMAs in certain circumstances must provide transmission services and construction of additional facilities to neighboring utilities.

This section would prevent the Bonneville Power Administration from directly funding the power operations and maintenance of the 29 Federal Columbia River System dams which are required to do under Federal law. The Northwest power system cannot operate without these funds.

Each of these sections in the bill is unworkable in its current form. It is my great hope that both provisions can be removed, and the PMAs and the subcommittee can work together to address any concerns they may have.

I appreciate, again, all the help from the chairman, he bent over backwards to help us, and the gentleman from Indiana (Mr. VISCLOSKY) has been very willing to help us, as well. We look forward to working with the gentleman in the conference on this issue.

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

Mr. VISCLOSKY. Mr. Chairman, I yield 30 seconds to the gentleman from Louisiana (Mr. J. OHN).

Mr. J. OHN. Mr. Chairman, I would like to engage in a conversation with the distinguished chairman of the subcommittee, the gentleman from California (Mr. PACKARD).

Mr. Chairman, I would like to thank the gentleman for his past support for the Jennings, Louisiana, biomass ethanol and renewable energy projects. Mr. Chairman, that it will be possible to explore ways to complete the Federal funding of this plant in fiscal year 2000.

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

Mr. J. OHN. I yield to the gentleman from Louisiana.

Mr. PACKARD. The gentleman is correct, Mr. Chairman. I will do my best to accommodate Mr. Chairman.

Mr. J. OHN. I thank the gentleman. Mr. WU. Mr. Chairman, I rise today in support of H.R. 2605, the Energy and Water Appropriations Bill. I would also like to thank Chairman PACKARD and Ranking Member VISCLOSKY for their hard work on bringing a fair and balanced bill to the floor.

I have the privilege and honor of representing the greater Portland area and the Northwest Coast of Oregon. For those of you who have had the pleasure of visiting this wonderful city, you will know that much of the vitality of our region depends on the Willamette and Columbia rivers. Commerce, recreation, and scenic beauty are three products of these rivers. The Columbia River, stretching from the eastern part of Washington and ending at the mouth of the Columbia, is one of America’s greatest resources.

One in six jobs in the state of Oregon depend on the commerce from the Columbia River. The success of the river is vital to our economy and way of life. Unfortunately, as trade and technology increases, so does the need for passage of channels for ships to continue moving in and out of the area ports. This bill includes important operation and maintenance funds to ensure that our need for dredging activities can take place and keep commerce moving. Commerce in Oregon will continue to thrive and the benefits of a solid economy will follow.

I hope to continue to work with the Corps of Engineers to ensure that the disposal of dredged materials does not affect the crab fishers on the Oregon coast and work to have the least amount of environmental impact as possible. Furthermore, with the deepening of the Columbia River channel, there is concern about the local efforts to develop the Port of Astoria as a deep draft port. As with all ports, development of extensive infrastructure must be market driven and I am looking forward to doing all I can to look at viable options.

I would also like to take this opportunity to thank the Committee for their support of the Clatskanie River and Fox Creek Projects. With the federal funding allocated, Clatskanie city officials will be able to commence with planning of the Lewis and Clark Bicentennial with a free flowing river; and fish will swim freely in Fox Creek. Finally, I would like to thank the committee for their support of the East Mooring Bay repair in the city of Astoria. These desperately needed funds, along with other funding, will allow Astoria to repair almost half of the breakwater.

Again, Mr. Chairman, Chairman PACKARD, Ranking Member VISCLOSKY, thank you for giving me the opportunity today to support the Energy and Water appropriations bill and more importantly to support the funding for the Columbia River Deepening Project.

Mr. JACKSON of Illinois. Mr. Chairman, I rise in support of the Energy and Water Appropriations bill, but I have one concern that I hope can be resolved during Conference.

My concern is bill language in “Title I, General Expenses” that will force the closure of the Chicago office of the Great Lakes/Ohio River division of the Army Corps of Engineers.

Because of the importance of the Great Lakes to the United States, both for shipping and providing drinking water to millions of people, an agreement was reached in 1996 to maintain dual headquarters of the Great Lakes/Ohio River Army Corps division in both Chicago and Cincinnati. This dual headquarters system should be maintained, and I hope that the House conference will relegate to the Senate’s silence on this matter.

Otherwise, I am supportive of the bill because it provides funding for critical flood control projects in my district and throughout the Chicago area.

These projects include: $4.5 million to continue work on the “Deep Tunnel” project, including the Calumet leg of the tunnel in Chicago’s South Side and south suburbs, and the McCook and Thornton reservoirs.

$200,000 for detailed planning of a detention pond and storm sewer improvements along Natalie Creek near the Chicago Sanitary and Ship Canal in Oak Forest and Midlothian.

$1.0 million for small ecosystem restoration at a reservoir along Hickory Creek in Tinley Park.

$100,000 each for preliminary studies of recurrent flooding problems along: Tributaries A and B of Thorn Creek in Chicago Heights; Flossmoor Tributary of Butterfield Creek in Flossmoor; and Village streets in Calumet Park.

I commend Chairman PACKARD and Ranking Member VISCLOSKY for putting together a bipartisan, even-handed bill under difficult budget circumstances. They have done an amazing job with this bill, while taking into consideration the priorities and desires they received from Members from all regions of the country.

I look forward to working with my colleagues on the Appropriations Committee to resolve the issue of closure of the Chicago office of the Great Lakes/Ohio River division, and I encourage my colleagues to support the bill.

Mr. CRANE. Mr. Chairman, I just wanted to take this opportunity to congratulate and thank the chairman of the Energy and Water Appropriations Subcommittee, the chairman of the Appropriations Committee and all of my colleagues who serve on those two bodies for the excellent work they have done in crafting the Energy and Water Appropriations measure for Fiscal Year (FY) 2000. Not only is the bill, as reported, fiscally responsible, but for the most part its priorities make sense—as does its treatment of wetlands and the environment.

Permit me to elaborate. As it came to the House Floor, the FY2000 Energy and Water Appropriations (H.R. 2605) bill called for $880 million less in spending than the total amount appropriated for energy and water programs in FY1999. Even if one subtracts out the emergency appropriations for those functions in FY1999, the bill is still $215 million below last year’s spending level. More impressive yet, the sum of the spending provided for in the conference-reported version of this bill is, according to the committee report, more than $300 million below the amount appropriated in FY1995. What better way to make good on our commitment to a balanced federal budget that locks away Social Security surpluses and reduces our national debt, than to adopt a measure such as this.

Certain critics of H.R. 2605 demur, citing several provisions of the bill that deal with the wetlands permitting process. Their fear is that
these provisions will hasten the demise of America’s wetlands and, for that reason, they have labeled them “anti-environmental” riders. I beg to differ. Not only do the provisions in question treat all parties interested in wetlands determinations more fairly, but the critics are overlooking another item in the bill that will promote the impact and restoration of wetlands and help us better understand the role they can play in controlling flooding.

That item is the appropriation of the last $1.75 million needed to complete the Des Plaines River Demonstration Project (DPRWDP) in northern Illinois. I make particular mention of the project, not just because it is located in the district I am privileged to represent in Congress, but because it has already provided us with invaluable information about the way wetlands work and how they can contribute to such things as habitat preservation and flood control. When the DPRWDP is finished, not only will additional research information be available, but so too will be a “how-to” guide that will help other areas of the country restore wetlands for environmental, flood control, and water supply purposes. That, in turn, will aid in the accomplishment of the very objective that critics of the wetlands permitting provisions of H.R. 2605 have in mind: the preservation and restoration of wetlands areas around the country.

Having been a supporter of the DPRWDP for over a decade now, I am proud of its accomplishments, excited about its potential and pleased by its inclusion in this bill. Like many other items funded by H.R. 2605, the DPRWDP promises to save American taxpayers many more dollars than it will cost. Not only that, but it should ease the minds of those who are concerned about the future of America’s wetlands. The DPRWDP is, in short, a win-win proposition. Within the context of an overall bill that is one of the most fiscally responsible appropriations measures in recent memory, it promotes environmental responsibility as well. That being the case, I urge my colleagues to look at the DPRWDP as one more reason to support the FY2000 Energy and Water Appropriations bill. With the DPWFDP included, H.R. 2665 is a measure to which I am confident many more will be able to give their enthusiastic backing.

MRS. ROYBAL-ALLARD. Mr. Chairman, I rise in support of the Energy and Water Appropriations Bill for Fiscal Year 2000, and I compliment the job of my two colleagues on the Appropriations Committee, Subcommittee Chairman RON PACKARD and Ranking Member PETER VISCOSKY, on their first year in their respective roles. The Energy and Water Appropriations bill is always of great importance to California, because that is where our harbors and waterways are, and the need to protect our residents from natural disasters such as floods. I will focus on a number of projects that are of specific importance to my constituents in the 33rd Congressional District as well as the entire Los Angeles County.

One of the most important projects for my constituents is the Los Angeles County Drainage Area flood control project along the Los Angeles and Rio Hondo Rivers, known as the “LACDA” project. This project was recommended by the task force of grant-making agencies, environmental groups, and neighborhood groups. My constituents and other residents along the Los Angeles River are impacted directly because each year of project delay costs local residents as much as $130 million in flood insurance premiums as well as the adverse economic impact associated with building restrictions within the flood plain. Fortunately, FEMA has given us an indefinite postponement of flood insurance increases. But I fear that if this appropriation of this funding has been provided so we can bring the much-needed protection to my constituents. The LACDA project will restore an adequate level of flood protection to 500,000 people and 177,000 structures, and it will assist the City of Los Angeles County. Without the LACDA project, an estimated $2.3 billion in damages would result from a large storm event.

I am also pleased that the bill provides the funding to complete the next phase of the Pier 400 construction project in Los Angeles Harbor. This project will create an additional 315 acres of new land at Pier 400 upon which new state-of-the-art marine terminals will be built. In addition, a deep draft navigation project will be completed in order to accommodate the next generation of larger container ships. The Corps of Engineers has already made this project a top priority by reprogramming funds in order to maintain an optimal construction schedule.

Although I was disappointed that funds for the pre-construction, engineering and design phase of the main channel deepening project have not been included, I look forward to working with the committee once this project has been formally authorized to continue these needed improvements to Los Angeles Harbor.

This bill also provides funds for clean-up of the San Gabriel Basin. The San Gabriel groundwater basin is the primary source of drinking water for about one million residents in the San Gabriel Valley. Unfortunately, the groundwater is contaminated with both organic and inorganic compounds, so I am pleased that funds have been included in the bill to get the clean-up project underway. My constituents may draw their water from the Central Basin, but this project is still important to them. If the discharge of these contaminated sediments in a timely fashion, we run the real risk of contamination of the Central Basin, serving 1.4 million Los Angeles County residents, including my constituents in Vernon, Cudahy, Maywood, Bell, Bell Gardens and South Gate.

Finally, as a member of the House Select Committee on U.S. National Security and Military/Commercial Concerns with the People’s Republic of China, I understand the committee’s concern with the Department of Energy’s national security programs centered around its weapons’ laboratories. Given the recent revelations regarding Chinese espionage on our national labs, these concerns are valid and timely. However, I have serious reservations about the way the Committee has chosen to address this issue.

It may be the practice for the Appropriations Committee to delay obligating funds to an agency in order to correct a problem, achieve a specific end, or perhaps just to send a message. In this case, however, the withholding of $1 billion in funding from DOE’s nuclear weapons programs on June 8, is overly harsh and, in my view, unnecessary. That level of funding amounts to one-fourth of the Department’s total funding for weapons activities. Restricting these funds for the majority of the fiscal year would seriously hamper DOE’s ability to carry out its weapons-related research and functions.

Further, both the House and the Senate are already addressing this issue. Just last week, the Senate passed an amendment to the Intelligence Authorization bill which establishes a separately organized Agency for Nuclear Stewardship to be headed by a new Under-Secretary who will report directly to the Secretary of Energy. Within this new agency, a separate office focusing on counter-intelligence would be established with a direct line to the new Under-Secretary as the Energy Secretary. The House-passed version of the bill includes several recommendations to increase security at the labs that were agreed to by our bi-partisan Select Committee. Further, the House Science Committee, the Commerce Committee, and the House Select Intelligence Committee are all looking into this matter, and a free-standing bill is expected to be ready sometime this summer.

With the House and Senate already taking meaningful steps to address the security problems at DOE, this funding restriction is unnecessary and will only serve to further hamper the Department’s efforts to improve security concerns while carrying out day-to-day functions. I would, therefore, urge the Committee to drop this harmful provision.

Again, I compliment Chairman PACKARD and Ranking Democrat PETER VISCOSKY for putting together a well-balanced bill that makes progress on many projects of importance to my constituents, my state and the nation.

Mr. CALVERT. Mr. Chairman, I rise today in strong support of H.R. 2605, the Energy and Water Appropriations bill. First, I would like to thank Chairman PACKARD for his hard work and dedication in crafting a balanced bill. I would also like to commend Ranking Member FONG for his responsible leadership in ensuring that these necessary spending bills are delivered on time and at the levels required under the budget resolution.

As a member of the southern California delegation, I understand the importance of preserving our water resources and protecting citizens from flood damage. This bill appropriates vital funds for watershed management, flood control, environmental enhancement, water conservation, and water supply, and building dams which will save many lives downstream.

This bill will help protect vulnerable communities. I urge all of my colleagues to support this bill.

I also urge my colleagues to vote against the Visclosky amendment. Under current law, if the Corps of Engineers determines that no wetlands exist on a piece of property, a third party can file suit in court. But, if the Corps determines that wetlands do exist, then the landowner is forced to go through the entire permitting process before he or she can go to court.

Mr. Speaker, current law puts the hard-working citizens at a disadvantage to extreme environmental groups. This bill will allow landowners the same right to appeal a decision in court, the same right that many interested third-party currently enjoys. It’s only fair and I urge my colleagues to oppose the Visclosky amendment.
Mr. SHIMKUS. Mr. Chairman, I understand that the bill provides $97.5 million under bio-

ce-tofuels energy systems, which includes $41 million for the transportation program.

It is my understanding that, although the House version does not identify which projects receive

funds, the conference report has re-

flected a compromise between the members that provides funding to certain projects.

The concern I would like to raise to the Chair-

man deals with a project that the Chair-

man and I have discussed, the National Eth-

anol Research Pilot Plant.

As the Chairman knows, this project has a

$6 million cost-share contribution from the State of Illinois, and will provide for cutting-

edge research that will lead to increased effi-
ciencies coupled with cheaper production of

ethanol.

Preliminary estimates are that the plant could reduce the cost of ethanol by over 10
cents/gallon in the near term.

If, as in the past, the Conference Report on this bill identifies projects for funding under the biofuels program, I would like to strongly urge that this plant be funded.

Mr. BEREUTER. Mr. Chairman, this Mem-
ber would like to commend the distinguished gentleman from California (Mr. PACKARD), the Chairman of the Energy and Water Development Appropriations subcommittee, and the distinguished gentleman from Indiana (Mr. VIS-
CLOSKY), the ranking member of the sub-
committee for their exceptional work in bring-
ing this bill to the floor.

This Member recognizes that extremely light budgetary constraints made the job of the sub-
committee members difficult this year.

Therefore, the subcommittee is to be com-
mended for its diligence in creating such a fisc-
ally responsible bill. In light of these bud-
getary pressures, this Member would like to ex-
press his appreciation to the Subcommittee and formally recognize that the Energy and Water Development appropriations bill for fis-
cal year 2000 includes funding for several water projects that are of great importance to

Nebraska.

This Member greatly appreciates the $10 million funding level provided for the four-state Missouri River Mitigation Project. This rep-

resents a much-needed increase over the Ad-

ministration’s insufficient request for this im-
portant project. The funding is needed to re-

store fish and wildlife habitat lost due to the Federally sponsored channelization and sta-

bilization projects of the Pick-Sloan era. The

islands, wetlands, and fiat floodplains needed to support the wildlife and waterfowl that once

lived along the river are gone. An estimated 475,000 acres of habitat in Iowa, Nebraska, Missouri, and Kansas have been lost. Fishery resources are estimated to be only one-fifth of those which existed in pre-develop-
ment days.

In 1986, the Congress authorized over $50

million to fund the Missouri River Mitigation Project to restore fish and wildlife habitat lost due to the construction of structures to imple-
ment the Pick-Sloan plan.

In addition, this bill provides additional fund-
ing for flood-related projects of tremendous importance to residents of Nebraska’s 1st

Congressional District. Mr. Chairman, funding in 1996 temporarily closed Interstate 80 and

seriously threatened the Lincoln municipal water system which is located along the Platte

River near Ashland, Nebraska. Therefore, this Member is extremely pleased the Committee

agreed to continue funding for the Lower Platte River and Tributaries Flood Control Study. This study should help formulate and de-
velop feasible solutions which will alleviate future flood problems along the Lower Platte River and tributaries. This study was related to a study authorized by Section 503(d)(11) of the Water Resources Development Act of 1996.

This Member is also pleased that this bill in-
cludes $250,000 to complete the interim feasi-

bility study for the Lake Wanahoo project in Saunders County, Nebraska. This is a breakaway study of the Lower Platte River and Tributaries Flood Control Study. The interim feasibility study will assess the environmental and flood control benefits of Lake Wanahoo. It will also evaluate other possible measures to provide flood con-

trol for the affected downstream areas. The Corps of Engineers has conducted a prelimi-

nary feasibility study and has determined that further study of the Sand Creek watershed, the site of the proposed project, is required. This will fulfill the intent of the study authority and to assess the extent of the Federal inter-

est.

Mr. Chairman, additionally, the bill provides

continued funding for an ongoing floodplain study of the Antelope Creek which runs through the heart of Nebraska’s capital city, Lincoln. The purpose of the study is to find a solution to multi-faceted problems involving the flood control and drainage problems in An-
telope Creek as well as existing transportation and safety problems all within the context of broadened civic interests. This con-

tinues to have a strong interest in this project since he was responsible for stimulating the City of Lincoln, the Lower Platte South Natural Re-

sources District, and the University of Ne-
braska-Lincoln to work jointly and cooper-

atively with the Army Corps of Engineers to identify an effective flood control system for

Antelope Creek in the downtown area of Lin-

coln.

Antelope Creek, which was originally a small meandering stream, became a straight-

ened urban drainage channel as Lincoln grew and urbanized. Resulting erosion has deep-

ened and widened the channel and created an unstable situation. A ten-foot by twenty-foot

(height and width) closed underground conduit that was constructed between 1911 and 1916

now requires significant maintenance and major rehabilitation. A dangerous flood threat to adjacent public and private facilities exists.

The goals of the study are to anticipate and

provide for the control of flooding of Antelope Creek, map the floodway, evaluate the condi-

tion, develop feasible solutions and make rec-

ommendations for any necessary repair, sug-

gest the appropriate limitations of neighbor-

hood and the University of Nebraska-Lincoln city campus development within current de-

fined boundaries, eliminate fragmentation of the city campus, minimize vehicle/pedestrian/

bicycling conflicts while providing adequate ca-

pacity, and improve bikeway and pedestrian

systems.

This Member is also pleased that the bill pro-

vides funding for the Missouri National Recreational River Project. This project ad-

dresses a serious problem by protecting the

border and the University of Nebraska-Lincoln

area from the effects of the city campus, minimize vehicle/pedestrian/bicycling conflicts while providing adequate capacity, and improve bikeway and pedestrian

systems.

These erosion rates are a result of previous

work on the river by the Federal Government.

Although this bill does not include funding for the proposed Missouri River Research and Education Center at Ponca State Park in Ne-
braska, this Member is pleased that $1 million is included in the version approved by the other body. This Member hopes that the conference committee will include funds for this important project in the conference report.

Finally, Mr. Chairman, this Member recog-

nizes that H.R. 2605 also provides funding for

Army Corps projects in Nebraska at the fol-

lowing sites: Harlan County Lake; Papillon

Creek and Tributaries; Gavins Point Dam, Lewis and Clark Lake; Salt Creek and Tribu-
	
taries; and Wood River.

Mr. Chairman, this Member con-

mends the distinguished gentleman from Cali-

fornia (Mr. PACKARD), the Chairman of the En-

ergy and Water Development Appropriations Subcommittee, and the distinguished gen-
tleman from Indiana (Mr. VISCOLOSKY), the rank-
ing member of the subcommittee much more difficult this year. Budgetary pressures made the job of the sub-

committee much more difficult this year.

Mr. PORTMAN. Mr. Chairman, I am pleased to rise in support of the Energy and Water Ap-

propriations legislation. I am particularly pleased to support two provisions of this legis-

lation that will directly benefit many of the peo-
ple I represent in Southwest Ohio.

The former Fernald Feed Materials Production Center, now known as the Fernald Envi-

ronmental Management Project, was a Depart-

ment of Energy facility that was part of the United States’ nuclear weapons production complex from 1951 to 1988. The Fernald site became heavily contaminated and has been the focus of extensive nuclear and hazardous waste cleanup efforts.

The Energy and Water Appropriations bill for Fiscal Year 2000 contains $280,589,000 for the Fernald cleanup. The FY 2000 funding level represents an increase of more than $6 million from the FY 1999 appropriation. The funding is intended to keep the Fernald’s ac-
celerated cleanup project on track for comple-

tion in 2006, rather than the originally planned 2020.

This appropriation is directly in the public in-

terest. Keeping the accelerated cleanup pro-

gram at Fernald on track will lower health risks for residents of the surrounding area and

lower the overall project costs for the tax-

payers.

This legislation also contains $915,000 for the Army Corps of Engineers to study ways to

improve flood control in the Mill Creek valley while restoring the waterway's ecosystem. This funding will help with our ongoing effort to revitalize and restore the Mill Creek water-

shed.

I commend the members of the subcommittee—especially Chairman PACKARD and Ranking Member VISCOLOSKY—for their

good work on the bill and for including this es-

sential funding.

Mr. BENTSEN. Mr. Chairman, I rise in sup-

port of H.R. 2065, the FY 2000 Energy and Water Appropriations bill. I would first like to thank Chairman PACKARD and Ranking Mem-
ber VISCOLOSKY for their hard work on this im-

portant legislation. I would also like to thank my good friend from Texas, Mr. EDWARDS, for all the help he and his office have provided me.
I strongly support the decision of the Subcommittee on Energy and Water to ensure the U.S. Army Corps of Engineers receives adequate funding to continue their vital work in the areas of flood control and navigational improvement. I would also like to compliment the Administration for their decision to fully fund the Corps' budget. This funding recognizes the critical economic and public safety initiatives contained within the legislation. Because many flood and navigation projects located in our district are on accelerated construction schedules, full funding, by both the Administration and the subcommittee will ensure the expedited completion at great savings to the taxpayers.

I am very pleased by the support this legislation provides for addressing the chronic flooding problems of Harris County, Texas. H.R. 2065 includes vital funding for several flood control projects in the Houston area. These projects include Brays, Sims, and Hunting and White Oak bayous, and will provide much-needed protection for our communities.

Specifically, this legislation will allow for the continuation of levee improvements and bank stabilization projects along Brays Bayou in southwest Harris County. The project consists of three miles of channel improvements, three flood detention basins, and seven miles of stream diversion and will provide a 25-year level of flood protection. The project was originally authorized in the 1988 WRDA bill, as part of a $400 million federal/local flood control project. Through Fiscal Year 1999, over $10 million has already been appropriated. The Harris County Flood Control District has expended over $21 million for preconstruction preparation in terms of land acquisition, easements, and relocations, plus an additional $2.5 million in engineering and construction. As part of the Water Resources Development Act of 1996, the project was authorized as a demonstration project for a new federal/county cost-sharing program. This program is an effort to strengthen and enhance the Corps/local sponsor role by giving the local sponsor a lead role and providing for reimbursement by the Federal Government to the local sponsor for the traditional federal portion of work accomplished.

I am also most grateful for the committee's decision to fully fund the Sims Bayou project at $18.3 million for FY '00. This project is necessary to improve flood protection for an extensively developed urban area along Brays Bayou in southeast Harris County. The project consists of 19.3 miles of channel enlargement, rectification, and erosion control beginning at the mouth of the bayou at the Houston Ship Channel and will provide a 25-year level of flood protection. This continuing project has received over $122 million to date and is currently funded and is scheduled to be completed two years ahead of schedule in 2004.

Mr. Chairman, I am also pleased that this legislation provides $60 million to fully fund continuing construction on the Houston Ship Channel bumper project. This project addresses tremendous economic and environmental benefits and once completed, will enhance one of our region's most important trade and economic centers. The Houston Ship Channel desperately needs expansion to meet the challenges of expanding global trade and to maintain its competitive edge as a major international port. Currently, the Port of Houston is the second largest port in the United States in total tonnage, and is a catalyst for the south- east Texas economy, contributing more than $5 billion annually and providing 200,000 jobs. However, the Port's capacity to increase tonnage and create jobs is limited by the size of the channel. Hence the need for the Houston Ship Channel modernization project, which calls for deepening the channel from 40 to 45 feet and widening it from 400 to 530 feet. The channel modernization, considered the largest dredging project since the construction of the Panama Canal, will preserve the Port of Houston's status as one of the premier deep-channel Gulf ports and one of the top transit points for cargo in the world.

Mr. Chairman, while I am pleased the critical functions of the U.S. Army Corps of Engineers have been maintained, I am very concerned about the inappropriate legislative rider attached to this legislation contains a provision indefinitely postponing the phase out of the Corps Nationwide Permit 26 (NWP 26), which is accelerating the destruction of our country's sensitive wetlands. Acknowledging the weaknesses of this permit, the Corps has developed a new permit with all the stakeholders to develop a workable alternative to revise the NWP 26 process. This ill-conceived legislative rider will negate all the effort that went into forging a workable wetlands permitting system and will continue the unnecessary wrangling. Consequently, I urge my colleagues to support the Visclosky Amendment allowing the Corps to preserve our shrinking wetlands.

Again, I thank the Chairman and Ranking member for their support and I urge my colleagues to support this legislation.

Mr. MATSUI. Mr. Chairman, I would like to take this opportunity to thank Chairman Pack- ard and the Ranking Member, Mr. Visclosky, for their support of Sacramento flood control projects included in the FY 2000 Energy and Water Appropriations bill. Sacramento remains the single greatest threat to the public safety of the Sacramento community, posing a constant risk to the lives of my constituents and to the regional economy. Thanks to your efforts and the efforts of this Committee, Sacramento can continue to work toward improvement flood protection.

With a mere 85-year level of protection, Sacramento remains the metropolitan area in this nation most at risk to flooding. More than 400,000 people and $37 billion in property reside within the floodplain. This legislation provides $640,000 for the Stoney Creek flood control project in Oak Lawn, $200,000 for the Natalie Creek flood control project in Midlothian and Oak Forest, and $150,000 for the Hickory Creek project in Tinley Park. These funds will be used to continue these ongoing Army Corps projects. These cost-effective projects will help protect property from future flooding damages, safeguard the environment, and improve our communities' standard of living.

I would like to take this opportunity to express some concerns over the progress of those Corps projects, specifically the Section 205 Stoney Creek project in the Village of Oak Lawn. Over the years, there have been some delays. I understand that these are complex and technical projects and things do not always go according to plan, but every year this project is delayed means that another year the Village of Oak Lawn is exposed to extreme flooding risks. I strongly urge the Army Corps Chief of Engineers to expedite completion of this project. Moreover, I would hope that the Committee will recognize the Section 205 Hickory Creek projects are completed in a reasonable amount of time.

Also included in the bill is $13.129 million for the Chicago Shoreline project, which represents a $5.5 million increase over the Administration's request. My colleagues and I on the House Transportation and Infrastructure Committee worked to authorize this project in the Water Resources Development Act of 1996. With nearly eight miles of Chicago's lakefront and over $5 billion worth of irreplaceable infrastructure and public property at risk, the importance to fully fund and expedite this project cannot be overstated. The funding for FY 2000 will be utilized to reconstruct the seriously deteriorated revetments from Irving to Belmont, I-55 to 30th Street, and extending from a series of smaller rivers and streams that present substantial threats separate from those posed by the major rivers in the region. Importantly, the Committee's willingness to include funding for the American River Comprehensive Plan will allow for ongoing Corps of Engineers general investigation work on all water control needs, including a permanent solution.

Your support of these vital projects represents a recognition by this Congress of the grave danger confronting Sacramento and a wisdom in providing the necessary and se vere budgetary constraints. The end product is a vigorous funding bill that targets wise investments in water infrastructure projects.

Included in the bill are three important projects for my constituents in the Third Congressional District of Illinois. The bill includes $640,000 for the Stoney Creek flood control project in Oak Lawn, $200,000 for the Natalie Creek flood control project in Midlothian and Oak Forest, and $150,000 for the Hickory Creek project in Tinley Park. These funds will be used to continue these ongoing Army Corps projects. These cost-effective projects will help protect property from future flooding damages, safeguard the environment, and improve our communities' standard of living.
I commend the Army Corps of Engineers for the hard work put into drafting and finalizing the partnership agreement with the City of Chicago to expedite this project. The new 2005 completion date shortens the schedule by five years.

Again, I thank Chairman Packard and the Ranking Member, Mr. Visclosky, for their assistance and leadership in providing the necessary funding for the above projects.

I urge all of my colleagues to pass H.R. 2605.

Mr. ROEMER. Mr. Chairman, on behalf of the Gentleman from California, Mr. Herger, and myself, we wish to thank you for the generous allocation for biomass energy transportation systems in the FY 2000 Energy and Water Appropriations bill. We understand that, due to budget constraints, the allocation was over $10,000,000 below the budget request. However, it appears that biofuels was a priority to the committee in the renewable energy category. We applaud the committee's foresight, as this is a critical time for commercializing both to aid in increasing the efficiency of the existing corn ethanol plants, and to help build several biofuels pilot projects throughout the U.S. There are, for example, two plants in California, one almost complete and one slated for construction. One such plant, using straw as its feedstock, another will use wood waste. Again, we thank the Chairman and his committee for its support of the biofuels budget and ongoing pilot plan projects.

Mr. SENSENBRENNER. Mr. Chairman, I rise today in support of H.R. 2605, the Energy and Water Development Appropriations Act of 1999. This bill contains funding for the majority of the Department of Energy's (DOE's) civilian science and energy R&D programs as well as legislative guidance on some key project management issues at the Department of Energy.

Today, the Department of Energy epitomizes all that is wrong with how a government department should be run. DOE lacks basic planning and project management skills and cannot provide simple planning information to Congress on costs and deadlines. This appropriation bill represents the hard work of Mr. Packard and the Members of the Subcommittee to correct a department that has gone awry and appears incapable of righting itself.

The Science Committee has responsibility for setting authorization levels for funding civilian scientific research and development programs at the Department of Energy as well as providing programmatic direction. The Committee has passed two authorization bills which address Department of Energy funding needs.

They are: H.R. 1655, the Department of Energy Research, Development, and Demonstration Authorization Act of 1999; and H.R. 1656, the Department of Energy Commercial Application of Energy Technology Authorization Act of 1999. While H.R. 2605 does not fully fund some science and energy R&D accounts to their authorized levels, it is a good attempt to follow the authorization bills directions on R&D funding within a tight fiscal framework.

In addition, H.R. 2605 will have a profound impact on research at the Department of Energy. While the Administration jumped on the Kyoto bandwagon, I have always believed that a more science-based assessment of our climate and energy resources is necessary before we use taxpayer funds to support a flawed policy approach.

H.R. 2605 addresses this issue through its inclusion of language, known as the Knollenberg amendment, that prohibits any funds being used to implement the Kyoto Protocol. This language is consistent with language from Representative Zoe Lofgren's amendment that was adopted by the Committee on Science as part of H.R. 1742, the Environmental Protection Agency Office of Research and Development Authorization Act of 1999, on May 25, 1999. Together, both Ms. Lofgren's and Mr. Knollenberg's language assures taxpayers that Senate ratification must precede actions to implement the Kyoto Protocol and that the Department of Energy cannot attempt to implement any Kyoto regulations through a disingenuous approach. Given the glaring problems with this unfunded, unsigned, and unratified Protocol, such a limitation is proper and necessary and I commend the Appropriations Committee for including this language in H.R. 2605.

Finally, I want to commend and applaud the Committee's decision to follow the authorization language in H.R. 1655 regarding the Spallation Neutron Source (SNS) project. Specifically, H.R. 2605, the Energy and Water Development Authorization Bill requires DOE to meet the following criteria before any construction funds are released. The criteria taken from H.R. 1655 are as follows:

1. Certification that senior project management positions for the project have been filled by qualified individuals;
2. Cost baseline and project milestones for each major construction and technical system activity, consistent with the overall cost and schedule submitted with the Department's fiscal year 2000 budget, and that have been reviewed and certified by an independent entity, outside the Department and having no financial interest in the project, as the most cost-effective way to complete the project;
3. Binding legal agreements that specify the duties and obligations of each laboratory of the Department of Energy in carrying out the project;
4. A revised project management structure that integrates the staffs of the collaborating laboratories when selecting the project director under a single project director, who shall have direct supervisory responsibility over the duties and obligations described in subparagraph (3.) above;
5. Official delegation by the Secretary of primary authority with respect to the project to the project director;
6. Certification from the Comptroller General that the total taxes and fees in any manner or form paid by the Federal Government on the SNS project, including all taxes, fees, and income of the Department relating to the SNS to the State of Tennessee or its counties, municipalities, or any other subdivision thereof, does not exceed the aggregate taxes and fees for which the Federal Government would be liable if the project were located in any other State that contains a national laboratory of the Department;
7. Annual reports on the SNS project, included as part of the Department's annual budget submission, including a description of the achievement of milestones, a comparison of actual costs to estimated costs, and any changes in estimated project costs or schedule.

In the past, costs associated with some major scientific projects have spiraled out of control because adequate preventative measures were not taken in the early planning stages to limit cost growth. The Superconducting Supercollider and International Space Station are two examples, and I believe that the language on SNS, Spallation Neutron Source, when coupled with rigorous oversight, will provide the Department of Energy with the facility they need at a cost that does not cause heartburn for the American taxpayer.

Mr. WELLER. Mr. Chairman, thank you for bringing this important bill to our attention. I wish to thank also Chairman Packard for his leadership and work in crafting this bill, a bill that will directly help the residents of the 11th Congressional District of Illinois. Mr. Speaker, the Energy and Water Development Appropriations Bill is a good bill, and I ask that all of my colleagues support it.

Two specific projects are funded in this bill that are important to the citizens of Illinois. Both the Thornton Reservoir Project and the Kankakee River Feasibility Study have been given significant and important funding under this bill. The Thornton Reservoir project continues funding for the Tunnel and Reservoir Project known as TARP. TARP is an intricate system of underground tunnels and storage reservoirs that provide flood relief and control combined sewer overflow pollution into Lake Michigan, the source of drinking water for a large portion of the Chicago metropolitan area.

To the project's merit, the completed segments of TARP have helped to eliminate 86% of combined sewage pollution in a 325 square mile area. The Energy and Water Development Appropriations Bill will provide $4.5 million dollars in construction funding for the McCook and Thornton Reservoirs. This funding will go toward continuing construction of the reservoir portion of TARP. Once completed, these reservoirs will provide a storage capacity of 15.3 billion gallons and will produce annual benefits of $1 million.

The Kankakee River is a very important river for residents of the 11th Congressional District, as well as the residents of Congressmen Ewing and Buyer's districts. The river provides scenic, recreational, and commercial opportunities for many. Unfortunately, the river does experience flooding and sedimentation problems both in Illinois and Indiana. The Appropriations committee has been very generous with funding in previous years, providing funds for the Army Corps of engineers to complete a Corps Reconnaissance Study and begin a Feasibility Study.

For fiscal year 2000, the Appropriations Committee has provided $295,000 in funding for the Army Corps of Engineers to continue the Feasibility Study. This is an important project and that will improve the quality of life for the who use or live near the river. I am very pleased to see this continued funding, and thank you again for bringing this important bill to the floor today.

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

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

The CHAIRMAN. All time for general debate has expired.
Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering a point of order that he has printed in the designated place in the Congressional Record. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment, and may call for a minimum of 5 minutes for time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes. The Clerk will read.

Mr. YOUNG of Alaska. Mr. Chairman, I ask unanimous consent that I be permitted to offer a point of order on Section 506 at this point in the reading.

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

There was no objection.

The CHAIRMAN. The Clerk will read Section 506.

The Clerk read as follows:

Title III, division C, of Public Law 105-277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for fiscal Year 1999 and section 106 of Public Law 106-31, the 1999 Emergency Supplemental Appropriations Act, are repealed.

Mr. YOUNG of Alaska (during the reading). Mr. Chairman, I ask unanimous consent that the section be considered as read and printed in the Record.

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

There was no objection.

POINT OF ORDER

Mr. YOUNG of Alaska. Mr. Chairman, I make a point of order against Section 506 of the bill, found at page 36, lines 21 to 25. This language repeals the Denali Commission Act of 1996 and constitutes legislation on an appropriation in violation of clause 2(b) of rule XXI of the rules of the House of Representatives.

The CHAIRMAN. Does any Member desire to be heard on the point of order?

Mr. VISCLOSKY. Mr. Chairman, I reserve the right to be heard on the point of order.

Mr. PACKARD. Mr. Chairman, we have reviewed this, and we recognize that it does violate it. We would concede the point of order.

Mr. VISCLOSKY. Mr. Chairman, I would concede the point of order. The CHAIRMAN. Section 506 is conceded to be legislation and the point of order is sustained, and Section 506 is stricken from the bill. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, for energy and water development, and for other purposes, namely:

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

Mr. Chairman, I would like to complement both the gentleman from Indiana (Mr. VISCLOSKY) and our friend, the gentleman from California (Mr. PACKARD) as well as the followings in the footsteps of two great Americans, Tom Bevill from Alabama, as well as Joe McFadden, who chaired this committee before them. I think they have done an outstanding job.

In serving on the subcommittee, I recognize the difficulties the Members have, especially under the circumstances of the limited amount of allocations we have.

Mr. Chairman, let me say that this is a good bill and it deserves the support of every Member of this body. But I would request that the gentleman from California (Chairman PACKARD) and the gentleman from Indiana (Mr. VISCLOSKY) pay attention to a few items of concern to me in the bill.

While I understand the need to effectively cut corners and to save money wherever possible, I do have some very serious concerns about the impact of the bill on the Power Marketing Administrations' efforts to provide low-cost power to rural areas, even those in north Alabama, as well as throughout the Nation.

Additionally, I have concerns regarding the implementation and the monitoring of water compacts under negotiation between the States of Alabama, Florida, and Georgia. Specifically, I have concern about the lack of sufficient water flow and water quality monitoring systems. Even though I have not discussed this with the gentleman from California (Chairman PACKARD) or the gentleman from Indiana (Mr. VISCLOSKY), this is something of great concern.

Conceivably we are not talking about a lot of money, but it is something that would require some direction to the Corps, or possibly Interior. I just wanted to make the Members aware that sometime during the process we need to look at this problem to see if possibly the two gentlemen would go along with some language in the conference report to ensure that this problem in this water compact between the States of Alabama, Florida, and Georgia are addressed.

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

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

Mr. PACKARD. We have already made assurances that we will deal with the power marketing issue. I think the gentleman has brought it up. It is more than just the point of order.

On the second issue, I deeply appreciate him bringing that to my attention. We will certainly work with the gentleman in any way we can as we proceed forward with the appropriation process.

Mr. CALLAHAN. I thank the chairman.

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

Mr. CALLAHAN. I yield to the gentleman from Alabama, in whose district this problem lies.

Mr. RILEY. Mr. Chairman, I would like to thank the gentleman for bringing this to the attention of the Committee. I think there is a debate right now of what committee this jurisdiction will actually fall under.

But as the gentleman from Alabama mentioned a moment ago, this is a compact that has been negotiated now for about 2 years. One of the problems they face in these water negotiations is having a historical record that they can rely on. So I think it is going to be almost imperative for us to do something that is not put in these gauges, these monitoring sessions, so we do have a historical record.

As we go into conference, I hope that the chairman will look upon this with favor, work with us as we work this process can. It is in the best interest of this country and as the gentleman from Alabama said, this is not a lot of money, but it is something that is absolutely vital to Alabama and Georgia and Florida's negotiating structure.

I thank the gentleman.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

DEPARTMENT OF DEFENSE—CIVIL DEPARTMENT OF THE ARMY Corps of Engineers—Civil

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to rivers and harbor, flood control, navigation, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $158,993,000, to remain available until expended: Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use the remaining unobligated funds appropriated in Public Law 102-377 for the Red River Waterway, Shreveport, Louisiana, to Daisfield, Texas, project for the feasibility phase of the Red River Navigation, Southwest Arkansas, study.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, navigation, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies and plans shall not constitute a commitment of the Government to construction), $1,412,591,000, to remain available until expended, of which
such sums as are necessary for the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund, as authorized by Public Law 104-303; and of which such sums as are necessary pursuant to Public Law 99-662 shall be derived from the Inland Waterways Trust Fund, as authorized by Public Law 103-322; for one-half of the costs of construction and rehabilitation of inland waterways projects, including reha-

bilitation costs for the Lock and Dam 25, Mississippi River, Illinois; Lock and Dam 14, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Mississippi River, Minnesota; Locks and Dams; Kanawha River, West Virginia; and Lock and Dam 12, Mississippi River, Iowa; projects; and of which sums are provided for the following projects in the amount specified:

Indianapolis Central Waterfront, Indiana, $10,901,000.00;

Harlan/Clover Fork, Pike County, Middleboro, Martin County, Pike County Tug Forks Tributaries, Bell County, Harlan County, and a portion of Martin elements of the Levisa and Tug Forks of the Big Sandy River and upper Cumberland River project in Ken-
tucky, $14,050,000.00; and

Pascagoula River, St. Tammany Restoration, New Jersey, $8,000,000.00.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIB-
utaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee.

For expenses necessary for prosecuting work of flood control, and rescue work, re-
pair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a, 702g-1), $313,324,000, to remain available until expended.

Operation and Maintenance, General.

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting work, and navigation safety services and connecting waters; clearing and straightening channels; and removal of ob-

structions to navigation, $1,888,481,000, to remain available until expended.

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. Visclosky:

Page 5, line 25, strike the comma and all that follows through page 6, line 23, and insert the following:

Mr. VISCLOSKY. Mr. Chairman, I would indicate that the amendment before the body is offered by myself, the gentleman from Minnesota (Mr. Ober-

Star), and the gentleman from Penn-
sylvania (Mr. Boskins), and it goes to correct the one deficiency in the bill relative to the Clean Water Act, relative to preserving wetlands in the United States of America, and relative to the veto issue by the administration relative to the language.

It relates to two provisions in the bill, jurisdiction as far as wetlands and the Army's Corps of Engineers, and a program called Permit 26.

I have talked about the importance of wetlands in my earlier remarks. I have talked about the generic situation we find ourselves in. I would like to use the time allotted to me to talk about the potential arguments raised against the amendment, and why I think the amendment ought to be adopted.

As far as the jurisdictional argu-
ments, I do believe that they would, as the bill is currently constituted, lead to more litigation by the Senator speakers before us on the floor today talked about the delay involved as far as the implementation of the new procedures as far as the appeal, the new permitting process.

There would be much further delay if the language continues to stand. There would be additional burden on the Corps, and again, we would see an increase in litigation.

As far as Permit 26, some might argue that Permit 26 works. It facili-
tates the process. To some minor ex-
tent, they would be correct. The prob-
lem is as far as the overarching policy we are concerned about here, that is, the preservation of our wetlands. I would note again that we are losing 70,000 to 90,000 acres a year. Permit 26 is part of the problem. I would not pre-
sume that it is all of the problem, but it is part of the problem, and it is going to be fixed if these arguments are correct, and for the reason that it is not in compli-
ance with the Clean Water Act.

Some would say that this is going to increase the workload for the Army's Corps of Engineers. Earlier when the acreage was reduced in Permit 26, this same argument was raised: We are going to increase delays, we are going to increase the process, and burden two property owners.

I think, that is turned out not to be true. There were 55,000, approximately, general permits issued in 1996 before the acreage was reduced. In 1998, general permits issued to facilitate the process did increase to 64,000. But on the other hand, the dual permits, which do take more time, were reduced from 5,028 in 1996 to 4,931.

Will there be some increase as far as the burden to the Corps? Quite pos-
sibly, but it is manageable, and they are ready to absorb that responsibility. Is there going to be increased cost to those who own property, who develop property? Only if they deal with wetlands.

As far as the time delay, I would point out that, again, before Permit 26 was changed in 1996, the average evaluation time for individual permits was 88 days. In 1998, it was reduced to 87 days, and it is my understanding for the Corps is ready to absorb that responsibility. Is there going to be increased costs to those who own property, who develop property? Only if they deal with wetlands.

As far as the time delay, I would point out that, again, before Permit 26 was changed in 1996, the average evaluation time for individual permits was 88 days. In 1998, it was reduced to 87 days, and it is my understanding for the Corps is ready to absorb that responsibility. Is there going to be increased costs to those who own property, who develop property? Only if they deal with wetlands.
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That is going too far in the other direction.

In the earlier debate, there was talk about the delay involved. This is a very precise, very complicated issue. The Corps is trying to do it correctly and have been slow in that task in both instances since 1996.

PERFECTING AMENDMENT OFFERED BY MR. BOEHLERT

Mr. BOEHLERT. Mr. Chairman, I offer a preferential perfecting amendment.

The Clerk read as follows:

Perfecting amendment offered by Mr. BOEHLERT:

Page 6, line 11, after “until” insert the following: “30 days prior to the final publication of the proposed replacement permits for the nationwide permit 26 under section 404 of the Clean Water Act”.

Page 13, line 13, strike “report” and insert the following: “studies and analyses not later than December 30, 1999”.

PARLIAMENTARY INQUIRY

Mr. VISCLOSKY. My question, Mr. Chairman, is this the perfecting amendment offered by the gentleman from New York (Mr. BOEHLERT) is adopted, will the Visclosky-Oberstar-Borski amendment to strike still be the pending business before the House, and will our amendment, that is, the Visclosky-Oberstar-Borski amendment, if adopted, strike the perfected language?

The CHAIRMAN. The Chair finds that the amendment offered by the gentleman from Indiana is properly treated as a motion to strike. The amendment offered by the gentleman from New York is a perfecting amendment to a portion of the text proposed to be stricken. As such, the perfecting amendment may be considered as preferential, and the motion to strike is placed in abeyance.

After disposition of the perfecting amendment, the committee will decide the motion to strike the specified text, as it may be perfected or not.

Mr. BOEHLERT. Mr. Chairman, I have an amendment to perfect the text that the gentleman from Indiana (Mr. VISCLOSKY) hopes to strike. The amendment I am offering comes after the amendment I am offering comes after the amendment offered by the gentleman from New York (Mr. BOEHLERT) is adopted, will the Visclosky-Oberstar-Borski amendment to strike still be the pending business before the House, and will our amendment, that is, the Visclosky-Oberstar-Borski amendment, if adopted, strike the perfected language?

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Mr. PACKARD. Mr. Chairman, if the perfecting amendment offered by the gentleman from New York (Mr. BORSKI) is adopted, will the Visclosky-Oberstar-Borski amendment to strike still be the pending business before the House, and will our amendment, that is, the Visclosky-Oberstar-Borski amendment, if adopted, strike the perfected language?

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Mr. PACKARD. Mr. Chairman, if the perfecting amendment offered by the gentleman from New York (Mr. BORSKI) is adopted, will the Visclosky-Oberstar-Borski amendment to strike still be the pending business before the House, and will our amendment, that is, the Visclosky-Oberstar-Borski amendment, if adopted, strike the perfected language?
But saying that, I can read English, I respect the gentleman. The gentleman has, in a way, improved the language of the bill, and I appreciate him for doing it. I accept the gentleman's language, and I will ask every one of my colleagues to do the same.

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

Mr. Chairman, I rise in support of the Visclosky-Oberstar-Borski amendment. Mr. Chairman, I would like to begin by asking those who may have just tuned into this discussion that the issue at hand that we are talking about is wetlands. That word has not entered into this discussion very much, and it does not usually enter into the discussion much on this floor, at least in recent years.

But I think it is fundamental that we understand how important wetlands are to our planet. They are the fundamental breeding grounds of our planet. Nationwide, wetlands serve as home to 43 percent of the fish, and watersheds to more than 90 percent of our commercial fishing catch in this country depends upon these fragile areas.

They also serve as our nation's water treatment facility. They act as a sponge to intercept sediment, polluted runoff, and toxic substances before they contaminate our lakes and rivers and our streams. They are a fragile part of our ecosystem that brings great joy, great beauty, a tremendous sense of serenity to literally tens of millions of people in the country and abroad. They are, indeed, a very special place.

Now, there has been much talk recently in the country about this thing called sprawl. This area that we discussed tonight, wetlands, has been a victim of that and at an alarming rate. When I talk about an alarming rate, we are letting anywhere between 70,000 to 90,000 acres of wetland be destroyed annually, in certain counties.

One acre of wetlands can store more than 360,000 gallons of water runoff. As I said earlier, they are an important filter for our water system. It was not very long ago, not very far from my State of Michigan, where 104 people died of poisoning from cryptosporidium in their drinking water.

So when we engage in this discussion about this fragile important piece of our planet, it is important to understand that African-American people are demanding we do something about this question of clean water. My colleagues cannot address the clean water issue unless they address the question of wetlands.

One of our cheapest and most natural ways to do that is to protect our wetlands. And at a time when our older communities are struggling with the cost of updating their sewers, we should be making it easier to protect these natural water flows and water filters.

The bill before us today has two riders which actually make it harder to protect our wetlands. One would prevent the Army Corps from implementing a common-sense activities-based permitting proposal. The Corps wants to implement a permitting process that would be on a case-by-case basis to protect practices which damage our natural wetlands. But this bill stops all the Corps enforcement.

The other rider would eliminate public input from the wetlands decision making process by allowing the Federal courts to issue permits straight to the developers.

Our communities have a right to provide input, not just for wetland permits, but for activities which affect our waters, our ecosystems, and our way of life and our quality of life.

I just want to encourage all of our colleagues to think about the implications here before we rush off and pass this bill without addressing this question. This amendment is a good amendment. It strikes a good balance in the bill. It preserves for us and for future generations a very fragile part of our planet that serves us all so very well.

I want to thank the gentleman from Indiana (Mr. VISCLOSKY), the gentleman from Pennsylvania (Mr. BORSKI), and the gentleman from Minnesota (Mr. PACKARD), for having the foresight to bring this to the floor. This amendment is supported by all the environmental organizations.

Trouts Unlimited, hunters, fishermen, folks across this country understand the nature of what we are talking about here. We would encourage all of my colleagues to vote "yes" on this amendment.

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

Mr. Chairman, first of all, I want to compliment the gentleman from California (Mr. PACKARD), chairman of the Subcommittee on Energy and Water Development for bringing forth a very difficult, complicated, yet sophisticated piece of legislation in order to deal with the Nation's resource needs, energy needs, water needs. This is not an easy task to follow, to implement.

I also want to compliment the gentleman from Michigan (Mr. BONIOR) for his eloquent statement about the need for this Nation to, not only protect the Nation's wetlands, to not only come up with a proposal for no net loss of the Nation's wetlands, but to add to the Nation's wetlands, because they are what has spoken, the world's filtering system for the dwindling supply of water.

It does create habitat and spawning grounds for most of the fish in the world. So wetlands are important.

I want to make just a brief statement about this country, the United States. We are as successful as we are right now, we are as successful as we are right now for four reasons: democracy, our political system; an endless frontier; an abundance of natural resources; and character. We are about character and democracy, but we are diminishing our resources because of the expanding population, and our frontier is gone. We are a developed Nation.

So what is our next frontier? What is the most important thing we can do now? Understand that for future unforeseen choices we need to be as sophisticated as possible to recognize the next frontier is an intellectual frontier. And the way to manage and increase and improve the way we use the Nation's resources.

Now, this energy appropriations bill goes a little ways toward doing that. We will do this on an annual basis. The gentleman from California (Mr. PACKARD) has taken a diverse amount of material, disparate interests, and he has put together, or pieced together a package to do something about the Nation's resources. And I am going to support the Bono amendment because it does what we want to do.

Let me run through a couple of other items. The gentleman from Indiana (Mr. VISCLOSKY) said that the President's position on an edict thing to get rid of Nationwide 26. What is Nationwide 26? It is a regulation that came out in 1996 that said the Corps of Engineers could not issue permits for isolated wetlands or wetlands on the navigable waters of our Nation's waterways for any particular activity.

Now, they have studied that for several years to see its impact. The President said last October that by this July he wanted to eliminate Nationwide 26. The Corps said they would do it by then, so they pushed it off until September. Now they have pushed it off until December, according to the Federal Register. The Corps of Engineers is not going to eliminate Nationwide 26 permitting process until December.

Now, does the gentleman from New York (Mr. BOEHLERT) offer a delay to that? Does this stop the Corps dead in its tracks? The answer is no. There is this predating amendment. The gentleman from California (Mr. PACKARD) or the proposal of the gentleman from New York (Mr. BOEHLERT). Does it cause a burden on the Corps? I personally do not think so. The Corps can pool its resources with the help of this Congress and decide by December 31 that Nationwide 26 will be eliminated and we will propose some permits for activities in the Nation's wetlands.

What is the cost to the Corps to do this? We ought to know. We need anymore people on the ground to evaluate the activity to issue the permit? We should know this. What is the cost to the community that would like to propose those activities? I think some of the cost to the regulations by the bureaucracy is arbitrary. We do not know as Members of Congress when we issue statutes what happens. We ought to know the cost to the Corps, because we have to propose funding for the Corps, and we should know the cost to the people that want the permits to do those activities so we can better expedite the entire process.
The language in this proposal by the gentleman from New York (Mr. Boehlert) is not a political solution; it is a practical solution. There is no potential delay. The language says by December 30. That is what the Corps said themselves.

We should know the cost estimate, and we should know the activities. I would urge my colleagues that a more sophisticated approach to protecting the Nation’s wetlands is to know the full impact of what the Corps is about to do. I want to preserve those wetlands. We want to increase the number of wetlands.

Mr. Chairman, I urge support for the Boehlert amendment.

The CHAIRMAN. If there is no more debate on the Boehlert perfecting amendment, the Chair will put the question.

The question is on the perfecting amendment offered by the gentleman from New York (Mr. Boehlert).

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

Mr. Boehner. 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 CHAIRMAN. Pursuant to House Resolution 261, further proceedings on the perfecting amendment offered by the gentleman from New York (Mr. Boehlert) will be postponed.

The point of no quorum is considered withdrawn.

Debate will continue on the underlying Viscosky motion to strike.

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

Mr. Chairman, in 1993, the Clinton administration directed the Corps of Engineers to establish an administrative appeals process for wetlands determinations. That instruction came with a 1-year time line to perfect those guidelines. However, it was 1995, a full year later, before the Corps proposed an administrative appellate process but was not able at that time to fully implement that plan.

It was then 2 years later, in January of 1997, that the Corps testified that they would need some $5 million to implement their administrative review process. The Congress responded and made those funds available.

In 1998, in January, the Corps announced the appellate process that they were setting up as a result of the $5 million appropriation would only review denied permits, not jurisdictional determinations.

Why is this significant? Well, it means a small landowner or a small businessperson must go through the entire administrative appellate review process and spend significant amounts of money to defend their right to their property. Only when they were denied were they then able to go on to an administrative appeal if the Corps’ proposal had been enacted.

In 1999, the Congress was told that the Corps would need an additional $5 million to implement an administrative appellate process to include jurisdictional determinations. Now, finally, some 7 years after the Clinton administration directed the Corps to prepare and implement an administrative appellate process, we find in this legislation, a rider, that the gentleman from California (Mr. Packard), the important remedy to small landowners across this country.

For those who do not live in a State like Louisiana, where increasingly important habitat is being found in places that are not permissible by the Corps of Engineers, it may be difficult to understand the significance of wetlands determinations. A couple who owns a small dry cleaners back home worked hard, many hours, saving as best they could to put money aside to acquire their dream of homeownership. They bought 5 acres of property in a rural part of Livingston Parish.

If they were making their decisions about where they might build their home on this piece of property they were acquiring, a friend told them they had better call the Corps of Engineers and have them come out and make a determination before they decided on their building site.

Well, the fella happened to own a tractor, and what is called back home a bush hog, a piece of equipment for cutting grass, normally. Well, he took the tractor and the bush hog and he went out to that 5-acre tract so he could get a better idea of where the trees were located and what might be an attractive place to put the home.

When the Corps of Engineers came out, they were not particularly impressed with this young man’s activities. They determined right off the bat, using an inaccurate floodplain map, that the property in question was a wetland and that he had inappropriately cut down young trees. Not only were they now not permitted to build in a timely fashion on that property, they were told they had to replant 50 trees at their expense and be responsible for the life of those trees, for their continued growth and safety.

This couple soon realized what they had gotten themselves into: that they had spent 10 years of their life working to save money to try to overturn a decision of the United States Government. After years of trying, they had spent 10 years and $5 million to implement an administrative appellate process to include jurisdictional determinations. Now, finally, some 7 years after the Clinton administration directed the Corps to prepare and implement an administrative appellate process, we find in this legislation, a rider, that the gentleman from California (Mr. Packard), the important remedy to small landowners across this country.

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If they were making their decisions about where they might build their home on this piece of property they were acquiring, a friend told them they had better call the Corps of Engineers and have them come out and make a determination before they decided on their building site.

Well, the fella happened to own a tractor, and what is called back home a bush hog, a piece of equipment for cutting grass, normally. Well, he took the tractor and the bush hog and he went out to that 5-acre tract so he could get a better idea of where the trees were located and what might be an attractive place to put the home.

When the Corps of Engineers came out, they were not particularly impressed with this young man’s activities. They determined right off the bat, using an inaccurate floodplain map, that the property in question was a wetland and that he had inappropriately cut down young trees. Not only were they now not permitted to build in a timely fashion on that property, they were told they had to replant 50 trees at their expense and be responsible for the life of those trees, for their continued growth and safety.

This couple soon realized what they had gotten themselves into: that they had spent 10 years of their life working to save money to try to overturn a decision of the United States Government. After years of trying, they had spent 10 years and $5 million to implement an administrative appellate process to include jurisdictional determinations. Now, finally, some 7 years after the Clinton administration directed the Corps to prepare and implement an administrative appellate process, we find in this legislation, a rider, that the gentleman from California (Mr. Packard), the important remedy to small landowners across this country.
bipartisan support and, in fact, will liked result in a presidential veto of this bill. The Visclosky amendment removes the controversy and ensures this bill an overwhelming vote.

Mr. Chairman, our Nation’s wetlands are a vital resource and are the front line of defense against the devastating effects of flooding. As many of my colleagues know first-hand, one of the greatest benefits provided by our Nation’s wetlands, both economically and environmentally, is that of flood protection. Wetlands serve as natural holding areas for heavy rainfall and snow melts, temporarily storing the excess waters for slow release in surrounding areas and recharging groundwater, thereby reducing the damage to downstream farmlands and communities.

In the process, these vital areas limit the spread of pollutants by naturally assimilating contaminants and often provide critical habitat and nursery areas for migratory birds. Unfortunately, since the 1600s, more than half of the original wetlands in the lower 48 States have been destroyed. Wetlands across the Nation have been drained at an alarming rate, up to 100,000 acres annually, and subsequently converted to farmlands, built for housing development, and industrial facilities, or used as receptacles for waste.

Yet what is even more unfortunate, Mr. Chairman, is the fact the provisions contained in this bill would assist in the destruction of an even greater number of wetlands. First, the legislatively proposed changes contained in this bill would delay the implementation of a revised nationwide program for wetland development. Currently, the discharge of fill materials into certain types of waters is allowed without regard to the type of activities being conducted and without prior notification or delineation as a protected wetland.

In fact, since 1993, the administration has called for a complete review of the wetlands program and just a few weeks ago the Army Corps of Engineers published a proposal to correct the deficiencies. The riders contained in this bill will needlessly delay the implementation of the new nationwide permitting plan and continue the loss of wetlands. That is unacceptable.

Instead of continuing the destruction of wetlands, we should allow the Corps of Engineers to finish the work on the revised permit system, providing additional protections to our vital wetland resources, yet still allowing continued development of selected wetlands areas.

Mr. Chairman, this proposal also will needlessly increase the amount of litigation surrounding the revised wetland permit program. Under the current process, an individual may seek a determination by the Corps to identify whether or not a wetland exists on their property in advance of any planned development. Because such determinations are not always tied to any real desire to develop lands, these agency determinations are not litigated. This rider allows these issues to be challenged in court. We certainly do not need any more lawsuits.

While I support establishing an administrative appeal process for jurisdictional determination, this should not create new multiple opportunities for litigants.

In addition, this threat of litigation is intended to cause the Corps to be significantly more conservative in its determination of what is a wetland in order to avoid future litigation. This can only result in the further development of greenfields at a time when we should be encouraging continued re-development of urban and rural brownfields.

Mr. Chairman, as I stated earlier, our Nation’s wetlands are an important but rapidly diminishing natural resource. We cannot accept riders in appropriation bills which further diminish their protection or promote this rider and protect these precious resources.

I urge my colleagues to support this amendment.

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

Mr. Chairman, I would like to address the two issues that are in this amendment. Let me take the nationwide permit 26 issue first. I will try to be brief on that, because I honestly believe that the Boehlert amendment essentially removes all of the concerns for this portion of the amendment by the gentleman from Indiana (Mr. Visclosky).

Frankly, all this provision is in the bill is a reporting provision. It simply asks for a report. It is nothing more than that. It does not change the process. It does not change the regulations. It does not change any part of the existing law as it relates to wetlands. It only requires a report.

That report will be done before the Corps, at their own admission, can implement the change from the nationwide process to the individual permitting process.

I cannot see any reason for Members to disagree with the provisions that are now in the bill, as amended, on this nationwide permitting process.

I should mention that the Corps itself has admitted that individual permits will take five times longer to process than the nationwide permit 26 general permits will take. The Corps further said, just the other day, last Wednesday, in the Federal Register, the Corps reported that the proposed changes would cause an substantial increase in the Corps’ workload by requiring individual permits for activities that would otherwise be evaluated through the nationwide permit program.

The Corps estimated that just one of those proposed exclusions would result in two to three thousand more individual permits per year, at least a 40 percent increase in the individual permit workload. Can any of my colleagues feel it is not necessary to find out what problems that will cause in the processing?

The Corps is going to have to do more work. They have admitted that. All we want to do in this report is to find out how much more required work it is going to be. Can the Corps handle it? Will it cost more for the Corps? Will we have to provide more funds for the Corps? Will it cost more to the applicant? And, will it cause delays?

All of these questions need to be answered. And the Corps can do it under the Visclosky amendment. Not only can they do it, they must do it before they implement it by the end of the year, which is the time that they said it would take to implement this process anyway.

So much for the nationwide permit process. I can speak a lot more on it, but not because far more important is the next issue. Because again, I believe the Boehlert amendment solves the problems in the nationwide permit issue and deserves really no further discussion.

But on to the other portion, that is the administrative appeals process. My colleagues, this is my biggest concern. I get complaints on this process from cities, from counties, from school boards wanting to build schools, water districts wanting to put the sewer and water lines in, State and county facilities that need to be put in to service the people, to build roads, and to build parks.

They are the ones that are struggling more with this now than the private sector, and they are the ones that are complaining. I have a list of letters from the cities and counties in my district asking us to do something to make it easier for them to go through the process.

My bill very modestly addresses the problems that they have brought to my attention. And the modest change we recommend is to give the cities, the counties, and private enterprises that need to develop their land the same opportunity as the private sector that may disagree with the Corps’ decision.

Let me explain briefly, all this does under current law. I may not have sufficient time to do this, but I will seek time from others to allow me to complete it.

I will use a school district as an example because that is the one that I have heard from most recently, a school district wanting to build a new school. If it is determined by the Corps that they may have a wetland on their school site, whether there is or not, if it is declared a wetland by the Corps, then the school district is required to go through the long and drawn out and
Mr. PACKARD. Mr. Chairman, so if the school district is seeking a 404 permit, they cannot take it to court. But someone else can take it to court if the court decides that it is not a wetland on the site. The gentleman does not understand that.

Mr. BOEHLERT. Mr. Chairman, will you yield to the gentleman from California.

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

Mr. BLUMENAUER. Mr. Chairman, this provision, I think, is better known now as the puppy. The gentleman has not met this puppy. It is not a puppy that wants to delay the development. Nor is it a puppy that wants to delay the process. The provision in the bill does not change any of the procedures required by an applicant. It simply gives them the opportunity to appeal the decision. But it certainly is not going to deplete the wetlands. That is simply not an issue in this.

Mr. BLUMENAUER. Mr. Chairman, reclaiming my time, I was explaining why it was sound Government policy to act immediately if there is a potential for losing this activity.

Mr. BLUMENAUER. Mr. Chairman, I hope and pray that we can continue on to work with the gentleman from Oregon and 10 years ago President Bush articulated by President Bush. We can quibble about the statistics, but we are still losing between 1,000 and 2,000 acres per week, 50 to 100 thousand acres per year, year after year, losing this precious resource.

Mr. BLUMENAUER. Mr. Chairman, I am long felt that one of the problems we have in the Federal Government is that we do play by different rules, whether it is the post office that does not obey local land use laws, zoning code, environmental regulations. I think the Congress should move forward to make sure that we all play by the rules.

But for heaven's sake, I think it is ill-advised, when the Corps of Engineers is, in fact, moving in the right direction, for us to throw sand in the gears as it relates to permit 26, require the Corps to come forward with yet another study and to enact a separate appeal process rather than have an administrative appeal.
Mr. BAKER. Mr. Chairman, will the gentleman yield?

Mr. BLUMENAUER. I yield to the gentleman from Louisiana.

Mr. BAKER. I just wish to point out that the appropriations process gave an additional $11 million for regulatory and administrative procedures in the proposed budget. And, secondly, just a quick Louisiana note, we lose more wetlands in one 2- or 3-day period from one Stage or Level 3 storm called a hurricane than we do in the entire year of normal geological processes. If the gentleman really wishes to help us save wetlands in Louisiana, we just need a few bucks to do some onshore revetments to protect whatever precious wetlands we have left. Otherwise our coastline is going to be up somewhere south of Arkansas.

Mr. BLUMENAUER. Reclaiming my time, with all due respect, I think there are a whole host of areas we could constructively discuss in terms of what has happened environmentally with the State of Louisiana. I think by some ill-planned efforts that have gone, including the Federal Government, over the years, that we have helped create sort of an environmental time bomb in terms of Louisiana.

Mr. BAKER. I will agree with the gentleman, if he will yield further just quickly. One of the problems, which I know that he would not support, would be to let the Mississippi River meander to its natural course.

Mr. BLUMENAUER. Mr. Chairman, I will talk with the gentleman about the Mississippi River flood control and these sorts of things at another time.

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

Mr. Chairman, I want to make a quick comment that the gentleman from Louisiana stated earlier about crabs and restaurants in Washington, where most of them come from Louisiana. I would just like to say that a good portion of those crabs come from the Chesapeake Bay in Maryland.

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

Mr. GILCHREST. I yield to the gentleman from Louisiana.

Mr. BAKER. The gentleman is absolutely correct. I appreciate him for correcting the official record on this matter. I would point out, however, it is the small ones that come from Maryland.

Mr. GILCHREST. Reclaiming my time, it is the big, meaty blue crabs from the Chesapeake Bay. I thank the gentleman from Louisiana. We are also working on the nutria problem. I know you probably want to put them down there. We do not want to do that up here.

I would like to respond to the gentleman from Oregon for whom I have great respect and with whom I realize and all of us here collectively certainly want to do everything we can to add to the Nation’s acreage of wetlands, but as far as two quick items.

The appeals process that is in this legislation, it offers someone that has been, if you want to, and I cringe when I say this word, develop, or have some activity on wetlands, which I think we should avoid them at all cost and find some other alternative. But if you choose to challenge the Corps when they say that they have delineated that piece of acreage as a nontitled wetland, what can you do then? In the bill, the gentleman from California (Mr. Packard) has said, you can appeal to a higher level of the Corps of Engineers and then they will determine whether the person on the ground delineated that piece of wetlands correctly. If the Corps sustains the original delineation, then the individual or the group can go to the U.S. Federal court. But the Federal court is not going to overturn the Corps’ delineation unless it is judged to be arbitrary and capricious. That is rock solid.

The other issue we are talking about here is Nationwide 26 which is a small, narrow area of nontitled wetlands, of wetlands in general. It is not the whole program of section 404. It is a narrow part of section 404 dealing with three acre or less isolated wetlands, considered at the headwaters of an area. Personally I do not think those isolated wetlands should have activity on them there other than maybe a Canada goose or some other habitat for wildlife. But, the language in this bill does exactly what the Corps of Engineers said they were going to do in the Federal Register. That is, the Corps Engineers said by December 31, we will have in place the ability to implement a new regulation for isolated wetlands and, that is, to get rid of Nationwide 26, so they will be able to have an individual permit for activity on that particular wetland.

This bill makes sure, puts into statute, that they will no longer postpone that implementation. It will happen December 31st. They were going to do it in July and then that slipped. They were going to do it in September, then that slipped. Now they say they might do it this December.

What the amendment of the gentleman from New York (Mr. Boehlert) does is to make sure they will do it in December, and I think we ought to let the kind of people they need for the people on the ground to implement that policy so that we can ensure that they have enough money. And I think it will help the community that wants to have activity on wetlands, the development of the Corps to go out and they ought to know what it is going to cost them. This is just good legislation.

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

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

Mr. PACKARD. The gentleman should know, and I hope the Congress knows, that we have put money into this bill to literally implement what the Corps was planning to do.

Mr. GILCHREST. I thank the gentleman for that comment.

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

Mr. KIND. Mr. Chairman, I want to just rise today to associate myself with the remarks of my friend from Oregon whom I think is one of the foremost experts in this body in regards to this issue and a whole host of other environmental issues. That is why I rise as a strong supporter of the Visclosky amendment and would encourage my colleagues to support it in final passage.

But I also rise this evening, Mr. Chairman, at one of the cochairman of the bipartisan Upper Mississippi River Task Force that was formed over 3 years ago, a group of Members on both sides of the aisle which is dedicated to get together to bring a little more focus on the important preservation and the protection of one of our national treasures, the Mississippi River. Normally I would be eager to support this bill and I hope I still can if the anti environmental riders that have been attached are removed and although there is an agreement to restore some of the funding to the renewable energy program, it is a little disheartening that we could not at least get to level funding as we had last year.

This bill, nevertheless, does contain important provisions for the upper Mississippi River Environmental Management Program, the LaFarge Dam Project, and the Chicago Sanitary and Ship Canal Dispersal Barrier. I just want to take a couple of moments to talk about a couple of these.

In light of the tight budget constraints, I commend the appropriators, especially the gentleman from California (Mr. Packard), the committee members and committee staff for their recognition of the importance of the Environmental Management Program and for appropriating $18.95 million to the EMP program which is about level funding, where it was last year, but it is $3 million more than what the Senate appropriated level is right now.

One special note is the bipartisan support and the leadership that we have had in this Mississippi River Task Force from my other cochair, the gentleman from Minnesota (Mr. Gutknecht), the gentleman from Minnesota (Mr. Oberstar), and the gentleman from Iowa (Mr. Leach).

The EMP is a great cooperative effort at the Federal, State and local level involving the Fish and Wildlife Service, the Geological Service, the U.S. Army Corps of Engineers and the five Upper Mississippi River basin States that is dedicated to ensure the coordinated development and enhancement of the
The Illinois River in order to prevent the migration of nuisance species from Lake Michigan to the Mississippi, such as the round gobi and also carp trying to travel from the Mississippi to Lake Michigan. It is long overdue. I think this barrier is extremely important to add to the protection of the river.

I would encourage my colleagues again to support the Visclosky amendment to make this a better bill which in all other respects I wholeheartedly endorse.

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

Mr. Chairman, I rise today in strong support of the amendment offered by the gentleman from Indiana (Mr. Visclosky), the ranking member of the Subcommittee on Energy and Water Development.

This amendment will strip from the bill the harmful riders that would reduce protection for our valuable wetlands and would make it very difficult for a great number of Members of this Congress to vote for the bill without it. Without those riders, it is extremely important to many of us that comes through matching funds from the Federal Government and from the State and from local investment and from private investment, because it is very, very important to our districts. In fact, we are going to reconstruct a wetland that is now an old, unused Air Force landing pad, Hamilton Air Force Base. It is going to be the largest restored wetland in the State of California. We would not have to do this if wetlands were not disappearing at nearly 100,000 acres a year in this Nation.

In fact, in my State, California, we have lost nearly 90 percent of our original wetlands. If we are going to do any kind of alarm, wetlands provide a home to wildlife habitat, filter pollutants from our streams and lakes, help control floods and give us more recreational areas. These wetlands are a spawning ground for fish and provide homes for more than 138 species of birds and also for every amphibian and reptile in the United States.

The riders in this bill undercut key Clean Water Act protections for wetlands. If they were eliminated in litigation, they would waste Federal dollars, and block revised wetland permits designed to limit wetland destruction and the flooding of homes and businesses.

Mr. Chairman, I would like to see the Visclosky amendment allow the Army Corps of Engineers to revise their permit process, providing more protection for our wetlands. Developers may say, and they do, they will say they will say, but we need to realize that this is a long, drawn-out process that would become much longer. However, the reality of the situation is that 82 percent of permits are
approved within 16 days of submission, and less than half of 1 percent are denied in the end.

The Corps of Engineers has been in the process of developing these replacement permits for more than 2 years. The process involved two public notices and comment periods in which more than 10,000 people and businesses have participated. These comments ran 9 to 10.

Mr. Chairman, in favor of stronger wetland protections.

We need to protect our remaining wetlands. The people of this country know it. They know that the wetlands are among our most valuable environmental resources. These antienvironmental riders must be removed before our wetlands disappear entirely.

I ask my colleagues to support the environment by supporting the Visclosky amendment.

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

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

Mr. HINCHHEY. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I yield to the gentleman from California (Mr. PACKARD)

Mr. HINCHHEY. Mr. Chairman, I rise in support of the Visclosky amendment.

Mr. Chairman I rise in strong support of the Visclosky-Oberstar-Borski amendment to the Energy and Water Appropriations Act. The amendment would remove two provisions from the bill which severely threaten the health of our nation’s wetlands and ability of the Corps of Engineers to effectively implement the Clean Water Act.

The first provision severely limits the review process for wetlands decisions by making the review of these initial determinations appealable to the Corps of Engineers. The Corps of Engineers must then make a final determination regarding the wetlands permit application.

The second provision would indefinitely delay implementation of a revision to the Corps’ “Nationwide Permit 26” under Section 404 of the Clean Water Act. The revision was first proposed by the agency last year and is still in the public process being undertaken by the agency. The new nationwide permits are a high priority of the administration. Through this public process, they plan special protections for flood plains and other environmentally sensitive lands. I believe the administration should be allowed to complete the open process and move forward with its revisions to the permitting system, not be cut short by a legislative provision in an appropriations bill.

Our nation’s wetlands have already been drastically reduced. We must ensure the protection of these critical areas and not preempt any public processes to be halted because of this legislation. I urge support for the amendment.

Mr. HINCHHEY. Mr. Chairman, I wanted to say a word in support of the Visclosky amendment as well because I think it does something that is very important. The administration, this administration, has recognized that the policy that has been pursued by the Army Corps of Engineers over many years which has allowed for the destruction of wetlands under three acres, is a wrongheaded policy in that in the course of that policy we are losing cumulatively hundreds of thousands of acres and have lost cumulatively hundreds of thousands of acres over a period of time in the past. The administration wants to move to stop that.

This is a very important thing to do, and we should not discourage the administration in this effort, and unfortunately that is what the anti-environmental riders in this appropriations bill would do. It would make it more difficult to protect small wetlands, wetlands under three acres. It is very important to protect those wetlands for a variety of reasons, not the least of which is why we are in this country, as a result of increasing population and increasing activities of various kinds, have placed in jeopardy our surface water supplies, the reservoirs of our Nation, particularly the big cities. We have a crisis in the Midwest and elsewhere. Consequently the EPA has adopted a program whereby, if cities fail to protect their surface water supplies, their reservoirs, they will have to implement a filtration program. That filtration program is a very expensive one.

Let me give my colleagues the example of the City of New York. In the case of the City of New York, if New York has to build a filtration plant which is more likely if we destroy the wetlands upstate, it will cost the city approximately $5 billion to construct that filtration plant and approximately a half a billion dollars a year to operate it. Now that is just the economic side of the equation. Of course, once the filtration plant is built and operating, the quality of the watershed and the water supply system will further deteriorate because the main incentive for protecting it will have been evaporated, will have been lost as a result of the construction of this filtration plant.

So the loss of these wetlands is very critical.

Recently the City of New York did something very foolish, I think, because they approached the Army Corps and dropped a provision whereby they would agree that the city would agree to a plan which would provide for the protection of these small wetlands, these wetlands of less than three acres in the Catskill watershed in upstate New York. The city was prepared to go along with that, but recently the mayor of the city intervened and decided that he would drop that. And so this small plan, which was now protecting the quality of the watershed, which is an absolutely precious, invaluable, and I use that word literally, invaluable resource, is in danger now and increasingly in danger because we will be losing these small wetlands.

So, by adopting the anti-environmental rider in this bill we will once again deprive ourselves of the opportunity to protect these small wetlands, protect our water supplies, avoid enormous costs associated with building filtration plants and operating those filtration plants and place our citizenry in increased jeopardy of disease and other ailments as a result of contaminated water supplies.

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

Mr. HINCHHEY. Mr. Chairman, I yield to the gentleman from Louisiana.

Mr. BAKER. Mr. Chairman, I just wish to point out the only modification the amendment offered by the gentleman from California (Mr. PACKARD) would make is to allow, at the beginning of the 404 process for these small acreage tracks, a determination to be made whether it is or is not a wetlands; what will be the acreage lost. Only a small property owner can go into the United States Government and say, “Is this really a wetland before I spend all my money to get my property back?” That is all the gentleman’s amendment.

Mr. HINCHHEY. Mr. Chairman, reclaiming my time, I thank the gentleman very much for that. I listened to the gentleman, I am very sympathetic to what the gentleman said about the situation that the story, the anecdote that the gentleman told us about the situation in Louisiana in his district; I am very sensitive to that, and I appreciate it, and I think that things need to be done about that. We need to protect people from buying property that they intend to build on and then later on they find it is a wetland. We need to take action, at least States particularly ought to take action, against people who sell property that it is not a wetland and later on the purchaser finds out that that is not the case because a wetland is located on it.

Mr. Chairman, I am very sensitive to the problem that my colleague outlines, and I think steps can be taken at the State and local level to deal with those kinds of problems.

I do not think, however, that we ought to be adopting on appropriation measures anti-environmental riders which will make it more difficult for us to protect small wetlands and those small wetlands are so crucial to the health, safety, and welfare of the citizens of this republic.

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

We are switching our attention to a debate on wetlands and the value of wetlands. Let me tell my colleagues I appreciate the value of wetlands.

President Bush said back in the 1990s that we should have no net loss of wetlands. I stood up and cheered, stood up with many of my colleagues on that side of the aisle.
Mr. Packard's in this bill. If it is adopted without the Visclosky amendment, no damage to wetlands occurs in the gentleman's opinion. It only allows the land owner to come in and say, "Mr. Corps, is this a wetlands; yes or no," before they do anything.

So there is no stage occurring as some have alleged in the debate here tonight.

Mr. BOEHLERT. Mr. Chairman, I exactly agree with the text as perfected, and the perfecting is very important in my heart. Let me tell my colleagues the perfecting is very important because I could sense, as my colleagues know, sort of a little potential problem here. That is why I had the perfecting amendment.

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

Mr. BOEHLERT. I yield to the gentleman from Indiana with whom I work closely and for whom I have great respect.

Mr. VISCLOSKY. Mr. Chairman, I appreciate the gentleman's comment and would ask why this issue was not addressed in the Water Resources Act.

Mr. BOEHLERT. Mr. Chairman, let me tell my colleagues we had enough issues that we had to address in the water bill. We are still working. The gentleman from Pennsylvania (Mr. BORSKI) over there, my colleague, is smiling because we are getting very close to resolving that issue in a bipartisan manner. That is what we should do on this floor.

Look. Let us not look at issues as if we are Republicans or Democrats. Let us look at the issues as if we are Americans concerned about a future legacy for our children and grandchildren.

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

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

Mr. PACKARD. Mr. Chairman, I really want to associate myself with the gentleman's remarks because I too have worked most of my public life to preserve and protect wetlands. I live along the southern California coast surrounded by lagoons and wetlands, and they are very valuable to us, to our quality of life, to our way of life, and to the environment.

I am not anti-environment, I am not anti-wetlands. In fact, my provisions, in my judgment, do not affect the amount that they have on their property, and, in fact, the State of Pennsylvania has found that they have increased their wetlands since 1989 by the tune of some 4,700 acres.

Mr. BOEHLERT. Mr. Chairman, I was re-emphasizing my time, let me point out that we educated the governor of the State of Pennsylvania in this body, and then we sent him back to Harrisburg to do that.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this debate I think makes the exact point that the ranking member on the committee is trying to make with his amendment is that this ought to be hashed out in the policy committee where all sides can be heard on this as opposed to proposing this amendment, if my colleagues will, in the eleventh hour of this consideration.

I think this committee has done a remarkable job with this legislation given the terrible lack of resources that they have had available to them under the budget constraints to deal with the problems that all the Members have tried to deal with. But clearly in this particular case this language is flawed because it simply comes in in the middle of the process, if my colleagues will, or very near the end of the process, and takes the demands of one constituency to what has been a long-running argument in this country about how we process permits dealing with the protection, the enhancement of conservation and protection of the environment. It only allows the Corps to respond to them.

And that is the reason that the gentleman from Indiana (Mr. VISCLOSKY) and the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Pennsylvania (Mr. BORSKI) are quite right in offering this amendment. Many of my colleagues on both sides of the aisle have already attested to the damage that has been done under the current process and the need to change that process. And the Corps is going through a very deliberative process to make sure that all sides, in fact, have been heard.

And we have listened to the testimony of how many tens of thousands of people have testified in organizations on this amendment, I mean on the process by the Corps to change the nationwide permit program that we have under section 26, and we ought to fully understand that that is a process that then the Committee on Transportation and Infrastructure or the Committee on Appropriations can deal with through hearings.

But that is not this process. This process is to render a verdict on a claim that is made, that somehow this will change, this will change the equities or the rule if people can appeal this process, when they can make that determination.

One of the things we clearly found out was that at three acres at a time the Corps is gobbling up tens of thousands of acres of wetlands in the current process or the old process, if my colleagues will. Small does not necessarily mean that wetlands are not
important, it does not mean that they are not significant. The fact of the matter is that they have to be reviewed and they have to be considered that.

The Corps also found out that a considerable period of time is being dealt with in this question based upon acreage that really does not render a proper judgment, and that is why they are moving to this activity-based system of wetlands that will hopefully give people greater confidence and greater certainty in that process.

And that is why we should support this amendment, because to come in now clearly, as my colleagues can already see, whether it is from the Corps or whether it is from FEMA or other parts of the administration, this has the potential to threaten this entire bill because people have not been able to be heard or make their case on this matter.

I have had meetings on this exact point with many members in our community, but I have to tell my colleagues I do not think that many of the people that I have met with would think that this a terribly fair way to resolve that process in this legislation without an ability to offer amendments otherwise, the committee would agree to here in the case of Mr. Boehlert's, which is clearly an improvement of this. But the Visclosky amendment still ought to be voted on by the House, and it ought to be passed by the House, that we can get back to a thoughtful process that the Corps is currently engaged in.

Mr. Chairman, I want to thank the gentleman for offering his amendment.

Chairman.

I want to thank the gentleman for offering his amendment.

Mr. VISCLOSKY. Mr. Chairman, given the exchange of unanimous consents, I ask unanimous consent for 2 additional minutes to close.

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

There was no objection.

Mr. VISCLOSKY. Mr. Chairman, I want to return the body and the Members to the issue at hand, and the issue is the loss of wetlands in the United States of America. This year, we will lose approximately 70,000 to 90,000 acres of wetland. The two provisions in the bill are not going to lead to the entire loss of all of those wetlands, but they are contributing factors; and for every acre we lose, we cannot get it back.

The gentleman indicated earlier that as far as the authorization bill, we had other issues to deal with, and I appreciate the Chairman's comments. We have other issues to deal with in this bill to the tune of about $20 billion, and that is what we ought to be focused on. We ought to remind ourselves that in the last three Congresses, there were 225 or other bills dealing with issues related to wetlands and permitting, similar to that being debated at this point in time, and we have not ourselves, Republicans or Democrats alike, been able to resolve those in the authorization process. This is not the time, this is not the place, this is a mistake and is subject to a veto, and I would ask my colleagues to support the Visclosky-Oberstar-Borski amendment. Mr. KUCINICH. Mr. Chairman, I rise today in support of the Visclosky-Oberstar-Borski amendment. Mr. Speaker, wetlands protect our families from floods, filter our drinking water, provide recreational areas, and provide critical habitat. Yet we have destroyed more than half of our wetlands for development and agriculture and we continue to destroy one hundred thousand acres of wetlands annually, one hundred thousand. In my state of Ohio we have already lost more than 90 percent of our precious wetlands. The Army Corps of Engineers estimates that floods have killed almost 900 people and destroyed $900 billion in homes, businesses, crops, and government structures since 1990.

The anti-environmental rider in this bill will allow developers to drive their tractors through a loophole and dump fill directly into our wetlands. This rider seeks to extend, indefinitely, a scientifically discredited wetlands permit known as Nationwide Permit 26. This same permit has been the largest source of permitted wetlands loss in America, authorizing tens of thousands of wetland-filling development activities each year. We cannot afford this decimation of one of our nation's most treasured resources.

Mr. Chairman, I urge my fellow members to support this amendment to remove this damaging amendment and close this loophole. Vote yes for this amendment and allow us to provide fair and effective protection for the nation's critical wetlands.

Ms. PELOSI. Mr. Chairman, I rise in support of the Visclosky amendment to the Energy and Water Appropriations bill (H.R. 2605).

This amendment addresses two provisions in the bill where Committee language would result in threatening the progress being made to protect wetland areas and the wildlife they shelter. The amendment would address two issues by:

—striking the reporting requirement for the Corps
—striking the appeal of wetlands designations prior to completion of the permitting process.

Both the Environmental Protection Agency (EPA) and the Department of the Army oppose these provisions in the bill. EPA's letter states:

Both provisions will significantly impair the Administration's ability to provide fair and effective protection for the nation's critical wetlands resources.

The Army summarizes its opposition by stating:

The Administration strongly objects to a provision that would short-circuit the review process for wetlands jurisdictional determination by making the review of these initial decisions appealable to the Federal courts prior to a final permit decision. Although the Administration supports the creation of an administrative review process for these determinations, it would generate unnecessary and premature litigation, set back efforts to ensure a fair and amicable resolution of potential disputes, and undermine the ability of citizens and communities to participate on an equal footing in the permit process.

These are letters from the people in charge of this process; individuals who are considered experts and intensely involved in balancing the interests of appropriate development environmental protection. The language in the bill destroys the unique balance that is necessary to protect our nation's wetlands and, instead, tilts the scales toward development of these areas. When we have threatened or endangered species, there are laws with the specific purpose of safeguarding our natural identity. The same criteria should be applied to guard against exceptions for wetlands development. These amendments are not diminishable. Given that knowledge, our focus should be on taking extraordinary steps to protect extraordinary areas.

I urge my colleagues to support the Visclosky amendment and to keep in place the necessary protections intended to protect and preserve precious wetlands which are retreat at an alarming rate from our natural landscape. Vote yes on the Visclosky amendment.

The CHAIRMAN. If there is no further debate on the Visclosky motion to strike, it will remain in abeyance pending disposition of the Boehlert perfecting amendment, on which proceedings have been postponed.

The Clerk will read. The Clerk read as follows:

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM
INCLUDING TRANSFER OF FUNDS

For expenses necessary to clean up contamination from sites throughout the United States resulting from work performed as the United States resulting from work performed as the former early atomic energy program, $150,000,000.

POINT OF ORDER

Mr. BOEHLERT. Mr. Chairman, on behalf of the gentleman from Pennsylvania (Mr. SHUSTER), I raise a point of order against the portion of the Formerly Utilized Sites Remedial Action Program beginning with the last comma on page 7, line 7 through page 9 line 2, on the grounds that it is legislation on an appropriations bill in violation of clause 2 of rule XXI of the Rules of the House. This program has not been authorized for fiscal year 2000. In fact, it is likely that there has never been an authorization for this program.

The CHAIRMAN. Does the gentleman from California wish to be heard on the point of order?

Mr. PACKARD. Mr. Chairman, I concur the point of order.

The CHAIRMAN. Does the gentleman from Indiana wish to be heard on the point of order?

Mr. VISCLOSKY. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The portion of the paragraph identified by the point of order provides for extended availability of funds without a supporting authorization in law, and includes five legislative provisos.

As such, that portion of the paragraph constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The specified portion of the paragraph is stricken.

Mr. THUNE. Mr. Chairman, I move to strike the last word.
Mr. THUNE. Mr. Chairman, I rise to speak to section 505 of the bill. Mr. Chairman, this provision would repeal Title VI, division C, of Public Law 105-277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999. That provision, known as the Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration Act, would transfer the Missouri River in South Dakota from the U.S. Army Corps of Engineers to the tribes mentioned above as well as the State of South Dakota. The Act also would establish a fund to pay for wildlife habitats.

The Act is a major priority for South Dakota Governor William Janklow. The Governor has requested I submit a letter on this topic for the Record. I would like that letter from the Governor inserted at the conclusion of my statement.

The Act also has been the subject of much discussion for South Dakotans, and I have taken great interest in all comments on this issue. While I am aware of the concerns of some of my constituents over issues surrounding this Act, I share in the sentiments of many who support the objectives the Governor attempts to forward in this law. Because of the many who support the objectives the Governor has inserted at the conclusion of my statement.

I am offering an amendment to strike the Secretary of the Interior's language that the State of South Dakota is responsible for the poor conditions. Title VI, division C, of Public Law 105-277 (Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration) will solve the problem by starting the process of transferring all of those Corps of Engineers recreation areas to either state or tribal control.

Because we are willing to do the work to improve and maintain these recreation areas, the state and the tribes will be able to improve and maintain those recreation areas, the state and the tribes will create tremendous recreational opportunities for all of the people of the upper Midwest and anyone else who visits South Dakota. It will be an environmentally sound project and will do nothing to harm the cultural heritage of our Native Americans.

If the new law is allowed to remain in effect, no longer will we be forced to ask the Corps of Engineers, "May I?" No longer will we have to wait for Washington to provide benefits that were promised, but never delivered.

We're not asking for a massive public works project like the old irrigation proposals of the 1950s and 1960s. All we want is the opportunity to take control of these rivers and the recreation areas along those rivers. No longer can we prejudge the recreation areas for all visitors to enjoy.

I have no higher priority than removing this repeal language and implementing this Act. I believe that the Act will reduce future federal tax expenditures and that the Act will receive $3 million for the project. I hope you will do everything you can to remove the repeal language from the bill and appropriate $3 million for the project.

Please explain to your fellow members of Congress that if the new law is allowed to remain in effect, we will receive tremendous recreational opportunities for all of the people of the upper Midwest and anyone else who visits South Dakota. It will be an environmentally sound project and will do nothing to harm the cultural heritage of our Native Americans.

I am offering an amendment to strike the language that the State of South Dakota is responsible for the poor conditions. Title VI, division C, of Public Law 105-277 (Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration) will solve the problem by starting the process of transferring all of those Corps of Engineers recreation areas to either state or tribal control.

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not only of Members of Congress, but also of State and local governments along the Great Lakes, and upon the concern of millions of Americans who have rightly depended upon the timely and professional service of the Corps with the use, the development, and also the protection and preservation of that important body of water which means so much to us in the Middle West.

For most of this decade it seems as if we have been struggling with how to restructure the Corps of Engineers. The Great Lakes task force repeatedly opposed general and early plans which, in our view, would have gutted the Corps' ability to serve the Lake States. Finally an agreement was reached in 1996 which established a dual division headquarters in the Great Lakes in the Ohio River division in response to the administration's proposal at the time to close the Great Lakes division. As a result, today the Corps of Engineers has two headquarters in the Midwest, in Chicago and in Cincinnati; and I would note the importance of this in terms of service to the Midwest and protection of the Great Lakes. The movement of many full-time employees from the Great Lakes to the Ohio River office caused a lot of distress amongst the constituencies of our region. However, Great Lakes Members of Congress accepted this split in the spirit of compromise.

My amendment today would remove a provision which moves beyond that compromise, which has generally worked to the satisfaction of the Great Lakes States and their Members of Congress. The result is a high level of uncertainty with regard to both the domestic program coordination and joint implementation of international responsibilities with Canada that the Army Corps of Engineers has depended upon the services provided by the Corps. Currently because of the Corps, Chicago is in the process of repairing its deteriorating shoreline.

Mr. Chairman, I understand that this amendment offered by the gentleman from Michigan (Mr. DINGELL). This amendment which coordinates with the EPA's Great Lakes national program office and with the Great Lakes region of the IJC, both of which are in Chicago. Maintaining the Army Corps' involvement in these binational programs is critical in the coming year as the Great Lakes region prepares to address the issue of water diversion and international water sales. Even short disruption of the agency's regional leadership structure would have serious negative effects on its contribution to this important process.

Last year, Mr. Chairman, a Canadian firm tried to implement a plan for bulk sales of Great Lakes water to customers in the Northwest. The company has backed away from the plan, being while our two governments study the issue of water diversions. But we know more attempts will be made to extract and sell our water. In Ohio, we rely on Lake Erie for much of our region's well-being. It is important to safeguard the Great Lakes for the future, and the Army Corps office in Chicago we believe has a key role to play.

Mr. Chairman, I rise today in support of the Dingell amendment to H.R. 2605. H.R. 2605, as currently drafted, seeks to close the Army Corps of Engineers' regional office located in the City of Chicago.

It was only after a few years ago that we negotiated the continued existence of the Chicago regional office with a plan which was both cost effective and streamlined. I recall those days, Mr. Chairman. Long meetings, meetings where there was a very intense discussion, but we agreed that the Chicago office should be open.

Now, Mr. Chairman, this bill seeks to undo the work that we did accomplish in 1996. The Chicago Corps office is a recognized national leader among the Corps of Engineers' division and the professional development in environmental projects. Moreover, surrounding cities and States have long depended upon the services provided by the Corps. Currently because of the Corps, Chicago is in the process of repairing its deteriorating shoreline.

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At this very moment under a landmark agreement between the Army Corps of Engineers and the City of Chicago, the Chicago lake front is being literally transformed into a waterfront. The city was able to negotiate an agreement with the Army Corps that advanced by 5 years completion of this project. Certainly, the presence of the Army Corps in Chicago helped us do that.

The Great Lakes are unique in the degree to which the Corps is required to work with other Federal agencies. For example, the EPA, which also has its headquarters, its regional headquarters in Chicago, is stating that kind of cooperation. The northern central division has been a national leader in Corps divisions in developing environmental projects.
Certainly, the Great Lakes are the world's greatest source of free-flowing fresh water. We should make providing for the quality of the Great Lakes a priority with every opportunity we are given. Keeping the Army Corps' regional offices in Cincinnati, Great Lakes and Ohio River, and divisions in operation at both the Cincinnati and Chicago locations makes great sense.

Binational and treaty obligations with Canada would be most seriously impacted by the closure of the Chicago headquarters. The Army Corps of Engineers has responsibilities under the Great Lakes Water Quality Agreement and the Boundary Waters Treaty, which are run chiefly through the Chicago regional headquarters. These functions have been identified by the division as the most critical to maintain in Chicago.

Lacking an international airport hub, Cincinnati is not as easily accessible as Chicago. Travel costs for the Corps' staff and other Federal agency staff and Canadian counterparts would rise dramatically if the same level of cooperation and collaboration were to be maintained.

Maintenance of the integrity of the binational responsibilities of the Corps will be especially critical in the coming year as the Great Lakes region prepares to address issues of water diversion and consumptive uses. Even short-term disruptions to the Corps' regional leadership structure at this time will have serious consequences on the Corps' ability to effect these important decisions.

I know all of my colleagues understand the importance of representing the needs of their districts. We make decisions that are in the best interests of our constituents by being there and seeing them. I would submit to my colleagues, then, that similarly, in order to make decisions that are best for the Great Lakes, the Army Corps must have an operating regional office in the Great Lakes region, in Chicago.

Let us continue a strong commitment to environmental quality and culture by voting for the Dingell amendment, and allowing the Army Corps to do their job unimpeded in the Great Lakes region.

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

Mr. Chairman, I rise to support the Dingell amendment. In 1996, the administration granted the Great Lakes Basin and the Ohio River Division two regional branches of the Army Corps of Engineers as a result of a compromise in the 1996 Congress. Now there is an effort to close that which we just negotiated to keep open, and without even discussing it or telling representatives of the division and many of my colleagues—on both sides of the aisle—in the Great Lakes states who value highly the quality of service we have received from the U.S. Army Corps of Engineers.

Although this is a unique situation, there is good reason why this dual division system exists. Both branches serve important purposes. However, I do not believe that the office in Cincinnati can adequately serve Chicago's interests.

Currently, the Army Corps of Engineers is working on a variety of projects in the Chicago area, like Chicago's shoreline restoration, the Deep Tunnel, Des Plaines River, small flood control projects, and aquatic ecosystem projects. It is vitally important that these projects be managed from a local site.

We recognize the need for financial reform and cost savings, but the current budget achieves this. After only 3 years of fiscally consolidating the services and administrative activities of the Chicago branch of the Corps, we have seen successful consolidation of the Chicago headquarters. The past 3 years has seen the elimination of several positions in the Chicago office and the streamlining of services, all of which have helped to reduce spending at this branch.

The decision to cut the funding and eliminate the Chicago headquarters would be a great blow to the work that has already been done to accommodate for the 1996 reductions. It would also eliminate the existence of a Great Lakes Army Corps of Engineers headquarters in a city situated on a Great Lake.

I trust that we can get together and form the kind of partnership that is necessary to resolve this difficulty. I commend the gentleman from Michigan for introducing this amendment.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. DINGELL. Mr. Chairman, I have heard the comments of my good friend, the gentleman from California. We in the Great Lakes region are very much troubled about this situation. It means, I think, serious problems to us in terms of protecting one of the great treasures of the United States, because this constitutes the largest reservoir of fresh water anywhere in the world, and of course, one of the most precious and necessary needs of the United States is going to be for water.

I want to thank my colleagues who have joined me in support of this amendment.

Mr. Chairman, I will at this time, with respect to the chairman of the subcommittee and the ranking member, withdraw the amendment, in the expectation that the matter will be discussed carefully and that they will work with us to achieve the protection of the Great Lakes by the continuation of this important service from the Corps of Engineers.

Mr. Chairman, I rise today because of a concern shared by many of my colleagues—on both sides of the aisle—in the Great Lakes states who value highly the quality of service we have received from the U.S. Army Corps of Engineers.

The legislation before us caught quite a few of the members of the House Great Lakes Task Force by surprise, because it would have the effect of closing the Corps of Engineers' regional office—located in Chicago—which oversees the planning and technical assistance for the world's largest and most highly prized freshwater system.

I am offering an amendment to strike this language because of the concern not only to Members of Congress, but also state and local governments along the Great Lakes who have rightly depended upon timely and professional service by the Corps.

For most of this decade, it seems as if we have been struggling with how to restructure the Corps of Engineers. The Great Lakes Task Force repeatedly opposed several of the early plans which, in our view, would have gutted the Corps' ability to serve our states.

Finally, an agreement was reached in 1996 which established a "dual-division" headquarters in the Great Lakes and Ohio River Division in response to the Administration's proposal at the time to close the Great Lakes Division. The result is that, today, the Corps of Engineers has two headquarters in the Midwest: in Chicago and in Cincinnati.

The movement of many full-time employees from the Great Lakes to the Ohio River office caused a lot of distress among constituents in our region; however, Great Lakes Members of Congress accepted this split in the spirit of compromise.

My amendment would remove a provision which moves beyond that compromise. The result is a high level of uncertainty with regard to both domestic program coordination and joint implementation of international responsibilities with Canada. Issues of concern include implementation of the Boundary Waters Treaty, Great Lakes water diversion, lake levels, flood mitigation, and technical assistance for our fresh-water lakes.

The Chicago office of the Corps (the old North Central Division) was recognized as a national leader among Corps' divisions in the professional development of environmental projects. Already, concern has been expressed about the continued success of these efforts.

Mr. Chairman, I plan to withdraw this amendment after remarks by a few of my colleagues again, in the spirit of trying to take some time between now and conference to have these issues resolved in partnership with the Task Force, the Appropriations Committee, and Members of Great Lakes States.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

Mr. PACKARD. Mr. Chairman, I ask unanimous consent that the remainder of the bill through title II be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the remainder of the bill through title II, page 15, line 10, is as follows:
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, as amended.

Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $43,000,000.

Provided further, That of the total sums appropriated, the amount of program activities that can be financed by the Reclamation Fund shall be derived from that Fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $47,546,000, to remain available until expended.

Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575.

CALIFORNIA BAY-DELTA RESTORATION (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Department of the Interior and other participating Federal agencies in carrying out ecosystem restoration activities pursuant to the California Bay-Delta Environmental Enhancement Protection Act and other activities that are in accord with the CALFED Bay-Delta Program, including projects to improve water use efficiency, water quality, groundwater storage, surface storage, integrated science, and watershed management, consistent with plans to be approved by the Secretary of the Interior, in consultation with such Federal agencies, $30,000,000, to remain available until expended, of which $45,000,000 shall be used for ecosystem restoration activities and $30,000,000 shall be used for such other activities as may be necessary to conform with such plans shall be transferred to appropriate accounts of such Federal agencies: Provided, That no funds for ecosystem restoration activities appropriated herein may be used for planning and management activities associated with developing the overall CALFED Bay-Delta Program or implementing such program: Provided further, That funds for ecosystem restoration activities may be obligated only on non-Federal sources provide their share in accordance with the cost-sharing agreement required under section 1303(d) of such Act, and that such activities for such other activities may be obligated only as non-Federal sources provide their share in accordance with such cost-sharing agreement: Provided further, That such funds may be obligated prior to the completion of a final programmatic environmental impact statement only if: (1) consistent with 40 CFR 1506.3(c); and (2) used for purposes that the Secretary finds are of sufficiently high priority to warrant such an expenditure.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $45,000,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in section 505 of the Revised Uniform Federal Funding Act of 1975.

That no funds appropriated under this Act shall be used for purchase of new or replacement or hire of passenger motor vehicles.
spend $50 billion a year each year on health care needs that result directly from air pollution alone. Avoiding pollution through clean, renewable energy is preventative medicine, and it is smart.

Renewable energy programs are strongly supported by the public. A survey of 1,018 registered voters conducted in April of 1998 asked what energy programs should receive the highest priority for Federal research and development. Renewable energy programs were supported by 61 percent of all respondents. Natural gas received the next highest level of support from Americans, with 10 percent support, followed by fossil fuels, 7.5 percent, and nuclear energy, 5.9.

Similarly, House support for renewable energy here is strong. The House Renewable Energy Caucus boasts 153 bipartisan Members. Whether Members are concerned about national security, economy, or the environment, renewable energy technology is a valuable commodity.

As President George Bush said, we must encourage environmentally responsible development of all U.S. energy resources, including renewable energy. Renewable energy does reduce demand upon our other finite natural resources. It enhances our energy security, and clearly, it protects the environment.

So I would like to, again, express my appreciation to the gentleman from California (Chairman PACKARD) for supporting this measure, and also for his commitment to fight for this number in conference committee. We also proposed an offset of $30 million to be deducted from contractor travel.

As Members know, the GAO has investigated contractor travel spending and found outrageous abuses that must be terminated. Regardless, given the choice between dollars and search dollars of this valuable resource, it is clear that we must choose the latter.

I urge my colleagues to support the renewable energy research and development funds.

Mr. Chairman, I include for the Record an accounting of the Allocation of Additional Funds for Solar and Renewable Energy Programs.

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

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

Mr. PACKARD. Mr. Chairman, I understand that the gentleman from Colorado would like to speak. But I accept the amendment.

Mr. Chairman, first, I would like to say that the Committee strongly supports solar and renewable energy programs. In the bill, we are recommending a total of $326,450,000 for research and development of these technologies. While not as much as some Members would like to spend, it is a generous and credible level of spending given our severe budget constraints.

The Committee had to reduce last year's funding level by close to $900 million. Nevertheless, the Committee has not reduced spending for photovoltaics, biomass, hydrogen, energy storage and the superconductivity programs. The Committee recommendation is substantially provided by the Senate, which had an allocation $1.5 billion higher than the allocation available to this Committee.

The Subcommittee has provided direction and guidance to reform the way funds are spent. As a result, the Department has acknowledged that the amount of competitively-awarded funds from just two years ago has been increased 219 percent from $77 million in fiscal year 1998 to $247 million in fiscal year 1999. This is a dramatic improvement. We have been hearing from new recipients of this funding who are doing exciting new projects in biomass, photovoltaics and other important solar technologies.

Second, I would like to express my understanding and agreement with the effort to reduce contractor travel. The Energy and Water Subcommittee, working in a bipartisan manner, identified and requested a report which tallied jaw-dropping travel expenses charged to the Department by its own contractors. By now, you have heard that in one year alone, DOE was charged $250 million for contractor travel. This does not include taxpayer-funded travel expenses for DOE's Federal workforce. One contractor was charging DOE for trips from New Mexico to Washington, D.C. at a rate of 87 trips per week. The Committee recommendation includes a 50 percent reduction of travel expenses which is a total of $125 million. If it is the intent to reduce contractor travel for one year, then I believe this sends a very strong message to the Department and the contractors that have shown too little interest in controlling contractor costs.

That brings me to my interpretation of this amendment. Senate-authorizing language of funding is identified, I will support this amendment which further reduces contractor travel and would offset this sum with Department of Energy contractor travel. The Committee had to reduce last year's funding level by close to $900 million. Never-theless, the Committee has not reduced spending for photovoltaics, biomass, hydrogen, energy storage and the superconductivity programs. The Committee recommendation is substantially provided by the Senate, which had an allocation $1.5 billion higher than the allocation available to this Committee.

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Mr. Chairman, renewable energy is all about investing in America’s future, the future of our energy security, our environment, and our international competitiveness. Renewable energy programs allow the U.S. to use its scientific and technological expertise in developing alternative energy sources, such as wind, solar, biomass power, and geothermal energy. These diverse energy resources can decrease our growing dependence on imported oil, and reduce environmental impacts of traditional fossil fuels while expanding our economy through technological advances.

Some may question the need for the development of these technologies. After all, we are not waiting in gas lines, as we were two decades ago, and gas prices are near record levels. But our Nation’s dependence on foreign oil is even greater than it was during the 1973 crisis.

Why should we jeopardize our national energy security when we can use home-grown clean energy to reduce our reliance on oil imports and diversify our energy sources? The DOE’s renewable energy programs are major components of this country’s environmental initiatives.

By reducing air pollution and other environmental impacts from energy production and use, these programs constitute, as my colleague, the gentleman from Arizona (Mr. SALMON) mentioned, the single largest and most effective Federal pollution prevention programs.

Past Federal support for sustainable energy programs has been key to the rapid growth of these emerging technologies. Solar, wind, geothermal, and biomass have together more than tripled their contribution to the Nation’s energy mix over the past 20 years.

Including hydropower, renewables now account for about 10 percent of total domestic electricity production and approximately 13 percent of domestic electricity generation.

It is estimated that the world market for energy supply equipment and construction over the next 30 years is in the range of $6.5 trillion, and indeed by 2020 dollars. America currently leads the world in developing advanced renewable instruments and products, and we should not surrender this lead to foreign competitors. Yet, funding levels in the bill are not up to the task.

For example, this bill would allocate just $67 million for photovoltaic research. This low funding would jeopardize U.S. technological development, industry growth and momentum, at a time when Japan is spending more than $230 million each year on its own PV program.

Renewable energy technologies have become cost competitive, but the pace of their penetration into the market will be determined largely by government support for future research and development.

We need to support public-private partnerships that help promote further commercialization of these technologies. If we look back into history, we did the same thing 100 years ago at Petrochemicals, and that is why we have that strong industry in the fossil fuel area.

To conclude, Mr. Chairman, the Department of Energy’s renewable energy programs are vital to our Nation’s interests. They help provide strategies and tools to address the national security, environmental, and technological challenges we will face in the next century. Our investments in the past 2 decades are just beginning to pay off in terms of energy security and a cleaner environment.

Even if we were to just keep these programs at fiscal 1999 levels, this might not be sufficient to ensure that we will have uninterrupted reliable sources of energy in the future. Our amendment does not do all that should be done; but it does greatly improve the bill, and I urge its adoption.

Mr. Chairman, I include the following for the RECORD:

**ALLOCATION OF ADDITIONAL FUNDS FOR SOLAR AND RENEWABLE ENERGY PROGRAMS**

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<tr>
<th>Program</th>
<th>Subtotal FY99</th>
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<th>Totals to $309.35</th>
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<tr>
<td>Solar &amp; renewable energy programs</td>
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<td>Solar Buildings</td>
<td>92.13 (+1.33)</td>
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<td>2.61 (+2.61)</td>
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<td>International Solar</td>
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<td>National Renewable Energy Laboratory</td>
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**ENERGY AND WATER AMENDMENT BREAKDOWN—SOLAR AND RENEWABLE ENERGY**

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1. Level.
2. Not requested.

**AGREEMENT**

Brings major renewable energy research programs closer to Senate fiscal year 2000 level of $30 I.8 million.

Offers 9% reduction from fiscal year 1999 totals, bringing total to $309.35 million.

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

Mr. Chairman, I rise in strong support of this Salmon-Udall amendment. This amendment makes a good bill better in that it would increase funding for renewable energy research and development programs. This amendment would also give limited funding to begin implementing the new strategic plan to develop enhanced geothermal production technologies.

The Department of Energy produced this strategic planning in collaboration with national laboratories, the University of Utah, and the geothermal industry. Implementing the strategic plan will develop the technology to enhance the production from geothermal systems.

The technology would be applicable to literally hundreds of sites throughout the United States. The U.S. government currently gets $40 million per year in royalties on its geothermal technology. Renewables are a good investment.

A recent report prepared by the Geothermal Energy Association in conjunction with the University of Utah and the Department of Energy expects this research to yield a threefold increase in domestic geothermal electricity production. This extra power will supply 18 million homes with electricity.

This amendment has good offsets. It is paid for by savings resulting from reductions in contractor travel. This is the responsible way to pay for this program rather than taking the money out of the Social Security Trust Fund.

This amendment is not only fiscally responsible, it is environmentally responsible. It takes the savings from cleaning up the waste and inefficiencies in the contractor travel budget and uses them to fund research in clean, safe energy produced here in America.

The Committee on Science passed my amendment that funds geothermal research in this way, and I urge my colleagues here to do the same and vote for this amendment. This amendment will lead to cleaner air for our children and continue to protect Social Security for our parents.

Accelerating development of our renewable resources is a good investment. We in Congress have a duty to spend the money taxed from the American people responsibly. This amendment does that.

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

Mr. Chairman, I rise in strong support of this amendment for two reasons. First, we as a Nation, will need to come to terms with the rise in the level of atmospheric carbon dioxide at some point, and we might as well start right now. Carbon dioxide is an insidious pollutant because, one while it is odorless and tasteless, it has a nasty habit of trapping heat in the Earth’s atmosphere.
Now, there has been a lot of talk about this pollutant, so I thought it might be helpful to look at a chart showing atmospheric concentrations of carbon dioxide over the last 150 years. The information on this chart is one thing that scientists all agree on. Carbon dioxide rates are increasing. They are increasing rapidly. When I first saw it, I was shocked. Because I saw they increased dramatically over the last 100 years and are now beginning to skyrocket towards the end of this century and will continue on that pace upward unless we act. I should re- peat, this fact is not in dispute in any country in any scientific journal. That is the bad news.

The good news is that our Nation is perfectly positioned as a net winner, a winner in the call to develop technologies to deal with this problem. The world is going to need new technologies to address this issue. When it comes to developing new technology, no country is more dynamic, more resourceful than the United States.

That is why this graph shows that, when carbon dioxide rates go up, so does our economic potential for capturing new markets, new emerging markets for new energy technologies. But our economic potential will rise only if we make the investments in these new technologies that are possible.

I do not want Europe to lead this new industry. I do not want Japan to lead this new industry. I want America to lead this new industry just like we have led everywhere else.

That is why it is going to be a bright day in Congress when we pass this amendment, when we seize economic potential in the face of a new challenge and pass this amendment, increase invest- ment in new renewable energy re- sources, and we will turn an environ- mental challenge into an economic op- portunity.

Mr. PACKARD. Mr. Chairman, I ac- cepted this motion with the idea that it would stop all the talk, but now I hope that we can move on. I urge its immediate adoption.

Mr. VISCLOSKY. Mr. Chairman, on behalf of the minority, I would agree with the chairman.

Mr. OLVER. Mr. Chairman, I rise today in support of the Udall-Salmon amendment to re- store $30 million to solar and renewable energy programs.

Across the nation this summer, and espe- cially here in the nation's capital, all of us have felt the oppression of numerous "Code Reds"—days when extremely high tempera- tures combine with high pollution levels—prompting warnings to the elderly and those with asthma and other respiratory illnesses to stay inside if possible, and to limit outdoor ac- tivity. How can we, in good conscience, slash funding for the very programs that will combat pollution and reduce the number of days where thousands of people are forced nei- ther stay inside or jeopardize their health and well-being to go about their daily responsibil- ities?

Renewable energy has an enormous poten- tial to reduce acid rain, global warming, ozone red alert days and health risks associated with pollution from conventional energy sources. Solar and renewable energy programs further represent an opportunity to strengthen Amer- ica's position in the expanding world markets for clean technologies, reducing our de- pendence on foreign oil imports. We must drive the research that will lead to the tech- nology to produce clean energy in the devel- oping world.

Try to imagine what our environment would be like if the 5 billion people of under- developed and developing nations of Asia, Af- rica, and Latin America were using as much energy per person as we in the United States use per person. And that they energy were being produced from fossil fuel rather than from the renewable energy sources.

Mr. Chairman, we have a responsibility to the future. This responsibility can only be ful- filled by embracing effective energy efficient and pollution-free technologies. Today's chil- dren and their children's children—the genera- tion who will live another 100 years from now—deserve to breathe cleaner air, cleaner water, and enjoy a world free from global warming and environmental decay.

We cannot turn our backs on our children and on the future—vote yes for the environ- ment and the future—vote yes on the amend- ment.

Mr. MARKEY. Mr. Chairman, I rise in sup- port of the Salmon-Udall amendment.

Our future is literally blowing in the wind. Wind and other renewable energy sources are a great investment in our nation's energy fu- ture. Solar, wind, geothermal and biomass en- ergy technologies can: (1) reduce dependence on imported fossil fuels; (2) reduce long-run energy costs to consumers and businesses; (3) create new industries to supply both U.S. an foreign energy markets; and (4) reduce emissions which create smog acid rain, mercury poisoning, energy markets; and (4) reduce emissions which create smog, acid rain, mercury poisoning, and global climate change. The federal government continues to spend money on an industry that does not need our support, than on re- newable energy. We spend almost as much on nuclear energy as on renewables, both for doing fission technologies and for fusion re- search that is still decades from viability. We need to fund the future, not subsidize the past.

Renewable energy sources are especially important for our environment, as an environ- mentally benign and sustainable energy alter- native to fossil fuels and nuclear power. Today we rely on fossil fuels for 88% of total energy use; oil alone accounts for nearly 40% of our energy, of which 60% is imported crude oil. Our fossil fuel power plants alone spew out 12 million tons of sulfur dioxide, 7 million tons of nitrogen oxides, and 2 billion tons of carbon dioxide each year. Cars and airplanes emit similar amounts of pollutants. Energy con- sumption is rising due to economic growth. Even with an aggressive energy conservation effort, we will need new energy sources. We must invest in alternative technologies now if we are to increase the role renewables play in meeting our nation's energy needs and are to avoid future fuel shortages. Fortunately, renewable technologies have been steadily dropping in price and are on the verge of making a major contribution to our energy supply. Right now, these emerging technologies are limited to niche markets, but ongoing research has cut their costs so that they are almost competitive with fossil fuels, even Neglecting the huge environmental costs as fossil fuels:

Wind energy, for example, cost almost 50 cents per kilowatt hour in 1980. Today, the cost of wind energy is around 4 cents, very close to the cost of conventional generation, and is still dropping.

Solar thermal costs have dropped from 60 cents per kilowatt hour in 1980 to 13 cents today.

Solar photovoltaic costs have dropped from over 100 cents per kilowatt hour in 1980 to 20 cents in 1996.

Turning our backs on the R&D program needed to achieve the necessary break- throughs that will make solar, wind and other renewables fully viable and competitive would be like shepherding a baseball team through eight innings and just walking away in the bot- tom of the ninth.

The Energy and Water Appropriations bill would slash DOE funding for renewables from the current funding level of $36 million down to $326 million. The Appropriations Committee cut $120 million, 27%, from the President's budget. Unless we boost the funding, we will devastate DOE programs aimed at creating vi- brant, fully competitive U.S. renewable indus- tries.

The bill's proposed cuts in renewables fund- ing would severely delay adoption of solar, geotherman, and wind energy technologies. Most economists agree there is at least a 10- year window between the time a technology is first ready for the market and the time the market is ready for the technology. But some- times, that window is even wider. For exam- ple, the telephone was discovered in 1875, but not commercialized until 1915. Television was discovered in 1917, but not commercialized until 1946. Telefax was discovered in 1913, but fax machines weren't commercialized until 1974. Right now, the fledgling renewables technologies industries find themselves in the same position. If we fail to fund renew- able energy R&D, the invention-commercialization window could become a multi-decade "window of irreversibility" for U.S. energy leaders.

The Salmon-Udall amendment would re- store some funding for renewables. The amendment is fully offset from contractor trav- el, so it does not take this bill over the budget allocation. It will however, allow DOE to con- tinue providing vitally-needed funding for solar, wind, geothermal, and biomass energy sources, so that America is not held hostage to future oil embargoes or a lack of technolo- gical options.

I urge my colleague to support the Salmon- Udall amendment.

The CHAIRMAN. The question is on the amendment offered by the gentle- man from Arizona (Mr. SALMON).

The amendment was agreed to.

The Clerk read as follows:

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, in- cluding the purchase, construction and ac- quisition of plant and capital equipment and other expenses necessary for non-defense en- vironmental management programs for carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et
For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning activities, and other activities of title II of the Atomic Energy Act of 1946 and title X, subtitle A of the Energy Policy Act of 1992, $240,198,000, to remain available until June 30, 2000, and until legislation has been enacted restructuring the national security programs of the Department of Energy or establishing an independent agency for national security programs.

For Department of Energy expenses for defense nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $169,000,000, to remain available until expended, to be derived from the Nuclear Waste Fund: Provided, That none of the funds provided herein shall be distributed to the State nor to any unit of general government (as defined by Public Law 97–425) by direct payment, grant, or other means, for financial assistance under section 316 of the Nuclear Waste Policy Act of 1982, as amended: Provided further, That the foregoing proviso shall not apply to payments in lieu of taxes under section 316(c)(3)(A) of the Nuclear Waste Policy Act of 1982, as amended.

For Department of Energy expenses for fiscal year 2000 so as to result in a final fiscal year 2000 appropriation of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, expansion, or replacement, plus such additional expenses (not to exceed $35,000), $150,000,000, to remain available until expended.

For Department of Energy expenses for nuclear waste disposal activities to carry out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, expansion, or replacement, plus such additional expenses (not to exceed $35,000), $4,000,000,000, to remain available until expended: Provided, That, of this amount, $1,000,000,000 shall not be available for obligation or expenditure until after June 30, 2000 and until legislation has been enacted restructuring the national security programs of the Department of Energy or establishing an independent agency for national security programs.

For expenses of the Department of Energy to accelerate the construction, construction and acquisition of plant and capital equipment and other necessary expenses, $1,054,492,000, to remain available until expended.

For Department of Energy expenses for defense nuclear waste disposal activities to carry out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, expansion, or replacement; and the purchase of passenger motor vehicles for replacement only, $2,718,647,000, to remain available until expended.

For expenses of the Department of Energy to accelerate the construction, construction and acquisition of plant and capital equipment and other necessary expenses, $1,504,492,000, to remain available until expended.

For Department of Energy expenses for defense nuclear waste disposal activities to carry out the purposes of the Atomic Energy Act of 1946 and title X, subtitle A of the Energy Policy Act of 1992, $112,000,000, to remain available until expended.

For expenses of the Department of Energy for carrying out and administering the Palestine Liberation Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, expansion, or replacement; and the purchase of passenger motor vehicles for replacement only, $417,750,000, to remain available until expended.

For expenses of the Department of Energy to accelerate the construction, construction and acquisition of plant and capital equipment and other necessary expenses, $1,482,260,000, to remain available until expended.

For expenses of the Department of Energy for carrying out the functions authorized by title II of section 302(a)(11) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $6,000,000, to remain available until expended.


For Department of Energy expenses for defense nuclear waste disposal activities to carry out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, expansion, or replacement; and the purchase of passenger motor vehicles for replacement only, $2,718,647,000, to remain available until expended.

For expenses of the Department of Energy to accelerate the construction, construction and acquisition of plant and capital equipment and other necessary expenses, $1,054,492,000, to remain available until expended.

For expenses of the Department of Energy for carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, expansion, or replacement; and the purchase of passenger motor vehicles for replacement only, $4,000,000,000, to remain available until expended.

For expenses of the Department of Energy for carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, expansion, or replacement; and the purchase of passenger motor vehicles for replacement only, $2,718,647,000, to remain available until expended.

For Department of Energy expenses for defense nuclear waste disposal activities to carry out the purposes of the Atomic Energy Act of 1946 and title X, subtitle A of the Energy Policy Act of 1992, $112,000,000, to remain available until expended.
(b) At least 60 days before a contract award, amendment, or modification for which funds are appropriated, the Secretary shall notify the Committee if the award, amendment, or modification is for a case-by-case basis, a waiver for such a deviation is not otherwise obligated; and the performance of the contract concerned; the Secretary of Energy may use funds appropriated for construction equipment," means construction equipment that has been in service for more than 2,500 hours. Any Federal power marketing administration may use proceeds of a sale of construction equipment by means of a public auction conducted by a private entity that is independent of the Federal power marketing administration. Federal power marketing administrations shall apply all proceeds of a disposition of used construction equipment to the reduction of debt of the Federal power marketing administration.

TITLE IV
INDEPENDENT AGENCIES
APPALACHIAN REGIONAL COMMISSION
For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of travel expenses and per diem allowances of the officials of the Appalachian Regional Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $60,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
SALARIES AND EXPENSES
For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, $15,300,000, to remain available until expended.

DENALI COMMISSION
(RESCISSION)
Of the funds made available under this heading in Public Law 105-245, $18,000,000 is rescinded.

NUCLEAR REGULATORY COMMISSION
SALARIES AND EXPENSES
For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), $455,400,000, to remain available until expended: Provided, That of the amount appropriated herein, $19,150,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection and other services and collections estimated at $432,400,000 in fiscal year 2000 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2000 so as to result in a final fiscal year 2000 appropriation estimated at not more than $23,000,000.

OFFICE OF INSPECTOR GENERAL
For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $6,000,000, to remain available until expended: Provided, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2000 so as to result in a final fiscal year 2000 appropriation estimated at not more than $0.

Sec. 306. None of the funds appropriated in this Act may be used to purchase any Federal law 102-484; 106 Stat. 2644; 42 U.S.C. 7274(a).

Sec. 304. None of the funds appropriated by this Act may be used to augment the 520,000,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 361 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2644; 42 U.S.C. 7274a).

Sec. 303. None of the funds appropriated in this Act may be used to establish or maintain independent centers at a Department of Energy laboratory or facility unless such funds have been specifically identified in the budget submission.

Sec. 302. None of the funds provided in this Act may be used to provide enhanced severance payments or other benefits for employees of the Department of Energy.

Sec. 301. None of the funds appropriated by this Act may be used to award, amend, or modify a contract in a manner that deviates from the Federal Acquisition Regulation, unless the Secretary grants such a waiver, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report notifying the subcommittees of the waiver and setting forth the reasons for the waiver.

(a) None of the funds appropriated by this Act may be used to grant such a waiver. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amendment, or modification for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Committees on Appropriations on Energy and Water Development of the House of Representatives and the Senate a report notifying the subcommittees of the waiver and setting forth the reasons for the waiver.

(1) develop or implement a work force restructuring plan that covers employees of the Department of Energy;

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy;

(3) contractor or independent center at a Department of Energy's approval of laboratory funding for Los Alamos National Laboratory, Lawrence Livermore National Laboratory, and Sandia National Laboratories. The Secretary shall review and approve the incentive structure for key technical employees and amounts of award fees to be made available for the next year, the salaries of first and second tier laboratory management, and the overhead costs.

(iv) the waiver and setting forth the reasons for the waiver.

Sec. 311. As part of the Department of Energy's approval of laboratory funding for Los Alamos National Laboratory, Lawrence Livermore National Laboratory, and Sandia National Laboratories, the Secretary shall review and approve the incentive structure for key technical employees and amounts of award fees to be made available for the next year, the salaries of first and second tier laboratory management, and the overhead costs.

Sec. 312. None of the funds provided in this Act may be used to establish or maintain independent centers at a Department of Energy laboratory or facility unless such funds have been specifically identified in the budget submission.

Sec. 313. None of the funds provided in this Act may be used to award, amend, or modify a contract in a manner that deviates from the Federal Acquisition Regulation, unless the Secretary grants such a waiver, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report notifying the subcommittees of the waiver and setting forth the reasons for the waiver.

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(2) provide enhanced severance payments or other benefits for employees of the Department of Energy;

(3) contractor or independent center at a Department of Energy's approval of laboratory funding for Los Alamos National Laboratory, Lawrence Livermore National Laboratory, and Sandia National Laboratories. The Secretary shall review and approve the incentive structure for key technical employees and amounts of award fees to be made available for the next year, the salaries of first and second tier laboratory management, and the overhead costs.

Sec. 310. (a) None of the funds in this Act or authorized by the Energy Reorganization Act of 1974, as amended, or any other Act may be used in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, or any other Act. The Atomic Energy Act of 1954, as amended, $6,000,000, to remain available until expended.

INDEPENDENT AGENCIES
APPALACHIAN REGIONAL COMMISSION
For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of travel expenses and per diem allowances of the officials of the Appalachian Regional Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $60,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
SALARIES AND EXPENSES
For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, $15,300,000, to remain available until expended.

DENALI COMMISSION
(RESCISSION)
Of the funds made available under this heading in Public Law 105-245, $18,000,000 is rescinded.

NUCLEAR REGULATORY COMMISSION
SALARIES AND EXPENSES
For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), $455,400,000, to remain available until expended: Provided, That of the amount appropriated herein, $19,150,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection and other services and collections estimated at $432,400,000 in fiscal year 2000 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2000 so as to result in a final fiscal year 2000 appropriation estimated at not more than $23,000,000.

OFFICE OF INSPECTOR GENERAL
For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $6,000,000, to remain available until expended: Provided, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2000 so as to result in a final fiscal year 2000 appropriation estimated at not more than $0.

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H6545

contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver for such a deviation. The Secretary may not delegate the authority to grant such a waiver. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amendment, or modification for which funds are appropriated, a contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver for such a deviation. The Secretary may not delegate the authority to grant such a waiver. The Secretary may not delegate the authority to grant such a waiver.
Mr. PACKARD. Mr. Chairman, I offer an amendment. The Clerk read as follows:

AMENDMENT OFFERED BY MR. FILNER

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

The Clerk read as follows:

Amendment offered by Mr. FILNER: Page 37, after line 10, insert the following new section:

Section 507. Section 211(e)(2)(A) of the Water Reclamation and Reclamation Act of 1990, as amended, is amended by striking "in advance of appropriations Acts".

Mr. FILNER. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from California (Mr. FILNER) asks the gentleman from California (Mr. PACKARD) the gentleman from California for the time and ask the gentleman from California (Mr. PACKARD) the gentleman from California.

Mr. PACKARD. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman from California (Mr. FILNER) asks the gentleman from California (Mr. PACKARD)

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

The Clerk read as follows:

Amendment offered by Mr. FILNER: Title V, section 507, of the Water Reclamation and Reclamation Act of 1990, as amended, is amended by striking "in advance of appropriations Acts".

Mr. FILNER. Mr. Chairman, I offer an amendment. The Clerk read as follows:

AMENDMENT OFFERED BY MR. FILNER

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The Clerk read as follows:

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Mr. PACKARD. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman from California (Mr. FILNER) asks the gentleman from California (Mr. PACKARD)

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The Clerk read as follows:

Amendment offered by Mr. FILNER: Title V, section 507, of the Water Reclamation and Reclamation Act of 1990, as amended, is amended by striking "in advance of appropriations Acts".

Mr. FILNER. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from California (Mr. FILNER) asks the gentleman from California (Mr. PACKARD) the gentleman from California.
Mr. FILNER. Mr. Chairman, I yield to the gentleman from California (Mr. GEORGE MILLER). Mr. MILLER of California. Mr. Chairman, I wish to thank the gentleman very much for offering this amendment. I would hope that the point of order would not lie. This is becoming an increasingly important and dangerous situation. We have been working on this now for the last several years. Clearly, a number of the solutions that have been proposed are simply inadequate for the protection of the drinking water supply from those who take their water from the Colorado River. I think the gentleman is quite correct. This is now getting to an emergency state of affairs here where we have so many people depending upon this water and we have what clearly is a continuation of the leaching of this radioactive material. The simple capping of this in place and failure to remove it is not going to work. I think the gentleman's amendment is quite on point. Mr. FILNER. Mr. Chairman, I yield to the gentlewoman from California (Mrs. NAPOLITANO). Mrs. NAPOLITANO. Mr. Chairman, I also rise in strong support of this very important amendment offered by the gentleman from California (Mr. FILNER). This amendment provides critical funding to immediately begin moving the radioactive material called the uranium tailings pile from the banks of the Colorado River to an environmentally safe location. The CHAIRMAN. The time of the gentleman from California (Mr. FILNER) has expired. (By unanimous consent, Mr. FILNER was allowed to proceed for 1½ additional minutes.) Mr. FILNER. Mr. Chairman, I yield to the gentlewoman from California (Mrs. NAPOLITANO). Mrs. NAPOLITANO. Mr. Chairman, the Moab site is the fifth largest uranium tailings pile in the country and by far the largest situated near a river. The pile is unlined, in a floodplain, and just 750 feet from the water's edge, currently leaking contaminants into the Colorado River. The water affects 25 million people and at least four States. It is truly an environmental crisis and we must act now to protect the safety and well-being of our citizens. Mr. Chairman, I urge support of this very important amendment. Mr. FILNER. Mr. Chairman, reclaiming my time, I would simply say that notwithstanding the emergency nature of this situation, and notwithstanding the lives and deaths of the matters of which we are involved, I understand the chairman will insist on his point of order. I am sorry that these technicalities will be insisted upon, but I acknowledge that the point of order will be sustained. Mr. Chairman, I ask unanimous consent to withdraw the amendment. The CHAIRMAN. Is there objection to the request of the gentleman from California? There was no objection. The CHAIRMAN. The amendment is withdrawn. Mr. PACKARD. Mr. Chairman, I move to strike the last word. Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield? Mr. PACKARD. I yield to the gentlewoman from Texas. Ms. JACKSON-LEE of Texas. Mr. Chairman, I am going to offer my support for this legislation and be very brief. I want to thank the ranking member, the gentleman from Indiana (Mr. VISCLOSKY), for his leadership. This is, in particular, about Texas, and I wish to thank the chairman, the gentleman from California (Mr. PACKARD), for his ongoing funding of projects that the Army Corps of Engineers is working on; Sims Bayou, an area that flooded almost simultaneously, which was allowed to proceed for 1½ additional years. Clearly, a number of the so-called emergency state of affairs here where we are keeping on schedule. We want to thank the committee for its continued commitment on that issue. And likewise, though we are competitive with many of our fellow colleagues, I wish to thank the chairman for his work on and the funding of the Houston Port, because that is an enormous economic arm for the community that I come from and we appreciate very much the fact that that is being kept on track. Lastly, let me say to the chairman, and I know there are many other smaller projects that we will benefit from in the State of Texas, and in particular the 18th Congressional District, but I also want to note, as I have heard my colleagues speak about being environmentally safe and secure, we realize how much energy and water resources deal with the environment and we appreciate the committee's sensitivity. I want to say to my constituents in the 18th Congressional District, in the Houston area, that I will continue to work with them, and that the projects that we are funding will be environmentally sound and that I will continue to work with the committee on these issues. I rise in support of H.R. 2605, the Energy and Water development appropriations for fiscal year 2000. I support this bill mainly because it provides a total of $5.0 billion in fiscal year 2000 for planning, construction, operation and maintenance, and other activities relating to water projects administered by the Army Corps of Engineers and the Interior Department's Bureau of Reclamation. This bill increases funding for the Army Corps of Engineers by $283 million, 7 percent above the administration's request. Mr. Chairman, the Sims Bayou Project is a project that stretches through my district. Over the course of recent years, the Sims Bayou has seen massive amounts of flooding. Citizens in my Congressional District have been flooded out of their homes and businesses, and as a result their lives have been continually disrupted. In 1994, some 759 homes were flooded as a result of the overflow from the Sims Bayou. Chairman, that fact is that 759 homes were forced from their homes and livelihoods. This bill continues the important work of ensuring the continued vitality of the Houston community. I would strongly support this bill because the Appropriations Subcommittee on Energy and Water Development has included $18.3 million for construction and improvement of the Sims Bayou. These funds are needed to continue this vital project and as a result protect the community from further loss of property. The project is located in southern Houston and Harris County. The Sims Bayou Flood Control Project provides flood damage reduction and consists of 19.3 miles of channel improvement and erosion control measures with viscous, and quality measures, riparian habitat improvements, and authorized recreational features. I would like to express my gratitude to the Army Corps of Engineers for their cooperation in working some of the problems of the 18th Congressional district. Their continued efforts continue to avoid and avert the dangers posed by uncontrolled flooding on the Houston community. In addition to the Sims Bayou project, the Subcommittee on Energy and Water Development also provided funding for several other locations in Houston. These projects include the Buffalo Bayou project and the Hunting Bayou project. Funding was also provided for the Houston-Galveston Navigation Channels. I am quite certain Mr. Chairman that these projects would not have been able to go forward if this additional money had not been appropriated by the Subcommittee on Energy and Water Development. For that I have to thank Chairman PACKARD, Ranking Member VISCLOSKY, and my friend and colleague CHET EDWARDS who sit on the Appropriations Committee. I will continue to work with the Army Corps of Engineers and the local Houston officials to ensure that these projects are successfully completed. We need to ensure that these communities are fully protected from the ravages of flooding. I urge my colleagues to vote yes on H.R. 2605, the Energy and Water Appropriations Act, for Fiscal Year 2000. Mr. PACKARD. Mr. Chairman, reclaiming my time, I wish to advise the Membership that I am ready to wrap up, and I presume my colleague on the other side of the aisle is ready as well. I want to say what a pleasure it has been to work with the entire subcommittee, particularly the gentleman from Indiana (Mr. VISCLOSKY), and his staff on his side of the aisle. I certainly want to compliment the staff on our side, who have been working tirelessly on this. They have done a remarkably good job and I really cannot say enough about them. In wrapping this whole thing up, I simply want to raise two things that are clear: The Boehlert amendment improves the text of the bill. It is not an amendment to the Visclosky amendment. The Visclosky amendment actually would...
und the Boehlert amendment. I want all colleagues to understand that clearly.

Therefore, Mr. Chairman, I urge a “yes” vote on the Boehlert amendment, a “no” vote on the Visclosky amendment, and a “yes” vote on final passage.

The CHAIRMAN. The Clerk will read.

The Clerk reads as follows:

This Act may be cited as the “Energy and Water Development Appropriations Act, 2001”.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 261, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: The perfecting amendment offered by the gentleman from New York (Mr. BOEHLERT) and amendment No. 3 offered by the gentleman from Indiana (Mr. VISCLOSKY).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

PERFECTING AMENDMENT OFFERED BY MR. BOEHLERT

The CHAIRMAN. The pending business is the demand for a recorded vote on the perfecting amendment offered by the gentleman from New York (Mr. BOEHLERT) and on further proceedings postponed on which the ayes prevailed by voice vote.

The Clerk will designate the perfecting amendment.

PERFECTING AMENDMENT OFFERED BY MR. BOEHLERT

The CHAIRMAN. The pending business is the demand for a recorded vote on the perfecting amendment offered by the gentleman from New York (Mr. BOEHLERT) and on further proceedings postponed on which the ayes prevailed by voice vote.

The Clerk will designate the perfecting amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was taken by electronic device, and there were—ayes 426, noes 1, not voting 6, as follows:

AYES—426

Barbara Atkinson (IN), 205
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Mr. LAZIO changed his vote from "no" to "yes." So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. If there are 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. HANSEN, 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. 2650) making appropriations for energy and water development for the fiscal year ending September 30, 2000, and for other purposes, pursuant to House Resolution 261, 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 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.

The SPEAKER pro tempore. 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 420, nays 8, not voting 6, as follows:

<table>
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<th>Roll No. 342</th>
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<td>YEAS—420</td>
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The vote was taken by electronic device, and there were—yeas 420, nays 8, not voting 6, as follows:
Under the rule, the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Virginia (Mr. MORAN) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK).

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

Mr. Chairman, we are here tonight, of course, for general consideration of the appropriations bill for the District of Columbia. This is a bill that is some $200 million below the amount appropriated out of Federal funds last year, the overall amount in the bill because it includes, Mr. Chairman, the District-raised funds as well, as some $6.8 billion. The Federal share of that is $453 million.

Mr. Chairman, this measure is the latest stage in the efforts to assist the District in revitalizing from the situations in which it found itself, of course, a number of years ago. There are still many residual problems that linger within the District, but yet I think it is important that we keep our eye on the positive and put some accent upon some things that are heading in the right direction.

I appreciate the efforts of the ranking member on the subcommittee, the gentleman from Virginia (Mr. MORAN), and of course, the gentleman from Georgia (Mr. DE LEÓN), who himself served for a number of years on this subcommittee, and of course we have worked closely with the gentleman from District of Columbia (Ms. NORTON).

We have also developed, I hope, a better understanding of our environment. The Speaker pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

The Speaker pro tempore. Pursuant to House Resolution 260 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. 2587.

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. 2587) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes, and that I may be permitted to include tabular and extraneous material.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection of the request of the gentleman from Oklahoma?

There was no objection.
We also have several major education initiatives. This House previously passed what we refer to as the D.C. scholarship bill. That D.C. scholarship bill is recognizing the fact that D.C. does not have a state university system, it is not part of the State. Every other State in the country, of course, has that and also has a program to enable students who do not go to one of the State universities to be assisted in their college education.

The House has voted, the Senate is considering, the program to establish that for the District of Columbia. We have within the bill the $17 million to create this ability to give a stepping stone into higher education for persons that have graduated from high school here in the District of Columbia.

We also do several things with the charter school movement, making their status a permanent status rather than a temporary provisional one and opening some doors to some financing for facilities for those charter schools within D.C.

We also recognize there is a problem with some 3,300 or so foster children that are in the custody of the trustee for foster care within the District of Columbia. These are young people that are often trapped in long-term foster care, not with their natural parents, not with family members, but often shuttled around between different foster care families. They need permanent, stable, loving homes. We have an $80½ million initiative to help with the placement and the incentives for that so that we can overcome again one of the accumulated problems with which D.C. still has to deal.

We also have a significant environmental effort regarding the Anacostia River. One of our members of the subcommittee, the gentleman from California (Mr. Cunningham) was very crucial in developing that program, a $5 million river clean-up program for the contaminants within the Anacostia River.

We have in addition to that some efforts to assist the mayor and the city council in rightsizing the city government. When the Control Board was headed by Tony Williams, who now, of course, is the mayor of D.C., he was the CFO and was very much involved, of course, in getting rid of the overcrowding, shall we say, within some of the city government offices rightsizing the city government.

Mr. Chairman, this has been a consensus effort. I am very appreciative of the efforts of the ranking member, the gentlewoman from the District of Columbia (Ms. Norton), the members of the city government, and so many other people that have participated in trying to bring a bill that accents the positive things that are going on in D.C. Yes, we know there are accumulated problems in crime, in education, in many things within the city. But, the officials that have taken responsibility for city government in recent months have made a very concerted, very praiseworthy effort to attack these problems, and we want to thank them for doing that, and we want to work cooperatively with them in doing so.
## DISTRICT OF COLUMBIA APPROPRIATIONS BILL, 2000 (H.R. 2587)

(Amounts in thousands)

<table>
<thead>
<tr>
<th>FEDERAL FUNDS</th>
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<th>FY 2000 Request</th>
<th>Bill</th>
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<td></td>
<td>8,500</td>
<td>+8,500</td>
<td>+8,500</td>
</tr>
<tr>
<td>Citizen Complaint Review Board</td>
<td></td>
<td></td>
<td>1,200</td>
<td>+1,200</td>
<td>+1,200</td>
</tr>
<tr>
<td>Federal Payment for Human Services</td>
<td></td>
<td></td>
<td>250</td>
<td>+250</td>
<td>+250</td>
</tr>
<tr>
<td>Metrorail improvements and expansion</td>
<td></td>
<td></td>
<td>25,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal payment for management reform</td>
<td></td>
<td></td>
<td>-20,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal payment for Boys Town, U.S.A.</td>
<td></td>
<td></td>
<td>1,700</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National's Capital Infrastructure Fund</td>
<td></td>
<td></td>
<td>7,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Study and Related Activities at Lorton Corrections Complex</td>
<td>7,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal payment to the District of Columbia corrections trustee operations</td>
<td>184,800</td>
<td>178,000</td>
<td>-1,600</td>
<td>+7,000</td>
<td></td>
</tr>
<tr>
<td>Federal payment to the District of Columbia Courts</td>
<td>128,000</td>
<td>137,440</td>
<td>-2,288</td>
<td>-36,728</td>
<td></td>
</tr>
<tr>
<td>Defender Services in D.C. Courts</td>
<td></td>
<td></td>
<td>33,336</td>
<td>+3,336</td>
<td>+3,336</td>
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<tr>
<td>Federal payment to the Court Services and Defender Supervision Agency of the District of Columbia</td>
<td>58,400</td>
<td>80,300</td>
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<td></td>
</tr>
<tr>
<td>Federal payment to Metropolitan Police Department</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal payment for Fire Department</td>
<td></td>
<td></td>
<td>2,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal payment for Georgetown Waterfront</td>
<td></td>
<td></td>
<td>1,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal payment for Historical Society for City Museum</td>
<td>2,000</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Federal payment for a National Museum of American Music and Downtown Revitalization</td>
<td>700</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United States Park Police</td>
<td></td>
<td></td>
<td>3,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal payment for waterfront improvements</td>
<td></td>
<td></td>
<td>-3,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal payment for mentoring services</td>
<td></td>
<td></td>
<td>200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal payment for hotline services</td>
<td></td>
<td></td>
<td>50</td>
<td></td>
<td></td>
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<tr>
<td>Federal payment for public charter schools</td>
<td></td>
<td></td>
<td>15,022</td>
<td></td>
<td></td>
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<tr>
<td>Medicare Coordinated Care Demonstration Project</td>
<td></td>
<td></td>
<td>3,000</td>
<td></td>
<td></td>
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<tr>
<td>Federal payment for Children's National Medical Center</td>
<td>1,000</td>
<td>3,500</td>
<td>+2,500</td>
<td>+3,500</td>
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<tr>
<td>National Revitalization Financing:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Economic Development</td>
<td></td>
<td></td>
<td>25,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Education</td>
<td></td>
<td></td>
<td>30,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Year 2000 Information Technology</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Infrastructure and Economic Development</td>
<td></td>
<td></td>
<td>30,000</td>
<td></td>
<td></td>
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<tr>
<td>Y2K conversion emergency funding (courts)</td>
<td></td>
<td></td>
<td>2,248</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Y2K conversion (emergency funding)</td>
<td></td>
<td></td>
<td>6,800</td>
<td></td>
<td></td>
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<tr>
<td>Total, Federal funds to the District of Columbia</td>
<td>563,939</td>
<td>393,740</td>
<td>453,000</td>
<td>-20,699</td>
<td>+56,260</td>
</tr>
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</table>

## DISTRICT OF COLUMBIA FUNDS

### Operating Expenses

<table>
<thead>
<tr>
<th>Governmental direction and support</th>
<th>(164,144)</th>
<th>(174,667)</th>
<th>(162,356)</th>
<th>-1,788</th>
<th>-(12,511)</th>
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</thead>
<tbody>
<tr>
<td>Economic development and regulation</td>
<td>(159,039)</td>
<td>(190,335)</td>
<td>(190,335)</td>
<td>+31,296</td>
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</tr>
<tr>
<td>Public safety and justice</td>
<td>(755,768)</td>
<td>(776,670)</td>
<td>(755,670)</td>
<td>+20,554</td>
<td>+7,000</td>
</tr>
<tr>
<td>Public education</td>
<td>(766,958)</td>
<td>(850,411)</td>
<td>(857,411)</td>
<td>+84,495</td>
<td>+17,000</td>
</tr>
<tr>
<td>Human support services</td>
<td>(1,514,751)</td>
<td>(1,525,696)</td>
<td>(1,525,361)</td>
<td>-11,612</td>
<td>+3,956</td>
</tr>
<tr>
<td>Public works</td>
<td>(286,912)</td>
<td>(271,395)</td>
<td>(271,295)</td>
<td>+4,463</td>
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</tr>
<tr>
<td>Recreation</td>
<td>(318,079)</td>
<td>(337,077)</td>
<td>(345,577)</td>
<td>+28,500</td>
<td>+8,500</td>
</tr>
<tr>
<td>Workforce Investments</td>
<td>(8,500)</td>
<td>(8,500)</td>
<td>(8,500)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buyouts and Management Reforms</td>
<td>(10,000)</td>
<td>(21,457)</td>
<td>(21,457)</td>
<td>+11,457</td>
<td></td>
</tr>
<tr>
<td>Reserve</td>
<td>(150,000)</td>
<td>(150,000)</td>
<td>(150,000)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>District of Columbia Financial Responsibility and Management Assistance</td>
<td>(7,840)</td>
<td>(3,140)</td>
<td>(3,140)</td>
<td>-4,700</td>
<td></td>
</tr>
<tr>
<td>Authority</td>
<td>(451,623)</td>
<td>(384,948)</td>
<td>(384,948)</td>
<td>-66,675</td>
<td></td>
</tr>
<tr>
<td>Procurement and Management Savings</td>
<td>(10,000)</td>
<td>(21,457)</td>
<td>(21,457)</td>
<td>+11,457</td>
<td></td>
</tr>
<tr>
<td>Total, operating expenses, general fund</td>
<td>(4,418,030)</td>
<td>(4,653,682)</td>
<td>(4,694,236)</td>
<td>+4,206</td>
<td>+40,554</td>
</tr>
</tbody>
</table>

### Enterprise Funds

| Water and Sewer Authority and the Washington Aqueduct | (273,314) | (279,608) | (279,608) | +6,294 |           |
| Lottery and Charitable Games Control Board          | (223,200) | (234,400) | (234,400) | +11,200 |           |
| Office of Cable Television                          | (2,136) | (2,136) | (2,136) |    |           |
| Public Service Commission                           | (5,028) | (5,028) | (5,028) |    |           |
| Office of People's Counsel                          | (2,501) | (2,501) | (2,501) |    |           |
| Office of Insurance and Securities Regulation       | (7,001) | (7,001) | (7,001) |    |           |
| Office of Banking and Financial Institutions        | (840) | (840) | (840) |    |           |
| Sports and Entertainment Commission                | (6,751) | (10,846) | (10,846) | +2,095 |           |
| Public Benefit Corporation                          | (66,765) | (69,008) | (69,008) | +2,244 |           |
| D.C. Retirement Board                               | (16,202) | (9,692) | (9,692) | -6,510 |           |
| Correctional Industries Fund                        | (3,332) | (1,810) | (1,810) | -1,220 |           |
| Washington Convention Center                        | (48,139) | (50,226) | (50,226) | +2,087 |           |
| Total, Enterprise Funds                              | (660,978) | (675,790) | (675,790) | +14,812 |           |

### Total, operating expenses

| (5,079,008) | (5,329,472) | (5,370,026) | +291,018 | +40,554 |

### Capital Outlay

| General fund                                       | (1,711,181) | (1,218,638) | (1,218,638) | -492,533 |           |
| Water and Sewer Authority                          | (197,169) | (197,169) | (197,169) | -187,169 |           |
| Total, District of Columbia funds                  | (6,790,199) | (6,745,279) | (6,785,833) | -(4,336) | -(40,554) |

### Total

| Federal Funds to the District of Columbia          | 583,939 | 393,740 | 453,000 | -20,699 | +56,260 |
| District of Columbia funds                         | (6,790,199) | (6,745,279) | (6,785,833) | -(4,336) | -(40,554) |
Mr. Chairman, I reserve the balance of my time.

Mr. Moran of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a good appropriation bill. The appropriations part of this bill is a terrific bill, and for that reason, I want to commend the gentleman from Oklahoma (Mr. Istock), the chairman of the Subcommittee on the District of Columbia. He has had an open mind, and he had a very constructive attitude towards everyone who had ideas on this bill. He has taken the initiative to walk many of the city streets, to visit its schools, to encourage other members of the subcommittee to do the same. I think he has done a fine job on the appropriations part of this appropriations bill, and I thank him for that.

That is why the Committee on Appropriations Subcommittee on the District of Columbia passed out by voice vote the bill, and in the full committee, after eliminating a couple riders, which I will talk about in a moment, we passed the bill out of the full committee on appropriations as well. So everything should be fine.

In fact, I have no intention, Mr. Chairman, of taking up much time tonight, because we are not going to be voting on this bill tonight. We are going to be voting on Thursday, and on Thursday we are going to have to vote on amendments that do not belong on this bill. If they are not added to this bill, then we are going to pass it virtually unanimously. But if they are added to this bill, then this is going to be a futile and very frustrating process, because not only will the Democrats in the House vote against the bill, but the President is going to veto it.

So the principal message we want to leave with those Members who are listening tonight is that if they want to add to the appropriations that belong in this appropriations bill, then we are going to have unanimity, and all of our hard work, particularly under the leadership of the gentleman from Oklahoma (Mr. Istock) will have been constructive. If we do not, it will have been for naught.

The gentleman is absolutely correct in the priorities that he referred to. We agree with everything he said. It is a darn shame, and it goes back to the rule. The rule made in order at least four amendments that we had stuck to the appropriations in the D.C. Revitalization Act.

Mr. Chairman, I subsequently have two speakers who are going to speak for a short period of time, and hopefully, for the sake of the other Members we are going to wrap up general debate as soon as we can.

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

Mr. Istock. Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. Davis), the chairman of the D.C. budget and bringing it to the floor in such good shape and in such a timely manner. I will address the substance of the amendments which I would love to see on the floor in such good shape and in such a timely manner. I will address the substance of the amendments which I...
I think would have been made in order under an open rule, because the wording is “no funds shall be expended,” but we will discuss them in detail on Thursday when they come up, and I share some of the concerns of my colleagues.

Mr. Chairman, the bill is right now in good shape. I want to compliment again thegentleman from Oklahoma. I think thegentleman and his staffhave kept our staff well informed. They have worked cooperatively with us. I also want to compliment thegentleman from Virginia (Mr. Moran), the ranking member, for working so closely on this too.

The appropriations bill may be the lowest in dollar amounts, but historically it has generated an extraordinary amount of interest and passion when it comes to this body. While feelings on many of the questions are as strong as ever, the lack of acrimony expressed to date is a tribute to thechairman’s skill in searching out the community and analyzing these issues. I look forward to passage of this bill and a productive conference.

Let me address some of the items that are contained in this bill. The $17 million for the D.C. College Access Act, which I applaud which has passed the House and I think will be marked up in the other body next week, is the best money we can spend on the city. It holds out hope to those high school graduates who work hard and want to go to college and fulfill their dreams, and they will not be frustrated just because they do not happen to live in a State and cannot afford in-state tuition to a State university system.

Senator Voinovich held a productive hearing on this bill a few weeks ago, and I look forward to working with him and Chairman Istook and my colleague, Eleanor Holmes Norton, and others to authorizing this legislation in advance.

Likewise, I appreciate the 7.5 million for a study of the 14th Street Bridge, a matter I worked on with my colleagues, thegentleman from Virginia (Mr. Moran) and (Mr. Wolf), for some period of time. This is also money well spent. I applaud the $25 million in the budget for drug treatment and testing and the $8.5 million to expand foster care, and I compliment thechairman on adding this to the legislation.

The $5 million to help clean up the Anacostia river needs to be increased, and, of course, approval of the city’s consensus for tax cuts will make the District a friendlier place to live and to work and to own and operate a business. The city needs a tax base. That is why we have taken such an interest in its revitalization. Last year, we passed legislation that permitted the new Washington Convention Center to be built downtown. Working in concert with the MCI Center, we are creating a synergy to enliven the downtown area, increase tourism, and create job opportunities for its residents.

In the 5 years I have had the honor to serve as the chairman of the District’s Authorizing Subcommittee, it has been my philosophy that one cannot have a healthy region without a healthy city. Working in a bipartisan manner, building consensus, I am proud of the way we are turning this city around. The budget that we are considering today continues these efforts. I think it is a step in the right direction, and again I compliment thegentleman from Oklahoma, and I hope this legislation will pass.

Mr. Chairman, I want to make an observation first. I agree with the ranking member, thegentleman from Virginia (Mr. Moran), and thegentleman from Virginia (Mr. DAVIS) with reference to the product of this committee. I think it is one of the most positive products in a D.C. bill that I have seen since I have been here.

I also want to make an observation, as someone who is one of the senior members from the Washington regional delegation, that I think this delegation from the Washington metropolitan area is as positive a partner in working with our co-members of this region, the District of Columbia, and thegentlewoman from the District of Columbia (Ms. Norton).

In particular, I would be remiss if I did not say once again what an extraordinary job thegentlewoman from the District of Columbia (Ms. Norton) does on behalf of the District. She is attentive, able, energetic, tough as nails when she needs to be, and she is smart as she needs to be in terms of dealing with a very, very difficult situation.

It continues to be, however, I think, a travesty that the representative of the District of Columbia does not have a full vote on this House floor. Even absent that vote, Mr. Chairman, she does an extraordinarily good job in representing the people of the District of Columbia. I congratulate her for it.

Mr. Chairman, I want to just make a couple of comments. I want to thank thegentleman from Oklahoma (Chairman Istook) for, again, his work on this bill, as he knows, with thegentleman from Virginia (Mr. Moran) about the committee on Rules’ actions, and with respect to a couple of other provisions in the bill as well that we will discuss tomorrow.

Basically, this is a good bill. Thegentleman from Virginia (Mr. Moran) I think is absolutely correct. As an appropriation bill, that is, without the riders, without the extraneous matter, it is a bill that I think all of us could support.

I also would like to thank thechairman and the ranking member for adding report language in the full committee that deals with the fire service. I have been a longtime advocate of the interests of the fire service. We lost a very distinguished firefighter, John Carter, in 1997. Thegentlewoman from the District of Columbia (Ms. Norton) and a couple of others to authorizing this legislation. There was a report after Mr. Carter’s death. That report made a number of recommendations, and one of the recommendations it made were dealing with assistance to battalion chiefs and the number of firefighters that were assigned to the trucks as they leave the station.

I believe that matter deserves very serious consideration. I know the D.C. City Council has a concern. It is a report language and not mandatory, but I am hopeful that we can work on this matter and focus on it in the months ahead.

I again congratulate thegentlewoman from the District of Columbia (Ms. Norton) for her outstanding work.

Mr. Chairman, I yield such time as she may consume to thegentleman from Virginia (Mr. Moran) for his outstanding cooperation for the Washington metropolitan region. He does a lot for the District of Columbia specifically.

Mr. Chairman, I yield such time as I may consume to thegentleman from Maryland (Mr. Hooyer) for his very generous remarks concerning me.

This year had promised to be far smoother for the D.C. appropriation than recent years. Thegentleman from Illinois (Speaker Hastert) himself, thegentleman from Florida (Chairman Young), the ranking members, thegentleman from Wisconsin (Mr. Obey) and thegentleman from Virginia (Mr. Moran) and especially thegentleman from Oklahoma (Chairman Istook). We worked hard to achieve consensus on the D.C. budget, and they succeeded beautifully. The District’s consensus budget, containing only locally-raised revenue, also found consensus in committee.

The D.C. budget is balanced and frugal, with prudent spending, a tax cut, and a surplus.

How, then, can we now allow this thoroughgoing council at the funeral of two of our firefighters in the District of Columbia that have died in the last 60 days.
exception, who alone are accountable to the residents who live here.

How can we allow inflammatory and undemocratically imposed amendments to overwhelm the excellent work the gentleman from Oklahoma (Chairman Istook) is trying to bring it down with a veto that has been promised if we will try it with irrelevant appendages that are wholly disrespectful of local self-government? How can we repeat the performance of last year's pitiful D.C. appropriations debacle?

Make no mistake, this appropriation is headed for a completely avoidable train wreck. After listing all the attachments before us, the administration's statement of policy says, and I am quoting, "If such amendments are adopted, the bill presented to the president, the senior advisors will recommend that the President veto the bill."

Out of respect for the half million people we represent, the mayor, and the revitalized city council, I ask for a clean appropriation. Members and I may well disagree with local law, but a vote to leave a local law standing is no vote in favor of that law. They did not make it, they cannot leave it standing. Rather, it is an exercise in the oldest of American Federalist exercises. It is a vote for democracy at the local level.

Members jealously guard the local prerogatives of their districts. I demand no less respect for the people I represent. Please respect our rights as American citizens and vote against each and every one of the riders that will come before us on the District appropriation.

I will be as close, Mr. Chairman, by drawing to the Members' attention a recent article in the Washington Post that struck me with deep poignancy. It is headed, "U.S. to Host Russians for a Look at Democracy." We are told that this body has appropriated $10 million in an emergency appropriation, no less, to bring Russians here to see how American democracy works.

James Billington, the Librarian of Congress, said, and he is quoted in the article, "I am very pleased that the U.S. Government is bringing 'a genuinely large number of young Russians, the entire cohort of young leaders, especially from the provinces, to observe American life and democratic institutions.'"

Mr. Chairman, I can only ask that for their sake and ours, we deny the Russians gallery passes to witness the D.C. appropriation on Thursday. We are told that bringing large numbers of Russians to the United States, according to Mr. Billington, and I am quoting him now, "Avoids the patronizing syndrome of sending Americans to Russia to tell the Russians how to run their lives."

Instead, Mr. Speaker, the Russians will see this House telling the residents of the District how to run their lives. It is not the Russians who will be patronized on Thursday if these amendments are offered, it is the people I represent.

We are told that the first 3,000 Russian participants are scheduled to arrive July 28. Fate, how cruel. This is just in time to see the sorriest spectacle left against our stated democratic principles.

Mr. Billington apparently wrote an op-ed piece for the New York Times, where he criticized, according to this article, the United States for doing too little to support the development of democracy in Russia. Mr. Chairman, the criticism belongs with this House and on this bill. We are doing or will do, if we continue in the way we are going, too much to destroy democracy in the Nation's Capital with the attachments to this bill.

The main problem is how the Russians that democracy works, even in the Capitol of the United States. I urge my colleagues to vote against all the anti-democratic amendments that will come to the House floor on Thursday. Do it not for the Russians, do it for the people I represent, and do it in the name of American democracy.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. Bilbray).

Mr. BILBRAY. Mr. Chairman, I hope, as the Russians come and witness this action, they will be reminded by all of us that we are a constitutional republic, and that the Constitution specifically allows us to delegate authority within the Federal district that was formed by that Constitution, but does not give us the right to delegate the responsibility for what happens in this District.

Mr. Chairman, I am rather concerned when I hear my colleagues talk about that the President will veto this bill if any of these amendments go forward. I cannot believe that William J. Jefferson Clinton would veto this bill just because we said that children in Washington, D.C. should not be possessing or smoking tobacco.

I just cannot believe the President would veto the bill just because we want to send a clear message that minors should not drink and should not smoke, but here in D.C., it is okay, to Virginia and do not go to Maryland and smoke, but here in D.C., it is okay, I do not think anybody in Congress wants to take that attitude on offenders.

Mr. Chairman, I am sure that the President will not veto this bill if we outlaw minor possession and use of tobacco in D.C. I am sure the President when I hear my colleagues talk about irrelevancies, not just to the children of D.C., but the children across this country that minor use of tobacco needs to stop and start here.

Mr. Chairman, I include the following letters for the RECORD:

HOUSE OF REPRESENTATIVES

Hon. Anthony Williams,
Mayor, District of Columbia, Washington, D.C.

Dear Mayor Williams: I would like to take this opportunity to congratulate you on your recent election victory. As a part-time resident of the District and as someone who spent twenty years in local government, including two years as a councilman and six years as a mayor, I wish you the best of luck in your first term as Mayor of the District of Columbia.

As you may already be aware, during the House of Representatives Fiscal Year (FY) 1999 appropriation process I introduced an amendment to the D.C. Appropriation Act (H.R. 4388) that prohibited individuals under the age of 18 years of age from possessing and consuming tobacco products in the District of Columbia. This amendment received strong bipartisan support and passed through the House by a 238-138 vote on August 6, 1999, but unfortunately it was not included in the final conference report.

At the time I introduced this amendment only 21 states in the nation had minor possession laws outlawing tobacco, and my amendment would have added the District of Columbia to this growing list. My amendment was very straightforward and easy to understand. It contained a provision to exempt from this prohibition an individual “making a delivery of cigarettes or tobacco products in his or her employment” while on the job.

My amendment also contained a penalty section, which was modeled after the state of Virginia’s penalty section for minors found in violation of tobacco possession. For the first violation, the judge would have discretion of the judge, be subject to a civil penalty of not to exceed $50. For the second violation, the minor would be subject to a civil penalty not to exceed $100. For a third or subsequent violation, the minor would have his or her driver’s license suspended for a period of 90 consecutive days. The 90-day suspension consists of one year for minor possession of alcohol in the District of Columbia. Any minor found to be in possession of tobacco may also be required to perform community service or attend a tobacco cessation program. Each of these penalties are at the judge’s discretion.

I understand that the District of Columbia already has tough laws on the books to address the issue of sales of tobacco to minors.
My amendment focused specifically on the possession of tobacco products by minors in order to put minor possession of tobacco with minor possession of alcohol. All three cities of the District have passed anti-possession laws, so that I am not asking the District to do anything my own communities have not already done.

I was an original cosponsor of the strongest anti-smoking law in the 106th Congress, the Bipartisan NO Tobacco for Kids Act (H.R. 3638). The intentions of my amendment was to encourage youth to take responsibility for their actions. If individuals under the age of 18 know they will face a penalty for possession of tobacco, they might be deterred from ever starting to smoke in the first place.

As we move forward in the 106th Congress I would like to know whether you plan to address this issue at the local level. I think it is important that all levels of government work together to help stop children from smoking. I also believe we should send the right message to our children, and the first step in this process would be for the District of Columbia to join Virginia, Maryland, and the twenty other states who have passed youth possession and consumption laws. I would consider any comments of your initiatives, and to work with you and Members on both sides of the aisle in 1999 to make sure this important piece of legislation becomes law.

Again, congratulations on your new position as Mayor and I look forward to working with you in the future.

Sincerely,

BRIAN P. BILBRAY,
Member of Congress.

May 21, 1999.

Hon. Brian Bilbray,
U.S. House of Representatives, Washington, D.C.

Dear Congressman Bilbray:

Thank you for your letter sharing your concern about teenage smoking in the District and your congratulations on my November election to the Office of Mayor.

In response to your inquiry, the District of Columbia is addressing the issue of teen smoking through a variety of methods. DC Public Schools has two programs—The Great Smoke and Sentence--which means violators could be required to work for 40 hours a week to repay the District for their losses or enter a tobacco education program. The second violation, the minor would be subject to a civil penalty not to exceed $20. For a third of subsequent violation, the minor would have to be sentenced to a period of 90 consecutive days. The 90 day suspension is consistent with penalties for minor possession of alcohol in the District of Columbia. Any minor found to be in possession of tobacco may also be required to perform community service or attend a substance abuse program. Each of these penalties are at the discretion of the judge (I have attached a draft of my amendment for your convenience).

My amendment focuses specifically on the possession of tobacco products by minors in order to put minor possession of tobacco with minor possession of alcohol. If we are really serious about reducing youth consumption of tobacco we need to put it on the same level as alcohol and treat it equally.

My amendment contains a penalty section, which is modeled after the state of Virginia's penalty section for minors found in violation of tobacco possession. For the first violation, the minor would, at the discretion of the judge, be subject to a civil penalty not to exceed $10. For the second violation, the minor would be subject to a civil penalty not to exceed $50. For the second violation, the minor would have his or her driver's license suspended for a period of 90 consecutive days. The 90 day suspension is consistent with penalties for minor possession of alcohol in the District of Columbia. Any minor found to be in possession of alcohol may also be required to perform community service or attend a substance abuse program. Each of these penalties are at the discretion of the judge (I have attached a draft of my amendment for your convenience).

My amendment focuses specifically on the possession of tobacco products by minors in order to put minor possession of tobacco with minor possession of alcohol. If we are really serious about reducing youth consumption of tobacco we need to put it on the same level as alcohol and treat it equally.

Again, thank you for responding to my original letter and I look forward to working with you on this important issue. Please feel free to contact me if you have any additional questions.

Sincerely,

BRIAN P. BILBRAY,
Member of Congress.
Federal district that has one city. It is established by the Federal Constitution.

Ms. NORTON. Mr. Chairman, will the gentleman yield on that?

Mr. ISTOOK. Mr. Chairman, I appreciate the gentleman yielding to me. I accept the gentleman’s great American analogy, federalist analogy. But as the gentleman himself served in local government, he will, I think, recognize that, at the local level, there was voting representation so that there had been agreement to live by majority vote. Because even at the lowest local level, there was voting representation.

The gentleman recognizes that I have no vote in this body, and what vote I did have was taken from me. I just want to indicate that I would, in fact, agree if, in fact, this State analogy were fully perfect.

Mr. ISTOOK. Mr. Chairman, I understand the gentlemwoman’s concerns, and I appreciate them. As I said before, I appreciate the great passion that she brings to her representation of D.C. I recognize the concerns that she has over the capital city of the United States of America, and that makes it a very unique structure.

But I do not want to lose track of the feelings and the passions such as the gentlemwoman is expressing, and others are, too.

But what we are considering in the bill with the amendments that different Members intend to offer on Thursday is not unique. I think it is very important to note, if my colleagues look at the amendments that the Committee on Rules chose to place on the floor this Thursday, we have the amendment to be offered by the gentleman from Oklahoma (Mr. Largent), which states that adoptions should be by persons who are related by blood or by marriage. That is an amendment which was adopted by this House of Representatives a year ago. The vote was 227 to 192. It is not something new that has been brought to bear on this bill.

The amendment that the gentleman from California (Mr. BILDRAY) intends to offer regarding minors and tobacco is not new. It is virtually the same as the amendment which was considered by this House and passed last year by a vote of 283 to 138.

The amendment that the gentleman from Georgia (Mr. BARR) intends to offer is somewhat different from the one last year. Last year, it was adopted by a voice vote. There was not even a recorded vote requested. It was adopted by a voice vote. It would have prohibited the District from counting the results of the initiative and the election that was conducted regarding medical use of marijuana.

But it is important to note that that provision was not only adopted by the House of Representatives, it was also approved by the United States Senate, and it was signed into law by the President of the United States. This year, the provision which the Committee on Rules made in order for the gentleman from Georgia, Mr. BARR, does not go that far. It simply states that the District shall not legalize a drug that is a restricted drug under the Controlled Substances Act.

The amendment that causes some controversy that the gentleman from Kansas (Mr. TIAHRT) intends to offer on the floor this Thursday, which states that no public money may be used within the District for a program of needle exchange regarding illegal drug usage, is not a new provision. That was adopted last year by the House of Representatives on a vote of 250 to 169. It was signed into law by the President of the United States.

Maybe this year, the President’s advisors want him to change his mind and say he should veto it if that provision remains there. But the case remains that that is a provision that was approved by the House, the Senate, and the President a year ago.

The language which the gentleman from Virginia (Mr. WATANABE) has in the bill in place of the Tiahrt language to say that the limitation is on the use of Federal funds, but not a limitation on local funds within the District, is an amendment which was disapproved last year by the House on a vote of 173 to 247.

These are not new issues that have been brought up. In fact, I have encouraged my fellow Members not to bring up new issues to tack on to this particular bill. But I have recognized that those amendments have been taken by the House, by the Senate, by the President, acting in concert, and that those remain issues that have previously been considered appropriate for this body; and, therefore, we have the votes on Thursday on those issues again.

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

Mr. ISTOOK. Mr. Chairman, I yield to the gentleman from the District of Columbia.

Ms. NORTON. Mr. Chairman, I want to correct the record that the President never specifically signed the D.C. appropriation last year. It was the year of the great appropriation debacle.

Mr. ISTOOK. Mr. Chairman, it was within an omnibus appropriation.

Ms. NORTON. Mr. Chairman, it was within an omnibus bill. The President’s agents sought to get each and every one of those amendments off, did get the adoption amendment off, for example, but was not able in the course of negotiations to get all of the amendments off.

So the President is not being inconsistent when he says he will veto this year’s provision.

Mr. ISTOOK. Well, as I said correctly, Mr. Chairman, the President signed that provision into law last year. Yes, it was in a bill that had many other things within it, but it was signed into law by the President, the President’s advisors now say they would recommend he veto if that provision remained within the bill.

We all know there is a great difference between what a congressman may counsel, what a member of one of the staff that works for us on Capitol Hill, what they may counsel, and what we may deem that we should do or choose to do. I think we have to have perspective.

We have not brought up new issues within this bill. We have the continuation of the issues that have already been brought before this body, and this body has previously determined that they were appropriate to consider.

Those are still live issues. These include issues that were signed into law by the President a year ago. I think it is appropriate for us to consider something that the President did agree to sign into law a year ago.

We will have those debates Thursday. I will abide by the results. I expect that other Members of this body will abide by those results. I just want to put those in perspective, Mr. Chairman.

Mr. ISTOOK. Mr. Chairman, I do not want to lose track of the positive things that we have worked together to do in this bill. After we have those votes on the disagreements, I expect that we can and will and should unite to promote those things that we have put in this bill to make the District of Columbia a better, safer, more prosperous place to live, to work, and to visit.

I think that is a worthwhile goal for the capital city of the States of America. I hope that every Member of this body will join me in that commitment, regardless of our differences on different votes, unite together and approve this bill for the common good.
the capital of the United States of America.

Mr. FARR of California. Mr. Chairman, I rise to congratulate my colleagues, Chairman ISTOOK and Ranking Member MORAN, on a fine bill that they have put together. Though there are certain portions of it—specifically those prohibiting the use of local funds for abortion and the local domestic partner law—I believe the bill is generally even-handed.

There is one issue I wish to raise, however, that is not addressed in this bill and has never, to my knowledge been raised before: pit bulls.

The recent death of a veteran firefighter on the DC fire squad because of a pit bull attack during a fire run is only the latest of tragedies associated with vicious pit bull attacks.

I am an animal lover and for the most part will give animals the benefit of the doubt for their right to share this planet with us. I abhor animal cruelty and am grateful for the support I received from this House in passing a partial ban on steel-jaw leghold just traps two weeks ago.

But this city has a problem with maintaining proper control over pit bulls and Firefighter Robinson was only the most recent addition to a sad list of statistics.

According to Mary Healy, Executive Director of the Washington Humane Society, over 1/6 of all the animals that come into their animal shelters every year is a pit bull. Just think of it: of all the breeds of all the dogs out there, one breed overwhelmingly dominates like no other. These dogs are turned out or found or captured because they are not suitable as pets. It is the nature of this beast to be other-animal aggressive which leads to unprovoked attacks on other dogs and by proximity, on people. As such they pose a public health and safety threat and for this reason the Humane Society supports full ban on pit bulls.

Originally I had considered offering an amendment to this bill specifically calling on the DC Council to do something about this problem. I will refrain from doing so only because I have learned that the DC Council is moving in the right direction on this issue due to the leadership of Councilmember Carol Schwartz. Ms. Schwartz in March introduced strong legislation that would put sensible restrictions on pit bull ownership in the District. I applaud her vision and dedication to solving this troublesome aspect of life in DC. I understand from Councilmember Schwartz that she has been granted a hearing in October by Sandy Allen, Councilmember from Ward 8 and Chairperson of the Council Committee on Human Services. I fully hope to see the Council enact that legislation on an emergency basis and work toward a more permanent solution—perhaps even an out-and-out ban like that enacted in Prince Georges County, Maryland—within the next several months.

We can’t wait for the next headline to tell us of the next tragedy of a person hurt or maimed or even killed by these vicious dogs. Firefighter Robinson gave his life; Councilmember Schwartz has the answer. Congress should honor the memory of firefighter Robinson by during the Council to pass Ms. Schwartz’s bill and if the Council won’t act then I will see that Congress does.

Mr. PORTMAN, Mr. Chairman, I arise today to comment on the District of Columbia Appropriations legislation. I commend the subcommittee, its Chairman [Mr. ISTOOK] and the full committee for their work on this important legislation.

As someone with a strong interest in reducing substance abuse through demand reduction—and as co-chairman of the Speaker’s Working Group for a Drug-Free America—I’d like to comment on a provision of this legislation that is of particular interest to the drug prevention and education community.

**DRUG TESTING FOR PRISONERS AND PAROLEES**

I commend the gentleman from Oklahoma for including 19% of prisoners receive any sort of treatment for their drug problem at all and many of those treatment programs are considered inadequate.

Unfortunately, the drug habits of thousands of these individuals continue and sometimes worsen in prison. So it’s not surprising that, according to statistics from the National Center on Addiction and Substance Abuse, 50% of state parole and probation violators were under the influence of drugs, alcohol or both when they committed their new offense. In other words, these individuals continue to be a menace to society because their drug problems are not addressed behind bars.

There are a number of steps we can take to stop the revolving door of incarceration, parole and re-arrest—something successful drug courts at the local level that use the threat of prison to get people to address their drug habits through treatment. At the national level, a recent Federal Bureau of Prisons study showed that inmates who receive treatment are 73% less likely to be rearrested than untreated inmates.

That’s why I introduced the Drug-Free Prisons and Jails Act last year, which established a model program for comprehensive substance abuse treatment in the criminal justice system to reduce drug abuse, drug-related crime and the costs associated with incarceration.

And that’s why I’m pleased to support the drug testing program in this legislation before us today. By identifying criminals and parolees in the District of Columbia with drug addiction problems, we will help to reduce crime in our nation’s capital—and we will stop the costly revolving door of drug addiction and incarceration in the DC prison system.

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

Mr. Chairman, I move that the Committee do now rise.
Mr. CUNNINGHAM, California.
Mr. DOOLEY, California.
Mr. DOOLITTLE, California.
Ms. WATERS, California.
Mr. BECERRA, California.
Mr. CALVERT, California.
Ms. ENSIAH, California.
Mr. FILNER, California.
Mr. HORN, California.
Mr. MCKEON, California.
Mr. POMBO, California.
Ms. ROYBAL-ALLARD, California.
Mr. ROYCE, California.
Ms. WOOLSEY, California.
Mr. FARR, California.
Mr. BILBRAY, California.
Ms. LOFgren, California.
Mr. RADANOVICH, California.
Mr. CAMPBELL, California.
Ms. MILLER-MCDONALD, California.
Mr. RODGAR, California.
Mr. SHERMAN, California.
Ms. SANCHEZ, California.
Mr. S TAUSCHER, California.
Mr. CASS, California.
Mrs. BONO, California.
Ms. LEE, California.
Mr. KUYKENDALL, California.
Mr. GARY MILLER, California.
Mrs. NAPOLITANO, California.
Mr. OSE, California.
Mr. SMITH, Michigan.
Mr. BARCIA, Michigan.
Mr. ROEMER, Indiana.
Mr. COSTELLO, Illinois.
Mr. F ALEOMAVAEGA, American Samoa.
Ms. McNULTY, New York.
Mr. ROEMER, Indiana.
Mr. BARCIA, Michigan.
Ms. EDDIE BERNICE J OHNSON, Texas.
Mr. EHLERS, Michigan.
Ms. RIVERA, Connecticut.
Mr. LAMPSON, Texas.
Mr. HOLT, New Jersey.

GENERAL LEAVE

Mr. SMITH of Michigan. 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 extraneous material on the subject of the special order today by the gentleman from Florida (Mr. BILIRAKIS).

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

There was no objection.

TRIBUTE TO PARKER HIGH SCHOOL, BIRMINGHAM, ALABAMA

(Mrs. JONES of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, I rise today to pay tribute to Parker High School for its efforts in eliminating color barriers in public education in Birmingham, Alabama, and across the United States. I would like to thank my colleague, the gentleman from Alabama (Mr. HILLIARD), for joining me in this tribute to recognize Parker High School.

Mr. Speaker, it is important to salute Parker for the significant contributions it has made in educating African Americans. My father, Andrew Tubbs, and my uncles, William Burns and Bernard Sherrill, are graduates of Parker High School.

Parker High School was, at one time, considered the world's largest historically African American high school. The school was named after Arthur H. Parker, a teacher in Birmingham, who established the first school in 1899.

Mr. Speaker, I have heard many good things from my family members about how this school has done an excellent job in preparing its students to be leaders in their respective fields.

Parker High School boasts many firsts, for example, graduated the largest number of students at an African-American high school in U.S. history. And also boasts of an enrollment of 3,702 students fifty years ago. Many of their students participated in the Civil Rights Movement and have become well-known business, professional, and civic leaders in cities across our great Nation.

During the 1950s, Parker High School raised its academic standard above all other schools in the Segregation State, with its students what many considered the best education in Alabama. Some of its graduates include Arthur Shores, the first African American admitted to the Alabama Bar; Bernice Spraggs, Chicago Defender Washington correspondent; and Jim Hightower, the Federal employee who was instrumental in the creation of Parker High School.

In recognition of the significant contributions it has made in educating African Americans, Parker High School has been recognized for 5 minutes each.

Mr. HOYER. Mr. Speaker, I rise this evening to recognize the outstanding efforts of Robert Tobias on behalf of Federal employees. After 31 years of service to the National Treasury Employees Union and 16 years as its president, Bob is retiring to spend more time with his family.

Bob has built NTEU from a union of 22,000 members located solely in the Treasury Department to a union of 155,000 employees representing Federal employees in 22 agencies. Legislatively, I cannot think of one major gain that Federal employees have made since I was elected to Congress in 1981 that has not had Bob Tobias' hand in it.

The list of accomplishments is impressive: helping to create the Federal Employee Retirement System; saving the Nixon administration and recovering $533 million of back pay owed to Federal employees; allowing CSRS-covered Federal employees to retire early; and working to institute alternative work schedules; telecommuting; and on-site child care for Federal employees.

The one area where I think Bob's influence was most deeply felt was the creation of partnership in the workplace and in the reinvention of government. When Vice President Gore's reinvention efforts began, the Federal workplace was at a crossroads. The old adversarial relationship between labor and management simply was not working. Government needed to be more efficient and accomplish more with less resources and personnel.

Participating with the reinvention effort was not easy. It took courage and vision, because, Mr. Speaker, part of the effort called for downsizing the Federal work force to its lowest level since the Kennedy administration. At that time, reinvention and partnership had a lot of detractors, but Bob Tobias and the late AFGE president, John Stumpf, had the vision and took the risk. They took the risk, and I believe for the first time the talent of the rank-and-file employees started to be harnessed.

It paid off, Mr. Speaker, because the Federal employee who benefited from a more efficient and responsive government.

In his letter to chapter presidents in February, Bob wrote, and I quote:
“From my first day at NTEU, my goal has been to move us from helplessness and despair to dignity and respect; from being ignored to being recognized and included; and from acting alone to experiencing our collective power of collective action.”

Mr. Speaker, Bob Tobias has achieved those goals and NTEU members and the American people are better off today because of his efforts. We wish him well, and we wish him all the best in the future, and we thank him for his service.

Mr. Speaker, I often observed to groups of employees to whom I spoke that there was no better labor leader in America than Bob Tobias. He cared about his people; he worked tirelessly on their behalf; he advocated in their best interest and, like most successful leaders, accomplished much for all of those he represented. But as I said earlier in my statement, not only did he accomplish great things for them, but he made the workforce of the American people, the Federal employees, a better, more effective, more efficient, more disciplined, more focused workforce. And for that, we in America owe him a great debt of gratitude. America and I are a better place for the service of Robert Tobias.

Mr. KOLBE. Mr. Speaker, I rise to acknowledge the work Bob Tobias has done for Federal employees. Bob has been the president of the National Treasury Employees Union since 1983 and has been with this organization for the last 31 years. No doubt about it—Bob Tobias has positively affected the character of the NTEU.

As chairman of the Treasury and General Government Appropriations Subcommittee, I have had the honor and privilege of working closely with Bob on many issues. He has always been honest, compassionate, and unrelenting in fighting for what he believed to be the right course of action. I will always look back favorably on the times I have spent working with him. It is my understanding that Bob will be 56 years old in August, which is when his fourth term will expire. I wish him the best in his next endeavor. I’m told that he plans to write or teach, and even though he is an alumnus from the University of Michigan, and not from any other more formidable “Big 10” school—Northwestern University from which I graduated—I am pleased to recognize Mr. Robert M. Tobias for his work with the NTEU.

GENERAL LEAVE

Mr. HOYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order today.

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

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS of Virginia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. KOLBE) is recognized for 5 minutes.

(Mr. KOLBE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. HILLIARD) is recognized for 5 minutes.

(Mr. HILLIARD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

(Mrs. CLAYTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from South Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

(Mrs. CLAYTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

25TH ANNIVERSARY OF TURKEY’S INVASION OF CYPRUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BILIRAKIS) is recognized for 5 minutes.

(Mr. BILIRAKIS addressed the House. Mr. Speaker, as I have done every year, I rise again to declare my deep concern and utter indignation regarding the 25-year occupation of the island of Cyprus by Turkish troops.

It was in July 1974, that Turkish forces, consisting of 6,000 troops and forty tanks, landed on Cyprus’ northern coast and captured a good part of the island nation. This military operation was appropriately code-named “Attila.” A few days later, the three guarantor powers—the United Kingdom, were negotiating to determine the fate of the island. To maximize its illegal territorial gains, Turkey used this opportunity to launch the second phase of its pre-planned assault, code-named “Attila II.” Since then, Turkey has occupied 37% of the island in defiance of any code of civilized behavior in the community of nations.

The consequences of that brutal action were devastating. More than 5,000 people were killed during the invasion. Even today, the fate of 1,614 Cypriots and 4 U.S. citizens, missing since the invasion, remains a mystery.

More than 200,000 Greek Cypriots—men, women and children—were forcibly expelled by the invading Turkish army in a mass exodus reminiscent of Bosnia and Kosovo. These “refugees” settled in the southern part of the island. Of course, they have never been compensated by Turkey for their confiscated lands and houses, or for their ruined businesses.

Since this atrocious act, Turkey has embarked on a methodical effort to first entrench and fortify its military presence on the island, and second, to alter the demographic characteristics and ethnic composition of its population.

To achieve the former goal, Turkey beefed up its occupation force to more than 40,000. In addition, a large amphibious assault force is permanently stationed at the Turkish mainland base closest to Cyprus.

To accomplish the latter goal, scores of Turkish people from the Anatolian interior were transplanted into the occupied lands to take possession of the properties and businesses of the expelled refugees. These settlers, conservatively estimated at 80,000, and the Turkish occupation force currently outnumber the Turkish-Cypriot population who legitimately inhabit northern Cyprus before the invasion.

The illegal nature of this aggressive act, and the brutality with which it was conducted, aroused the indignation of the international community. In the ensuing years, the arbitrary declaration of the occupied northern Cyprus as an independent “republic” failed to expunge its illegal nature. A quarter of a century later, the occupied Northern Cyprus has remained a pariah “entity,” not recognized by any nation in the world, except Turkey.

Over the years, repeated attempts have been made by individual governments and by the United Nations to find a solution to the problem of Cyprus. All of them failed because of the intransigence of Turkey. As a result, the relations between Greece and Turkey have been adversely affected to the point that direct military confrontations between them have been narrowly averted on at least two occasions.

Given their geographic location and the fact that both countries are member states of NATO, such a conflict would seriously impact the stability of the eastern Mediterranean region.

Demilitarization would alleviate the security concerns of all parties and substantially enhance the prospects for a peaceful resolution of the problem. Unfortunately, Cyprus’ efforts to resolve the situation have been rebuffed by Turkey, and the “government” in the occupied part of northern Cyprus be formally recognized. He also said Cyprus must withdraw its application to join the European Union, threatening that...
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Mr. Speaker, let me conclude by saying that I am of the belief that the solution to the Cyprus problem resides in the will of the United States and the international community to renounce the violence that divided Cyprus a quarter century ago and to affirm that the resolve of the international community to impose the necessary diplomatic pressure on the Turkish side.

Mr. Speaker, let me conclude by saying that I am of the belief that the solution to the Cyprus problem resides in the will of the United States and the international community to renounce the violence that divided Cyprus a quarter century ago and to affirm that the resolve of the international community to impose the necessary diplomatic pressure on the Turkish side.

In a remarkable gesture of good will, the Government of Turkey has offered to cancel all its confidence debts and to resume negotiations without preconditions in the autumn of 1999. As the G-8 leaders stated recently in Cologne, “The Cyprus problem has gone unresolv...”
of the Cyprus problem and look forward to a
day when the unification, not the division, of
Cyprus is celebrated in this body and around
the world.

Mrs. MALONEY of New York. Mr. Speaker,
twenty-five years is too long. It is too long to
be kept from your home. It is too long to be
separated from your children. It is too long for
children have to make the decision to go to
school and never see their family again.

Twenty-five years is too long.

It is too long for Cyprus’ rich 9,000-year-old
cultural and religious heritage in the occupied
part to be destroyed or plundered. It is too long
to watch helplessly the continual stream
of atrocities and human-rights abuses. It is too
long for the world to watch in silence and do
nothing. Twenty-five years is too long.

It is time to correct the injustice that has
been occurring on Cyprus. It is time to return
replace Cypriots to their homes. It is time to
reunite families. It is time to allow children
to go to school. It is time try to restore the rich
cultural and religious heritage of Cyprus.

After 25 years, it is time for the United
States to take a vocal role in speaking out
against the division of Cyprus and the horrible
atrocities that have happened there. That is
why the Gentleman from Florida and I intro-
duced a resolution today that urges compli-
ance by Turkey with United Nations Resolu-
tions approximately.

In the last year, the U.N. Security Council
has passed four resolutions regarding the in-
vasion of Cyprus. It is time that a Cyprus set-
tlement is reached: Based on a single sov-
eignty and a single citizenship with its inde-
pendence, territorial integrity and unity of the
Republic of Cyprus. Several rounds of nego-
tiation have taken place, all of which have
failed because of a lack of political will on the
Turkish side and its refusal to abide by inter-
national law and to comply with Security
Council resolutions.

The Republic of Cyprus has agreed to these
conditions. It is time that Turkey come to the
bargaining table without unacceptable pre-
conditions and the idea of a confederation of
two sovereign states. We have challenging
work to do. But, with the help of everyone
here, hopefully soon we will be celebrating the
reunification of Cyprus instead of commemo-
rating the invasion.

Already there are 34 cosponsors of the bill.
The momentum in Congress is growing. Take,
for instance, the Hellenic Caucus. There are
75 members of the Hellenic Caucus this year
which is up from 69 last Congress.

The momentum is here in Congress and we
must continue that momentum and use our
influence with Turkey to push them to bring real
goals to the table instead of unviable pre-
conditions.

Mr. ACKERMAN. Mr. Speaker, today marks
the 25th anniversary of Turkey’s invasion of
Cyprus, and I rise with my colleagues to sadly
commemorate this tragic event. I have always
supported efforts, including legislation, calling
for the end of the tragic separation of the is-
land of Cyprus. I am proud to be a cosponsor
of important legislation calling for a just and
peaceful resolution to the current situation of
Cyprus (H. Con. Res. 81), and have also
called for an immediate end to the militariza-
tion of Cyprus. I have also written to President
Clinton numerous times to point out instances
of Turkish aggression on the island. Lastly, I
have also supported the Republic of Cyprus’
application for entry into the European Union.

It goes without saying that the situation on
Cyprus is of great importance to the United
States and to me. The appointment of Ambas-
sador Richard Beasley as special emissary for
Cyprus demonstrates this importance to the
Clinton Administration. I believe that after 25
years of stagnation, the situation on Cyprus
demands a fair and comprehensive solution.
The UN Security Council has condemned the
Turkish invasion. It declared the Republic of
Northern Cyprus and has called for the with-
drawal of all Turkish troops. The Security
Council also called on all states not to recog-
nize the purported state of the “Turk-
ish Republic of Northern Cyprus.”

In fact, no world recognizes the so-called
“TRNC” except for Turkey. UN resolutions since 1974 have called for the
withdrawal of all foreign forces from Cyprus,
the return of all refugees to their homes in
safety, and respect for the sovereignty, inde-
dependence, territorial integrity and unity of
the Republic of Cyprus. Several rounds of nego-
tiation have taken place, all of which have
failed because of a lack of political will on the
Turkish side and its refusal to abide by inter-
national law and to comply with Security
Council resolutions.

Turkey has also continued to upgrade its
military presence on Cyprus despite the fact
that the Republic of Cyprus decided recently
to not to deploy Russian SS-300 missiles on
Cyprus. The TRNC has further blocked progress
by setting two preconditions for the resump-
tion of peace talks by requiring the recognition
of the “TRNC,” and the withdrawal of Cyprus’
application for membership in the European
Union. Neither of these are acceptable to the
Republic of Cyprus, and only serve to con-
tinue to block any kind of possible resolution.

I therefore call on this Administration, in this
25th year, to take a hard sand on Cyprus, to
help enable the people of Cyprus to live under
a government chosen by their people. The
United States must take the lead in finding a
solution to Cyprus, and demonstrate to the
world that people of different ethnic back-
grounds and religious beliefs can successfully
coexist. The people yearn for it and the coun-
try needs it.

Mr. BLAUGUEVICH. Mr. Speaker, it has
been twenty-five years since Turkish troops
invaded Cyprus, tearing that nation in two.
And for those twenty-five years, the world
community has repeatedly denounced the ille-
gal Turkish invasion. Through various United
Nations’ resolutions, joint communiques, and
other diplomatic statements, nations around
the globe have sent the clear, unequivocal
message that the Turkish occupation ofCy-
prus is patently illegal and must end.

Nonetheless, Turkey continues to arrogantly
ignore this unified message. Turkey chooses
to pursue a policy of isolationism. Why on
earth would one want to believe in the best for
mankind. Sadly, July 20th is also the anniversary
of an occasion far less noble and inspiring.
Twenty-five years ago, Turkey invaded Cyprus
took control of almost 40 percent of the island.
In the wake of Turkey’s attack, 1,619 people—
including five Americans—disappeared. Their
fate remains unknown.

Today, Turkish troops continue to occupy
the northern portion of Cyprus, maintaining
thousands of troops there in an affront to di-
plomacy and international law. Barbed-wire
cuts across the island separating thousands of
Greek Cypriots from the towns and commu-
nities where their families had lived for gen-

On a day when we remember the wonder and bravery of the moon landing, we must not forget the shame and cowardice of the illegal occupation of northern Cyprus. I join my colleagues here today in the hope that we will soon be able to remember the best of this centenary of the worst of the century. 

Mr. KENNEDY of Rhode Island. Mr. Speaker, I would like first to thank my colleague from Florida, Mr. Bilirakis, for this special order to commemorate and acknowledge the 25th anniversary of the Turkish occupation of the island of Cyprus.

In the past decades we have witnessed many human rights violations such as in Kosovo and in East Timor. This has to change and this commemoration is a step towards change in Cyprus. The United States needs to show our strong support for a unified Cyprus. Until we bring about change, Cyprus and its people will continue to live divided into an island that has a North that is occupied by Turkish troops and an independent South. 

There is no reason why the Cypriots should become refugees in their own country or displaced from their final homes. July 20, 1974, was a dreadful day for the Cypriots. Many, until this day, do not know what happened to their families on that day.

We have seen many changes around the world in the past years: The fall of the Berlin Wall, the peace in the Middle East, and the signing of a peace agreement in Northern Ireland. It is now time that Cyprus becomes part of the list so that freedom can prevail.

I urge my fellow colleagues join in support for a unified Cyprus so that the necessary changes will occur.

Mr. BONIOR. Mr. Speaker, it has been 25 years since the Turkish invasion of Cyprus. In 1974, Turkish troops evicted 200,000 Greek Cypriots from their homes, making them refugees in their own country. And yet, the elapsing of a quarter century has not darkened the memory of the invasion. Turkey's continued violation of the Greek Cypriots' human rights, and the need for the reversal of Turkey's actions and a return to peace remains as strong today as it did in 1974.

For 25 years, Turkey has fought to increase its grip on Cyprus. In violation of international law, Turkey has moved more than 80,000 settlers into the ancestral homes of the Greek Cypriots. A campaign of harassment and the destruction of cultural sites has been used to intimidate the Greek Cypriots.

Despite these abuses, the people of Cyprus struggle to seek a way for peace to grow. The Cypriot Government called for the demilitarization of Cyprus, even with the threat of the Turkish army occupying 37% of the island's territory. Cyprus sought to advance and develop by applying for membership to the European Union. Even as it is constantly confronted with uncertainty and instability, the Cypriot Government acts in the best interest of its people.

The threat of force and noncompliance are used by Turkey to delay a peaceful resolution, even when the world community is calling for peace.

This spring the members of the G–8 and the UN Security Council agreed called for negotiations on peace in Cyprus. To the international community, the bitterness over the invasion of 1974 remains as strong today as it did 25 years ago. For the Greek Cypriots, who struggled to move forward underneath the burden of human rights violations and refugee status, the desire for peace is unfolding. In the name of democracy and in the defense of human rights, we must continue to support the people of Cyprus in their efforts to bring peace and stability back to their country.

Mr. GILMAN. Mr. Speaker, I commend the gentleman from Florida, Mr. Bilirakis, who has over the years assured us that this House does not fail to observe the events of July 1974 whose tragic consequences still persist today a quarter of a century later.

The occupation of northern Cyprus by Turkish troops, which began some twenty-five years ago, has turned into one of the most vexing problems of the international community. It has conflated the efforts of five U.S. Presidents, four United Nations Secretaries General, and many of the world's top diplomats, including our own. Even the strong efforts last year of Ambassador Richard Holbrooke and Ambassador Tom Miller ran into a brick wall as Mr. Denktaş, backed by the Turkish government, came up with new preconditions that would prevent resumption of negotiations with President Clerides. These conditions, as the Turkish side well understood, were non-starters— the Turks insisted that northern Cyprus be regarded as a sovereign entity, and the government of Greece be involved in any settlement.

Although we are all disappointed that the hard-fought efforts of our envoy did not produce a breakthrough, we will continue to make our government and the international community not to abandon efforts to break the impasse. I agree with the general assessment that the impasse is a result of the Turkish position, and that the key to breaking the current stalemate lies in Ankara. The Secretary General's invitation to the leaders of the two sides to begin talks on all the issues, without preconditions needs to be reinforced by our and other interested governments.

The situation in Turkey is exceedingly complex: The recent elections have produced a coalition government whose partners are odd bedfellows—Center Left, Center Right with a junior member that has never been in government before but has espoused a radical and violent form of ultra-nationalism in the past. It is not likely that such a government will be strong enough to make the necessary compromises, and indeed we have already heard statements from Prime Minister Ecevit that he believes that the Cyprus problem no longer exists, that the the status quo is the solution. We don't know how to put the appropriate pressure on Turkey without giving the negative influences within Turkish society grounds to say that we have turned our backs on Turkey and are not truly interested in its integration into Europe and the West.

The comments that the present situation on Cyprus—division of the island and 35,000 Turkish troops in occupation of one-third—is not acceptable to the United States and the international community. It should also be unacceptable to Turkey because if partition is good for Cyprus, then why not for northern Iraq, or even the Kurdish areas of Turkey itself? Obviously the officials who make these ill-advised statements have not thought through the implications of partitioning Cyprus.

When I came to the Congress some twenty-seven years ago, Cyprus was one of the first international crisis that I became involved with as a member of our Foreign Affairs Committee, as it was then called. It is one of the most frustrating facts that I face as I look back on my time in the House, that now after a quarter of a century, during which we have seen the collapse of the Cold War, Europe, greater peace in the Middle East, a possible settlement in Northern Ireland, and conflicts resolved in the Balkan tinderbox, but no movement on Cyprus.

Although we have hit a serious obstacle to progress, The United States has no choice but to continue our efforts to get serious negotiations between the parties on Cyprus resumed. I urge all of my colleagues to continue their drive for a resolution to the problems plaguing Cyprus these 25 years. We are faced with an historic opportunity to reinforce the support for a settlement shown by the international community, and to bolster our allies in Greece and Turkey in their quest for peace. We must continue to keep the peace process in Cyprus at the forefront of our foreign affairs agenda if we are to put an end to a quarter century of terrible injustice for the people of Cyprus.

Mr. MARTINEZ. Mr. Speaker, I join my friend, the distinguished gentleman from Florid, and my colleagues in commemorating the 25th anniversary of Turkey's military invasion and continued illegal occupation of northern Cyprus.

On July 20, 1974, Turkey invaded northern Cyprus, forcing more than 200,000 Greek Cypriots from their homes. Turkey's bloody invasion forced one-third of the population of the island to live as refugees. A quarter century has since passed and Turkish troops still occupy nearly 40 percent of the island in defiance of a myriad of U.N. resolutions.

Mr. Speaker, the 25th anniversary of Turkey's military occupation of northern Cyprus weighs heavily on the conscience of all civilized peoples of the world who share in the
fundamental principle that military aggression must not prevail.

Mr. Speaker, the status quo must be broken.

The paralyzing in U.N. sponsored negotiations must be broken. And the intercommunal strife that has torn Cyprus apart must be settled peacefully. But none of these objectives can be achieved as long as Turkey continues to violate international law and flout U.N. resolutions condemning its oppressive occupation of 40 percent of Cyprus territory.

It is indeed a sad testament to Turkey’s intransigence that this 25 year old conflict. The United States and its international partners must not adopt such an attitude. For the cause of a united and free Cyprus is not lost.

And it is important, now more than ever, for all of us to continue and strengthen our support for a peace agreement in Cyprus. Members of this House must continue to pressure the Administration to urge the Turkish government to seek a peaceful resolution. The United States and its international partners must not adopt such an attitude. For the cause of a united and free Cyprus is not lost.

Mr. COYNE. Mr. Speaker, I rise to commemorate the 25th anniversary of the invasion of Cyprus by Turkish military forces. Despite overwhelming condemnation from the international community, Turkish forces have occupied northern Cyprus for the last 25 years. On July 20, 1974, Rauf Denktash, supported by over thirty thousand Turkish troops, took control of 37 percent of the island and proclaimed it to be the Turkish Republic of Northern Cyprus. During the invasion, Turkish troops murdered over 5,000 Greek Cypriots, forcibly evicted 200,000 Greek Cypriots from their ancestral homes and captured five Americans and 1,614 Greek Cypriots, all of whom, with just one exception, are still missing.

The United Nations has always recognized the Greek Cypriot government as the legitimate government of the island, while Turkey remains the only country that recognizes Mr. Denktash’s government and supports it with a strong military scattered throughout the northern third of Cyprus. The Turkish Cypriot government has repeatedly refused to negotiate a peaceful solution to the conflict.

In the past years, the international community has attempted to encourage Turkey to alter its policy on the Cyprus conflict. Most recently, the United Nations Security Council passed resolutions in December of 1998, calling for a staged process aimed at limiting and reducing for any solution. However, the Turkish government has made numerous gestures of goodwill in an effort to head off any escalation of this conflict. In addition, Cyprus has continued to comply with the preconditions established by the United Nations Security Council resolutions, and has even put forth a plan for demilitarization of the island.

The United States and the international community community must take greater action. A moment of opportunity exists with the desire of Turkey and Cyprus to participate in the Cyprus-EU negotiations; they declined the invitation. Turkey has made no effort to come to an agreement, and has recently made the situation more difficult to resolve. Turkey has established a puppet government on Cyprus, which is not recognized by any other nation except Turkey. Turkey has increased its military presence on Cyprus, retains a large armament advantage over the Cyprus military, and threatened military action. Cyprus, on the other hand, does not even have a Navy, Army or Air Force, and only maintains a small National Guard.

The United States and the international community must take greater action. A moment of opportunity exists with the desire of Turkey and Cyprus to enter the European Union. We must live up to the promises we have made to the people of Cyprus. The acceptance of Cyprus into the European Union will benefit all the communities of Cyprus. We should strive to see a united Cyprus join the EU and have that action serve as a catalyst for regional economic, political and humanitarian progress. That direction is continuing the $15 million in U.S. assistance for bi-communal projects and scholarships in Cyprus.

I urge my colleagues to join those of us who are members of the Congressional Caucus on Hellenic Issues to work more forcefully than ever to achieve a peace agreement on the island of Cyprus, to help return to their homes the some 200,000 Greek Cypriots who were evicted from their land, to demilitarize the island of Cyprus and to find out the fate of the 1,614 Greek-Cypriots and the 5 American citizens who have been “missing” since the Turkish invasion.

I want to thank Congressman BILIRIKIS and Congressman MOLLOY for their leadership on and dedication to this issue. I know they hope, as I do, that next year we will gather together on the floor of this House to praise a peace agreement for a united Cyprus.

Mr. KELLY. Mr. Speaker, I rise today to join with my colleagues in marking the 25th Black Anniversary of Turkey’s invasion of the island of Cyprus. On July 20, 1974, the government of Turkey sent troops to Cyprus and forcefully assumed control of more than one-third of the island. This action dislocated nearly 200,000 Greek Cypriots, forcibly evicting them from their homes and creating a refugee problem that exists to this day. Additionally, over 1,600 Greek Cypriots are still missing or unaccounted for as a result of this brutal invasion.

The Turkish Cypriot community has continually shown its unwillingness to move toward a negotiated settlement with their Greek neighbors. The removal of the roughly 35,000 Turkish troops from the island of Cyprus is central to any such agreement, as is compliance with the previously agreed upon parameters to this end. Turkey is bitter that their application to being accepted into the EU has been rejected, while Cyprus is close to being accepted into the EU. It is indeed a sad testament to Turkey’s intransigence that this 25 year old conflict has been allowed to continue for so long.

The United Nations and the international community must make it clear that it is willing to use foreign aid, sanctions, and its power as a member of several international organizations to elicit a resolution. Mr. Speaker, we must acknowledge our position as a world leader and remain firmly committed to promoting peace and reconciliation on the island of Cyprus.

Mr. Speaker, any permanent solution to the long-standing dispute. The Cyprus government has demonstrated their flexibility and willingness to compromise in order to bring an end to this long-standing dispute. The Cyprus government has made numerous gestures of goodwill in an effort to move the peace process forward. In the last year, they have canceled the deployment of a Russian defensive surface-to-air missile system on Cyprus in an effort to head off any escalation of this conflict. In addition, Cyprus has continued to comply with the preconditions established by the United Nations Security Council resolutions, and has even put forth a plan for demilitarization of the island.

The U.S. government must again take bold steps to show its continued resolve to the Turkish government that it is serious about moving toward peace on Cyprus. In this regard, I need no further testimony that the sponsor of House Concurrent Resolution 100 urging the compliance by Turkey with United Nations resolutions relating to Cyprus. It is essential that the United States and the entire international community continue to work for the long-awaited resolution to this tragi
the Gentleman from Florida. Mr. BIURAKIS, for his steadfast work in this area, I look forward to working with him, and all my colleagues who share our concerns, to achieve a unified and peaceful Cyprus in the future.

Mr. WEYGAND. Mr. Speaker, 25 years ago today, the U.S. and the international community must continue to work to unify Greek and Turkish Cypriots in a peaceful manner.

The Cyprus government, over the course of the last 25 years, has attempted to each out to the Turkish Cypriot community through dialogue, bicomunal contacts at local levels, and offers to cooperate in negotiations regarding Cyprus’ accession to the European Union. Unfortunately, all efforts have been rebuffed. A quarter of a century of failed efforts to end this illegal military occupation of over a third of the sovereign territory of the Republic of Cyprus, hope is in sight. The international community is calling for a new round of comprehensive negotiations this fall to find a settlement reuniting the island in one federal, sovereign state. It is obvious that the pressure of the international community on rogue governments can yield positive results. One need only to look upon the recent NATO action in Kosovo to realize that the international community has the diplomatic wherewithal to forge a successful solution to this crisis; all that is needed is the will. For the sake of peace and stability in the region and the world at large, now is the time for a just and lasting peaceful resolution.

Mr. McNULTY. A 25th anniversary is supposed to be a happy occasion. Not so for the Greek-Cypriots. For them it marks the forcible division of Cyprus and the invasion of their beloved island by Turkey in 1974. In the last quarter century, Turkish invaders forced more than 20,000 Greek Cypriots from their homes to become refugees in their own land.

For example, the 1975 Vienna III Agreement would have permitted 20,000 Greek Cypriots and Maronites to remain to live normal lives in the Turkish occupied Karpas Peninsula and the Maronite villages. Today, only 500 enclave Greek Cypriots and 160 Maronites are in the occupied area.

There are reports of all kinds of harassments and violations of civil rights and liberties by the Turkish military and the Turkish Cypriot administration that would shock the sensibilities of the Western world.
This situation is unacceptable. And yet, despite all the Turkish abuses, the Government of Cyprus continues to reach out for a peaceful solution.

The Greek Cypriots want peace. Recently, the United Nations Security Council adopted resolutions 1217 and 1218, calling for a peaceful, just, and lasting solution to the Cyprus problem. The United States Government wholeheartedly supports these resolutions and is committed to taking all necessary steps to help in its achievement.

In the final analysis, only the parties to a dispute can settle it. Ultimately, it will be Cyprus and Turkey who will have to agree on a settlement.

The Government of Cyprus is willing to come to the negotiating table.

I urge our Government to continue to press ahead to persuade Turkey to comply with the Security Council resolution and to come to the negotiating table to work out a solution to this nagging problem.

There is no quick fix to the Cyprus problem. But we must persevere.

A solution can only benefit the entire Mediterranean region.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Ms. Jackson-Lee) is recognized for 5 minutes.

(Ms. Jackson-Lee) is recognized for 5 minutes.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. Kuykendall) is recognized for 5 minutes.

Mr. KUYKENDALL. Mr. Speaker, tonight I rise to speak about our most recent tax cut. And the trigger works in the fashion that if we are not continuing to pay down the debt, we will not take the tax cut that year. It is a simple mechanism. Just how much interest is on the debt? If that number does not get smaller each year, then we will pay more down on the debt and not have a tax cut that year.

The trigger mechanism is very important because it allows us to very responsibly manage the affairs of this government’s finances by paying down our debt and reducing taxes, but not doing one at the exclusion of the other.

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

Mr. KUYKENDALL. I yield to the gentleman from Michigan.

Mr. UPTON. Mr. Speaker, I would like to thank the gentleman for yielding to me, because a number of us were instrumental in helping to write this trigger.

On Friday, Mr. Speaker, I was reading the Wall Street Journal and there was a story in there and in it apparently Alan Greenspan, the chairman of the Federal Reserve, was asked before the House Committee on Banking and Financial Services what he thought about this trigger and he said this: ‘‘I think that the notion of using a potential trigger is essential,’’ Greenspan said. He further went on to add that using the surplus to reduce the federal debt is ‘‘an extraordinarily effective force for good in this economy.’’

He signed onto this. In essence, what the trigger is, it is a stoplight. If what theOMB and the CBO folks say is correct in terms of our projections of where we are going to be with the budget surplus, things happen the way they say, and the debt, in fact, is coming down, $5.5 trillion is what it is today, the tax cut goes forward.

But if, in fact, something happens, if interest rates go up, if spending goes up, and, in fact, the amount of money needed to service the Federal debt goes up rather than declines, the red light goes on. So it is a safety valve. And it also is going to serve as a break on additional spending as well.

So I think that this was a very important bicameral mechanism, that I think it is essential that it come back in the conference version of this bill. And it is important, I think, that our colleagues on the Senate side hear that, as well.

We have a mechanism now that will impose discipline, give us responsible Government, control the debt, and still allow almost $800 billion worth of tax cuts.

ON ROBERT M. TOBIAS,
PRESIDENT OF NTEU

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. Cummings) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, in 1995, the National Treasury Employees Union along with other Federal employee and retiree organizations, defeated the first attempt by the 104th Congress to raise Federal employees’ retirement contributions and reduce their pension.

At a press conference celebrating the victory, the NTEU national president, Robert Tobias, is quoted as saying, told over 500 Federal employees in attendance, ‘‘You promised to serve the public with honesty. You promised to work hard. You promised to serve the public. And in return, you were promised fair treatment and fair pay. It sounded like a fair deal. You kept your word. Now we’re asking Congress to keep its word.’’

Bob Tobias has spent the last 31 years making sure that the executive branch and Congress keep their promises to Federal employees. He has used lawsuits as a way to further Federal employees’ causes and to escape the narrow confines of Federal collective bargaining.

He has testified before the Subcommittee on Civil Service on behalf of the 155,000 Federal employees NTEU represents on numerous cases.
Mr. Tobias is a leading authority on Federal employees’ issues and by extension has expanded his union’s lobbying power on Capitol Hill.

In the last 20 years, Mr. Tobias has been involved in the development of a Federal employees health benefits program, restructuring the Internal Revenue Service, advocating for closure of the pay gap for Federal employees, and he worked with Vice President Gore to create labor-management partnership councils across the Government.

Mr. Tobias is leaving the NTEU to embark on a second career, writing, teaching, and educating a new generation on public policy. Given Mr. Tobias’ history, this is probably an attempt to train future politicians on how to vote on Federal employees issues before they get to Capitol Hill.

As ranking member of the Subcommittee on Civil Service and on behalf of Federal employees in my congressional district and throughout this wonderful country, I wish you the best, Mr. Tobias, in your future endeavors.

ROBERT M. TOBIAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. Smith) is recognized for 5 minutes.

Mr. COYNE. Mr. Speaker I rise today to observe the retirement of Mr. Robert M. Tobias. Mr. Tobias will retire as National President of the National Treasury Employees Union when his term expires in August.

Mr. Tobias has been the NTEU’s president for the last 16 years. Prior to his service as president of the NTEU, he served the union as its executive vice president and general counsel. Mr. Tobias worked successfully to expand the NTEU’s membership from 20,000 to 155,000. His tenure has also been marked by major gains in the treatment of federal employees. As a result of his efforts NTEU has negotiated alternative work schedules, flexplace work arrangements, monetary performance awards, and on-site child care arrangements for federal employees. He was also involved in the successful court battle to overturn the ban on speaking and writing flexiplace work arrangements, monetary performance awards, and on-site child care arrangements for federal employees. He was also involved in the successful court battle to overturn the ban on speaking and writing.

Mr. Tobias has also helped to create innovative labor-management partnerships which resulted in greater productivity and customer satisfaction at the Internal Revenue Service.

Mr. Tobias was also appointed to serve on the Federal Employees Salary Council, the National Partnership Council, the Commission to Restructure the IRS, the Federal Advisory Committee on Occupational Safety and Health, the Executive Improvement Team at the U.S. Customs Service, and, most recently, the IRS Oversight Board. I had the honor to serve with him on the IRS restructuring commission in 1997, and I can vouch first-hand for the hard work and dedication that he put into the commission’s efforts to provide Congress with recommendations for improving IRS organization and management. Mr. Tobias has also testified many times before the House Ways and Means Committee, on which I served, and I can honestly say that his testimony was always informative and helpful to the Committee in its efforts to improve the operations of the IRS.

My constituents in Pittsburgh who are part of NTEU’s Chapter 34 are pleased to have worked with Mr. Tobias. Mr. Tobias serves on the board of directors of American Arbitration Association and is co-founder and treasurer of the Federal Employees Education and Assistance Fund.

On behalf of my colleagues on the IRS restructuring commission, the House Ways and Means Committee, and myself, I want to thank Mr. Tobias for his many years of service and wish him all the best as he pursues new challenges and opportunities in the coming years.

TRIGGER FOR DEBT/TAX REDUCTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. Smith) is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, I wish to make comments today on the importance of a tax reduction but a reduction in the Federal debt and the trigger that we imposed within the tax bill to help assure that both happen.

America’s tax burden is the highest in the history of the Republic, not only in nominal terms but in actual percentage of income.

Our Government has grown so large that if we repeal the entire income tax today, the amount of money that we would have to outspend on the Federal Government would still be as large as it was just 10 years ago. If we did away with the total income tax, other revenue coming into the Federal Government would be as much as the total revenue in 1990. It is past time for Americans to receive some relief from their ever-expanding tax burdens.

Now on the issue of debt. At the same time, our Nation’s debt stands at 5 trillion, 600 billion dollars. The interest expense on that fiscal year was larger than the entire Federal budget in 1972. Interest on the Federal debt last year was larger than the entire Federal budget in 1972.

A reduction in the debt would reduce interest rates and encourage economic expansion. It would also reduce the chances that our kids are going to have to pay huge taxes to make up for the over indulgence of their parents and grandparents as we spend and spend a bigger and bigger Government.

While the need for both tax reduction and debt reduction is obvious, a major difficulty facing Congress is the proper mix. Economists from the time of David Ricardo in the 19th century to today disagree on the relative effect of tax reduction and debt reduction on the economy.

However, the important thing is to keep Government from turning into what Thomas Hobbes called a "leviathan," an ever-hungry monster gobbling up the Nation’s resources.

Last week it became apparent that a conflict of opinion about the size of the tax cut relative to the debt reduction jeopardized the passage of any tax relief.

It was at that point that I recalled experience that the State of Michigan has had in allowing both sides of an issue such as this to get their way.

Back in 1983, I was part of an effort, a tax rate reduction, that we would recommend to a certain target to make sure that tax reduction occurred. This year in Michigan, we tied a tax cut to economic conditions in a manner nearly identical to what I proposed in this House last week.

What I proposed and what the gentleman from California (Mr. Kuykendall) proposed and what the past House passed was tax reduction tied to our efforts to reduce the debt. Specifically, income tax rate would be reduced gradually in stages over 10 years. But if the interest expense on the Federal debt is less than the prior year’s interest expense, then the next stage of the reduction would be postponed.

The concept is that those who are afraid that tax cuts may lead to greater debt and, thus, greater interest expense would have an automatic hold on further tax cuts until interest expenses went down.

Those who felt and predicted tax cuts are going to spur greater economic growth and, therefore, bring in more revenue and pay down that debt and, therefore, lower the interest rates would get the full tax cut proposed in the original bill.

While the trigger is probably not the perfect trigger, it accomplished the goal of moving the process forward both on reducing the debt and reducing taxes. The concept of using a trigger to tie both sides of the issue together is not only realistic but put your money where the other person’s mouth is is a concept of win-win.

It may be crucial to the final passage of this bill that will be acceptable to the White House as well as this House as we review what comes out of conference committee.

I will continue to work this week on perfecting the trigger mechanism since this House, the Senate, and the President must agree on the final outcome before it becomes law.

Debt reduction is important to strengthen the economy and taking the pressure off our kids and grandkids, and tax reduction in a system that has the highest tax rates in history is in need very desperately of the kind of tax cuts that leaves money in the pockets of the people that earn it.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. Upton) is recognized for 5 minutes.

(Mr. UPTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)
EXTENSION OF NTR FOR CHINA
The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. TOOMEY) is recognized for 5 minutes.

Mr. TOOMEY. Mr. Speaker, I rise to address the House on the issue of our policy towards the People's Republic of China.

I believe the United States' policy toward China should be guided by three primary and pragmatic goals. First, we must safeguard American security and potential for peace. Second, we should pursue economic trade relations that promote American economic interests. And finally, we should encourage policies that will allow individual liberty and the rule of law and, thus, respect for human rights to flourish in China.

Today, Mr. Speaker, Congress voted to renew normal trade relations, or NTR, with China for another year. This renewal of NTR will advance all three of the above-mentioned China policy goals.

On the national security front, NTR and the expanded trade opportunity that it brings in non-militarily sensitive goods and services will reduce the likelihood of military conflict between the United States and China.

Countries with extensive trade relations are simply less likely to go to war with each other than countries without those ties. This is no surprise. With these ties comes extensive interests in maintaining peaceful relations and thus more trade.

But make no mistake, NTR does not and should not imply trade in militarily sensitive technologies. Any technology must be rectified immediately. But denying American and Chinese citizens the opportunity to exchange non-military goods and services will not accomplish that.

Indeed, the U.S. should reinstate penalties on companies whose negligible sales compromise our security and rebuild a system of controls on the spread of potentially dangerous technologies.

Renewing NTR with China will benefit our economy by providing American consumers access to low-cost goods and by expanding U.S. export opportunities. Revoking NTR would have subjected Chinese imports to dramatically higher tariffs, and that is another word for taxes. These taxes would not be paid by China but by American consumers. Revoking NTR would have subjected American consumers to up to $29 billion in new taxes.

A second economic benefit from extending NTR lies in the accelerated growth in high-paying, export-related jobs across America and particularly in my home State of Pennsylvania. Exports in industries such as chemical products, industrial machines, and computer components, where wages average 20 percent higher than the national average, are already fueling much of Pennsylvania's impressive economic growth.

Renewing NTR is a prerequisite to China's accepting to the WTO, which, in turn, will dramatically accelerate further growth and opportunity in U.S. and Pennsylvania exports to China.

But finally, Mr. Speaker, freedom works. By renewing NTR with China, we are helping to provide the opportunity for the Chinese people to liberate themselves from the dictatorship under which they currently live.

China's communist leadership has embarked on what is, for them, a very dangerous course. Unlike most other communist dictatorships this century, from Stalin to Mao to North Korea's Kim Il Jong, Deng Xiaoping chose to open China to foreign investment, limited free enterprise, and engagement with the West. He bet that he could enjoy the economic benefits of capitalism without losing the communist party's monopoly on political control.

Well, in the long run, Mr. Speaker, if we continue to engage China, Deng's successors will lose that bet and the people of China will be the winners. And they will be the winners of freedom because freedom is ultimately indivisible.

People who enjoy economic freedom will eventually demand political freedom. People who read American newspapers will eventually demand their own free press. The people who travel to the United States on business will see incomparable superiority of freedom and will eventually demand that liberty for their own country.

Freedom once tasted is irresistible. Eventually the Chinese people will demand a free, open, and just Democratic society, just as their fellow countrymen enjoy on Taiwan. Only that kind of society can properly respect the Chinese people's human rights.

These changes to Chinese society will not happen overnight, but having extended NTR will increase the pace at which they develop and, best of all, will be helping ourselves in the process.

REVIEW OF FORUM ON GUN VIOLENCE
The SPEAKER pro tempore (Mr. TANCREDO). Under the Speaker's announced policy of January 6, 1999, the gentleman from Texas (Ms. SCHAKOWSKY) is recognized for half the time until midnight as the designee of the minority leader.

Ms. SCHAKOWSKY. Mr. Speaker, yesterday in Chicago I hosted the first of 16 women's forums on gun violence that will be conducted by Democratic women Members of Congress. The goal of these forums is to develop strategies and build grassroots movements to pass sensible gun safety legislation this year.

I will tell my colleagues more about this event, Mr. Speaker, during the hour and how much all of us, men and women alike, hope these forums will contribute to making our children and our grandchildren safer.

When discussing gun safety legislation, it is easy for us here in Washington to get lost in all the many intricacies of this subject. We can argue fine points of the law, but it is crucial to remember the meaning of the second amendment to the Constitution, the difference between a 3-day waiting period and a 72-hour waiting period. We can talk about the features of different weapons and ammunition clips and demonstrate our knowledge of the hardware. But for most Americans, it comes down to this: Is my child safe on her way to school? Can I stroll in my neighborhood on a beautiful summer evening? Is it safe for me to walk home from the synagogue after services on Friday night? No one is secure enough in our country anymore to answer "yes."

After the tragedy at Columbine High School and the shootings and killing in my district during the Fourth of July weekend, Americans are asking, what does it take? What does it take before something is done in the United States Congress? How many children have to die? How many parents must prepare for another funeral? I want to talk to you tonight as mothers and as grandmothers. This is about my granddaughter Isabelle and about the horror of gun violence and the simple steps that we can take to reduce it. We know that legislation will not eliminate it, but just ask the devastated families of victims if stopping the killing of even one child is not worth it.

Mr. Speaker, I yield to the gentleman from Texas (Ms. EDDIE BERNICE JOHNSON) identified for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, the Juvenile Justice bill passed long ago, and the House still has not appointed conferees. This legislation and its accompanying gun safety provisions are vitally important to all American families.

Each day in America, 14 kids age 19 and under are killed by guns. In 1996, almost 5,000 juveniles were killed with a firearm. In 1997, 84 percent of murder victims age 13 to 19 were killed with a firearm. Fifty-nine percent of students in grades 6 through 12 know where to get a gun if they want one, and two-thirds of these students say they can acquire a firearm within 24 hours.

We want to talk to you tonight as mothers and as grandmothers. This is about my granddaughter Isabelle and about the horror of gun violence and the simple steps that we can take to reduce it. We know that legislation will not eliminate it, but just ask the devastated families of victims if stopping the killing of even one child is not worth it.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) identified for 5 minutes.
leadership to move to appoint con-
feres before we lose another child.
Ms. SCHAKOWSKY. I think that the
gentlewoman has expressed the kind of
impatience that many Americans are
feeling right now. They want to know
when we are going to do something.
That is particularly true right now of
the residents in my district, who are
just beginning the healing process after
having suffered the violence of hate
over the Fourth of July weekend.
I want to put a face to one of the vic-
tims of violence. Ricky Byrdsong was a
former basketball coach at Northwestern University. He was a fa-
ther, a community leader, and an inspi-
ration to his family and all those who
knew him, a deeply religious man.
Ricky Byrdsong was committed to a
cause, and his cause was to help under-
privileged youth reach their full poten-
tial and follow their dreams. His work
took him to neighborhoods where vio-
ence was all too common a feature of
everyday life. He lived with his wife
and three children in Skokie, Illinois, a
quiet community of ordinary homes
and bungalows, quiet streets, good
schools, and he once commented to a
friend on how happy he was to live in a
safe neighborhood. He did not have to
worry about his kids being hurt. He did
not have to worry about the violence
that is so common in other neighbor-
hoods. He was happy to live in the
peaceful community of Skokie, Illi-
nois.
But that all changed on Friday, July
2nd, when Benjamin Smith murdered
Ricky Byrdsong when he was outside
playing with his children. He was ki-
elled because of the color of his skin.
And Mr. Byrdsong was not the first tar-
get that night of Benjamin Smith's
hatred. Six men were shot in Rogers
Park. They were walking home from
synagogue, they were orthodox J ewish
men who were praying that evening. It
was a warm summer evening as they
walked home. Twenty bullets found
their mark. Is it any wonder that after
that night no one felt safe in this com-
munity. It is only a miracle really that none
of those people was killed. The mother of
one of those victims said, "This was
not just hate. This is what happens
when hate is given a gun."
Dr. Michael Messing was another vic-
tim that night. He and his son were the
first people who were shot at that
evening. He and his son were walking
home and he described this at the
forum that I held yesterday how Ben-
jamin Smith actually stopped his car,
got out and pointed his gun at Dr.
Messing and he knew that right away
he had to flee, that this was clearly a
dangerous situation, he was shot at, his
son was shot at, and again miracu-
lously the bullets missed him. But he
stood through the moment of his night,
the street got shot and suddenly from
victim, he turned into physician and
ran down the street to care for them.
He faxed me a statement today that
said:
"As a recent victim of Benjamin Smith's
anti-Semitic and racist shooting spree, I im-
}
pose you, our leaders in Congress, to pass
the necessary legislation on gun control
which would inhibit easy access to weapons
for criminals. In doing so, you will create a
safer, healthier, and more optimistic future
for our country. If you fail to do so, my liv-
ing nightmare might one day become yours
as well.
You can imagine what a nightmare
that is to be with your son and friends
walking home and being shot at on the
streets of your community.
Littleton, Colorado; Rogers Park in
Sokie, Illinois; Bloomington, Indiana;
Orlando, Florida; Oklahoma City, Okla-
ton; Edinboro, Pennsylvania; Jonesboro, Arkansas; West Paducah,
Kentucky; and Pearl, Mississippi. Is your
downtowns next, Mr. Speaker? No
one knows for sure.
At the forum yesterday, a number of
incredible people testified. They are
victims of gun violence that perhaps
gave the most dramatic testimony of all.
One was Maureen Young, who comes
from my town of Evanston, Illinois.
She spoke about her 18-year-old son
who was shot in the heart by a person
who was told to kill someone for their
gang initiation. As she was speaking,
she held up the printout from the hos-
pital heart monitor that showed her
son's flat line. She held up that tape
that showed the flat line on the heart
monitor that indicated that her son
was dead. And she said, "How many
mothers are going to have to come
home from the hospital with a tape
like this indicating that their child has
died?"
Mrs. Young is one of many victims,
many mothers, many fathers, who has
turned their own personal tragedy into
a crusade, and now she is a leader in
the Bell Campaign, a campaign de-
signed to wake up America, to organize
victims and people who care about
those victims into a grassroots cam-
paign to make this Congress more
afraid of people who support gun
safety legislation than they are from
the small minority of people who resist
passing even the most sensible and
simple pieces of legislation.
It is hard to imagine what Maureen
Young has experienced. But there are
an average of 13 mothers every single
day who experience that. We talk
about Columbine and Littleton, Colo-
rado, because it is a community where
we do not expect things like this to
happen; just like Skokie, Illinois, and
Rogers Park, Illinois. But 13 moth-
ers every day experience the same kind
of horror. In my own little town, I have
attended three funerals in the last
year. I am tired of these funerals. I
guess Ricky Byrdson's funeral makes
four.
Mark Carlin, President of the Board
of Directors of the Illinois Council
Against Handgun Violence, urged us to
apply the same common-sense prac-
tices that we apply to cars to guns.
Why can we not treat guns with
the same common-sense regulation as
we do our cars? Are we any less free
because our car is registered?
He talked about transferring the reg-
istration of his father's automobile to
himself and how he had to go down and
fill out the paperwork. And no one
would question that that is not a good
thing to do. He talked about the fact
that we have to get a driver's license and
renew that driver's license, and
why is it not that every single gun
owner does not need to register for
that gun? We would not think of saying
people should drive a car without a
driver's license. And what is more
sacred in our culture than the
automobile?" It defines us in some
ways, our mobility, our freedom, our
independence, and yet we understand
that automobiles and drivers are heav-
ily regulated. And yet not guns.
The gun lobby says guns are some-
how a sacred object, that it should es-
cape all that kind of regulation.
At the forum yesterday, I held up a
TEC-9 in hand and a baby rattle in
the other hand. Baby rattles are gov-
erned by the Consumer Product Safety
Commission. We have laws about it. We
have laws about how big the parts are
in toys that we give to our children.
Guns are exempt from the law by the
Consumer Product Safety Commis-
sion. Why is that? It is one of the only
products, I think it is the only con-
sumer product that is exempt from
that kind of regulation. So Mark Car-
lin was saying, let us at least treat
guns with the same respect, if you will,
as we do our automobiles.
We had Dr. Kathryn Coffer
Christophel who is a respected pediat-
ri cian at Children's Memorial Hospital
and an expert on gun safety
approaching it as a health issue, refram-
ing this debate as a public health cri-
sis.
She talks about how every year over
$1 billion is spent on medical costs as-
associated with the treatment of individ-
uals who have been shot. Of course,
these are only dollars that are not in-
account the lost earnings to their fami-
lies while they are recuperating. She
pointed to a chart that we had there
yesterday that showed that in 1996
there were 15 handgun murders in
Japan, 15 in the whole nation in the
whole year. Thirty handgun murders in
Great Britain, Mr. Speaker; 106 in Can-
da; 213 in Germany; and 9,390 in the
United States.
She said, if we looked at that chart
and we were talking about a disease,
a virus or a bacteria, and we saw how
many people were afflicted in the
United States, is there any question in
our minds that we would say, what are
these other nations doing? They seem
to have conquered this epidemic, or
dramatically reduced it. What are they
doing that we are not doing to confront
this health crisis. And the answer is
really very simple. They have far
tougher gun laws. We want to bring in
all other kinds of cultural issues and
maybe they affect some few cases.
By and large, the explanation for the
difference is we have more guns.
Mr. Speaker, we heard from a remarkable young man, Albert Smith, who just graduated from Evanston Township High School and his family also was touched by a gun-related tragedy in which a member of his family was killed. Albert really does not like to go into details about the tragedy that struck his family, but what he likes to talk about is how it spurred him into action on antiviolence issues, including gun control.

What Albert did was organize a conference on gun violence and gun control at Evanston Township High School in May which included the U.S. attorney from Massachusetts who came to talk about strategies that they had developed to reduce gun violence, particularly among young people where they had a long period, I think over 2 years, where not a single child in the City of Boston was lost to gun violence, a coordinated strategy of prevention and control.

Albert had just one simple challenge for a more gathered yesterday and that is, what are you going to do about it? What are you going to do about it? What are we going to do about it?

I have received, as I am sure many, many Members of Congress have, letters from my constituents, letters that tell sad stories and cry out for help, and tell about fear, tell about the fear now of ordinary kids that are afraid to go to school who now think yes, indeed, it could happen to me.

Dear Representative Schakowsky: Hello. I am currently a high school student at Niles West. I know that I am not old enough to vote for anything, but I would appreciate if you would take the time to consider what I had to say. I think that there should be stricter laws about guns.

Too many kids are getting their hands on guns. I don’t know how, but there should be a way to keep guns off the streets. In the Colorado shooting, those kids had some big firearms. How did those kids get their hands on them? I am not sure that I feel safe in school, ever since the Colorado shooting. If, by chance, this topic comes up, and I hope, Mr. Speaker, that my colleagues are listening to that. This child from Illinois is saying, if, by chance, this topic comes up, please vote for stricter laws against guns. I heard too many stories about little kids and guns, and I am afraid that someone I care about might get hurt by a gun. I thank you for taking your time to listen to what I have to say.

And I hope that all of us here, Mr. Speaker, will take time to listen to what this student had to say.

Another:

Like most people, I have been disturbed by the rising violence in our lives. But Littleton really brings it home. It seems ridiculous to me that guns can be picked up at gun shows without even a background check. It is even worse that people not old enough to legally drink beer can buy assault rifles. Why aren’t guns regulated for safety, like every other drink beer can buy assault weapons? Why aren’t guns regulated for safety, like every other drink beer can buy assault rifles. Why aren’t guns regulated for safety, like every other drink beer can buy assault rifles. Why aren’t guns regulated for safety, like every other drink beer can buy assault rifles. Why aren’t guns regulated for safety, like every other drink beer can buy assault rifles.

In Florida in 1999, an 11-year-old boy got angry with his 13-year-old sister. He went to a closet at home, took out a .177 caliber air gun, and killed his sister. The gun was in an unlocked box, was next to the ammunition, and had no trigger guard.

In Tennessee in May of 1998, a 5-year-old boy found a loaded hand gun on his grandfather’s dresser and carried it to school, threatening to kill his teacher and classmates.

In Cleveland, a 13-year-old boy took his father’s unsecured handgun and killed himself while playing Russian roulette. The city prosecutor brought charges against the boy’s father for violating the ordinance that prohibits minors from having access to a gun.

In Florida, a 14-year-old boy found his father’s gun in a closet and shot a classmate in the head after school. The victim lives, but suffers, as we can imagine, from medical problems as a result.

This is one of the sensible gun safety measures that was passed by the Senate to require a child safety lock on every gun sold. You know why not? Why not, America is asking us. We talk about closing the loophole in the Brady Bill and requiring background checks at gun shows.

Mr. Speaker, Benjamin Smith, who terrorized my community and then killed two people and then himself, and we can talk about the hate groups that he was associated with and hate Web sites on the Internet, and we should. But Benjamin Smith again was able to convert this hatred into violence.

Now, he went to buy a weapon and was turned down because he had an order of protection against him, and fortunately that turned up in his background check. What he did was to go to an illegal gun dealer, someone who had legally purchased an arsenal of weapons. If we had had legislation that said that only one gun a month could be purchased, this illegal gun dealer would not have been able to have this arsenal that Ben Smith was able then to buy two guns from this man.

We need to do sensible things. The gun show loophole is another place Ben Smith could have gone to a gun show to purchase those guns, and if he would have found his gun dealer, he didn’t find the legal gun dealer, he could have bought his guns there too. He would have been able to purchase those guns and murder two people in a way that was not intended when we first passed the Brady law. How many lives would be saved if we would close that simple gun show loophole.

When the gentlewoman from New York (Mrs. McCarthy) stood on the floor of this House and said, “All we want to do is keep guns out of the hands of people who are not responsible” from her. She said, “That is all I am trying to do.” My amendment closes a loophole. I am trying to stop the criminals from being able to get guns. That is all I am trying to do.” And she said, “This is not a game to me. This is not a game to the American people.”

Mr. Speaker, this is our colleague, a woman from New York, a hero in the battle for gun safety legislation and someone who has experienced the tragedy in her own family.

America is asking us to do something. Let me just refer my colleagues to an editorial, Mr. Speaker, that appeared June 20 in the Chicago Tribune. It says, “The status of gun control remains an issue of responsibility in the United States House of Representatives expired after 59 days, just 59 days after two students shot up Columbine High School in Colorado. The House decided that more dead children is the price to pay to protect the national gun lobby.”

And the Chicago Tribune again, on July 18 said, “Last weekend, a bigot with a heart full of hate, a couple of guns and a load of ammo left a trail of blood through Illinois and Indiana. Tomorrow, the congressional conferees from the House and Senate will start to decide whether the country needs tighter gun control laws.”

Mr. Speaker, I only wish that had been true. Only today that conferees had been appointed and that they were starting to decide whether we need tighter gun laws.

The editorial goes on, “Polls after poll has shown that Americans want to close the gun show loophole.” These are gun laws governing the sale and use of firearms, but Members of the House who flatly rejected meaningful gun control legislation last month are not listening to the polls, they are listening to the National Rifle Association.

Let us review in closing, Mr. Speaker, the three simple measures that the Senate passed that we hope will become the law of the land, that we hope that the Speaker will appoint conferees, that we can get down to the conference and that the American people are asking us to do. Those three things are: close the loophole in the Brady Bill, the gun show loophole; the second is to require child safety locks; and the third is to ban, another loophole, ban the importation of high capacity ammunition clips.

If we do those things, we will have made the first small step in addressing the concerns of the Americans for their own safety, for the safety of their children. We will be saying to the American people that we want your children to be able to walk to school and be in school in safety. We want you to feel safe in your neighborhoods. We do not want another child to die; we do not want another police officer to die. We want to address this problem in our country, and we are going to make those first steps. Let us do it, Mr. Speaker. Let us do it soon.

Mrs. Napolitano. Mr. Speaker, in the last few months and years, a series of tragic events has made it clear that there are serious shortcomings in our gun laws that must be addressed. The U.S. Senate, after lengthy consideration, finally passed a bipartisan measure.
that would begin to close loopholes that have too often resulted in guns getting into the wrong hands by allowing vendors at gun shows and flea markets to sell firearms without conducting background checks. The Senate is to be applauded for this action. The Senate had the courage to pass a bill that dealt with the issue of juvenile justice and gun violence in a sensible and thoughtful manner.

In the House, that same courage appeared to be lacking in too many of our colleagues. As a mother of five and grandmother of thirteen, I empathize with the families who lost children in Colorado and with the thousands of other families across this nation who have seen violent crime rob them of their loved ones. These are losses that can never be forgotten and that leave a lasting void no one can fill.

Unfortunately, the American people were the big losers in the debate on the House floor over gun safety last month. Hours of floor debate over three days and nights produced nothing that can comfort those who have already lost a family member to gun violence and promised meaningful measures to ensure the future safety of our children.

The fight for sensible gun control is not over. Those of us who believe in closing gun loopholes will continue our efforts. Three months ago, I spoke to many members of Family Federation Victim-Led in Colorado and other thousands of other families across this nation who have seen violent crime rob them of their loved ones. These are losses that can never be forgotten and that leave a lasting void no one can fill.

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water and use it in a way that is not conducive to sound agricultural practices.

It also means that again, in an area where water rights, where we fight very hard for water rights, that this has the potential of disrupting the allocation of such a scarce resource.

We heard from many other individuals, but the hearing was a very good one, one that is very, very important to the West. We heard about other species, blacktailed prairie dog, and other species that are proposed to be listed in Colorado.

I want to thank the Committee on Resources, its leadership under the chairman, the gentleman from Alaska (Mr. Young), as well as the chairman of the task force, the gentleman from California, for coming out to Colorado and focusing so much national attention on a big problem in our part of the country.

Mr. Speaker, I yield to the gentleman from Montana (Mr. Hill).

Mr. HILL of Montana. Mr. Speaker, I thank the gentleman from Colorado for yielding to me.

We both represent those who participate in these discussions on the Committee on Resources. I was unable to join the gentleman in Colorado over the weekends. But there is no question that the Endangered Species Act is having a very dramatic and in some instances, a devastating impact on our rural communities.

Obviously, it impacts rural areas because rural areas is where habitat involving endangered species exists. But what we know now is that it operates in an unfair fashion, particularly with private property owners. But even the impact that it has on the management of public lands, it is unfair, and it is also ineffective.

We know now that has been having an adverse impact on what the objective was, of course, to protect species, because the incentives in the Endangered Species Act certainly are such that if one discovers a species on one's property, it is best not to do that. So the incentive is for people to change habitat.

Also one of the huge issues associated with the Endangered Species Act is the fact that the States have had responsibility for managing wildlife. That has been the tradition in this country. In the Endangered Species Act, the Federal Government has taken the dominant role, overriding the authority of the States.

What we see happening is that we are managing for a single species, which is having an adverse impact on other species. In other words, the Endangered Species Act focuses all the resources on a single species, and the broad ecology is secondary to the protection of that species.

So there are a number of reforms we need to make. One is to restore the responsibility and authority of the States, to allow for agreements with private property owners in managing their property for broad species protection, and also to make sure that people who lose the use of their property are appropriately compensated for it.

While I missed this meeting, I certainly agree that we need to reform the Endangered Species Act.

Mr. SCHAEFFER. Farmers and ranchers are really having a tough go of it right now, not only because of various regulatory policies, the Endangered Species Act, as implemented by the Fish and Wildlife Service, being among them, but several other matters, tax-related policies and trade issues, also.

But the topic of private property ownership in America is so central and essential to our way of life and our culture. It really is rural America, which in, my opinion, is where we find the real soul of America. These are the same folks, the same spirit and mentality and motivation that in fact founded the country and have sustained our great Republic to this time.

The effect of this particular regulatory action, the Endangered Species Act, is one that restricts and constrains to a tremendous degree the ability not only to enjoy property owners' own property, but also the production of our food supply, which is something that, of course, is vital to the long-term solvency of our Nation and the success of our Republic, and the strength of emerging economies throughout the world.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. Hayworth).

Mr. HAYWORTH of Arizona. Mr. Speaker, I thank my friend from Colorado and my friend, the gentleman from Montana.

Mr. Speaker, as I listened to their words, I could not help but think of the irony of the current administration, who campaigned in 1992 under a slogan of putting people first. How ironic that, in the wake of decisions by the administration to take away someone's private property, but also the production of our food supply, which is something that, of course, is vital to the long-term solvency of our Nation and the success of our Republic, and the strength of emerging economies throughout the world.

Mr. Speaker, I yield to the gentleman from Montana (Mr. Hill).

Mr. HILL. As my colleague, the gentleman from Colorado and my friend, the gentleman from Montana, Mr. Speaker, as I listened to their words, I could not help but think of the irony of the current administration, who campaigned in 1992 under a slogan of putting people first. How ironic that, in the wake of decisions by the administration to take away someone's private property, but also the production of our food supply, which is something that, of course, is vital to the long-term solvency of our Nation and the success of our Republic, and the strength of emerging economies throughout the world.

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Mr. HILL. As my colleague, the gentleman from Colorado and my friend, the gentleman from Montana, Mr. Speaker, as I listened to their words, I could not help but think of the irony of the current administration, who campaigned in 1992 under a slogan of putting people first. How ironic that, in the wake of decisions by the administration to take away someone's private property, but also the production of our food supply, which is something that, of course, is vital to the long-term solvency of our Nation and the success of our Republic, and the strength of emerging economies throughout the world.

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accounting in the use of these funds. We had one of the most startling reports that I think that I have ever read as a Member of Congress. What we have discovered is that at the very top of this administration, there has been a looting of hunter and fisher funds. People who hunt and fish in the United States pay an excise tax into a fund, the Pittman Robertson fund, and a fisheries fund to provide for habitat to help sustain hunting and provide habitat for hunting.

What we have discovered is that the Fish and Wildlife Service has been looting this account.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2465, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2000

Mr. DIAZ-BALART, from the Committee on Rules, submitted a privileged report (Rept. No. 106-268) on the resolution (H. Res. 262) waiving points of order against the conference report to accompany the bill (H.R. 2465) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2606, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

Mr. DIAZ-BALART, from the Committee on Rules, submitted a privileged report (Rept. No. 106-269) on the resolution (H. Res. 263) providing for consideration of the bill (H.R. 2606) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT TO THURSDAY, JULY 29, 1999

Mr. DIAZ-BALART. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. on Thursday, July 29, 1999.

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

There was no objection.

2300

They set up special secret accounts. Out of these accounts, they paid for expenses that are inappropriate, illegal. There is not adequate accounting for these funds. If I can make this last point, they even pressured one of their employees to approve a funding request by an anti-hunting group, using funds paid in by hunting and fishing men and women, to use those funds to fund an organization fund for the animals in an anti-hunting campaign.

Mr. HAYWORTH. Mr. Speaker, will the gentleman from Montana (Mr. HILL) repeat his assertions, because I think, given the culture of the present day, given the media proclivities here on Capitol Hill and beyond, sometimes, quite often, these stories are missed for what they really are.

Mr. HILL of Montana. Mr. Speaker, what this general accounting report, and this is a preliminary report, we have asked them to do a more thorough examination, but they have created several administrative accounts, one that the chairman has even labeled a mystery administration account, and used the funds in those accounts to fund projects that would not normally meet the criteria.

They have looted those funds, tried to direct those funds into anti-hunting efforts. In some instances, there is evidence that they used those funds to pay for investigations authorized by Congress. In other instances, they have failed to account for those funds. They have failed to establish any criteria for the approval or the granting of those funds. This is at the very highest levels of the administration.

Now, the person that revealed this information to our committee was fired for failing to go along and has recently entered into a settlement with the Fish and Wildlife Service. But, interestingly, that settlement has a confidentiality clause, a gag order attached to it. So at our hearing, that employee was unable to give us all the details that he wanted to give us.

Mr. HAYWORTH. Mr. Speaker, if I could ask him, how did he leave from Montana, is it his impression that this administration was using those different entities, those different people to campaign for a certain point of view, using these people in a way in a campaign that would be unlawful?

Mr. HILL of Montana. Mr. Speaker, this is certainly consistent with the agenda of this administration, which is to restrict the public use of lands. I long suspected that part of that effort is to reduce the numbers of people who fish and use the public lands for that purpose. This is consistent with that pattern of activity and that agenda.

But in this instance, this is not a small sum of money. This is $550 million a year that goes into this trust fund, and they were peeling off between 6 and 8 percent of this fund, which is $40 million a year for this purpose. What we also discovered is they took a trust fund, this is a trust fund for habitat, and they were taking this money to backfill the other parts of their budget because they were running short of money in different areas. So they took money from this account for that purpose.

So there are extremely serious allegations here. We are going to continue to have more hearings on it. I am advocating for the committee and the Fish and Wildlife Service to find a way to lift the gag order on this former employee so this person can tell us the whole truth. There were questions that I asked at the hearing that this person was unable to answer because of the confidentiality agreement that had been entered into. But these are very serious matters.

But I know it is troubling to the sportsmen and women in Montana who, through the purchase of guns and ammunition and sporting goods and fishing gear, are paying an excise tax into this fund for habitat purpose, to have this administration using that money or trying to use that money, meeting with, conspiring with anti-hunting groups, to try to undermine the very people who are paying the tax.

Mr. SCHAFFER. Mr. Speaker, the interesting thing is we probably would not have discovered this scandal were it not for a handful of conscientious employees and others who work with the Interior Department management of this fund who found the courage to stand up and represent and think about the taxpayers and what is morally proper and risk their jobs and perhaps their future careers as well. This gentleman forward to Congress and explained what was going on, which it allowed us to have the hearing and move forward. This is a scandal of major proportions.

The gentleman touched on a point that I want to move into next, and that is he said that there is a pattern in the administration when it comes to public use of public lands. That is also true of private lands. There is a deeply held belief in this administration that human beings should not be enjoying our national parks, our national wilderness areas, our National Forests, and so on; that these should be off limits for human activity, whether it is hunting or recreation or even when it comes to private property when it comes to responsible land use.

We talked earlier about the Endangered Species Act and the impact that that has on the ability of an individual private property owner to use his or her land as they see fit.

I want to use an example for my colleagues briefly, and that is one of this apple, just to dramatize the importance of these public lands-private lands use issues when it comes to agriculture.

If this apple represents the surface area of the globe, we have to keep in mind that approximately three-fourths of the Earth is covered with water. So if I cut this apple into quarters, we have represented here the available use of land mass that exists on the earth.

Now, keeping in mind that also of this land mass, approximately half is
mamountains or desert or arctic regions or areas that are too hot. That leaves us with about an eighth of the land mass that could be useful for growing food.

Now, of this one-eighth, we have a certain portion, about a quarter that is simply too wet or too hot. We have another quarter that is simply not habitable for or not useful for growing agricultural products. The land is just not rich enough. Then we have another quarter that we can cut away because of costs to use those of infrastructure, roads, bridges, and municipalities and so on.

That leaves us with about thirty-second of the land mass on the entire planet that is available for agriculture. Bear in mind that we are just talking about the surface.

So let me show my colleagues what that represents from the whole apple that I started with. Here is how much we are talking about. Whenever the Fish and Wildlife Service, or any other Federal agency proposes to move farmers and ranchers off of this little piece of land and take it off of production, that puts the human population at great risk of a long period of time, and it is the reason we need more sensitivity in Congress and in Washington in general in looking out for these rural individuals.

I am proud to say that this Congress last week reached out to some of the people who worked that tiny patch of land, and we reached out in a way that has powerful impact. Because when the farmers and ranchers who work that land reach retirement age and start contemplating planning their estates and handing that land to their children, they are confronted with a very unfortunate reality; and that is, upon their death, when they hand that farm or ranch over to their children, the Federal Government walks in and demands upwards of 50 percent of the value of that asset before the children can use that farm or ranch to keep it in production.

That is true for any business owner. It is true for any homeowner who wants to hand their family’s assets and wealth over to their children. We put forward in our tax plan, among the $792 billion in tax relief over a 10-year period an effort to eliminate the inheritance tax all together. That leaves us with one thirty-second of the land mass that could be useful for growing food.

Our legislation that provided tax relief package that puts to death the death tax on a 10-year period; whether it is estate planning or the inheritance tax all together. That is true for any business owner. It is true for any homeowner who wants to hand their family’s assets and wealth over to their children.

Mr. Speaker, I yield to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank my colleagues, the gentleman from Montana (Mr. HILL), the gentleman from Michigan (Mr. HOEKSTRA), and the gentleman from Colorado (Mr. SCHAFFER).

Mr. Speaker, at times Washington tends to operate on what former President Eisenhower called a policy of sophisticated nonsense. That is, we get so caught up in the micro and macro-economic implications of a decision that we allow ourselves to over-intellectualize what, in essence, is a very simple operation. And it is thus with the tax cut, to hear some folks and pundits in this town talk about it.

Mr. Speaker, I would simply ask the American people to think of the surplus that we confront not in terms of trillions of dollars, but let these three $1 bills represent the $3 trillion surplus as calculated by the Congressional Budget Office. Now, it is worth noting that almost $2 trillion of that surplus we have locked away to save Social Security and Medicare. We have locked $2 trillion, or close to that, of the surplus away to save Social Security and Medicare. But, Mr. Speaker, that leaves $1 trillion to consider.

Mr. Speaker, as my colleagues know, it is the intent of the new majority to learn the lessons of history, which are fairly simple and which boil down to this. If we leave this money in the hands of the Washington bureaucrats, it will be spent. Therefore, our mission in this commonsense conservative majority is quite clear. We must return the money to the people to whom it belongs, the American taxpayer.

This money does not belong to the government, Mr. Speaker. It belongs to all of those who work hard and play by the rules and pay their taxes. Therefore, our legislation that provided tax relief, which we passed last week, is intent on returning the money to whom it belongs. Because, Mr. Speaker, the American people should hold on to more of their hard-earned money to save, spend and invest as they see fit.

Mr. Speaker, that stands in stark contrast to the vision offered by the President of the United States, who came to this well of the House to deliver a State of the Union message in January and said that it was his intent to save $62 of the Social Security surplus for Social Security. Hello. That means he intended to spend the other 38 percent on new programs. And, indeed, he did. As the President of the United States, he outlined in the span of 77 minutes some 80 new programs that would cost the American taxpayers at least an additional $100 million in new taxation.

And, indeed, his plan is reprehensible that not one member of the minority party would bring that budget forward in legislative language to have it voted on. It was up to the majority to bring it forward.

Mr. Speaker, I yield to my good friend, the gentleman from Colorado (Mr. SCHAFFER), who can make the case graphically for us.

Mr. SCHAFFER. Well, I just want to read what the gentleman from Arizona just said.

When the President came and made his State of the Union address, here is what he proposed. Of the $137 billion estimated surplus in the Social Security Trust Fund and in Social Security income, he proposed keeping 60 percent of it in Social Security and spending another 40 percent of it. In other words, taking it away from the Social Security program and spending it on more bureaucracy, more government, and an increasing the Federal budget.

Well, our Republican plan is very different. We have proposed and have
moved forward on our plan to lock up the entire $137 billion. This graph, this chart, could not be clearer in showing the difference between the Clinton-Gore plan to raid the Social Security funds, spend 40 percent of it on more government spending, the Republican plan to lock up, to effectively put the cash in a locked box and not spend it, to keep it and devote it toward its intended purpose of Social Security.

That is the dramatic difference between the two visions in Washington, D.C. This is the stark difference that we stand for and propose that is in the interest of America's retirees and those who are planning for retirement.

Mr. HILL of Montana. If the gentleman will continue to yield, when I am at home, I ask my constituents if their bosses came to them and said they were going to give them a raise amounting to $3,000, what would do with that money. None of them say they would give it to the Federal Government. I say they would take some out and put some aside, maybe save some for retirement, or use some of it to pay down their debts, or maybe spend a little of it on their family.

Really, that is what we are talking about doing here, putting some of this money aside for retirement, for Social Security, and to pay down the national debt. And one-third of it, one-third of that money, is going to go to help families decide how they can better spend their savings and get them set those spending priorities.

Now, the President says that is reckless. The President said we would give the money back if we could just trust that the American people would spend it the right way. I guess my view is that the people I represent know better how to spend their money better than anybody here in Washington, or anybody in this chamber, including myself. They have a better understanding of how to spend that money than I have. And they should have the right and the privilege to make that decision.

Now, if any of them want to give that money back to the U.S. Treasury, I am sure the U.S. Treasury would accept it. But the fact of the matter is, they have needs for their families.

I just want to make one point following up on something the gentleman said about this death tax issue, because I firmly believe this could be the last generation of family farmers and ranchers that we have in America if we do not do something. Our farm economy is in trouble, and we have issues that we need to deal with there, trade and regulatory issues, but the death tax issue is overwhelming.

Most of the farmers and ranchers in my home State are not making any money. They are not generating cash flows. They have no mechanism to finance the death tax. They cannot sell life insurance, they cannot pay the lawyers and the high-priced accountants. They have no way to do it, so they are compelled to sell. Who do they sell to? To movie stars that want to recreate on the land, not farm or ranch it. Or they sell to sub-dividers.

If we want to have family agriculture and we want to have this green space and these open places, and we want to be able to keep it in the family, we all have roots, we have to do something now to help folks in agriculture. There are a lot of things we need to do, but one of them is to lift this burden.

The lowest marginal tax rate on the death tax is 30 percent. When they hit that threshold, they are paying 36 percent of the value of that estate in taxes. There is no way that a family farmer and a family rancher in my home State today can afford to pay that tax.

We are going to wipe out these family farmers and family ranchers. I do not want to see that happen. I do not want to see the destruction of those rural communities. I do not want to see the unraveling of the culture of agrarian society. The society that is to our history and the heritage of this Nation. That is why this provision of this bill is so essential, and we have to make sure that we defend it.

Mr. HEGSTRA. Mr. Speaker, I thank the gentleman for yielding.

When we take a look at what is in the tax cuts, I find it a very interesting discussion to identify exactly what part of the Tax Code is the most unfair. I mean, I think we all started out by saying tax relief is essential. When we combine State, local, and Federal taxes and have a tax system that takes 40 percent of the average family income, I think we are united. That is unfair. That is too much.

That means that in a two-wage-earner family, one wage-earner works the entire year to pay the tax bill. We think that is just that it puts too much stress on the family. That is why we support an across-the-board tax cut so that every individual in America will benefit from that.

Then we go to the inheritance tax, which clearly we work all of our lives, we pay taxes all of our lives, and then we want to leave part of that to our children. And Uncle Sam again is one of the first ones in line and makes the dream of passing a family farm or small business on to our children, makes it so much more difficult to realize.

Another part of the Tax Code that is unfair is the marriage penalty. We penalize people for being married. Interesting concept. I think again we are discussing in saying this is an unfair element of the Tax Code.

For the individual who wants to go out and buy health care, does not receive health care from a corporation or a large buying organization, they have to buy individual tax dollars. If they work for a large corporation, they get it provided and there is no tax consequences to it. That is unfair for the entrepreneur, for the person who wants to start off their own business. We are trying to remedy that.

For the family that wants to set aside dollars for education, we are putting in that so that again it enables people to invest in their people. We think that what this makes this a better Tax Code.

So we all have our own personal problems with the Tax Code, but we recognize that there are a lot of inequities and unfairness in the Tax Code. But it starts with tax relief, and then it moves on to these individual elements.

I think we are all looking forward to the day as this Tax Code starts to address fairness, saying we need to make this Tax Code fairer that we can move on to the next debate after 2000, which is how do we simplify the Tax Code.

Two essential elements I think of our longer term vision of what we want to have, which is a fairer Tax Code and a more simple Tax Code. And as we move toward that direction, we will make a lot of progress.

Mr. HAYWORTH. Mr. Speaker, if the gentleman would continue to yield, the way I try to see it to be the first Arizonan in history to serve on the Committee on Ways and Means and endowed with the authority to deal with this Tax Code, Mr. Speaker and my colleagues, is to say it this way: Tax relief first. Tax reform next.

Because, Mr. Speaker, if there is any lesson from this current administration, it is that words essentially mean nothing.

That is a shock for those of us who grew up under the notion that we would play by the rules, obey the existing law of the land, and then move forward.

Sadly, what we find with this administration and, Mr. Speaker, I think my colleagues, especially my friend from Michigan, will bear me out since he arrived after the election of 1992, a full term before this Congress, the irony of this fact.

It has been said and is a basic tenet of our civics training that the President proposes and the Congress disposes. And yet, Mr. Speaker, I think my colleagues would be interested, as would others, to hear and to understand that throughout this second term of this administration, indeed since 1993, this administration has not shown the common courtesy of delivering to the Congress of the United States executive branch proposals in legislative language.

The last time that happened, Mr. Speaker, was with a proposal in 1993 to socialize our health care. And so, therefore, Mr. Speaker, in the talk of administration plans for Social Security, of administration plans for tax relief, of administration plans for bolstering our national defense are as the wind; there is nothing to them.

This administration lacks the courage and the ability to summon candor to actually help us govern. And we see it most egregiously when it comes to the death tax.
My friend from Montana is quite right. And when we represent folks in Arizona, as do I, on family farms and on ranches, in Colorado, Montana or Michigan, the fact is this for many a landholder, they are to use the proverbial last dollar.

And when the patriarch of a family dies, the one in whose name the family ranch or the family farm belongs, the survivors are asked to pay a tax, that is unfair and that is onerous.

Mr. Speaker, if nothing else, those who hear these words should remember this fact, that our common-sense conservative majority is committed to ending, to putting to death, the death tax over the course of the next decade.

Because fundamentally, as my friend from Colorado said so well and it was quoted in the Wall Street Journal not far away, when he said there should be no taxation without representation, he understands the unfairness of this tax.

And compounding it, Mr. Speaker, is the fact that with all the stress and strain, with all the trauma introduced into the lives of the survivors, with all the burden of the tax work and the labors of those who have gone to their heavenly reward, still in all, the Federal Treasury only takes from the death tax one percent of the total accrued revenue for the Treasury of the United States.

And yet, Mr. Speaker, 75 percent of that one percent is spent tracking down and harassing survivors, forcing families to sell their farms, forcing families to sell their small businesses, and it shows the inequity of this Tax Code.

But, Mr. Speaker, we are cognizant of realities. A President who would stand in Buffalo, New York, one day after standing at this podium and saying that he wants to save 62 percent of the Social Security surplus for Social Security and, therefore, spend the extra $10,000 for the average family of four in Arizona in a rare moment of candor, January 20 of this year, left a lot out of the equation, the labors of those who have gone to their heavenly reward, still in all, the Federal Treasury only takes from the death tax one percent of the total accrued revenue for the Treasury of the United States.

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the plan to help the neediest among us offered in our tax relief and tax fairness legislation, a plan championed by our good friends the gentleman from Michigan (Mr. TALENT), the gentleman from Oklahoma (Mr. WATTS) and the gentleman from Illinois (Mr. DAVIS), a Democratic party that deals with those depressed areas not just in terms of business start-up and not in terms of make-work for Federal bureaucrats but true empowerment that deals with savings, that deals with home ownership, that also deals with the tax's status that's been passed yet the President of the United States has the audacity to come before the American people and claim that this responsibility bipartisan plan to help those who need help is somehow irresponsible and reckless.

Mr. Speaker, it simply is something we have seen all too often with this President, an inability to tell the truth and to deal candidly with the American people.

Mr. SCHAFFER. The gentleman really points out the dramatic difference in the approaches that the two parties take in Washington, the party represented by the President, the Democrat Party, and the party that we represent, the Republican Party. Because I believe both parties care about rural and depressed areas, but there is a difference in the sincerity and the tenacity with which we approach real and meaningful help.

What the gentleman would describe as the President's proposal is a typical one of the liberal agenda in Washington, which is to raise taxes on the American people, send that cash here to Washington, D.C., and have politicians redistribute the wealth to the charities of certain politicians' choices. That does work but it is not fair.

What we have proposed and what we have actually passed through the tax relief package fit together with the tax provisions for average Americans and in fact tax provisions that help those who are the poorest among us.

Let me give my colleagues a couple of examples. The commercial revitalization deductions allow for tax relief for those individuals who are making investments in depressed areas around the country. We provided a section that deals with work opportunity tax credits. There are provisions that assist those who hire individuals who live and perform most of their work in these renewal communities, depressed areas that are targeted for economic growth and special assistance and help.

We also provided for an effort to encourage employers to hire people off of welfare and put them to work. Now, imagine that. In a country right now that is enjoying very, very low unemployment and has enjoyed phenomenal success in terms of a 2 percent reduction in the welfare caseload over the last 2 years, we use the tax bill to reduce the burden on Americans so that we can help even more people come off the welfare system, to leave the situation of dependency on the Federal Government and enjoy full economic participation as real Americans, as entrepreneurs, as fully employed, fully engaged citizens. That is a dramatic difference in our efforts to help the very same people that the President says he wants to help.

Our method works. Our method has been proven to work, it has met the test of time, it has met the realities of history. Growing the size of government, increasing taxes is a formula for failure, and it is one that the President would like to see us do; it is one that we have a very different direction on, and fortunately, the Congress has ruled, collectively, in our favor, on our side. Less government, lower taxes, more opportunity.

I yield to the gentleman from Michigan.

Mr. HOEKSTRA. Mr. Speaker, I thank the gentleman for yielding.

I just really want to reinforce some of the comments that my colleagues from Arizona and Colorado have made.

When we are talking about what we would like to do, we are not talking about an idea or a direction or a hope, we are talking about legislative language that has been introduced, that has been debated, and that has passed. The National Security authorization bill, passed legislation that is written and has passed. The education bill, whether it is Ed Flex, which gives more flexibility to local school districts and how they deal with the red tape and the mandates from Washington, legislation that has gone through committee and has passed. The Teacher Empowerment Act, legislation that has been written and has been passed, the Straight A's bill, the legislation is written. The lock box, the legislation that has been passed, has moved out of the House and we are waiting for the other body to deal with it. The Tax Relief package, the bill is written, has gone through committee, and has passed the House of Representatives.

So it is awfully easy for people on the other side to talk about what they would like to do, and I think my colleagues from Arizona have said they have spent a lot of time talking about what they would like to do, but few times when they have given us legislative language, no one person voted for their legislative language. So we have met the challenge.

We are not only talking about what we would like to do, we are actually here on the floor each and every day passing legislative language that is going to make a difference, that is going to help secure the future for our kids, for working Americans, and for our retirees. We are making a difference and we are getting the job done.

I yield to my colleague.

Mr. HILL of Montana. Mr. Speaker, I thank the gentleman from Michigan.

One last point I want to make and that is the disingenuous argument coming from the President that somehow this tax package competes with Social Security or Medicare or paying down the debt, that is not true. This tax package fits together with our plan to reduce Social Security taxes for Social Security retirement and to pay down the national debt $2 trillion. There are funds set aside for us to deal with reforming Medicare, if the President will come to the table and do his part, but the truth is also that this tax relief for the American people. We can do all of this; it is a unique opportunity to do it.

Mr. Speaker, what this tax relief package does compete with is bigger government. The fact of the matter is what the President is arguing for is to set these dollars aside for new government programs, more wasteful spending. All of the education bills that we have just passed are saying, before we put more dollars into education, we are prepared to do that, our budget provides for it, we are saying, let us spend the dollars we are spending now smarter and better and more effectively. We are prepared to put more dollars into some of those programs, but what we want to do is reform them first, and that all can be accommodated with this tax package.

Mr. SCHAFFER. Mr. Speaker, I yield a minute to the gentle- man from Arizona.

Mr. HAYWORTH. It is very simple, Mr. Speaker and my colleagues. Who do you trust? Those who say one thing and do another? Those who believe that money, power and influence should be concentrated in the hands of the Washington bureaucrats? Those who believe, evidenced by their statements in Buffalo, New York, and from this podium behind me here, that you should not be trusted with your own money to save, spend and invest as you see it? Or, should you embrace the philosophy of common sense and conservative majority that believes it is our mission to transfer money, power and influence out of the hands of the Washington bureaucrats and back home to people living on the front lines, who understand their lives better, who understand that the money belongs not to the Federal Government and to the Washington bureaucrats, but to the people.

Mr. Speaker, on that stand we make our case, and with that, I yield to my friend from Colorado.

Mr. SCHAFFER. Mr. Speaker, I would like to continue on this topic for a few moments, but first, a little earlier I mentioned the field hearing that was conducted in Colorado on the Endangered Species Act, and I have a brief summary of that which I would like to submit for the RECORD.

Secondly, I want to move a little deeper into the discussion on tax relief. But we have spoken a lot tonight about rural areas.
Mr. Speaker, at this time I include for the RECORD the documents previously referred to.

On Saturday, July 24, 1999, Congress came to Greeley, Colorado, to hear about the impacts of the federal Endangered Species Act on Colorado. I was pleased to join U.S. Senator Richard Pombo and Senator Ben Nighthorse Campbell, I heard expert and first-hand testimony about the far-reaching and frequently devastating effects of the Act on farmers, ranchers, landowners, and water-users. These people represent some of the best and brightest of Colorado and I can personally attest to the onerous, confusing, costly, contradictory and dictatorial burdens the federal ESA regulations impose. I would like to share some of their insightful testimony on the experiences of Colorado can better understand and can help encourage the improvement of the ESA for the benefit of all forms of life in this great country.

Bennet Raley, water-rights advocate: "If I had a choice, I believe the existing law should be repealed and Congress should start over and develop a program that achieves national interests in the protection of endangered species without encroaching on private property and the prerogatives of states. Federal agencies simply take water from irrigated agriculture and expropriate it in the west. Until now, the Endangered Species Act is so powerful."

Alan Foutz, CO Farm Bureau VP: "Farmers' water rights evaporate as federal regulators attempt to protect fish. Ranchers fear loss of livestock as predators are introduced and protected. Producers throughout the nation are forbidden from performing such basic activities as clearing brush from fence rows. In the current act, private property rights are laid aside when recovery plans stop agricultural practices. An endangered species must be protected at all costs under the current law."

"The act serves as a disincentive for landowners to protect an endangered or threatened species because of the many major constraints placed on agricultural practices when a species is found."

"Seventy-eight percent of the species listed reside on private lands. The public will need to spend more resources if they want full protection of these species."

"A single individual can petition the U.S. Fish and Wildlife Service, The USFWS must perform an initial investigation and taxpayers must pay for all the research, even on bogus petitions.

"Accurate population numbers are not available, therefore, goals for recovery cannot be defined."

Mark Hillman, CO State Senator: "The U.S. Fish and Wildlife Service threatened to fine a Utah farmer for having his own land and allegedly posing a risk to a protected species of prairie dog, even though no prairie dogs could be found there."

"Restoration and preservation of prairie dog habitat as it may have existed 100 years ago would make plowing down some of the most prolific wheat producing land in the nation."

Sam Hamilton, former U.S. Fish and Wildlife administrator has said: "The incentives are wrong. If a rare bird is on my property, the value of my land goes up. But if a rare bird is on my property, the value of my property goes down."

"It is patently absurd to proffer a policy based on the asserting that Washington law-makers—much less Washington bureaucrats—care more about environmental quality in Colorado, or any other state, than do the residents who live there precisely because of our priceless environment."

Don Ament, CO Commissioner of Agriculture: "In fact, it serves the needs of neither the endangered species nor the taxpayers who provide the funds to support the program. Western farmers and ranchers view the ESA as a law that grants a federal agency the ability to unilaterally determine how their land is farmed or ranched and which could determine the very essence of their enterprise; the ESA grants too much authority to a ruthless bureaucracy."

Ralph Morgenweck, USFWS Moutain-Prairie Regional Director: "The Service is fully committed to finding this balance between economic development and endangered species protection. To continue making progress in implementing the ESA, an increase in funding for our endangered species program is necessary."

"As of May 1, 1999, there were 1,181 domestic species on the List of Endangered and Threatened Species; this represents a 30 percent increase in just 5 years."

Larry Bourrett, WY Farm Bureau VP: "At this time there are no listings in Washington, D.C., therefore it is imperative that Congress come to the awareness of the many problems exist to get a real flavor of what is happening daily to some of the nation's citizens.

"The Act is benign for those who do not have to suffer the consequences of having a listed species on their private property. However, for those private property owners who happen to be within the identified range of, historic range of, habitat or potential habitat of a listed species, it is an entirely different story. It is a story of frustration and fear."

"Jack Finnery, WY cattle rancher: "It seems to me that just as the rancher and farmer must strike a balance that allows him or her to make a living from the land today while preserving habitat and natural resources for generations to come, the endangered species requirements must be changed to work in harmony with the economy programs that dictate how land should be managed. The ESA requires landowners to leave the land around irrigation ditches in a natural state to protect the Preble's meadow jumping mouse, but ranchers who fail to maintain those ditches may be faced with the loss of their water rights."

"Under the Conservation Reserve Program, landowners contract with the federal government to protect land from erosion and curtail the resultant deterioration of water quality. However, the ESA may call for these lands to be opened up to overgrazing to create habitat for prairie dogs and mountain plovers."

"The Clean Water Act calls for the protection of water quality in streams, but this mandate contradicts ESA requirements that call for the overgrazing of land to develop habitat for the prairie dogs and mountain plovers."

"A FWS biologist told me, 'I feel sorry for you landowners. As a result of being good stewards of the land, you now have to pay the price.'"

"What is that price landowners have to pay? Well, that price can be a crushing blow for an agricultural industry already wracked with some of the lowest commodity prices in recent memory and the continued decline in the number of full-time farmers and ranchers who are struggling to make ends meet in what is already a highly regulated industry."

The SPEAKER pro tempore. The time of the gentleman from Colorado has expired.

The SPEAKER pro tempore (Mr. Tancredo). Upon the designation of the Majority Leader, the gentleman from Michigan may proceed, but not beyond midnight.

Mr. HOEKSTRA. I thank the Speaker and other colleagues who have talked with me until midnight so that we can continue this dialogue on our agenda for securing America's future, and I will yield to my friend from Colorado.

Mr. SCHAFER. Mr. Speaker, I was about to say that when it comes to the inheritance taxes, we wonder why, as the gentleman from Arizona pointed out that the inheritance tax only generates a little less than 1 percent of the revenue to the Federal Government. It is relative inconsequential when you factor in the fact that the majority of the Federal revenue received by the Federal Government is squandered and wasted as a result of bureaucracy and other waste.

"However, there is also deep-seated resentment in many corners of Washington when it comes to rural America. That was exhibited by the head of the Democrat Congressional Campaign Committee, the chairman, who recently said right outside here that the Democrats have written off, and I quote, "written off the rural areas," and that quote was one that has been discussed repeatedly on the House Floor."

"I have written some remarks on that subject, and I would ask that they be inserted at this point into the RECORD.

DON'T WRITE OFF RURAL AMERICA
(By: U.S. Congressman Bob Schaffer)

Rural America is hurting these days and the rest of the country should take notice. The current period of relative economic prosperity has abandoned the agriculture economy, often because of deliberate decisions made at the White House. For example, U.S. trade policy presently favors manufactured products, high tech equipment, and medical supplies in exchange for easy access to American markets for foreign farmers. Nor are trade policies fair for our farmers and ranchers. Foreign growers enjoy far easier access to our markets than we do to theirs.

"Westerners tend to be closely tied to agriculture. That's why so many of my rural constituents find it hard to believe there are actually people in Washington, D.C. who have no vested interest in the agriculture sector."

"But last month, after his party voted against several rural issues, the Democratic Congressional Campaign Committee chairman told reporters Democrats have "written off the rural areas." The DCCC Chairman Rep. Patrick Kennedy (R.I.) later admitted he shouldn't have said it. I agree, but he did, and doing so illustrated the problem with which some in Congress view rural America.

"Coloradans understand America must count on rural areas, not dismiss them. Statistically confirm the rural setting. Agriculture is still America's number one employer providing more jobs, more
business transactions, more entrepreneurial opportunities, and more paycheck than any other sector of the economy.

In Colorado alone, agriculture accounts for over 28,000 jobs, bringing in over $12 billion of commerce. Clearly, agriculture is integral to our economy and should not be ignored or "written off."

Colorado produces an impressive variety of commodities in addition to cattle, wheat, corn, potatoes, sugar beets and dairy products. We have pinto beans, carrots, mushrooms, barley, sunflowers, watermelon, oats, sorghum, quinoa and wine grapes. Our ranchers’ expertise raising cattle, sheep, lamb and other livestock is expanding. We produce specialty livestock—bison, elk, emus, ostriches, and fish.

Agriculture products tend beyond farm. Colorado is well known for its production of fresh-cut flowers, soda and turf grass, and hay. Colorado’s agricultural-based inputs also contribute vital components to the manufacturing of soaps, plastics, bandages, x-ray film, linoleum, shoes, crayons, paper, shaving cream, tires, and beer.

As consumers, rural Americans provide markets for goods and services, injecting much-needed capital into the marketplace. Rural purchases of trucks, tractors, houses, implements, fuel, computers, and other items result in jobs and income. They also provide jobs and income for salespeople, waitresses, homebuilders, real estate agents, feed dealers, mechanics, and bank tellers across the nation.

Still there are other reasons rural America matters. Colorado boasts over 24,000 farms and ranches, accounting for over half of our state’s 66 million acres. People who live on the land are the best environmental stewards. Landowners work actively with soil conservationists to protect arable land, manage wind erosion, reduce pollution, and control water runoff. In Colorado, our farmers are credited with saving an additional 51 million tons of topsoil annually for the past 10 years. They have also seeded 1.9 million acres of private land to permanent grassland under the Conservation Reserve Program, thereby producing thriving wildlife habitat.

Most of all, America’s soul is found in its rural communities. A nation launched by planters, America’s founding strength was mustered and sustained by the moral character of rural people. Their values of hard work, honesty, integrity, self-reliance and faith in God thrive in abundance in rural communities. A nation launched by the strength of rural people is to be as prosperous as the present.

Most of all, America’s soul is found in its rural communities. A nation launched by planters, America’s founding strength was mustered and sustained by the moral character of rural people. Their values of hard work, honesty, integrity, self-reliance and faith in God thrive in abundance in rural communities. A nation launched by the strength of rural people is to be as prosperous as the present.
where Members are on the political spectrum, Members cannot believe, with history as our judge, Members cannot believe that this Congress, whether it was controlled by the Republicans or Democrats, would be given another $500 billion to spend. But, we cannot believe that it would be used to “pay down the national debt.” It would be spent.

That is why this Congress, this majority, is hoping against hope that we can give that money back before it gets spent. The gentleman from the other side who was talking the other night will be right, it will, of course, increase the national debt, because we will spend every dime of it if it is left here.

Mr. HAYWORTH. If the gentleman from Colorado (Mr. SCHAFFER) could be silent a second, I would like to ask the gentleman from Colorado a question. I thank the gentleman. That is precisely right. The remarkable thing that this Congress needs to remember, that history shows us, and particularly the opponents who tried to stop us last week when we passed tax relief, is the lesson of President Kennedy, President Reagan, and in fact the lesson, unwillingly, the unwilling lesson learned by the present occupant of the White House. That is, cutting tax rates increases tax revenue to the Federal Government.

That is what President Kennedy discovered when he reduced tax rates. The economy grew, revenues poured into the Federal Government, people in Washington had all the money they needed to accomplish the things that they wanted to accomplish, and that is indisputable.

President Reagan reduced tax rates. Overall taxes to the Federal Government grew. The gentleman is right, at that time there was a different Congress in charge. They spent. What President Clinton discovered when the Republicans took control of the Congress was that when we reduced tax rates, the economy grows, and the Federal Government now has a surplus estimated to be to be at $800 billion over the next 10 years.

We voted last week to give it back to the American taxpayers.

Mr. HAYWORTH. If the gentleman will continue to yield, again, it bears repeating, because, Mr. Speaker, there are those in this town, principally those at the other end of Pennsylvania Avenue but also those who occupy the left side of this Chamber, who would earnestly yearn for a type of collective amnesia to embrace the American people.

The President of the United States has engaged in incredible revisionist history where he calls the largest tax increase in American history noble and justified; when he fails to recognize the contributions of this new commonsense conservative majority, which came in and reined in excessive spending, which led to the surplus; but also with the comments in January of this year, when again he stood at this podium and said, and Mr. Speaker, it bears repeating, that it was his intent to save 62 percent of the social security surplus for social security, which meant, of course, that he intended to spend the other 38 percent; and how that stands in stark contrast, Mr. Speaker, with our lockbox to lock away 100 percent of the social security surplus for social security.

Mr. Speaker, it bears repeating, consider these three $1 bills again to represent $3 trillion. Take away the zeros. This is what our commonsense conservative majority maintains should happen. Let us take two of those dollar bills, lock them away to save social security and Medicare, and Mr. Speaker, we are left with this dollar bill, representing roughly $1 trillion of additional surplus.

We have a choice, Mr. Speaker. If we leave it in Washington, given the proclivities of our president and the temptations which he cannot withstand, that money will be spent. We believe, as the commonsense conservative majority, that the money belongs to the people who sent it here. It should go back to those people.

For my friends on the left to claim these are tax breaks for the wealthy, it is an interesting definition of wealthy. Apparently they think folks who make $40,000 a year are wealthy because those folks pay almost four times as much in taxes as the folks who earn $20,000 a year.

Mr. HAYWORTH. If the gentleman could be silent a second, I would like to ask the gentleman from Colorado a question. I thank my colleague, and thank my colleagues for joining me this evening. Just on a final note, the problem here in Washington is not revenue. In 1999 we will collect $1,821,000,000,000. By 2009 that will have increased by 50 percent; that government revenues, if we do not provide tax relief, will have increased to $2,725,000,000,000.

The problem in Washington is not revenue, the problem is we are collecting too much. We need to give tax relief and we need to control spending. When we are not cutting spending, we are just slowing the growth, so Federal programs can continue. We just need to control our appetites here in Washington and secure America’s future by giving American families and American individuals some of their money back.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. FOWLER (at the request of Mr. ARMENY) until 1 p.m. today on account of official business at the Pentagon.

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 Ms. EDDIE BERNICE JOHNSON of Texas) to revise and extend their remarks and include extraneous material:)

Mr. HOEKSTRA, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. FILER, for 5 minutes, today.

Mr. HILLIARD, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Mr. JACKSON of Texas, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. COYNE, for 5 minutes, today.

Mr. THOMAS of Georgia (Mr. SMITH of Michigan to reissue and extend their remarks and include extraneous material:)

Mr. Toomey, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today.

Mr. SMITH of Michigan, for 5 minutes, today.

Mr. SMITH of Michigan, for 5 minutes, today.

Mr. STARK, for 5 minutes, today.

Mr. Davis of Virginia, for 5 minutes, today.

Mr. UPTON, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker’s table and, under the rule, referred as follows:

S. 296. An act to provide for continuation of the Federal research investment in a fiscally sustainable way, and for other purposes, to the Committee on Science.

S. 1402. An act to amend title 38, United States Code, to provide education benefits for veterans, and for other purposes, to the Committee on Veterans’ Affairs 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.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 604. An act to direct the Secretary of Agriculture to complete a land exchange with Georgia Power Company.

S. 1258. An act to authorize funds for the payment of salaries and expenses of the Patent and Trademark Office, and for other purposes.

S. 1259. An act to amend the Trademark Act of 1946 relating to dilution of famous marks, and for other purposes.

S. 1260. An act to make technical corrections in title 17, United States Code, and for other purposes.

ADJOURNMENT

Mr. HOEKSTRA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly, at midnight, on July 28, 1999, the House adjourned until Thursday, July 29, 1999, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows:
3233. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department’s final rule—Implementation of Preferred Lender Program for Guaranteed Farm Loan Programs Loan Regulations; Correction (RIN: 0560–AF 38) received July 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3234. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department’s final rule—Mexican Fruit Fly Regulations; Repeal of Regulated Area (Docket No. 98–082–5) received July 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3235. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Approval of Hospital/Medical/Infectious Waste Incinerator State Plan For Designated Facilities and Pollutants: Illinois [IL 188–1a; FRL–6371–5] received June 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3236. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency’s final rule—Approval and Promulgation of Community Implementation Plans; Texas; Revised Format for Materials Being Incorporated by Reference [TX 92–1–1; FRL–6362–9] received July 30, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.


3238. A letter from the Special Assistant Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission’s final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Lufkin, Texas) [MM Docket No. 98–125] (RM–9301) received July 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3239. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission’s final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Lufkin, Texas) [MM Docket No. 98–125] (RM–9301) received July 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3240. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission’s final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Lufkin, Texas) [MM Docket No. 98–125] (RM–9301) received July 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3241. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission’s final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Lufkin, Texas) [MM Docket No. 98–125] (RM–9301) received July 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3242. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Spain and Italy [Transmittal No. DTC 31–99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3243. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with United Kingdom, Spain, and Italy [Transmittal No. DTC 42–99], pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3244. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to France [Transmittal No. DTC 32–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3245. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Japan [Transmittal No. DTC 85–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3246. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Finland [Transmittal No. DTC 35–99], pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.


H.R. 2621. A bill to amend the Public Health Service Act to provide for the establishment of a pediatric research initiative; to the Committee on Commerce.

By Mr. HAYES:

H.R. 2622. A bill to provide for a mechanism by which a Member of, or Member-elect to, Congress may decline an annual pay adjustment; to the Committee on Government Reform, and in addition to the Committee on House Administration, 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 Ms. LOFGRÉN:

H.R. 2623. A bill to amend the National Defense Authorization Act for Fiscal Year 1998 with respect to export controls on high performance computers; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOWEY (for herself, Mr. SHEYH, Ms. DELAURO, Ms. MILLENDER-McDONALD, Ms. WOOLSEY, Ms. MORTON, Ms. MALONEY of New York, Mr. OLIVER, Mr. MCGLYNN, Mr. MAY, Ms. LEWIS, Mr. TOWNS, Mr. WAXMAN, Mr. NADLER, Mr. MORAN of Virginia, Mrs. MINK of Hawaii, Mr. DEFAZIO, Mr. STARK, Mr. DIXON, Mr. SANDERS, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. FISHER, Mr. FOST, Mr. THOMPSON of California, Ms. PELOSI, Mr. BAIRD, Ms. DEMAIO, Ms. MOTT, Ms. WATERS, Ms. SCHAKOWSKY, and Mr. HINCHLEY):

H.R. 2624. A bill to protect women's reproductive health and constitutional right to choose from payer to payer purposes, to the Committee on Commerce, and in addition to the Committees on the Judiciary, Education and the Workforce, Armed Services, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUTHER (for himself, Mr. HOLDEN, Mr. FOST, Mr. BALDACCINI, Mr. NEUMANN, Mr. OLIVEY, Mr. FARR of California, Mr. VENTO, Mr. BISHOP, Mr. ABERCROMBIE, Mr. MCINTYRE, Mr. WOOLSEY, Mr. BACIA, and Mr. FILLER):

H.R. 2625. A bill to amend title 10, United States Code, to temporarily expand the Department of Defense program by which State and local law enforcement agencies may procure certain law enforcement equipment through the Department; to the Committee on Armed Services.

By Mrs. ROUKEMA (for herself, Mr. LAZIO, and Mr. INSLEE):

H.R. 2626. A bill to amend certain consumer protection laws to facilitate the electronic delivery of disclosures and other information; to the Committee on Banking and Financial Services.

By Mr. STARK:

H.R. 2627. A bill to amend titles XVIII and XIX of the Social Security Act to prevent abuse of recipients of long-term care services under the Medicare and Medicaid Programs; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WATKINS of Oklahoma (for himself, Mr. LUCAS of Oklahoma, and Mr. ATKINS):

H.R. 2628. A bill to amend title XVIII of the Social Security Act to provide greater equity to Medicare-certified home health agencies, and to ensure access of Medicare beneficiaries to medically necessary home health services furnished in an efficient manner 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. HAYES:

H. Con. Res. 164. Concurrent resolution expressing the sense of the Congress that the President should adhere to a consistent policy with respect to the introduction of United States Armed Forces into hostile situations; to the Committee on International Relations.

By Mr. DOGGETT (for himself, Mr. BRADY of Texas, Mr. SHAYS, Mrs. CAPPS, Mr. OLIVER, Mr. DEFAZIO, Ms. DELAURO, Mr. OBERSTAR, Mr. BLUMENAUER, Ms. NORTON, Mr. BENTSEN, Mr. HOUGHTON, Mr. BONIOR, Mr. SMITH of Texas, Mr. MEEHAN, Ms. PRYCE of Ohio, Mr. BOSWELL, Mr. CAMP, and Mr. SAENZ):

H. Res. 264. A resolution expressing the sense of the House of Representatives honoring Lance Armstrong, America’s premier road cyclist, and his winning performance in the 1999 Tour de France; to the Committee on Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, Mr. SHOWS introduced A bill (H.R. 2629) for the relief of Juan Carlos Leon-Medrano; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 6: Mr. RUSH.
H.R. 22: Mr. MILLER of Florida.
H.R. 44: Ms. PRYCE of Ohio and Mr. CRAMER.
H.R. 65: Ms. PRYCE of Ohio.
H.R. 179: Mr. GORDON.
H.R. 215: Mr. STRICKLAND.
H.R. 274: Ms. LEE.
H.R. 303: Ms. PRYCE of Ohio and Mr. GUTIERREZ.
H.R. 329: Mr. WEINER.
H.R. 348: Mrs. THURMAN.
H.R. 357: Mr. LIPINSKI.
H.R. 417: Mr. WU.
H.R. 486: Mrs. JONES of Ohio.
H.R. 534: Mr. SHUSTER, Mr. PITTs, Mr. DOYLE, Mr. SESSIONS, and Ms. GRANGER.
H.R. 623: Mr. SAWYER.
H.R. 664: Mr. REYES.
H.R. 701: Mrs. FOWLER, Mr. STRICKLAND, Mr. BOWWELL, Mr. KLING, Mr. CAMP, and Mr. DAVIS of Virginia.
H.R. 721: Mr. OLVER and Mr. LOBIONDO.
H.R. 732: Mr. MORAN of Virginia and Mrs. BIGGERT.
H.R. 759: Mr. KILDEE and Mr. SPENCE.
H.R. 783: Mrs. THURMAN.
H.R. 802: Mr. BACIA, Mr. WEINER, and Mrs. THURMAN.

Mr. BOSWELL of Louisiana, Mr. MENENDEZ, Mrs. KELLY, and Ms. MCKINNEY.
H.R. 828: Mr. PAYNE and Mr. KLING.
H.R. 838: Mr. GORDON.
H.R. 874: Mr. WATKINS.
H.R. 933: Mr. ACKERMAN.
H.R. 997: Ms. LEE.
AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H. R. 2587

OFFERED BY: MR. STEARNS

AMENDMENT NO. 3. Page 11, line 20, strike the period at the end and insert the following:

PROHIBITION ON FUNDS FOR OIL PIPELINE FROM BAKU, AZERBAIJAN TO CEYHAN, TURKEY

SEC. 585. None of the funds made available by this Act may be used for any guarantee, insurance, extension of credit, participation in a reinsurance or refinancing, financial or technical assistance, or other activities in connection with the purchase or lease of any good or service, or for any project or activity related to the development, construction, or maintenance of an oil pipeline from Baku, Azerbaijan, to Ceyhan, Turkey, unless there is in effect an unrescinded certification by the Secretary of State that there is a settlement to the conflict in Nagorno-Karabakh.

H. R. 2606

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 5. Page 116, after line 5, insert the following:

PROHIBITION ON FUNDS FOR NEW OPEC PROJECTS

SEC. 585. None of the funds made available by this Act may be used by the Overseas Private Investment Corporation, after the enactment of this Act, for the issuance of any new guarantee, insurance, or reinsurance, or for initiating any other activity which the Corporation is otherwise authorized to undertake.

H. R. 2606

OFFERED BY: MR. BROWN OF OHIO

AMENDMENT NO. 7. Page 7, line 10, after the dollar amount, insert the following: "(increased by $10,000,000)"

Page 27, line 6, after the first dollar amount, insert the following: "(reduced by $10,000,000)"

H. R. 2606

OFFERED BY: MR. MICA

AMENDMENT NO. 8. Page 22, line 17, before the period insert the following: "Provided further, That of the amount appropriated under this heading, $37,500,000 shall be made available in assistance for the antinarcotics directorate (DANT) of the Colombian National Police as follows: (1) $3,500,000 for GAU 19 protection systems for the 6 existing Huey II utility helicopters of the Colombian National Police, including 1 such system for each helicopter, mounting, installation, and a maintenance and training package; (2) $3,800,000 for 50 caliber ammunition for such GAU 19 protection systems; (3) $2,500,000 for upgrade of the hangar at the Guaymaral helicopter base; (4) $6,500,000 for construction of a hangar facility at the El Dorado Airport in Bogota, Colombia, to provide a secure area for storage and maintenance work on the fixed wing and rotor aircraft of the Colombian National Police; (5) $2,500,000 to purchase 19 additional MK-44 miniguns for the "Huey" II utility helicopters to be provided to the Colombian National Police; (6) $3,500,000 for 7.62 caliber ammunition for such MK-44 miniguns; (7) $8,000,000 for forward looking infrared (FLIR) systems for 15 of the "Huey" II utility helicopters referred to in paragraph (5); (8) $3,500,000 for field gear for aviation and ground officers of the Colombian National Police, including ballistic protective vests, helmets and field harnesses, canteens, and magazines; (9) $3,000,000 for the establishment and operation of a Colombian National Police customs facility in Cartagena, Colombia, including operating cost for Colombian National Police personnel by United States Customs Service personnel; and (10) $1,000,000 for intelligence equipment for the Colombian National Police, including sensors and monitoring and surveillance equipment."
H.R. 2606
Offered By: Mr. Paul
Amendment No. 9: At the end of the bill, insert after the last section (preceding the short title) the following:
LIMITATION ON FUNDS FOR ABORTION, FAMILY PLANNING, OR POPULATION CONTROL EFFORTS
SEC. ___. None of the funds appropriated or otherwise made available by this Act may be made available for—
(1) population control or population planning programs;
(2) family planning activities; or
(3) abortion procedures.

H.R. 2606
Offered By: Mr. Stearns
Amendment No. 10: Page 116, after line 5, insert the following:
REPORT ON ATROCITIES AGAINST ETHNIC SERBIANS IN KOSOVO
SEC. ___. None of the funds appropriated or otherwise made available by this Act in title III under the heading "PEACEKEEPING OPERATIONS" may be obligated or expended for peacekeeping operations in the Kosovo province of the Federal Republic of Yugoslavia (Serbia and Montenegro) until the Secretary of State prepares and submits to the Congress a report containing a detailed description of the atrocities that have been committed against ethnic Serbians in Kosovo, including a description of the incident in which 14 Serbian farmers were killed on or about July 25, 1999, and a description of actions taken by North Atlantic Treaty Organization (NATO) forces in Kosovo to prevent further atrocities.

H.R. 2606
Offered By: Mr. Stearns
Amendment No. 11: Page 116, after line 5, insert the following:
LIMITATION ON FUNDS FOR PEACEKEEPING OPERATIONS IN KOSOVO
SEC. ___. None of the funds appropriated or otherwise made available by this Act in title III under the heading "PEACEKEEPING OPERATIONS" may be obligated or expended for peacekeeping operations in the Kosovo province of the Federal Republic of Yugoslavia (Serbia and Montenegro).
The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Dear God, we echo the Psalmist's prayer as we begin this day: "Be merciful to us and bless us, and cause Your face to shine upon us, that Your way may be known on earth."—Psalm 67:1-2.

Father, You have already answered so much of this prayer. You have been merciful in the abundance of Your blessings and Your unmerited grace. You have forgiven us when we have failed, and You have given us new beginnings. Most of all, we pray You for Your smiling face that gives us confidence and courage. We are moved by the reminder that in Scripture the term "Your face" is synonymous with Your presence.

Praise You, Lord, for Your desire to be with us and to share in the struggle for progress. You give strength and power when we seek Your will and desire to do Your desires. We humble ourselves as we begin this day. We want nothing to block Your blessing. We relinquish any self-serving spirit or agenda that would diminish our ability to be blessed or to be a blessing to our beloved Nation. Give us clear minds to receive Your guidance and courageous voices to speak Your truth. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHUCK HAGEL, a Senator from the State of Nebraska, 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.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. HAGEL). The distinguished acting majority leader is recognized.

SCHEDULE

Mr. GORTON. Mr. President, today the Senate will be in a period of morning business until 10 o'clock. Following morning business, the Senate will begin consideration of any available appropriations bills. Amendments are expected to be offered, and therefore Senators can expect votes throughout the day's session.

For the information of all Senators, the Senate is expected to begin consideration of the reconciliation bill during Wednesday's session of the Senate. That legislation is limited to 20 hours of debate, and therefore it is hoped the Senate can complete action on that bill Thursday.

I thank my colleagues for their attention.

MORNING BUSINESS

Mr. CAMPBELL. Mr. President, are we in morning business? The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business for not to exceed 30 minutes with Senators permitted to speak therein for up to 5 minutes each, with the time equally divided in the usual form.

The Senator from Colorado is recognized.

(Two remarks of Mr. CAMPBELL pertaining to the introduction of S. 1438 are located in today's Record under "Statements on Introduced Bills and Joint Resolutions.")

Mr. CAMPBELL. Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. I ask to be recognized in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Illinois is recognized for up to 5 minutes.

TAX CUTS

Mr. DURBIN. Mr. President, during the course of this week, we will debate in this Chamber one of the most important issues in terms of the future of our economy.

Most of us can remember it was not many years ago that the Federal budget was swimming in red ink. My Republican colleagues came to the floor of this Senate 2 years ago begging for the passage of a constitutional amendment to balance the budget. They were so distraught and despondent over deficits that they said the only way to bring this House into order was for us to have the Federal courts impose their will on Congress: The Federal courts must stop Congress from spending. The so-called balanced budget amendment failed by one vote.

There were great tears shed on the floor of the Senate by Republican Members and even a few on the Democratic side that we had missed the opportunity to end the era of deficits.

Barely 24 months later and how this world has changed. We are now in the world of surpluses, or at least anticipated surpluses. President Clinton's deficit reduction plan of 1993 accounts for about 80 percent of this deficit reduction and surplus creation, and the other part came from bipartisan agreement in the Senate.

Most of us can remember it was not that many years ago that the Federal courts must stop Congress from spending. The so-called balanced budget amendment failed by one vote. There were great tears shed on the floor of the Senate by Republican Members and even a few on the Democratic side that we had missed the opportunity to end the era of deficits.

President Clinton's deficit reduction plan of 1993 accounts for about 80 percent of this deficit reduction and surplus creation, and the other part came from bipartisan agreement in the Senate.

My Republican colleagues have shifted from this debate about amending the Constitution, saying we are so awash with money in Washington that we have surpluses to be given back to...
people in the form of tax breaks, primarily for the wealthiest of Americans.

Many on the Democratic side take a more conservative view. It is hard, I am sure, for our Republican friends to stomach this, but we are the conservative party when it comes to fiscal issues because we believe if there is to be a surplus, it should be dedicated first to making certain Social Security is strong for decades to come; second, to make certain Medicare receives an infusion of capital so we don't see an increase in premiums or a reduction in services; and third and most important, buy down the national debt.

We can speculate for hours on end on the floor of the Senate about the state of America and its economy. However, certain things are obvious. We have more than $5 trillion in national debt that costs $1 billion a day in interest. We have a Social Security system that needs money. We have a Medicare system that does, as well. We should take care of those three items before we go off on some lark of spending $1 trillion in tax breaks for wealthy people.

One might expect to hear that from a Democratic Senator and expect to hear the opposite from a Republican Senator or Congressmen. That is the nature of this debate. I appeal to the American people to step back for a second and look for a credible, objective arbiter. Let me make a suggestion: Alan Greenspan, Chairman of the Federal Reserve Board, who is credited as much as the Clinton administration with bringing about the economic prosperity that has brought down inflation, increased employment, increased the number of new businesses, increased housing. What does Alan Greenspan say about the $1 trillion tax cut? He says it is not wise, not good policy. He said there may be a surplus, it should be dedicated to be lifted. What did the Republican Congressman from Illinois say? CBO says this balances the budget and the Secretary of the Treasury is going to get carried away.

What would be the response of the Federal Reserve Board? Obviously, it is a no-brainer. What happens when interest rates are raised? The cost of a mortgage payment goes up for people who have an adjustable rate mortgage. People who have equities in mutual funds for retirement find those equity values falling as interest rates go up. Chairman Alan Greenspan, the objective arbiter, says to the Republican: Please, stop; don't do this. You are overreacting to what we hope is the good news of a surplus.

That is the critical difference. We know the Republican tax breaks are primarily geared for wealthy people. We know after 5 years, the Republicans have to dip into the Social Security trust fund to pay for their tax breaks. We know they provide no money whatsoever for Medicare. We know if we follow their plan, we will be forced on the floor of the Senate and the House of Representatives to make dramatic cuts in education, in environmental protection, in the basics that Americans expect from our Federal Government. It is a recipe for economic disaster and a recipe for fiscal irresponsibility.

Mr. SCHUMER. Will the Senator yield?

Mr. DURBIN. I am happy to yield to the Senator. Mr. SCHUMER. I thank the Senator for yielding.

One of our great historians said those who don't learn the lessons of history are destined to repeat them. We are about to repeat the same kind of mistake that was made 20 years ago. We have an economy that is moving along smartly and well. We have inflation in check. We have job growth. Americans are prosperous and happy. All of a sudden, almost with happy recklessness, the other side wants to blow all this up.

In 1981, we passed a huge dramatic tax cut. What happened? Interest rates went through the roof. Unemployment went from 4 or 5 percent to 7, 8, or 9 percent. Americans were out looking for work. It took an entire decade to rectify that. Is adding insult to injury, not only is this idea, miserable in terms of the soundness of our economy as my colleague from Illinois has brought up and as Alan Greenspan stated, now we have CBO, which has always been known as a bipartisan, careful agency, saying this huge tax cut is very wrong, as was everyone else, and the economic analyst that I have read about has also stated. It should be done when we move into recession if, God forbid, we do but not now.

CBO says this balances the budget better than saving the money and putting it aside for debt reduction and for Medicare. The world is almost being turned upside down. I plead with the CBO Director to get his bearings. I have never seen CBO act in such a wild and almost irresponsible way.

We know the breaks are going to be lifted. What did the Republican leadership do in the House yesterday? They passed another emergency bill. Last week, the census was an emergency, not contained in the budget caps. This week, it was something new. Just yesterday there was an emergency, another $5 billion. They are going over the budget caps. CBO says they won't; it will go to debt reduction. It is absolutely awful.

I pose the question to my friend: Is this fair? Mr. DURBIN. I think the Senator from California has once again identified the Achilles' heel of Republican tax policy. They just cannot help themselves. Whenever it comes time for a tax break, they always want to give it to Donald Trump. I think Mr. Trump is doing well. I think Mr. Gates is doing very well. Anyone earning $1 million a year gets back $30,000 each and every year in a tax break, while those at the bottom hardly get anything.

I want to pose a question to my friend from Illinois. A millionaire gets back $30,000. That equals the average income of an average citizen. In other words, a millionaire gets back as much in a tax cut as the average American, who gets up every day and goes to work for 8 hours a day, earns in a year.

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July 27, 1999

CONGRESSIONAL RECORD — SENATE

The PRESIDING OFFICER. Without
objection, it is so ordered.
SNAKE RIVER DAMS
Mr. GORTON. Mr. President, Senators from the Northwest are sometimes frustrated in trying to get our
message across, to deliver or reflect
the views of our constituencies almost
3,000 miles away, and to let our Senate
colleagues from around this country
understand what it’s like to live in the
Northwest.
The Northwest is known for clean air
and water, a high quality of life, picturesque landscapes, the beauty and
majesty of the Cascade and Olympic
Mountains, the rolling hills of the
Palouse, lush wooded forests, sparkling
lakes, a playground for backpackers,
hikers and recreational enthusiasts,
home of America’s success story—
Microsoft, the apple capital of the
world, breadbasket to the nation, a vibrant salmon fishery and home of the
most wonderful people who possess a
zest for life and fierce instinct to preserve and protect these truly unique
qualities of my great state of Washington and of Oregon, Idaho, and Montana as well.
Mr. President, I share the passion of
my constituents. I consider it an honor
to represent a state as great and diverse as mine. But what is often overlooked is the fact that our hydroelectric power system plays a central
role in keeping Pacific Northwest a
clean, healthy, and affordable place to
live, work, play, and raise a family.
I have come to this floor many times
to explain what makes the Northwest
tick to my colleagues and to others unfamiliar with the region. And I have
been frustrated or puzzled by the reaction I get when I reflect the views of
my state, and in particular, my eastern
Washington communities.
We have been waging a battle with
this administration, radical environmental organizations, and other dam
removal advocates over the issue of removing Columbia-Snake River dams.
Advocates of dismantling our Columbia River hydro system place the
choice in stark terms of dams or salmon. That choice, presented in such
terms, is false. The truth is that by applying adaptive management to our
hydro system, we can and will preserve
endangered salmon runs and our valuable hydro system.
I reject the false choice of salmon
versus the Columbia hydro system. I
believe passionately that we can and
will restore a vibrant salmon fishery to
the Columbia and that we can do so
within the confines of the hydro system.
To an outsider, one would think the
administration has the momentum. Interior Secretary Bruce Babbitt has
been a roll—tearing down dams from
the California coast to Maine in the
Northwest.
Incidentally, however, we may be a
new ally in Vice President ALBERT

GORE. While he has been known as a removal advocate, last week, in order to
get a photo opportunity on the Connecticut River, he had a dam release
some 4 billion gallons of water in order
that he could go cancoeing. Perhaps
now we have found a new use for dams
and a new ally in the Vice President, as
long as we can offer him canoeing activities by releasing water.
Most of us in the region believe we
have the facts and support on our side
to defeat those who wish to remove the
Snake River dams and thereby destroy
a central piece of the Northwest economy and a way of life for millions of
Northwesterners.
I have asked myself—What do we
have to do?
We can have thousands rally to
‘‘Save Our Dams’’—as we did in eastern
Washington and Oregon communities
earlier this year.
We can have our local, State, and
Federal officials unite in their opposition to dam removal, and we have
added Governor Gary Locke and Senator MURRAY to the ranks of those opposed to removing our eastern Washington dams.
And we can have scientists, federal
agencies, and even environmental
groups point to global warming as a
major cause for salmon decline.
We can have the National Marine
Fisheries Service scientists tell us, in a
report released April 14, that the
chance of recovery for a few distinct
salmon runs is only 64 percent if all
four lower Snake River dams are removed, as against 53 percent by continuing to transport smolts around the
dams—a difference that is barely statistically significant.
And we can have recent media reports tell us that the ‘‘Outlook is
bright for salmon runs this year.’’ In
this July 12 Seattle Times article, scientists and biologists are predicting a
potential rebound in salmon stocks in
the Pacific Northwest. And the reasons
they cite are: improved ocean conditions, better freshwater conditions, and
cutbacks in fishing.
But still we hear the dam removal
clamor from national environmental
groups and bureaucrats in the ClintonGore administration. And we have an
energized Interior Secretary who in his
words has been ‘‘out on the landscape
over the past few months carrying
around
a
sledgehammer’’
giving
speeches saying ‘‘dams do, in fact, outlive their function’’ and ‘‘despite the
history and the current differences
over dams, Babbitt said he believes
change is inevitable.’’ (Trout Unlimited Speech, CQ, July 17, 1999)
Here I am again, to share some compelling statistics recently released by
the Army Corps of Engineers that further prove that removing dams in eastern Washington would be an unmitigated disaster and an economic nightmare.
Ten days ago, the Corps released
three preliminary economic studies
that will be included in an overall

S9317

Lower Snake River Juvenile Fish Migration Feasibility Study set for completion later this year.
The Corps studies quantified the economic impact of the removal of the
four Snake River dams as removal relates to the region’s water supply,
navigation, and power production.
I simply cannot overstate the importance of these studies and what they
mean for the future of the Pacific
Northwest, its economy and the livelihood of our families and communities.
That is why I was surprised when
there was little attention paid to the
release of these three studies. I can remember that as recently as March of
this year when the Corps was preparing
to release a study on recreation benefits involving the four lower Snake
River dams, environmental groups including
the
Sierra
Club,
NW
Sportfishing
Industry
Association,
Trout Unlimited, and Save Our Wild
Salmon were tremendously successful
in getting the media’s attention and
substantial coverage of their claims
that removing the four Snake River
dams would bring a $300 million annual
recreational windfall to the region.
The environmental groups leaked the
$300 million number knowing that the
study was incomplete, but the false information made big news. Then, the report was completed and the truth was
told. In fact, the real number, according to the Corps report is: ‘‘Under the
natural river drawdown alternative,
the value of recreation and tourism
then increased to $129 million annually, which represents an increase of
about $67 million per year.’’
Why did this report, with complete
analysis, receive so little attention:
I am again surprised at the lack of
attention given to the results of the
latest three studies, which standing
alone, send such a clear signal to this
administration, radical environmental
groups, and dam removal advocates everywhere that they should abandon
their cause.
Let me share these numbers with
you:
First, starting with power production:
The economic effect of breaching on
the region’s power supply would be $251
million to $291 million a year.
Residential bills for Northwest families and senior citizens would increase
$1.50 to $5.30 per month.
But the region’s industrial power
users, which rely on cheap power to
provide thousands of jobs can see a
monthly increase ranging from $387 to
$1,326. Our aluminum companies would
see an increase in their monthly bills
ranging from $222,000 to $758,000.
If the Snake River dams are
breached, how would we replace the
1,231 megawatts the dams produce annually? Keep in mind it takes 1,000
megawatts to serve Seattle. The answer is, there is no cheap alternative.
We can increase power production at
thermal power plants or build new gasfired
combined-combustion
turbine
plants.


Finally, these power estimates wouldn’t be complete without reminding my colleagues that last month the Administration sought to collect at least $1 billion beyond normal power costs to create a ‘slush fund’ to fund the removal of the four Snake River dams. I was delighted to pass any amendment prohibiting the Bonneville Power Administration from raising rates on Northwest power customers for a project they don’t even want.

Second, let’s look at irrigation. The Corps report assumes that there is no economically feasible way to continue to provide irrigation to the 37,000 acres of farmland served by the four Snake River dams. The report assumes 37,000 acres of farmland will be taken out of production as a result of breaching those dams.

What does this loss of water supply mean for eastern Washington? The Corps state that this irrigated farmland would cost $9.2 million annually.

The cost to retrofit municipal and industrial pump stations would be $8 to 43.8 million a year.

The cost to retrofit privately-owned wells would be 43.9 million annually.

In light of these sobering statistics, what options would be left for irrigators? The Corps estimated the economic effect on farmers breaching on farmland would amount to more than $134 million. The Corps also considered ways to alter the irrigation system in order to continue to irrigate the 37,000 acres—to accomplish this alternative, we would have to spend more than $200 million more than the value of the land. Our farmers and agricultural communities are struggling enough as it is, and removing their ability to even water their crops puts them beyond despair. Therefore, the Corps has no choice but to abandon irrigation.

Lastly, let’s look at transportation: The Corps studied transportation impacts of breaching the four Snake River dams.

The transportation costs resulting from breaching the four Snake River dams would rise to $1.23 per bushel from 98 cents per bushel—a 24 percent increase.

The annual increase in transportation costs to the region would be $40 million for all commodities.

Breaching the four dams would remove 3.8 million tons of grain from the Snake River system. Of this 3.8 million, 1.1 million would move to rail transportation and 2.7 million tons would move to truck transportation.

According to the report, barge transportation of commodities on the Snake River limits the cost of rail transportation and truck transportation. Removing competition among these types of transportation could drive up costs. According to the report, barge transportation has saved, on average, $5.95 per ton on the four Snake River transportation routes.

“Disturbing this competition would be one of the most important regional consequences of permanent drawdown.”

According to the Washington State Legislative Transportation Committee, additional costs resulting from road and highway damage range from $56 million to $100.7 million.

Further, it is important to note that the navigational system of the Columbia allows enough barge transportation that if it were destroyed, more than 700,000 18-wheelers a year would be added to our already congested state roads and highways to replace the lost hauling capacity. (Source: Washington Northwest Waterways Association)

I want to put all this together and construct a picture for you and what this scenario would mean in eastern Washington.

In exchange for breaching or removing the four Snake River dams, here’s what the citizens of the Pacific Northwest could get:

We would lose four dams that produce hydro-power, which emit no pollutants into the air, for a thermal power source that would jeopardize the clean air unique to the Northwest and enjoyed by countless residents and visitors to our state.

The 37,000 acres of irrigated farmland in Franklin and Walla Walla counties and the hundreds of employees that help supply food to more than a million people would disappear.

There is a likelihood that there would be a temporary loss of water for well users after dam breaching due to the inability to go to deep wells until the actual removal of dams.

The increased truck traffic on our roads to haul wheat and barley to coastal ports will have an adverse effect on air quality and impose an additional financial burden on the family farm, which for many would be too much to bear and force them to give up their land.

So what do we get by removing the four Snake River dams? Shattered lives, displaced rivers, and communities who will have seen their livelihoods destroyed, generations of family farmers penniless, industries forced to drive up consumer costs, air pollution, a desert that once bloomed with agricultural products ominous, a far less competitive Northwest economy and a Northwest scrambling to repay a BPA treasury debt with less revenue, and scrambling to buy or build higher cost polluting sources of power.

So according to these lastest studies, the bottom line is that if we breach the four dams to increase our chances of bringing a select number of salmon runs back by only 11%, the Northwest will suffer economic impacts of $299 to $342 million a year in perpetuity. This staggering figure doesn’t even include the estimated $1 billion it would take to actually remove the dams.

If we remove the Snake River dams, over the next several years, we would optimize our chance of recovering spring and summer chinook to the survival goals set by NMFS by 11 to 30 percent over the current system of barging. Over 24 years, NMFS would like to reach the survival standard of returning 150 to 300 spring and summer chinook to the Snake River tributaries each year.

But there is something else that these numbers, studies and data can’t quantify.

What many outside the region don’t understand is that the four dams on the Lower Snake River are part of our life, heritage, and culture. I repeat the call that last month to the administration and dam removal advocates: abandon your cause and work with the region on cost-effective salmon recovery measures that can restore salmon runs and preserve our Northwest way of life.

MR. SCHUMER addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

MR. SCHUMER. I ask unanimous consent to the reading of material for the benefit of the public.

The PRESIDING OFFICER. Without objection, it is so ordered.

MR. SCHUMER. Thank you, Mr. President.

TAX CUTS

Mr. SCHUMER. I wish to continue the line of discussion we were in before about these two alternative tax cut plans. Again, my greatest worry is not in how the pie is divided, although I certainly very much disagree with the Republican way that is done but, rather, in the overall strength of our economic recovery.

To put a huge tax cut in place now, at a time when inflation is low, unemployment is low, and jobs are being created, has the potential of throwing a monkey wrench into our economy. Targeted tax cuts, things aimed at helping middle-class people with their big financial nuts, whether they be health care or college tuition or retirement—those make some sense. But a huge across-the-board tax cut, in my judgment, could throw the economy dramatically off kilter. Will it? No one can predict. But there is an old expression: If it ain’t broke, don’t fix it.

Our economy has been moving along well, and now, I think mainly because of some ideologues, we are being pushed to do something that risks the great recovery we are now having. That is issue No. 1.

Issue No. 2 is saving Social Security and Medicare. Again, you cannot have this money go for everything. Despite CBO’s awful statements in the last few days—and I will talk about those in a minute—when you have a dollar, you can use it for something. You can return it to the taxpayers, you can spend it on a program, or you can put it away for some kind of obligation that might occur later.

The two great obligations we have to the American people, fiscally speaking, are Social Security and Medicare. If you look at this chart, the Republican plan shows that Social Security surplus and makes it a deficit from 2005 on.

How many Americas, for a quick tax cut—most of which they will not
I want to talk about that for a moment and ask my friend a question. Mr. President, $129 is nice to have. No one would turn it away. But if at the same time you suddenly get a bill for $250 a month more for your Medicare and you didn’t put a penny in for Medicare solvency, now you are behind the eight ball, are you not? That $129 you get back is gone, plus you may even have to take care of your parents because Medicare is not going to survive.

The PRESIDING OFFICER. The time of the Senator has expired.

Mrs. BOXER. Mr. President, I ask for 1 additional minute in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I say to my friend, could he comment on the cruel irony of this?

Mr. SCHUMER. Mr. President, I think the Senator from California brings up an extremely valid point. The American people are most worried, not about their present tax situation, although everyone would like lower taxes, no question—particularly in my State, property taxes, which, we have no idea what the future is, are through the roof. What they care about are the big financial nuts that might bother them.

As the Senator from California said, God forbid a parent becomes ill, and Medicare is not there or it is so reduced that they have to shell out tremendous amounts of dollars from their own pocket before Medicare bites in. That is what worries people. That is why, I say to the Senator, I am pushing a tuition deductibility proposal because the average middle-class family is doing fine, but when they get hit with these huge tuition bills, it is tough for them to pay.

One other point, which relates to what the Senator said, going back to what CBO has done in raiding these two plans. I want to come back to this because it is so worrisome. What they have done is, they have said a plan that cuts taxes by $700 billion reduces the deficit more than a plan that cuts taxes by $300 billion—

The PRESIDING OFFICER. The Senator’s time has expired.

Mr. SCHUMER. I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I thank the Chair, and I thank the Senator.

CBO has said putting $300 billion aside for deficit reduction reduces the deficit less than putting nothing aside for deficit reduction.

I have, in my 18 years in the House and now my 1 year in the Senate, always relied on CBO as a lodestone, as a way to deal with when we look at the Republican tax break bill is the Republican “lockbox”—it smells fishy—because in the year 2005 they start dipping right into Social Security. They are taking money out of the Social Security surplus to give tax breaks to wealthy people.

I ask the Senator from New York—I am sure I can speak for people from Illinois as well—as you go around the State of New York and ask people what their priorities should be, if we are going to have a surplus, how many of them have said to you: Well, let’s give tax breaks to Donald Trump and let’s take money out of the Social Security surplus?

Mr. SCHUMER. I say to the Senate from Illinois that, first of all, my constituents say: Preserve Social Security and Medicare, No. 1; and, second, if you are going to do certain tax breaks, make them targeted to help the middle class, not these big across-the-board tax cuts.

I also say to the Senator, in certain parts of my State they would want a “lockbox,” but in many others they would refuse that.

Mr. SCHUMER. Will the Senator yield for a question?

Mr. SCHUMER. I am happy to yield to the Senator from California for a question.

Mrs. BOXER. I thank the Senator.

I say to the Senator from New York, I really appreciate his contribution to this debate. I always go back, in my mind, to who is getting these tax cuts—the Donald Trumps, the Bill Gateses, et cetera. The other chart that I want to get by my friends from Illinois showed very clearly that if you earn about $800,000 a year, you get back $22,000 a year; if you earn about $25,000 a year, you get back about $129.

How many Americans would risk their Social Security for that tax cut? My argument is: Very few.

How many Americans would risk their Medicare, and God forbid, they or a loved one became ill—for what have proven to be in the past chimerical tax cuts, things that people do not see? Very few.

So what we are talking about here is very serious. Tax cuts that will help the middle class and preserve Social Security, which is the plan the Democrats have put forward, or a huge tax cut, mainly going to people who are doing remarkably well at the highest end of the spectrum and risking Social Security and Medicare.

Mr. SCHUMER. I say to the Senator from New York, yield for a question?

Mr. SCHUMER. I am happy to yield to my friend from Illinois for a question.

Mr. DURBIN. Over the course of the last several months we have had a lot of debate on the floor about a lockbox, a Republican lockbox that is going to protect Social Security and Medicare—lockbox, lockbox, lockbox. I think what we are dealing with when we look at the Republican tax break bill is the Republican “lockbox”—it smells fishy—because in the year 2005 they start dipping right into Social Security. They are taking money out of the Social Security surplus to give tax breaks to wealthy people.

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Mr. SCHUMER. I think that is right.

Mr. BIDEN. I think the Senator from Delaware makes an excellent point.

Mr. SCHUMER. The No. 1 argument is a very simple one: The economy is doing remarkably well. The people at the highest end of the economic spectrum have benefited the most. That is how it usually is in every recession, loss of world stature, et cetera, et cetera. They turned out to be right. As the Senator from Delaware said, they were making the crime rate go down.

Mr. BIDEN. I think that is right.

Mr. SCHUMER. I think the public is prepared to give the Republicans credit. The people who deserve the most credit are the people in the business community because of their productivity and the way they trimmed down. I can't figure it out. For the first time in my 27 years as a Senator, this seems to fly in the face of the orthodoxy of the Republican Party. I mean, if you had said to me 15 years ago—first of all, I would not have believed what I am about to say. But if you said to me 15 years ago: J ohn, in 1999, you are going to be standing on the floor of the Senate, and one of the choices you are going to participate in making is whether we are going to spend $5 trillion, which costs us a billion dollars a day in interest. We collect taxes from American families—payroll taxes—for a billion dollars a day in interest.

Would the Republicans join the Democrats and say our first priority is to eliminate this debt? No. Instead, they are saying our first priority is tax cuts, primarily for the wealthiest people. That is purring smoothly, is a real risk. We assume no Democrat could ever want a tax cut. That is how it usually is in every basic economics course you took when you were a freshman in college, they said if you can ever reduce the national debt, the impact upon interest rates, the impact upon home rates, the impact upon the economy would be incredible. After all, the accumulated national debt or give a tax cut, first of all, I would not have believed that option would be available. I would not have believed we would be in that position. Forget, for a moment, the two pillars: Social Security and Medicare. Leave them aside for a moment. I would have said: First of all, it won't happen. But if it does, it would be peerless.

And then, if you asked me: OK, what do you think the Republican Party would do? I would say that is easy. They would reduce the debt. These are the pay-as-you-go guys, the guys who say pay off your debts. These are the people who paid taxes, not the people who bought other things. We are going to be weeding in everything, they said if you can ever reduce the national debt, the impact upon interest rates, the impact upon home rates, the impact upon the economy would be incredible.

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Mr. BIDEN. Yes.

Mr. BIDEN. As a member of the Judiciary Committee, I am sure the Senator from Delaware remembers 2 years ago on the floor of the Senate our debate over the deficit. He has said some Republicans on the Republican side to call for a constitutional amendment to balance the budget, where the Federal courts would force Congress to stop spending. We were so resolute that we were going to try to change the constitutional framework. That failed by one vote.

Two years later—the Senator from Delaware is right—somehow or another, the Republican Party is searching for its roots and searching for its identity. It has lost the era of Gingrich and Dole, and it is trying to find out what it stands for anymore. As the Senator from Delaware said, they used to stand for fiscal conservatism. We have a trillion-dollar tax cut, primarily for the wealthiest people, that will divert funds that could be spent to retire the national debt, a debt of over $5 trillion, which costs us a billion dollars a day in interest. We collect taxes from American families—payroll taxes—for a billion dollars a day in interest.
tax break for the wealthiest people over the Democratic approach to take whatever surplus we have and put it into Social Security, put it into Medicare, and bring down the national debt? I think ours is a sounder approach. I ask that the Senator from Delaware, who is in my experience in history and in American politics, has he ever seen the world turn so upside down that we Democrats are now the fiscal conservatives?

Mr. BIDEN. No. I must say to my friend from Illinois, that I haven't. I really think a legitimate debate—debate that is a close call, in my view, would be whether or not, for example, we should be spending the surplus to reduce the debt, or spend the surplus—we can do both—or spend more of the surplus to reinforce Social Security and Medicare. That is a traditional debate that we have. Republicans used to argue we are spending too much money on Medicare—not just that it is broken, but we are spending too much; and Social Security is inflated and we should be cutting it back.

If you told me 15 years ago that the debate would be Democrats saying let's not put as much away to reduce the debt, put more in Social Security and Medicare, what is left of the surplus, once that is done, let's try to fix Medicare and Social Security—well, I don't know. The third rail of politics has been Social Security and Medicare. Obviously, they have to be for that; everybody is for that. So nobody really talks about it.

Some courageous guys and women talk about it on the floor, about what we should be doing. But it is just a shame because there is a legitimate debate here. The truth is, for example, if you said to me reduce the debt or spend more money on cops, I would be for spending more money on cops. So it is true that there is a legitimate debate as to what is left of the surplus, for worthwhile things, such as education, law enforcement, etcetera. And it is a legitimate debate. They would say: Look, Biden wants to spend more money instead of putting it onto the debt. But that is not even a debate. That is not even a debate.

The debate now is to give a tax cut that no one seems to want. I would love a tax cut. My total salary is what I make here, and the American people would love a tax cut there. But my instinct tells me this is yesterday's fight. This is yesterday's fight, but it could be tomorrow's tragedy if it prevails.

RATIFYING THE COMPREHENSIVE TEST BAN TREATY

Mr. BIDEN. Mr. President, speaking of polls, which are what I stood up to speak about this morning, I would like to turn to the Comprehensive Nuclear Test Ban Treaty, the comprehensive test ban treaty that was signed nearly three years ago and submitted to the Senate nearly two years ago. The American people overwhelmingly support this treaty, yet it has not even seen the light of day here in the Senate.

The Senate, as we all know, is uniquely mandated under the United States Constitution to give its "advice and consent" to the ratification of treaties that the United States enters into. In a deleriation of that duty, the Senate is not dealing with the Comprehensive Nuclear Test-Ban Treaty.

Why is this occurring? In the view of my colleagues, there are some Democrats who support the treaty—this treaty is not high on the agenda of the American people. There is very little political attraction in the issue. It is easy to keep this treaty from being brought up and discussed, because people who care about nuclear testing tend to assume that we already have a nuclear test-ban treaty in force.

President Bush did the right thing in accepting a moratorium on any nuclear tests, but that is not a permanent test-ban treaty. It does not do for the American people. It merely implements our own conclusion that we don't have to test nuclear weapons anymore in order to maintain our nuclear arsenal. Faced with this perception on the part of many of our colleagues, several of us encouraged supporters of the Test-Ban Treaty to go out and actually poll the American people. Frankly, we wanted real evidence to show to our colleagues—mostly our Republican colleagues—that the American public actually cares a lot about this issue. I am not going to keep my colleagues in suspense. A comprehensive poll was done. The bottom line is that the American people support this treaty by a margin of 82 percent to 14 percent. That is nearly 6 to 1.

For nearly 2 years, we Democrats—and a few courageous Republicans like Senator SPECTER and Senator JEFFORDS—have tried to convince the Republican leadership that this body should move to debate on this treaty. Let the Senate vote for ratification or vote against ratification. The latest poll results are a welcome reminder that the American people are with us on this important issue or, I might add, are way ahead of us.

I know some of my colleagues have principled objections to this treaty. I respect my colleagues' moral viewpoints, although I strongly believe they are wrong on this issue. What I cannot respect, however—and what my colleagues should not tolerate—is the refusal of the Republican leadership of this body to permit the Senate to perform its constitutional responsibility to debate and vote on ratification of this vital treaty. It is simply irresponsible, in my view, for the Republican leadership to hold this treaty hostage to other issues as if we were fighting over whether or not we were going to appoint someone Assistant Secretary of State in return for getting someone to become the deputy something-or-other in another Department. This treaty isn't petty politics; this issue affects the whole world.

Some of my colleagues believe nuclear weapons tests are essential to preserve our nuclear deterrent. Both I and the directors of our nuclear weapons laboratories disagree. The $45 billion—yes, I said billion dollars—Stockpile Stewardship Program—that is the name of the program—enables us to maintain the safety and reliability of our nuclear weapons without weapons tests.

The fact is, the United States is in the best position of all the nuclear-weapons states to do without testing. We have already conducted over 1,000 nuclear tests. The Stockpile Stewardship Program harnesses the data from these 1,000 tests along with new high energy physics experiments and the world's most advanced supercomputers to improve our understanding of how a nuclear explosion—and each part in a weapon—works.

In addition, each year our laboratories take apart and examine some nuclear weapons to see how well those parts work. The old data and new experiments enable our scientists to diagnose and fix problems on our existing nuclear weapons systems without full-scale weapons testing. This is already being done. By this means, our nuclear laboratories are already maintaining the reliability of our nuclear stockpile without testing.

Still, if nuclear weapons tests should be required in the future to maintain the U.S. nuclear deterrent, then we
will test. The administration has proposed, in fact, that we enact such safeguards as yearly review and certification of the nuclear deterrent and maintenance of the Nevada Test Site.

The administration has also made clear, in the new culture, the national interest requires what the treaty binds us not to do, then the President of the United States will remain able to say: "No. We are out of this treaty. It is no longer in our national interest. We are giving advanced notice. We are going to withdraw." Thanks in part to those safeguards I mentioned earlier, officials with the practical responsibility of defending our national security support ratification of the test-ban treaty. In addition to the nuclear lab directors, the Chairman of the Joint Chiefs of Staff has spoken in favor of ratification.

Support for ratification is not limited, moreover, to the current Chairman of the Joint Chiefs of Staff. The four previous Chairmen—the four-star generals—support ratification as well. Think of that. This treaty is supported by Gen. John Shalikashvili, Gen. Colin Powell, Adm. William Crowe, and Gen. David J. Jones, all of whom are former Chairmen of the Joint Chiefs. Those gentleman have guided our military since the Reagan administration.

Why would those with practical national security responsibilities support such a treaty? The answer is simple: For practical reasons.

Since 1992, pursuant to U.S. law, the United States has not engaged in a nuclear weapons test. As I have explained, we have been able, through "stockpile stewardship," to maintain our nuclear deterrent using improved science, state-of-the-art computations, and our library of past nuclear test results. Other countries were free to test until they signed the Comprehensive Test-Ban Treaty. Now they are bound, as we are, not to test. But that obligation will wither on the vine if we fail to ratify this test-ban treaty.

One traditional issue on arms control treaties is verification. We always ask whether someone can sign this treaty and then cheat and do these tests without us knowing about it. The Comprehensive Test Ban Treaty will improve U.S. monitoring capabilities, with the rest of the world picking up three-quarters of the cost. The treaty even provides for on-site inspection of suspected test sites, which we have never been able to obtain in the past.

Some of my colleagues believe that our imperfect verification capabilities make ratification of the test-ban treaty unwise. They say prospective nuclear weapons states can gain little, however, from any low-yield test we might be unable to detect. Even Russia could not use such tests to produce new classes of nuclear weapons.

To put it another way, even with the enhanced regimen of monitoring and on-site inspection, it is possible that there could be a low-level nuclear test that would go undetected. But what all of the scientists and nuclear experts tell us is that even if that occurred, it would have to be at such a low level that it would not enable our principal nuclear adversaries and powers to do anything new in terms of their systems and it would not enable our weapon states to put together a sophisticated nuclear arsenal.

For example, the case of China is particularly important. We have heard time and again on the floor of this Senate, during the Reagan and Bush years, of nuclear secrets and the inability, or the unwillingness, or the laxity of the Clinton administration to quickly close down what appeared to be a leak of sensitive information to the Chinese. We lost it under Reagan and Bush, and the hole wasn't closed under the present administration, so the argument goes. We hear these doomsday scenarios of what that now means—that China has stolen some of our nuclear secrets and knows how to do these new, terrible things. But guess what? If China can't test this new technology that they allegedly stole, then it is of much less value to them. They have signed the Test-Ban Treaty, and as I noted, however, the treaty requires them to renounce nuclear testing forever if we ratify it.

Here we have the preposterous notion—for all those, like Chicken Little, who are crying that the sky is falling—that China is about to dominate us, but, by the way, we are not going to ratify the Test-Ban Treaty. What a foolish thing.

The Coxe committee—named for the conservative Republican Congressman from California who headed up the commission that investigated the espionage that allegedly took place regarding China stealing nuclear secrets from us—the Coxe committee warned that China may have stolen nuclear codes. They have not been able to prove it, however, that a China bound by the Test-Ban Treaty is much less likely to be able to translate its espionage successes into usable weapons.

As I noted, however, the Test-Ban Treaty will wither on the vine if we don't ratify it. Then China would be free to resume testing. If we fail to take the opportunity to bind China on this Test-Ban Treaty, that mistake will haunt us for generations and my grandchildren will pay a price for it.

The administration has made clear that the treaty by this fall. The Test-Ban Treaty could freeze their nuclear weapon capabilities and make it harder for them to field nuclear warheads on their ballistic missiles.

This will not happen unless we, the United States, accept the same legally binding obligation to refrain from nuclear weapons testing. Thus, we in the Senate have the power to influence India and Pakistan for good or for ill. Grossly, if we let them install the treaty's entry into force. They could even sign the treaty by this fall. The Test-Ban Treaty could freeze their nuclear weapon capabilities and make it harder for them to field nuclear warheads on their ballistic missiles.

This body's action or lack of action may also have a critical impact upon the nonproliferation treaties.

Next spring, the signatories of the Nuclear Non-Proliferation Treaty will hold a review conference. The Nuclear Non-Proliferation Treaty is a different treaty; the treaty that we still must ratify is the Nuclear Non-Proliferation Treaty, which was ratified decades ago, bans the development of nuclear weapons by countries that do not already have them.) If the United States has not ratified the Test-Ban Treaty by the time of the review conference, non-nuclear-weapons states will note that we promised a test-ban treaty 5 years ago in return for the indefinite extension of the Non-Proliferation Treaty. How will we do if we don't ratify it? Risk undermining the nonproliferation resolve of the nonnuclear weapon states.

Ask any Member in this Chamber—Democrat or Republican; conservative, liberal, or moderate—get them alone and ask them what is their single greatest fear for their children and their grandchildren. I defy any Member to find more than a handful who answer anything other than the proliferation of nuclear weapons in the hands of rogue states and terrorists. Everybody agrees with that.

We have a nonproliferation treaty out there, and we have got countries who don't have nuclear weapons to sign, refraining from ever becoming a nuclear weapons state. But in return, we said we will refrain from testing nuclear weapons and increasing our nuclear arsenals.

Now what are we going to do? If we don't sign this treaty, what do you think will happen when the Nuclear Non-Proliferation Treaty signatories get together in the fall and say: "OK, do we want to keep this commitment..."
or not?" If the United States says it is not going to promise not to test anymore, then China will say it will not promise not to test either. India and Pakistan will say they are not going to promise to refrain from testing. What do you think? I believe that the ability to develop nuclear weapons is a right of every country, from rogue countries such as Syria, all the way to countries in Africa and Latin America that have the capability to develop nuclear weapons? Do you think they will say: "It is a good idea that we don't attempt ever to gain that capability, the other big countries are going to do it, but not us?" I think this is crazy.

Let me be clear. The Comprehensive Nuclear Test-Ban Treaty must not be treated as a political football. It is a matter of urgent necessity to our national security. If the Senate should fail to exercise its constitutional responsibility, the very future of nuclear nonproliferation could be at stake.

Two months ago I spoke on the Senate floor about the need for bipartisanship, the need to reach out across the chasm, reach across that aisle. Today I reach out to the Republican leadership that denies the Senate—and the American people—a vote on the Comprehensive Test-Ban Treaty.

I was joined on Sunday by the Washington Post, which spoke out in an editorial against what it termed "hijacking the test ban." I will not repeat the editorial comments regarding my friend from North Carolina who chairs the committee. I do call to the attention of my colleagues, however, one salient fact from that editorial:

One wonders why his colleagues, of what party or test ban persuasion, let him go on.

I have great respect for my friend from North Carolina. He has a deep-seated philosophical disagreement with the Test-Ban Treaty, and I respect that. I respect the majority leader, Mr. LOTT, equally for his firm and clear rationale to be against the Test-Ban Treaty. I do not respect their unwillingness to let the whole Senate debate and vote on this in the cold light of day before the American people and the world.

A poll that was conducted last month will not surprise anybody who follows this issue. But it should serve as a reminder to my colleagues that the American people are not indifferent to what is happening.

The results go beyond party lines. Fully 80 percent of Republicans—and even 79 percent of conservative Republicans—say that they support the Test-Ban Treaty.

And this is considered opinion. In May of last year, the people said that they knew some countries might try to cheat on the test-ban. But they still supported U.S. ratification, by a 73-to-16 margin. As already announced, today's poll results show even greater support than that year ago.

Last year's polls also show a clear view on the public's part of how to deal with the nuclear tests by India and Pakistan. When asked how to respond to those tests, over 80 percent favored getting India and Pakistan into the Test-Ban Treaty and over 70 percent saw U.S. ratification as a useful response.

By contrast, fewer than 40 percent wanted more spending on U.S. missile defense; and fewer than 25 percent wanted us to resume nuclear testing.

The American people understood something that had escaped the attention of the Republican leadership: that the best response to India and Pakistan's nuclear tests is to rope them in to a test-ban, which requires doing the same for ourselves.

The American people reach similar conclusions today regarding China's possible stealing of U.S. nuclear weapons secrets. When asked about its implications for the Test-Ban Treaty, 17 percent see this as rendering the Treaty irrelevant; but nearly three times as many—48 percent—say it as confirms the importance of the Treaty. Once again, the American people are ahead of the Republican leadership.

The American people see the Test-Ban Treaty as a sensible response to worldwide nuclear threats. In a choice between the Test-Ban Treaty and a return to U.S. nuclear testing, 84 percent chose the Treaty. Only 11 percent would go back to U.S. testing.

Last month's bipartisan poll—conducted jointly by the Melman Group and the Washington Post—asked a thousand people "which Senate candidate would you vote for: one who favored CTBT ratification, or one who opposed it?" So as to be completely fair, they even told their respondents the arguments that are advanced against ratification.

By a 2-to-1 margin, the American people said they would vote for the candidate who favors ratifying the Treaty. Even Republicans would vote for the candidate who favors an extension of the moratorium.

Now, as a Democrat, I like those numbers. The fact remains, however, that both the national interest and the reputation of the United States Senate are on the line in this matter.

The national security implications of the Comprehensive Test-Ban Treaty must be addressed in a responsible manner. There must be debate. There must be a vote.

In sum, the Senate must do its duty—end it soon—so that America can remain the world's leader on nuclear non-proliferation; so that we can help bring India and Pakistan away from the brink of nuclear disaster; and so that the United States Senate can perform its Constitutional duty in the manner that the founders intended.

Let me close with some words from a most esteemed former colleague, Senator Mark Hatfield of Oregon, from a statement dated July 20. I ask unanimous consent that his statement be printed in the RECORD after my own statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. BIDEN. He began:

The time has come for Senate action on the CTBT ratification.

Senator Hatfield adduces some excellent arguments in favor of ratification, which I commend to my colleagues. But I especially want recommend his conclusion, which so perfectly articulates our situation with elegant precision:

It is clear to me that ratifying this Treaty would be in the national interest. And it is equally clear that Senators have a responsibility to the world, the nation and their constituents to put partisan politics aside and allow the Senate to consider this Treaty.

Senators, that says it all.

EXHIBIT 1

STATEMENT BY SENATOR MARK O. HATFIELD ON CTBT RATIFICATION

The time has come for Senate action on CTBT ratification. Political leaders the world over have recognized that the proliferation of nuclear weapons poses the most serious threat to global security. And it is a threat that is likely to continue well into the next century. Ratification of the 1996 Comprehensive Nuclear Test Ban Treaty by the United States and its early entry into force would significantly reduce the chances of new states developing advanced nuclear weapons and would strengthen the global nuclear non-proliferation regime for the twenty-first century. Just as the United States led the international community nearly three years ago by being the first to sign the CTB Treaty, which has now been signed by 152 nations, the Senate now has a similar opportunity and responsibility to demonstrate U.S. leadership by ratifying it.

The Treaty enhances U.S. national security and is popular among the American people. Recent bipartisan polling data indicates that support for the Treaty within the United States is strong, consistent, and across the board. It is currently viewed favorably by 82% of the public, nearly the highest level of support in four decades of polling. Only six percentage points separate Democratic and Republican voters, and there is no discernible gender gap on this issue. This confirms the traditional bipartisan nature of support for the CTB, which dates back four decades to President's Eisenhower's initiation of test ban negotiations and was reaffirmed by passage in 1992 of the Exon-Hatifield-Mitchell legislation on a testing moratorium.

It is clear to me that ratifying this Treaty would be in the national interest. And it is equally clear that Senators have a responsibility to the world, the nation and their constituents to put partisan politics aside and allow the Senate to consider this Treaty.

The PRESIDING OFFICER. The Senator from Wyoming?

Mr. THOMAS. Mr. President, I ask unanimous consent that I be allowed to speak for 10 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. I thank the Chair.

TAX RELIEF

Mr. THOMAS. Mr. President, I want to visit a little bit later, but I will be coming before the Senate very soon, probably tomorrow, and that is tax relief and the reconciliation bill we will be considering.
To me that is one of the most important things before us, not only as the Senate but before us as American people. We ought to spend our time focusing on that issue.

I have been a little amazed at the comments that have been made this morning. I only heard part of them, but they said this tax relief will certainly damage the economy. I have never heard of anything like that in my entire life. More money in the hands of Americans will probably strengthen the economy, the chairman and I have heard about Alan Greenspan’s comments. The fact is, his complete comments were that he would much rather see tax relief than expending those dollars in larger government, which basically is the alternative.

We ought to review again for ourselves and for listeners where we are with respect to the surplus, where we are with respect to the public debt, and with the President’s proposal versus tax relief.

We all know we worked a very long time to have a balanced budget. For the first time in 25 years, we have a balanced budget, and we want to be sure the majority of the surplus is Social Security money. This is the first time in this individual lifetime, it is perfectly legitimate. The basic philosophy of our friends on the other side is more government and more spending. The basic philosophy of Republicans has been to hold down the size of government and have less government spending.

There is more to tax reduction than simply tax relief. It has to do with controlling the size of the Federal Government. If we have surplus money in the budget, you ask the bottom dollar we are going to have more government and more spending, and to me there is a relationship.

Of course, we need to utilize those funds to fulfill what are the legitimate functions of the Federal Government. It is also true that there is a different view of what are the legitimate functions of the Federal Government. I personally believe the Federal Government ought not to do what it can keep it. Constitutionally, it says the Federal Government does certain things and all the rest of the things not outlined in the Constitution are left to the States and to the people. I think that is right. I believe the State, the government closest to the people, is the one that can, in fact, provide the kinds of services that are most needed and that fit the needs of the people who live there.

I come from a State that has low population. The delivery of almost all the services—whether it be health care, whether it be education, whether it be highways—is different in Wyoming than it is in New York and, indeed, it should be. Therefore, the one-size-fits-all things we tend to do at the Federal Government are not applicable, are not appropriate, and we ought to move as many of those decisions as we can to the States so they can be made closest to the people.

We will see that difference of philosophy. There are legitimate arguments. That is exactly why we are here, to talk about which approach best fits the needs of the American people: whether we want more Federal Government, whether we want more spending, whether we want to enable more growth in the Federal Government, having the Government in more regulatory functions or, indeed, whether we want to limit the Government to what we believe are the essential elements with which the Federal Government ought to concern itself, or whether we ought to encourage and strengthen the States to do that.

We have on this side of the aisle, of course, our goals, our agenda. They include preserving Social Security. I am one of the sponsors of our Social Security bill which we believe will provide, over time, the same kinds of benefits for young people who are just beginning to pay and will maintain the benefits for those who are now drawing them. We can do that.

We have tried now I think five times to bring to this floor a lockbox amendment to make sure Social Security money is kept aside and is used for that purpose. We hope it will end up now allowing all people will have some of their Social Security money put into their own account where they can choose to have it in equities, or they can choose to have it in bonds, or they can choose to have it in the inflation of Social Security. Increased earnings will accrue to their benefit, and, indeed, they will own it. If they are unfortunate enough to pass away before they use it, it becomes part of their estate.

These are the things that are priorities for us. We want to do something with education. We sought to do that this year, to provide Federal funding of education to the States in the forms of grants so those decisions can be made to the States. Wyoming does it well. Long Island, NY, but quite differently.

We have done some military strengthening. We have done that this year. We want to continue to do that. We have not been able to increase the capacity of the military for a number of years. We need to do that. This is not a peaceful world, as my friends talked about.

Those are the choices. We will hear: If you are going to have tax relief, you can do these things. It is not true. We will have a considerable amount left over after we do a Social Security set-aside, after we do tax relief, and there will be adequate dollars to do Medicare reform and to do military reform. That is the plan, that is the program, and that is, I believe, what we should be orienting ourselves toward.

I hope that over the next several days we will have the opportunity to fully debate this. I think there will be a different view of the program, and that is, I believe, what we should be orienting ourselves toward.

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the tax system rather than make it even more complicated than it is. Therefore, I think those will be the issues we should really address.

Mr. President, I yield the floor.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER (Mr. Enzi). The Senator from Illinois.

Mr. DURBIN. I ask unanimous consent to be recognized in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. Would it be possible for me to make an unanimous consent request?

EXTENSION OF MORNING BUSINESS

Mr. THOMAS. I ask unanimous consent that the Senate continue in a period of morning business for 90 minutes, equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Illinois.

TAX CUTS

Mr. DURBIN. Mr. President, this morning we devoted most of the morning business to a discussion of an item which will come before us soon, and that is the whole question of how our economy is doing for the next few years. There are two very different visions of that future which will be articulated on the floor—one on the Republican side and another on the Democratic side.

The Senator from Wyoming was kind enough to speak and to tell us earlier about his concerns over taxes. Certainly, his concern is shared by many on both sides of the aisle. He made a point which I think is worth noting and explaining. Yes, it is true that Federal tax receipts are higher than they have ever been from individuals and families, but it is also true the tax rates on individuals and families, in every income category, are at some of the lowest levels they have been in modern memory.

The reason why taxes and tax receipts are higher reflects the fact that the economy is strong, people are working, they are earning money in their workplace, as well as in their investments, and they are paying some tax on it.

If you look at the dynamic growth in taxation on American families, you will find it is not from Washington but, rather, from State capitals and local sources, local units of government. That, to me, is an important point to make as we get into a question of whether we should cut Federal taxes.

I, for one, believe we can cut Federal taxes and do it particularly for the lower and middle-income families and really enhance our economy—if they are targeted; if they are contained. Because people who get up and go to work every day, and sweat out the payroll tax, which is usually higher than their Federal income tax liability, are the folks who need a helping hand.

Sadly, the Republican proposal before us, which will be about a $1 trillion tax cut over the next 10 years, does not help middle-income families. It reverts to the favorite group of the Republican Party time and again in tax policy—those at the higher income levels. So we see dramatic tax cuts for the wealthiest Americans in this "chump change," if you will, for working families.

That in and of itself is an injustice. The Republican Senator who spoke before me made the statement that he could not see why government should give the money back to people to spend could possibly hurt the economy. In fact, it is a source of concern.

You notice that about once a month, or once every couple months, we expect news from the Federal Reserve Board as to whether they are going to raise interest rates. It is an important issue and topic for many Americans. If you have a mortgage and an automobile loan, the decision by Chairman Greenspan of the Federal Reserve to raise interest rates will hit you right in the pocketbook. Your mortgage rate will go up. The payment on your home will go up.

That money spent in the economy creates the kind of economic movement which the Federal Reserve watches carefully. If that movement seems to be going too quickly, they step in and slow it down. How do they slow it down? They raise interest rates.

So the Republican plan, the tax break for wealthy people, the $1 trillion approach, is one which runs the risk of keeping inflation high which is already running at a very high rate of speed, to the point where the Federal Reserve has to step in. And once stepping in and raising interest rates, the losers turn out to be the same working families who really do deserve a break.

It has been suggested that if we, instead, take our surplus and pay down the national debt, it not only is a good thing intuitively that we would be retiring this debt, but it has very positive consequences for this economy.

Consider for a moment that in the entire history of the United States, from President George Washington through President Jimmy Carter, we had accumulated $1 trillion in debt. That means every Congress, every President, each year, who overspent, spent more Federal money than they brought in, paid interest on a debt which over the course of 200 years of history, came to $1 trillion, a huge sum of money, no doubt.

But after the Carter administration, as we went into the Reagan years, the Bush years, and the early Clinton years, that debt just skyrocketed. It is now over $5 trillion. That is America's mortgage. We have to pay interest on our mortgage as every American family pays interest on their home mortgage. What does it cost us? It costs us $1 billion a day in interest to borrow the money, to pay off our national debt—$1 billion a day collected from workers through payroll taxes, from businesses and others just to service the debt.

So the question before us is whether or not a high priority should be reducing that debt. Frankly, I think it should be one of the highest priorities. You don't have to go back very far to see what happened when the Federal Reserve to raise interest rates forever? The young children in our gallery here watching this Senate debate: Thank you, mom. Thank you, dad. Thanks for everything. Thanks for the national debt, and thanks for the fact that we are going to have to pay for it.

We have some alternative news for them that may be welcome. We have a chance now to help you out. We have a chance to take whatever surplus comes into the Federal Government and put it into the Federal Reserve to get rid of our strong economy and use it to retire the national debt, to bring it down.

That is the proposal from the Democratic side, from President Clinton, and most of my fellow Senators who share the floor with me on this side of the aisle. It is a conservative approach but a sensible one.

The alternative, if we do not do it, I am afraid, is to continue to pay this $1 billion a day in interest on the debt and not bring it down.

If we stick to a disciplined, conservative approach, we can bring down this debt.

Chairman Alan Greenspan said last week: Yes, that is the highest priority.

You want this economy to keep moving? You want to keep creating jobs and businesses, people building homes, starting new small businesses, and keeping inflation under control? He said the worst thing you can do is create new programs and spend it, going back to the deficit days. The second worst thing you can do, as the Republican proposal suggests, is give tax breaks to wealthy people. The best thing he said to do is to retire the national debt.

It is eminently sensible on its face. We step forward and say bringing down that debt is good for the economy, will not overheat it, will not raise interest rates. You see, if we can have interest rates continuing to come down, it helps families. How does that happen?
The Federal Government is a big borrower. Because of our $5 trillion-plus debt, we have to borrow money from all over the United States and around the world to service that debt. If we start getting out of the borrowing business, is that good or bad for the economy? Savings, over $250 billion. Frankly, taking the conservative approach, paying down the national debt is not only good to keep the economy moving forward but, over the long term, the lower interest rates are good for the wealthiest: good for families who want to buy homes; good for businesses that want to expand and hire more employees, and good all around.

That is the bottom line of this debate. The Republican approach is to spend it on tax cuts, give it to wealthy people. The Democratic approach is to pay down the national debt, invest the money in Social Security and in Medicare. That, I think, is the more responsible course of action. What the Republicans would do in the second 5 years of their tax cut is actually mind-boggling, because they would be reaching into the Social Security trust fund to pay for the tax cut for wealthy people. So folks today who are paying a high payroll tax, putting money in the Social Security trust fund so it is there for the baby boomers and others in the future, would actually be funding a tax cut for the wealthiest in America instead of leaving that money in the Social Security trust fund where it belongs to meet the obligations of that system that is so important to millions of families.

I yield to the Senator from California for a question.

Mrs. BOXER. I thank the Senator from Illinois. We are having this conversation while we await the arrival of the Senator from California. We are having this conversation on the floor day in and day out talking about the needs of our people and their plan for America.

Mr. DURBIN. I agree with the Senator from California and the Senator from South Carolina, who is the acclaimed expert on the floor around here. Look what is happening around here. The so-called caps are being breached and broken even as we speak. They came up last week and said—what a surprise—it turns out we have to take care of all of our obligations in America.

Look what is happening around here. A census an unanticipated event? We have been taking the decennial census for centuries—not quite that long but a long time. We are calling it an emergency to pay for the census so they can go around the caps, so they can spend the money.

It is my understanding that within the last few hours, the House of Representatives has also decided that spending for veterans hospitals is an emergency, and, therefore, we will go around the caps. Frankly, funding the census and funding veterans hospitals would be high on everyone's list here, calling it an unanticipated emergency—most of the men and women who are being served by those hospitals served us and our country in World War II and Korea. We know who they are, and we know the general state of their health. It is predictable that they would need help at veterans hospitals. It is not an unanticipated emergency.

We are dealing in fictions; we are dealing in doubletalk, in an effort to get around the spending caps, which is the premise of the Republican tax break, that we are going to have to spend caps forever. They are violating their premise even as they offer this tax break proposal.

I will make this last point to the Senator from California. She really addresses, I think, one of the basics. There are many on the Republican side who believe that, frankly, Government just gets in the way of a good life for Americans. I disagree. I think in many respects Government is important to a good life for many Americans and their families.

The Senator from California and the Senator from Illinois can certainly look carefully at the Republican tax break proposals, they reach into that Social Security lockbox in the year 2005 and start taking money out for tax breaks for wealthy people.

I said on the floor earlier, at that point there is no longer a lockbox. It is a "lockbox," because it smells a little fishy. This is no lockbox, if you can reach in and take from it. That is, frankly, what we are going to face with the Republican tax break proposal.

What else is important? What else is the safety net for our people? Medicare. So it treats Medicare, in essence, the same way we treat Social Security. We treat it as the twin pillar of the safety net. We say we will take care of Medicare to the tune of over $200 billion. We lock that up. And while it is sitting there, it is locking down the external debt of the country.

The third thing we do—I have alluded to that—is debt reduction. Debt reduction is the external debt, the debt that is owed to all the Americans and those around the world who pick up our bonds. We owe them debt. I see my friend from South Carolina who has pointed this out. Because of that debt, we are paying over $300 billion a year in interest payments which, as my friend said, is bad for the economy. It is wasteful. It does no good to anyone. Then there is a fourth piece. That is, we take care of the business of Government. We leave enough over to take care of education, to take care of the research of airport security, safety in the streets, highways, transit, the things that our people want us to do; we take care of the basic business of Government, no frills but the basic business of Government. Education, health care, our concerns in those areas. We don't do that, we are nowhere as a country.

My question to my friend is this: Unless we are not hearing the people, they want us to take care of Social Security and lock it up for the future. They want us to take care of Medicare and lock that money up for the future. They want us to reduce that external debt so the interest payments on the debt disappear. And they want us to take care of the basic business of Government: taking care of our kids, health research, the things we stand on the floor day in and day out talking about, how important it is to improve the quality of life for our people. That is what we do.

The Republicans, the only thing they do is take care of the wealthy. Yes, they take care of some of Social Security, but in the second 5 years, they are dipping into that pot, too.

Does my friend agree with the sort of wrap-up I have given of his remarks? Are we on the same page? And, in conclusion, does he think our plan meets the needs of our people and their plan is risky, it is frightening, it pays off the wealthy and does nothing for our other needs?

Mr. DURBIN. I agree with the Senator from California. I will say this only one more time on the floor. She may have missed it earlier, when I characterized this whole discussion about the lockbox. There is this proposal that comes forward that we create a lockbox for Social Security and for Medicare. In other words, you can't get your hands on it if you want to create a new program or whatever it might be. It is going to be separate, being held in the hands of any political leaders. So those who follow the debate will hear this: lockbox, lockbox, lockbox. But as we
agreed on the issue of transportation. In Chicago, which I am honored to represent, virtually any radio station will tell you every 10 minutes the state of traffic on the major expressways around Chicago. I am sure the Senator from California will tell the same story. It is getting worse, more congestion, more delays, and more compromise in the quality of life.

We don’t want to step away from a Federal contribution to transportation, not only highways but mass transit. Frankly, if we move down the road hastily suggested by Republicans, it would jeopardize the same thing is true about crime. It ranks in the top three issues that people worry about. The COPS Program, which Democrats supported along with President Clinton, has created almost 100,000 new police. That brought down the crime rate in America. We want to continue that commitment to making our neighborhoods, streets, and schools safer across America.

Finally, education. I am glad the Senator from California noted this. The Federal contribution to education is relatively small compared to State and local spending, but it is very important. We have shown leadership in the past and we can in the future. It really troubles me to think we are now at a point in our history where, if no law is changed and everything continues as anticipated, we will need to build one new jail every week for the next 10 years—which every week for the next 10 years—a new 1,000-bed prison, every single week for the next 10 years because of the anticipated increase in incarceration.

I think dangerous people should be taken off the street and out of my neighborhood and yours. But I don’t believe Americans are genetically inclined to be violent criminals. I think there are things we can do to intervene in lives, particularly at an early stage, to make kids move down the road of succeeding, and make them better citizens. That means investing in education. The Republican plan steps back from that commitment to education, as it does from the commitments to transportation and fighting crime. That is very shortsighted.

We will pay for it for many decades to come.

So this debate, some people say, is about a tax break. It is about a lot more. Will the economy keep moving forward? Will we make important decisions so the next generation of Americans is not burdened with paying interest on our old debt, and will we make good on our commitment to American families when it comes to important questions—what is the running order of crime, education, and the quality of life?

Mrs. BOXER. Will my friend yield to me for a question?

Mr. DURBIN. I yield to the Senator from California for a question.

Mrs. BOXER. Mr. President, I want to ask him a question about an issue he and I have worked together on for so many years. It takes us back to when we were in the House together. We lived there together for 10 years. That is the issue of health research.

Right now, only one out of every three approved grants is actually being funded. Now, that has to do with Parkinson’s, AIDS, heart disease, stroke, you name it—the biggest killers—are not being found. In other words—let me repeat—we have one out of every three grants approved by the National Institutes of Health because they are very promising. If some scientist has a theory about how to cure prostate or breast cancer, he may not be able to get it done.

This will be the final question. As he goes through the Republican plan, which leaves virtually zero room, as I read it, for increases in this kind of basic spending, does the Senator not think we are shortchanging American families? When I talk to them, that is what they are looking for.

Mr. DURBIN. I thank the Senator from California for her observation. Yes, many years ago when we were on the Budget Committee in the House, we worked on a medical research and dramatically increased the amount of money for it. It was one of the prouder moments serving on Capitol Hill. I have found, as I have gone across Illinois and around the country, that virtually every American family agrees this is an appropriate thing for the Federal Government to do—initiate and sponsor medical research.

A family never feels more helpless than when a disease or illness strikes somebody they love. They pray to God that the person will survive, and that they can find the best doctors. In the back of their minds they are hoping and praying that somewhere somebody is developing a drug or some treatment that can make a difference. And that “somewhere,” many times, is the National Institutes of Health in Washington, D.C., in the Maryland suburbs.

If we take the Republican approach of cutting dramatically the Federal budget in years to come for a tax break for wealthy people, we jeopardize the possibility that the NIH will have money for this medical research. That is shortsighted.

It is not only expensive to continue providing medical care to diseased or ill people, but, frankly, it is inhumane to turn our backs on the fact that so many families need a helping hand. I sincerely hope before this debate ends, we are able to bring Republicans around to the point of view that when we talk about spending on the Democratic side, it is for the basics—transportation, fighting crime, helping educate our children, and health research. I would take that out for a referendum across this land. I think that is the sensible way to go.

I yield the remainder of my time.

Mr. HOLLINGS addressed the Chair. The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina.
Mr. HOLLINGS. Then you see the total gross Federal debt, and you see for the year—projection—from the years 2000, 2002, 2003, 2004—it goes from a debt of $5.7036 trillion in 2000 to $6.298 trillion. That shows the debt going up. And everybody is talking ‘surplus.’ Then I turn over to page 43. This is the President’s projection. You can see over the 15 years—not 5 years.

I ask unanimous consent that page 43 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 21.—FEDERAL GOVERNMENT FINANCING AND DEBT WITH SOCIAL SECURITY AND MEDICARE REFORM

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<tr>
<td>Debt held by the public, beginning of period</td>
<td>3,653</td>
<td>3,531</td>
<td>3,404</td>
<td>3,255</td>
<td>3,101</td>
<td>2,933</td>
<td>2,744</td>
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<td>Debt held by the public, end of period</td>
<td>3,531</td>
<td>3,404</td>
<td>3,255</td>
<td>3,101</td>
<td>2,933</td>
<td>2,744</td>
<td>2,525</td>
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<td>-154</td>
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<td>-219</td>
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<tr>
<td>Debt held by the public, end of period</td>
<td>3,531</td>
<td>3,404</td>
<td>3,255</td>
<td>3,101</td>
<td>2,933</td>
<td>2,744</td>
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<tr>
<td>Less market value of equities, beginning of period</td>
<td>3,531</td>
<td>3,404</td>
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<td>3,101</td>
<td>2,933</td>
<td>2,744</td>
<td>2,525</td>
</tr>
<tr>
<td>Total changes</td>
<td>-122</td>
<td>-127</td>
<td>-150</td>
<td>-154</td>
<td>-167</td>
<td>-189</td>
<td>-219</td>
</tr>
<tr>
<td>Debt held by the public, end of period</td>
<td>3,531</td>
<td>3,404</td>
<td>3,255</td>
<td>3,101</td>
<td>2,933</td>
<td>2,744</td>
<td>2,525</td>
</tr>
<tr>
<td>Less market value of equities</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total changes</td>
<td>-122</td>
<td>-127</td>
<td>-150</td>
<td>-154</td>
<td>-167</td>
<td>-189</td>
<td>-219</td>
</tr>
</tbody>
</table>

Mr. HOLLINGS. Then you see the total gross Federal debt, and you see for the year—projection—from the years 2000, 2002, 2003, 2004—it goes from a debt of $5.7036 trillion to $6.298 trillion. That shows the debt going up. And everybody is talking ‘surplus.’ Then I turn over to page 43. This is the President’s projection. You can see over the 15 years—not 5 years.

I ask unanimous consent that page 43 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 22.—FEDERAL DEBT WITH SOCIAL SECURITY AND MEDICARE REFORM

<table>
<thead>
<tr>
<th></th>
<th>2000</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
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<tr>
<td>Debt held by the public</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Debt held by the public, beginning of period</td>
<td>3,638</td>
<td>3,516</td>
<td>3,390</td>
<td>3,246</td>
<td>3,092</td>
</tr>
<tr>
<td>Debt held by the public, end of period</td>
<td>3,516</td>
<td>3,390</td>
<td>3,246</td>
<td>3,092</td>
<td>2,938</td>
</tr>
<tr>
<td>Total changes</td>
<td>-122</td>
<td>-127</td>
<td>-150</td>
<td>-154</td>
<td>-167</td>
</tr>
<tr>
<td>Debt held by the public, end of period</td>
<td>3,516</td>
<td>3,390</td>
<td>3,246</td>
<td>3,092</td>
<td>2,938</td>
</tr>
<tr>
<td>Less market value of equities</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Total changes</td>
<td>-122</td>
<td>-127</td>
<td>-150</td>
<td>-154</td>
<td>-167</td>
</tr>
<tr>
<td>Debt held by the public, end of period</td>
<td>3,516</td>
<td>3,390</td>
<td>3,246</td>
<td>3,092</td>
<td>2,938</td>
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<tr>
<td>Less market value of equities</td>
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<td>0</td>
</tr>
<tr>
<td>Total changes</td>
<td>-122</td>
<td>-127</td>
<td>-150</td>
<td>-154</td>
<td>-167</td>
</tr>
</tbody>
</table>

1Includes accrued capital gains.
2Primarily credit programs.
3Note: Projections for 2010 through 2014 are an OMB extension of detailed agency budget estimates through 2009.
Mr. HOLLINGS. Mr. President, you see the debt held by government accounts, end of period, $7,543 trillion, plus up there at the end of the period, the little 44, making an increase of debt to $7,587 trillion. There is the debt going up from $5.6 trillion to $7.6 trillion, an increase of $2 trillion in the debt.

Everybody is talking “surplus.” I wonder where in the world do they get the surplus. We are beginning to see it in the double accounting in the Wall Street Journal and otherwise. Let’s go to the Congressional Budget Office because my good friend, the distinguished Senator from Nebraska, talked about a $2.9 trillion surplus. He is right. In the rhetoric of the very beginning, they talk about a surplus here on page 2—cumulative on-budget surpluses of projected and total, nearly $1 trillion between 1999 and 2009. During that same period, cumulative off-budget surpluses will total slightly more than $2 trillion. That is where he finds, I take it, the $2.9 trillion.

I ask unanimous consent to have printed in the Record from the Congressional Budget Office report of July 1, page 19.

There being no objection, the material was ordered to be printed in the Record, as follows:

**Table 10**

<table>
<thead>
<tr>
<th>Year</th>
<th>Interest on Public Debt (Gross interest)</th>
<th>Other Interest</th>
<th>Subtotal</th>
<th>Other Interest</th>
<th>Total</th>
<th>Federal Debt at the End of the Year (Billions of Dollars)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999</td>
<td>364</td>
<td>356</td>
<td>358</td>
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<tr>
<td>2000</td>
<td>338</td>
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<td>328</td>
<td>323</td>
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<tr>
<td>2001</td>
<td>314</td>
<td>312</td>
<td>309</td>
<td>304</td>
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<td>297</td>
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<tr>
<td>2002</td>
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<td>294</td>
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<td>2003</td>
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<tr>
<td>2004</td>
<td>262</td>
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<td>2009</td>
<td>172</td>
<td>168</td>
<td>165</td>
<td>161</td>
<td>157</td>
<td>154</td>
</tr>
</tbody>
</table>

Mr. HOLLINGS. Mr. President, I have given the American people, as John Dewey said, “the truth,” because you look from 2000 right on through where they talk about the gross Federal debt, and the gross Federal debt starts up from the year 2000 and increases to the year 2004 from $5,654 trillion to $92 trillion. It is the same for 2004 and 2005.

Yes, I will agree that the Congressional Budget Office shows a diminution, a reduction, in the deficit from the year 2005 to 2009 over the 4-year period. There is a saving or reduction in 2006 of $38 billion; a reduction in the year 2007 of $57 billion; a reduction in the year 2008 of $75 billion; and a reduction in the year 2009 of $100 billion. So it is a cumulative reduction of $270 billion.

They talk about a $2.9 trillion surplus? At best they could talk, under the Congressional Budget Office, about $270 billion.

The reason they even can find the $270 billion is the most favorable of circumstances is, one, current policy, as they say on one of the pages here. It says that it assumes discretionary spending will equal the statutory caps on such spending through 2002, and will grow at the rate of inflation thereafter. That is the most favorable circumstance—no increases; just cap the spending, and adjust inflation thereafter for the first 5 years and inflation thereafter for the next 5 years. It assumes no emergency spending.

We have already seen that they are calling, as the distinguished Senator from Illinois was pointing out, the census an emergency. They have veterans’ benefits as an emergency and they have everything else as an emergency. It assumes also that there is no tax cut and that the interest rate stays the same. You have all of these favorable assumptions, and at best, under the Congressional Budget Office, a saving of $270 billion rather than $2.9 trillion.

I have been trying my best to get a time to get on this floor. I thank everybody for the simple reason that the best of circumstances here are that, yes, inflation is low; interest rates are down; unemployment is down; employment figures are up. We have the best of circumstances, to President Clinton’s credit. Yes, the deficits have been coming down.

Having said that, as Alan Greenspan said earlier in the year, let’s stay the course. Let’s stay the course and make sure we continue this, if there is ever a time to pay down the bill—I am glad the Senator from Illinois touched on this—the interest costs.

I was a member of the Grace Commission against waste, fraud, and abuse. We created during the 1980s the Office of the Inspector General against waste, fraud, and abuse. We created during the 1980s the Office of the Inspector General against waste, fraud, and abuse. We created during the 1980s the Office of the Inspector General against waste, fraud, and abuse.
I yield to the distinguished Senator from North Dakota.

Mr. DORGAN. Mr. President, will the Senator yield for a question?

Mr. HOLINGS. Yes.

Mr. DORGAN. Mr. President, yesterday on NPR's "Morning Edition," Kevin Phillips, a Republican author and commentator, had some interesting comments, and I wonder if the Senator from South Carolina had an opportunity to discuss this. I would like to read a paragraph from this Republican commentator discussing the House of Representatives tax cut.

Tax bills often deal with pie in the sky. Somebody says: Wait; what are you going to do with that money? Do you want to spend it. On the contrary, actually, the true lockbox is to not double the pie. The distinguished Senator from New Mexico and I had challenged the late Senator Chiles when he was chairman of the Budget Committee and he started using different assumptions. We lost on appeal of the ruling of the Chair, but we came around with S01(k) and wrote in the Budget Act that you couldn't have the new economic assumptions different from those in each particular budget resolution. These are the two things that are tied up in with respect to getting truth in budgeting when we passed Gramm-Rudman-Hollings back in 1985.

We have gone totally astray—the White House, the Republican and Democratic, the news media—until this morning. That is my point. I thank the Washington Post for finally reporting some of the truths out here. If we can't level with the American people, no wonder they are talking about "what kind" of tax cut. They all want to pay down the debt. When they use the expression, "pay down the debt," or the "public debt," it doesn't pay any debt at all.

Those T-bills come due during the next 10 years and are not renewed. In the meantime, while they are not being renewed, the debt is transferred over to Social Security and other trust funds, so we owe Social Security this very year, $857 billion; by the year 2009, we will owe Social Security $2.7 trillion. Then they talk not only of surpluses but saving Social Security, how we have extended the life of Social Security, when we have actually bankrupted the Social Security system.

Mr. President, $2.7 trillion by 2009; we get to 2013, when they really need the money, and it will be over $3 trillion. What Congress will find $3 trillion to start paying the benefits? This is serious business.

I see the distinguished Senator from Wyoming.

Mrs. BOXER. Mr. President, I have one question.

The PRESIDING OFFICER. The time has expired.

Mrs. BOXER. I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER. Is there objection?

Mr. ENZI. Reserving the right to object, our side hasn't had 1 minute of debate on this; the other side has used up 45 minutes.

Mrs. BOXER. I ask for 2 additional minutes that the senior Senator may answer a question.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Has the Senator heard from his people that they are clamoring for the tax cuts? Has he heard from his people who are earning in the high dollar amounts, and who will benefit from this, that they want the tax cuts?

Mr. HOLINGS. I thank the distinguished Senator and will limit my time so the Senator from Wyoming can take the floor.

The answer is, no, the phone is not ringing off the hook. I had this in the campaign for reelection last year. I put in a value-added tax in order to retire the deficit and the debt. Of course, I was called "High Tax Hollings." I said, rather than tax cuts, we ought to get rid of the national debt and the waste of interest costs of $1 billion a day. I was reelected.

We have the most Republican of all States. South Carolina is the most conservative of all States. Somehow the truth is coming around to the American people, or at least to the Washington Post and the Wall Street Journal as of this morning. I thank them for that.

The PRESIDING OFFICER. The Senator from Wyoming.

TAX RELIEF

Mr. ENZI. Mr. President, I thank the Senator from South Carolina for his comments. As the accountant in the Senate, I appreciate when others join in the debate about the accounting issue, that if there is a surplus, why is the national debt going up? It is a very simple test. It is printed in the Post.

It is our duty to be sure there is good accounting around here; that we aren't keeping two sets of books; that we aren't borrowing the best of each world. The articles mentioned, I point out, said everybody is involved in this. The President is even accepting the best of both worlds so that things can be done this year rather than future years when a more accurate surplus shows up.

The best anybody is estimating now is $3 trillion in surplus. This is supposed to be a true surplus after Social Security. We are almost $6 trillion in debt. Even if all the surplus went to debt, we would still be $3 trillion in debt. That is a lot of money.

However, what we are talking about today isn't whether it is true surplus or not. We are not talking about spending down the national debt. We are talking about spending versus tax relief. Taking away from tax relief by the Democrat isn't with the intent of paying down the national debt. It is to put the money into new programs. We already have programs not adequately funded...
in this country. We have programs we have dedicated ourselves to in the past that are not adequately funded.

We keep hearing ideas from the other side. We all have ideas about how to spend our money. We hear the ideas for new programs, which we want to also inadequately fund. However, it is spending versus tax relief.

If Members are confused, it is confusion in the rhetoric just heard: spending versus tax relief. We are saying there will have to be a true overpayment of $3 trillion. That is an overpayment of your tax money.

Do you want that spent on new programs, or do you want to get some of it back? That is the issue.

If we are truly talking about paying down the national debt—Senator ALARD and I have a bill that calls for paying off that national debt. It does not call for just paying down the national debt, but it calls for paying off the national debt over a 30-year period just as you pay a house mortgage. We are all familiar with that. It has been talked about on this floor this morning. It would pay it down like a house mortgage with 30 years of payments.

How much? We take some billion of that a year, plus the interest we save by paying down the debt, and we pay it off over a 30-year period. It does not have all the pain everybody talks about, but it is something we owe to future generations. It was not the future generations who spent the money; it was us. We have an obligation to start the payments. We are buying a house for future generations, and, yes, they will have to make some of the payments on it because it extends over 30 years. But we can pay off the national debt, and we can do it and still have money to do some of the other things.

There is a bill that will put that on 30-year payments. I hope the people will have a little bit more attention to it while we are touting paying off the national debt. That should be an important factor for us. That is not what the debate is about. The debate is about spending versus paying back overpayment of taxes.

I listened to these 45 minutes of speeches that preceded me, and it appears to me the Democrat definition of wealthy is anyone who pays taxes. If you pay taxes, you ought not get any back; we just have to worry about the poor.

Everybody in this country gets something from the Government—all of us. We are at a situation in this country where almost all the people do not pay taxes. When that slips over half in a democracy, in a republic where we vote for our elected officials, which will be the sole source, the sole reason, for that vote? Whether we pay taxes or not. There will always be some paying taxes, and those who pay the taxes when there is an overpayment ought to receive some of their money back.

The President has been saying he wants to save Social Security first, that he wants to extend the life of Medicare second, and let me—it is a little confusing what comes third; I think it is spending and then tax relief.

I have listened to two State of the Union speeches where the message was: Save Social Security first. I am still waiting for the plan, a true plan. I have seen plans where money is taken from Social Security and put into the trust fund and then a check is written for spending, and all the trust fund winds up with is IOUs. That is the way it has been, it is the way it is, and it is the way the President wants it to be.

You can take that money and, instead of putting it back into regular spending, you can put it back into Social Security. This is the greatest pyramidal scheme that has ever happened. You can show where you get that trust fund money and wind up with is IOUs. That is the way it has been, the same money being counted time after time. We cannot put up with that. That is not true accounting. That is not thinking about this morning. That does not save Social Security.

We do have a crisis coming up in Social Security. There are at least five plans for Social Security. The best of those plans can be combined into one, and we can save Social Security first.

Medicare is extremely important. There are a lot of people relying on it. Do my colleagues know what the biggest debate in Medicare is these days? How we can spend more money, how we can include more people, include more benefits. And we are still leaving those people who are really counting on Medicare dangling. We have a trust fund, and continue spending, spending, spending. We have to quit doing the IOUs.

There is something else that is a little misleading on this tax policy. This is not a Republican plan; this is a bipartisan plan which passed out of the Finance Committee. If my colleagues will check the Washington Post that everybody seems so intent on quoting this morning, they will find a guest editorial by Bob Kerrey who explains why the tax relief package is important and why he voted for the tax relief package. It is a bit more complicated than anything I am interested in, but every Senator does not get his own way on a tax package, and I am willing to recognize that.

Again, we need to save Social Security, we need to strengthen Medicare, we need to take care of debt reduction, and I have already suggested a way that might be done. There is a bill that will do that relatively painlessly over a 30-year period. Do hope that, instead of going into a whole bunch of new spending programs, some of which are very new and not well thought out, we will look at tax relief for every American taxpayer as the money is available, and that is giving a tax break to those who are paying the tax.

I also want to talk about small business and individual death relief. It is a high priority in the United States. Most of Wyoming is small businesses. Those small businesses are sometimes retailers, sometimes manufacturing, quite often they are ranches and farms.

Let me tell you what happens when the head of a household dies. It winds up with is IOUs. That I have not heard anybody saying that those estimates are low. They estimate the value of the property, and that family sells off part of the land or all of it to pay that tax debt. If one sells off a part of a ranch or a farm, quite often what they are left with is not economically viable. In fact, in the current economic situation there is a lot of question about the economic viability of the future of our small businesses.

There is tremendous concern for that.

We also have this death tax we impose by IRS estimates at the time of death. If I were involved in the Finance Committee final decision on these things, the way I would work it is not to have an estimate at the time of death. Instead, I would have the real value at the time there is any sale. If that stays in the family, it keeps the same basis it always had and they do not have to estimate it. When the property is sold, you are not eliminating an economically viable business at that point in time. At that point in time, you are just collecting the revenues for a true value on a sale. There are other ways that can be enhanced, and I hope in an incremental way they will be.

I see the Senator from Texas is here. I have joined her in working on marriage tax penalty relief, a grossly unfair situation in the United States. We are not putting our tax policy where our mouth is. We are saying we want stronger families in this country, and then we are penalizing marriage. We cannot have that.

There are a number of changes that need to be made in our tax policy. When I came here, I was very naive. I anticipated that Senators sat down in little groups and talked about policy like this and then crossed outlines and added words and came up with bills on which people agreed. I am a little disappointed in how much cross-communication there is here.

I congratulate the Finance Committee for the work they did on this tax package. It is a bipartisan tax package. I hope people will work to improve it, that they will work not only on the Senate side but they will work on the other side of this building. Often it looks to me as if we have more conflicts between the House and Senate than we have between Democrats and Republicans.

When one is listening to the rhetoric on whether we are going to spend,
which is the reason for not doing tax relief, or do tax relief, pay attention to the debate, and, yes, my colleagues will hear some dissension among the Republicans, probably because we understand taxes and want to come up with the best possible plan, the best possible way to deal with any overpayment that comes up.

I thank the Chair and yield the floor. Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank my colleague from Wyoming for talking about the tax cuts and why we need them because we heard a lot of debate this morning about that very issue.

I think we are getting down to the core issue between how the Democrats on their side of the aisle would spend taxpayer money and how the Republicans would spend taxpayer money.

I think you can tell right off the bat what people are going to think about tax cuts by how they describe them. When they talk in terms of: How much is it going to cost us to give tax cuts to the American people, right away you know that basically the money you earn belongs to them.

We believe the money you earn belongs to you. We do not think we have a choice to take that money and go spend it on some program that you may or may not like. But if you had the choice of whether to spend $500 to take your children on a vacation or to make a car payment or to save for a downpayment on a home, or a program that may or may not affect you, most people would rather make the decisions themselves.

So let’s talk about some of the issues that have been raised this morning.

First of all, if I heard “reckless” one time, I heard it 100 times this past weekend. Let’s talk about “reckless.” We have $3 trillion estimated as our surplus. Let’s talk about how we are going to spend that, and let’s see if it seems reckless.

We are going to set aside 75 cents of every dollar of the surplus for paying down debt, for strengthening Social Security, for spending on Medicare, education, and other sources. That will be 75 cents on the dollar to pay down debt, strengthening Social Security, strengthening Medicare, and other spending items.

And 25 cents of every dollar is going to be given back to the people who earned it. So 75 percent to pay down debt; 25 percent given back to the people who earned it.

We are not a corporation. We do not have a choice of what to do with profits. We take just as much money as we are going to need to fund legitimate Government programs and services. That is what governments do. Anything left over goes right back to the people who earned it.

Right now, the people of our country are paying more in peacetime taxes than ever in our history. They deserve to have some of that money back. Many families have two income earners just to cover the taxes so they can keep their quality of life for themselves and their children. We want them to have the quality of life they choose not to come from the tax in itself, but by letting them decide how they spend the money they earn.

I am reading a headline in the Washington Post that says: "Clintons Plan Appeal to Women on Tax Cut." They have to tell us that we are not going to do anything for Medicare, and if we do not strengthen Medicare it is going to hurt women the most because they live longer.

I agree with the premise that women live longer, and cutting Medicare so that it is not there for them would hurt women the most, but that is not what the Republican plan does. The Republican plan does set aside the money for Medicare.

I would ask the President, when he is talking about strengthening Medicare, why he chose to disregard his own Medicare trustees and the bipartisan plan they supported that would have strengthened Medicare on a bipartisan basis. And I would ask him to then prescrip- drug help to those who need it that was agreed to by both sides of the aisle in Congress; and yet the President walked away from that Medicare reform. Today he is saying our plan does not help Medicare, when he had a chance to help Medicare and he walked away from it—a bipartisan effort of Congress to save Medicare.

I do not think the President can have it both ways.

Let me tell you what our tax plan does for the women of our country.

No. 1, we eliminate the marriage penalty tax. If a policeman marries a schoolteacher, they owe $1,000 more in taxes to the Federal Government, because the highest priority the tax cut plan has is to eliminate that penalty. I would say that is very good for the women of our country because they are often the ones who are discriminated against with the marriage penalty tax. We are going to correct that with our tax cut plan. I think that is good for the women of our country.

No. 2, I have introduced a bill for the last 3 years that would allow women who choose not to try to raise their children, either 6 years before they start school or even 18 years if they decide to, when they come back into the workforce they would be able to buy back into their pension plans as if they had not left.

You see, women are discriminated against in our country, in the pension system especially, because they are the ones who live the longest and they have the lowest pension. They have the lowest pension because women are the ones who have children and who stay home to raise them for at least part of the early years, and they never get to catch up under the present system.

I commend Senator Roth for making that a priority in the Senate tax cut bill, that we would stop discrimination in the pension plans of women in the workforce by allowing them to catch up.

So I think we have done a lot for women. We are setting aside the money to strengthen Medicare; $500 billion over 10 years for added spending on Medicare, education, and a surplus every single penny. We fence it off for Social Security because that is the No. 1 concern, and it is the No. 1 stabilizing force for the elderly in our country. That is the first priority in our whole plan. Also, $2 trillion goes directly to Social Security reform and stabilization. That will be fenced off.

Additionally, $1 trillion want to divide among spending increases and tax cuts. We believe it is a balanced plan. We believe the American people deserve to have back in their pocketbooks the money they earn in order to make the decisions for their families.

We have been especially sensitive to trying to bring equality for women back into the system.

It is the Republican Congress that gave women the right to contribute equally to IRAs. Before we had our tax cut plan 2 years ago, women who didn't work outside the home could only set aside $250 a year for their retirement security; whereas, if you worked outside the home, you could set aside $2,000 a year. That has gone away. We have equalized women who work outside the home and women who work inside the home with our IRA spousal opportunities.

Now we have to go back and help them on pensions, too. That is where the millions of dollars of the deficit is for our retired people. It is in their retirement systems. That is where women have been hit the hardest because it is women, by and large, who have the children and who will stay home and raise them. I applaud the men who do this, and I appreciate them, but by and large, it is the women who do it. When they come back into the workforce, they are penalized by not being able to have the opportunity to buy back into their pension systems when they will have stability when they retire.

Our bill does target women. It is a balanced bill. It saves Social Security. It contributes to more Medicare. It allows for added spending, and it gives tax cuts to the working people who earn this money. We don't own this money. The people who earn it own it. That is the difference I ask the people of our country to look at as we go through this debate. We need to have people talk about tax cuts. If they talk about what it costs the Federal Government, then they don't think your money belongs to you. If they talk about it in terms of how do...
Mr. ALLARD. Mr. President, I thank my colleague from Texas for her remarks, and I also thank the two Senators from Wyoming for their remarks this morning regarding tax cuts.

Our economy has been doing well. It is an unrelenting tide of economic growth. Whenever our economy does well, everybody does well. People who are poor do well. You can break it out to any type of economic group you want, but everybody does well because the total tide comes up.

I happen to believe our economy is doing well because we have worked hard in the last decade, decade and a half, to hold down taxes, to reduce the regulatory burden, and to promote good economic growth.

The last effort by the Republicans in the Congress to make sure we continue to have good, strong economic growth in this country was when we dropped the capital gains rate. Nobody is talking about the profound impact that reducing the capital gains tax had on this country's economic growth. Historically, every time we have dropped capital gains, whether it was during the Kennedy administration or whether it was during the Reagan administration, we have seen that happen in my own State of Colorado—revenues to the Federal Government increase.

Today tax revenues to the Federal Government are at a historic high. There is more money coming into the Federal Government than any of us would have imagined. I think we need to give back some change to the American people. It is their money. They worked hard to earn the money. Consequently, I think they should be the primary recipient of a windfall.

The people of Colorado were blessed because a Republican legislature, with a Republican Governor, returned dollars that came in unexpectedly as revenues to the State of Colorado. They returned it to the taxpayers of Colorado, the people who earn the money, who pay taxes. I happen to think my State of Colorado, under their leadership, has set a great example for the country. I certainly hope this Congress will move forward with a meaningful tax break that will make a difference in people's lives.

We have a lot of figures thrown around. This is just an example of some of the numbers that had been thrown around this morning and then this afternoon about what is happening to our budget.

We have figures that have come out of OMB. We have figures that have come out of CBO. Let's just take one agency so we are comparing apples with apples and oranges with oranges. I don't think it is fair to pick some of the figures out of OMB and then some of the figures out of CBO and make comparisons. We need to go with one agency.

Let's make a comparison between what the President has done with his plan and the Democrat Party, and what the Republican leadership is pushing for. Let's take the figures from the Congressional Budget Office and see what they look like, comparing the President's budget with what the Republicans are putting together and what they would like to see happen for the future of America.

The President's budget, as reported in the latest report issued by CBO, on July 21, 1999, would leave a public debt of $1.80 trillion in 2009. When you compare that to the Republican proposal, it is over $200 billion higher than the amount left under the congressional budget resolution and the tax cut. Let's look at the President's budget in terms of the total surplus under CBO's scoring. CBO says the President's budget saves just 67 percent of the total surplus. Now, that compares to a 75-percent saving of the total surplus by the congressional budget resolution and tax cut on the Republican side. President Clinton contains $1 trillion in new spending. We think this issue is really more about spending than about taxes. The President wants to have the money so he can continue to spend more and more. We have heard the other side. They would much rather increase spending than cut taxes. I think we ought to cut taxes instead of increasing spending.

President Clinton's budget, again, contains $1 trillion in new spending. That is 25 percent larger than the Republicans' $792 billion reconciliation tax cut. President Clinton's budget increases taxes by $100 billion over the next 10 years, according to the CBO report, in contrast to the largest middle-class tax cut since Ronald Reagan that is being offered by the Republicans. President Clinton's budget spends the Social Security surplus, the off-budget surplus, for fiscal years 2000, 2004, and 2005 by a total of $29 billion. Now, that is in contrast to the congressional budget resolution and tax cut where the Social Security trust fund is not raided at all in any year.

Even Democrats don't agree necessarily with their own President on his obsessive stand against tax cuts. I can think of one problem to which a Democrat, a friend of mine with whom I serve on the Intelligence Committee, who also happens to be on the Finance Committee, refers: 'To me, cutting taxes when we have $3 trillion more coming in than we forecast in the neighborhood'—he is talking about his $800 billion tax proposal—'is hardly what I call an outrageous, irresponsible move.'

Some of the Members of the Senate on the other side who have been talking this morning are talking about more spending as opposed to wanting to cut taxes. They say they are willing to run on that agenda. I am willing to take our agenda as Republicans and put it up against what the President is proposing in his plan for the American people. This Republican Congress, I
think, has the right message and has the right approach for protecting the future of America. I think this is great. I am willing to brag about the fact that we protect every cent of Social Security's $1.9 trillion surplus and the responsible $5.6 trillion surplus. 

Mr. ALLARD. Mr. President, if he asks unanimous consent to be allowed to speak for 2 minutes, I will be glad to yield that time.

Mr. BAUCUS. Mr. President, I ask unanimous consent to speak as in morning business when the Senate reconvenes at 2:15. 

Mr. Sessions be allowed to speak for 12 minutes as in morning business immediate after the remarks. The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m. Thereupon, the Senate, at 12:27 p.m., recessed until 2:17 p.m.; whereupon, the Senate reassembled when called to order by the President. 

The PRESIDING OFFICER. The Senator from Montana is recognized.

THE TAX "SURPLUS"

Mr. BAUCUS. Mr. President, when the tax reconciliation budget comes before the Senate tomorrow, I plan to offer an amendment which will provide for a lockbox on the Social Security surplus that the Treasury will receive. If the deficit is reduced, the Treasury will get the entire surplus that would otherwise go to the Social Security trust fund. This amendment would provide that the surplus be set aside for Medicare.

What am I doing that? Very simply, Mr. President, because I believe that as we leave this century and the next millennium, we are leaving a balance in the Federal Government, the windfall that is coming into the Federal Government, the wealth that is coming into the States, actually belongs to the people. They are the ones who worked hard and the ones who earned it. I want come down on the side of many of my colleagues on the Republican side who have argued for a tax cut. I think we can do that and pay down the debt. As Senator Enzi mentioned earlier this morning, we can both do. We can pay down the debt and pay a fair tax. We will have to be careful about the responsible thing to do. To say that the responsible thing to do is more spending, I believe, is irresponsible. I want to let it be known that I am strongly in favor of a tax cut, and I am strongly in favor of paying down the debt. I believe we can do both.

I yield the floor.

ORDER OF PROCEDURE

Mr. BAUCUS addressed the Chair. The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. BAUCUS. Mr. President, I understand the other side had time, which would expire at 12:30, but I don't want to cut into that time.

The PRESIDING OFFICER. The other side has 4 minutes 5 seconds left.

Mr. BAUCUS. Mr. President, if the Senator from Colorado is not going to use that time, I ask unanimous consent to speak for the remaining 4 minutes.

Mr. ALLARD. Mr. President, if he asks unanimous consent to be allowed to speak for 2 minutes, I will be glad to yield that time.

Mr. BAUCUS. Mr. President, I ask unanimous consent to speak as in morning business when the Senate reconvenes at 2:15, for 15 minutes, and that Mr. Sessions be allowed to speak for 12 minutes as in morning business immediate after the remarks. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. Mr. President, when the tax reconciliation budget comes before the Senate tomorrow, I plan to offer an amendment which will provide for a lockbox on the Social Security surplus that the Treasury will receive. If the deficit is reduced, the Treasury will get the entire surplus that would otherwise go to the Social Security trust fund. This amendment would provide that the surplus be set aside for Medicare.

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I yield the floor.
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blow it. We better be careful, be prudent with the taxpayers' money, and do what is right.

What is right? I have two charts. The first chart shows the proposal that will come to the floor tomorrow, passed by the House, that will provide for a huge tax cut of $792 billion over 10 years. You have to add back $179 billion in interest over 10 years on the national debt because of the tax cut. That means the debt will go up, with more interest payments to make. What does that mean? The average family loses $7 billion less after 10 years. That is all.

Man, oh, man, I could stand here for days and days and talk about the problems with that proposal. Let me mention a few. No. 1, this is only a projection. We have no idea what the surplus will be over the next 10 years. It is just a guess. Most commentators think the economy is overheated now. Maybe there is a bubble economy, and maybe the economy will not do so well over a good part of the next 10 years compared to the last 5 or 6 years.

This is a projection. What do we do with the projection? We are locking in tax cuts for the future, offset by a hope that we will have the revenues to pay for it. And, we are doing that. It is one thing that is wrong with this: A tax cut in place by law, offset by a hope that the money will be there—and it probably won't be there.

Second, I point out that the tax cuts are, in fancy parlance, backloaded. Most go into effect near the end of the 10-year period, meaning in the next 10 years, boy, we will really pay. That is when the deficit will start to increase. I said “deficit” increase, not “surplus.”

The next chart shows that the baby boomers will start to retire about the year 2010, and in 2020 and 2030 most baby boomers will be hitting retirement age. That is when the tax cuts go into effect an even greater amount, meaning we will have less money to take care of the baby boomers.

I say the size of this tax cut is much too much. Alan Greenspan does not agree with it. He says now is not the time for a tax cut because he knows it will tend to put upward pressure on interest rates. We all don't want to see an increase in interest rates.

In addition, there is nothing left over for Medicare. Medicare is an extremely important program for Americans. Ask Americans which national programs they think make the most sense, and most, I daresay, think Social Security is one and Medicare probably is another. Before Medicare went into effect, 50 percent of seniors had no health care; 50 percent had no health care benefits or programs when Medicare went into effect. Now virtually every senior has some kind of health care program.

What are the current problems with Medicare? There are several. Let me name it. One: Medicare does not pay for prescription drugs. Senior citizens get drugs when they are in the hospital, but Medicare will not pay for prescription drugs when they are out of the hospital. There is zero payment under Medicare for prescription drugs.

We all know that health care is changing in America. It is changing a little bit more from procedures and a little more toward drugs. DNA benefits, that kind of that nature. Drugs have become much more important. That is one problem with Medicare. We have to provide for prescription drugs. Medicare does not now provide for outpatient prescription drugs.

No. 3, this Congress cut back on Medicare payments too much in 1997 with the so-called Balanced Budget Act of 1997. Medicare payments to hospitals increased significantly, I think on average about 10 percent over the 1990s. Now it is negative, it is cut back, because of provisions this Congress enacted a couple of years ago, which were too great, too much. We all hear it from our hospitals back home, whether they are teaching or rural hospitals, that it has been too much. That has to be dealt. The Medicare trust fund does not deal with it, which is another reason for my amendment.

No. 3, Medicare is in trouble, folks. We all talk about Social Security. The Social Security trust fund will not last forever. The Medicare trust fund will come down to zero, depending upon who is making the estimates, perhaps 12 or 15 years from now, much sooner than the Social Security trust fund.

I say, therefore, we should pay attention to Medicare. The amendment I will offer will provide that one-third of the on-budget surplus, one-third of the $1 trillion, will be dedicated to Medicare.

I know the arguments. We have to have structural reform of Medicare first before we can put more money into Medicare. I think most agree we need both structural reform and additional money for Medicare. When we are in the Super Committee, structural reform in Medicare, my guess is we will probably not have money anyway so it is good to set aside one-third of the on-budget surplus for Medicare.

If we do not need that one-third at the time, we can send it back to the people in tax cuts or we can use it for veterans' care or for education or for whatnot.

In summation—and I thank the Chair for his patience—at the appropriate time, we will be offering an amendment along with Senator L'ANDRIEU to provide that one-third of the on-budget surplus be dedicated to Medicare along with the off-budget surplus dedicated to Social Security. I thank the Chair.

THE PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I ask unanimous consent that the time for Senator Sessions be reserved for use later in the day.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VOINOVICH. I also ask unanimous consent that I be recognized for up to 15 minutes as in morning business and that Senator L'ANDRIEU follow me.

THE TRUTH ABOUT BUDGET SURPLUSES

Mr. VOINOVICH. Mr. President, there is an old saying most of us learned as children that goes: if it sounds too good to be true, then it is. The news we have been hearing about bigger than expected budget surpluses for the next 10 to 15 years is precisely that—too good to be true.

Why is that? After all, our economy is strong and is still growing, unemployment is at record lows, and the strength of our economy means our Government is able to take in more revenues from taxpayers and businesses alike. Most people would say things are wonderful. Indeed, just ask anyone. Ask the President. Ask Congress. They will tell you there is money for increased spending, there is money there for tax cuts, and we will be able to meet all our needs. After all, we have these enormous surpluses for all to see as they can see.

The truth of the matter is, there is no budget surplus. Let me say it again: There is no budget surplus. The truth is, we are actually running a budget deficit this year. According to both CBO and OMB, this chart from CBO shows, we currently have an on-budget deficit of $4 billion, and the only way the President, or anyone else, can claim a budget surplus today is by taking that surplus and accumulating the Social Security trust funds and using it to mask the deficit, just as we used Social Security to mask the deficit in 1988.

I recall, as Governor of Ohio, every one celebrating the great budget surplus. The fact of the matter is, in 1988, we were $30 billion in the hole, and what we did with that $30 billion in the hole was mask it with Social Security. For over three decades, Presidents and the Congresses have been using this gimmick: unifying the budget in order to make budget deficits smaller than they really are.

It is disingenuous. It continues to jeopardize the stability of the Social Security trust fund, and it is about time we had our lockbox. The American people are smarter than Washington politicians give them credit. They know their Social Security pension funds are being raided for other Government spending programs. They are mad about it, and they want us to stop doing it.

We need to get honest budget surplus numbers, and in order to do that, we need to leave Social Security alone and pay attention to creating an on-budget surplus.

The truth is the President's 15 years of projected surpluses. The whole bar is the unified surplus. The green part is the off-budget Social Security trust fund, and the red part is the true on-
If you think a 2-year swing of that magnitude is incredible, in just the last 6 months, President Clinton’s budget projections put together by OMB have swung by a mind-boggling $1 trillion—a trillion dollars. That is more than 10 percent of our national gross domestic product.

The important thing to remember is that a $1 trillion paper surplus can vanish just as easily as it appeared, and if we commit to spending hundreds of billions of dollars we do not even have yet, as Federal Reserve’s economic future in serious jeopardy.

As former Senators Sam Nunn and Warren Rudman wrote in the Washington Post:

The surplus is only a projection that cannot be spent. If spending increases or taxes are cut based on the expectation of huge surpluses and the projection turns out to be wrong, deficits easily could reappear where surpluses are now forecast.

Given all that uncertainty about whether or not we will have a budget surplus next year, it makes the most sense for us to remain cautious. We should wait and see if the budget surplus are currently projecting for fiscal year 1999 before we embark on new spending programs, as the President and the Democrats in Congress want to do, or cut taxes as Republicans are proposing.

As Chairman Greenspan said:

I see no reason why we have to make decisions crucially at this point until we are sure that we really have got the surplus in tow.

That is Alan Greenspan who has been keeping things in pretty good shape for us the last several years.

Why don’t the President feel the need to quickly spend the surplus we may achieve over the next 15 years? Why are we talking about cutting taxes by $800 billion over 10 years when we do not have the surplus in hand yet? I think eliminating the death tax, reducing income-tax rates are great ideas, lowering income-tax rates are great ideas, but how are we going to pay for them?

Personally, I do not think we have any business talking about new spending increases or tax cuts so long as we have this gigantic national debt. Right now, our Nation faces a whopping $5.6 trillion national debt, a debt that has risen 600 percent over the last 20 years.

I remind my colleagues, with each passing day, we are spending $600 million a day just on interest on the national debt—$600 million a day.

Most Americans do not realize that 14 percent of their tax dollar goes to pay off the interest on the debt, 15 percent goes for national defense, 17 percent goes to Medicare, and the rest of it goes for discretionary spending, and 54 percent goes for entitlement spending.

Look at this pie chart: entitlements, 54 percent; interest on the debt, 14 percent out of every dollar. We are only spending 15 percent on national defense; 17 percent goes on Social Security, and the President knows we need to do better in that regard—and nondefense discretionary spending, 17 percent.

We are spending more on interest payments today than we spend on Medicare. We are spending five times as much on interest than we spend on education; 15 times as much as we spend on research at the National Institutes of Health.

If the budget surpluses do happen to come true, then what better way to keep our economy humming and secure for the future of our children and our grandchildren than by paying down the national debt? Indeed, as Federal Reserve Chairman Greenspan testified before the House Ways and Means Committee:

The advantages that I perceive that would accrue to this economy from a significant decline in the outstanding debt to the public and its virtuous cycle on the total budget process is a value which I think far exceeds anything else we could do with the money.

I think we have a problem. Do you really think that Congress would make the tough choices we are going to need to make to get rid of $27 billion this year in order to maintain the budget caps? I do not think it is going to happen. I think many people today are not going to deal with that—how to spend that money, to deal with Medicare, we are probably going to have to break the caps.

If we break the caps, the $14 billion surplus of next year is gone; it is gone. We need to recognize there is no surplus projected. If that is the case, and if the economic circumstances provide an on-budget surplus—and, boy, we would love to have that—we need to use that money to pay down the debt: no spending hikes, no tax cuts, just pay down the debt.

If the President and Congress need an example, all we have to do is emulate what most American families do when times are good and they have extra money. They do not go out and start spending wildly. They look to pay off their debts—credit cards, loans, mortgages. It is the responsible thing to do, and it is something that Government must do.

It was interesting. I was at a meeting the other day and asked the people at the table: What do you think about reducing taxes, with this projected surplus? And they came back to me—conservative businessmen—and said: You know, usually you reduce taxes when the economy is in trouble.

One of the gentlemen said: You know, what today what people are concerned about is Social Security, and they are concerned about Medicare.

It doesn’t make any difference whether they are old or young. If they are young, they are worrying about their parents in the future.

At this stage in the game, it seems to me the best thing we can do is cool it. I urge my colleagues to stop and look at the projected numbers because they are not real. And if we continue to trust them, if they, really are, the consequences of spending money we do not have will be very real and, I think, very bad for the United States of America.
Mr. DURBIN. Will the Senator yield for a question?

Mr. Voinovich. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. Two and one-half minutes remain.

Mr. DURBIN. I would prefer not to yield because I promised the Senator from Louisiana that she would have time. So I would rather not yield at this time.

I yield to the Senator from Louisiana.

Mr. Voinovich. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. Ms. Landrieu addressed the Chair.

Ms. Landrieu. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. Ms. Landrieu addressed the Chair.

Ms. Landrieu. What do we do with the non-Social Security surplus?

I am one of the Members on this side who hope we can find some measure of tax relief for hard-working, middle-income Americans, to do it in a way that helps to close the gap in this country between the haves and the have-nots, that helps our children in the next generation to become part of this new economy. I hope we can fashion some smaller, responsible, well-thought-through, and careful tax relief for low-income and middle-income families that will help them, their children, and their grandchildren to participate in perhaps the greatest economic boom to ever happen in the history of the world, not just in this nation, not just in this democracy, not just in this century, but perhaps the greatest economic prosperity that is unprecedented in the history of many nations.

What we want to do if we are going to have a tax cut—and I certainly support one that is responsible and along responsible fiscal lines—is to craft it in such a way that it helps to give our children and our grandchildren the opportunity to participate by improving their skills, by creating perhaps opportunities for them to participate in this new economy.

One of the things that is very important to our generation and to the generations to come is reflected in a new poll that was just released this week by Frank Luntz, commissioned by the Nature Conservancy, about fiscal responsibility. It is also about the Department of Interior, the appropriations bill we are going to be discussing for the Department of Interior this week.

One of the important issues is how we might reallocate surpluses in our continued quest for fiscal responsibility in this Nation, how to direct...
The PRESIDING OFFICER. The Senator from New Jersey.

Mr. TORRICELLI. Mr. President, I ask unanimous consent to address the Senate as in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TORRICELLI. I thank the Chair.

ALLOCATION OF RESOURCES

Mr. TORRICELLI. Mr. President, by any measure, this is an extraordinary time in the life of our country. It appears that as the American century wanes, the American people are confronting economic challenges that are good that what the world is going to witness is simply another American century, where our dominance may be exercised by different technologies, our power may be measured by different means, but our dominance is just as certain.

The quality of life in America is rising to new heights. Our economic strength could be measured by many means, but it is considerable. Home ownership is now at the highest rate in the Nation’s history. In 6 years, the United States has created 18 million new jobs, more than all of Western Europe and Japan combined. Unemployment is near record lows in the postwar period—genuinely an extraordinary time. Nothing surprises Americans more than that we are witnessing not simply the growth of an economy, employment and economic opportunities, but the Federal Government itself is participating in this extraordinary transformation.

The United States is about to accumulate in our Government budget not only the largest surplus in American history but the largest surplus in the history of any nation in any government budget. Indeed, it is now projected to be $1 trillion larger than was anticipated only several years ago. By the year 2009, the total accumulated surplus of the Government could be an astonishing $2.9 trillion.

The fundamental question now before this Government as we begin to plan for the next decade, the beginning of a new century, is how to allocate these resources.

The U.S. Government is in a new experience. For more than 50 years we have been in the business of allocating pain. The dominating issues before the U.S. Government were winning the cold war and overcoming the budget deficit. All decisions were seen through these twin prisms. Many of our hopes and ambitions for our country and our people needed to be postponed.

In 1993, the Deficit Reduction Act was a defining moment in that struggle. This Congress, with the Clinton administration’s leadership, was facing deficits as high as $300 or $400 billion per year. It was artificially raising interest rates, causing problems with private investment, and difficulties in economic growth.

The extraordinary vote of that year, passing each institution of the Congress by a single vote, did as much to change American economic history as any single act of the 20th century.

(Mr. CRAPO assumed the Chair.)

Mr. TORRICELLI. For all of us who participated in the 1993 Deficit Reduction Act, it is profoundly satisfying to be in a Congress with a regular achievement and the greatest source of pride in our careers. For the American people, it is more than a source of pride; it is a source of new freedom. These surpluses allow us to dream about rebuilding schools, providing child care, improving the quality of instruction, repairing American infrastructure, funding higher education. Things that were postponed by all these years of debt, struggle, and sacrifice have been made possible again.

But it is important to remember in this transformation, in these last 6 years, there are other heroes, too, more important than the Members of Congress who cast these votes—the people who gave up more and did more to create this new American prosperity. They are simple American families who did without Government programs, Government employees who saw Federal employment decline, people who suffered at declines in Government spending in all measures, and American taxpayers who paid more in Federal taxes to reduce the debt.

It is important to remember because, as we think about the opportunities for education and health care and other Government programs this Federal surplus provides, so, too, is the American taxpayer to be remembered. I do not quarrel with the administration—indeed, I support their notion—that the first obligation in committing these new surplus funds is to protect Medicare and Social Security. It is our first obligation. It is not our only obligation.

Of the approximately $3 trillion of Federal surpluses to be allocated in the next 10 years, $2 billion of it will be required to ensure that Social Security and Medicare are protected. But certainly, with the remaining $1 trillion in accumulated surpluses over the next decade, there is the ability in this Congress to provide some tax relief for working American families. The tax burden of the United States is now the highest since the Second World War.

Middle-class families, who were once in the income bracket with the greatest prosperity and inflation, have seen themselves, while still facing the enormous costs of education and housing and the requirements of an ordinary American life, facing tax brackets of 28 and 33 percent. Today, a family of four living on a combined income of $72,000, which can be the simple income of a schoolteacher or a police officer or a public servant, is taxed at 28 percent, instead of the 15 percent which should, and once did, represent the Federal tax rate of middle-class America.

It is wrong—it is even unconscionable—to ask a young mother and father trying to raise children, with the high...
cost of living in the United States, to postpone educational decisions or housing decisions, the requirements of building a family, to pay a 28-percent tax on a combined family income of $50,000, $60,000 or $70,000. It is not right. But the Federal Government should not tax $1 trillion in the next decade, after protecting Social Security and Medicare, it is not necessary.

I believe the first obligation of a Federal tax relief is to expand the 15-percent bracket to genuinely include the Americans who are in the middle class, to place them in the tax bracket where they belong. The Roth plan participates in this strategy by expanding the bracket and by lowering the 15-percent bracket to 14 percent. It is a good beginning, but it is not a complete plan.

The other twin tax crisis in America is not high rates but disincentives for savings which are causing a crisis in savings in America. The national savings rate in the United States is now at its lowest level since World War II. In May, our national savings rate was a minus 1.2 percent—a negative rate of savings not seen since the Great Depression. It has no corollary in the Western World, and it is a long-term economic, Governmental and social problem.

Sixty percent of all Americans who retire rely solely on Social Security. More than 50 percent of Americans effectively have no net worth of any appreciable sort other than their home. It is a rational economic response to a tax system that provides discouragement for savings and encouragement for consumption.

I believe this tax reduction legislation about to be considered by the Congress can provide a new beginning, first, by expanding the traditional IRA from $2,000 to $3,000. It is notable that when the IRAs were first instituted at $2,000, had they merely kept pace with inflation all these years, it would now allow for a $5,000 deduction rather than the continuing $2,000 level.

Second, people who accumulate $10,000 in a savings account in America to provide themselves some security from the crisis of life, or for their retirements or to prepare for their children's futures, should not be taxed. The Federal Government has no business—indeed, it should have a disincentive—to ever tax an American family who participate by investing, to gather some wealth for their own security, so that in retirement they don't rely solely on the Government, or continue to live paycheck-to-paycheck. Even if this accumulates only modest amounts of money in savings or investment, it is a beginning for a new economic freedom for American families.

Many of these disincentives were included in the tax reduction legislation I offered with Senator COVERDELL. I am enormously proud that in Senator Roth's proposal, and indeed now in a bipartisan tax bill being discussed by Senator Breaux and Senator Kerry of Nebraska, many of these same elements are included. I am glad Senator Coverdell and I have made that contribution.

But now the question becomes not simply which elements of Federal taxes can be reduced but how much. Therein lies the argument. I believe, as many of my colleagues on both sides of the aisle have come to believe, that this Congress can responsibly afford, while protecting Social Security and Medicare, to reduce by $500 billion dollar the tax reduction program over the course of the next decade. That would allow an additional $500 billion for discretionary spending, a prescription drug benefit, or other national needs beyond the protection of Social Security and Medicare. It is modest. But it would have an appreciable impact on the quality of life of American families, and genuinely give tax relief to middle-income Americans.

Finally, every Senator must come to the judgment about not only the size of this tax relief program, which I believe should be $500 billion but, indeed, where it should be targeted. It is middle-income families who have seen their rates of taxes rise through the years as they've pushed into higher brackets by the cost of living and our national prosperity. They should be our first priority.

Our principal national economic problem, even in extraordinarily good times, is the collapse of national savings. Reduction in taxes on savings should be a high priority.

But I believe, as many Democrats and Republicans have come to conclude, that this tax reduction program should be for people who are paying most of the taxes in America.

In the 1993 bill, this Congress can be very proud that with the earned-income tax credit we reduced the burden and indeed gave assistance to lower income Americans. They deserved and needed the help. This tax program should be for people who are paying taxes, bearing the burden, and need the help.

This is an important moment for this Congress. This vote on a tax reduction program will say a lot about our priorities. We will chart a course for another decade.

I believe we can reach across this aisle and find a reasonable compromise that gives genuine tax relief.

I want the people of the State of New Jersey to know that I have committed myself to be part of that effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, is the Senator from West Virginia allowed to yield himself a certain amount of time?

The PRESIDING OFFICER. The Senator may seek by unanimous consent for as long as he wishes.

Mr. ROCKEFELLER. I thank the Presiding Officer.

Mr. President, I ask unanimous consent to proceed for less than 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROCKEFELLER. I appreciate the courtesy of the Presiding Officer.

PROJECTED SURPLUS

Mr. ROCKEFELLER. Mr. President, I am very anxious to talk to my colleagues. I want to do it as much as I can in these days to come.

As the previous speaker said, with whom I do not agree on policy, this is a momentous, once-in-a-lifetime opportunity. I have been here for 15 years. I was for 8 years before Governor of West Virginia where we faced things such as 21-percent unemployment, and things which are almost Third World in their statistical significance compared to what most of my colleagues had to deal with.

Being able to look at a tax surplus or a projected surplus of a lot of money over the next number of years is a wonderful opportunity for the people of my State and for the people of my country.

I have to say, though, the approach of the Finance Committee, on which I serve, voting a $792 billion tax cut is antithetical, to my thoughts, as to what is good for the country and good for the economy.

I will start off by simply saying the obvious; that is, as one of the senior Members of the majority side of the Finance Committee said, 5 percent of Americans pay 95 percent of personal income taxes, and therefore the money ought to go back to them. That is an odd way of thinking. That is certainly one way of thinking. It is obviously Senator's way of thinking. It doesn't square with sort of the sense of fairness, equity, and distribution of equal opportunity in an economic sense as in other senses that I was brought up to believe in.

When these proposals—indeed, I underscore the word "projected"—a surplus of $1 trillion over the next 10 years. The central question is: How do we most responsibly spend this? I think it is a central question of historic importance.

For me there is really only one answer; that is, to pay down the national debt.
It is very hard for me to put into words the feeling of how far we have come since the mid-1960s when we used to have those talks with the Japanese, the structural impediment talks in which they would tell us what they thought we should do and we would tell them what we thought they should do and we never listened to each other. We, in fact, listened to them in 1993, and on our own, in a historic vote, made an enormous beginning. Later, fueled by the private sector, to balance the budget deficit, I didn’t think that would happen when I was in the Senate. But we proceeded to take the action.

I myself was assigned the responsibility of cutting $60 billion out of Medicare, which at that time was a great deal of money, and we proceeded to do that. But never in my wildest dreams did I ever even begin to think of the possibility that we might, in fact, be able to pay down the national debt—the kind of debt which at the time, the Reagan-Bush administration rose to over $4 trillion. I can’t contemplate amounts of that sort. So I couldn’t possibly contemplate the results of eliminating amounts of that sort.

But I believe we have a chance to do that. We have the chance to do it by the year 2014 and 2015.

People talk a lot about taxes around here. To me, the greatest tax will come if we pass the Republican tax package, if we had the so-called “middle-income worker” that kind of tax advantage because I think it is false. In my State, where the average income is around $30,500, I think the average mainstream worker would end up losing $500 or $600 a year because interest rates would go up on car payments, on home loans, on education loans, on credit cards, and all of those things. Interest rates would go up because we know from what Greenspan said they would and would probably go up by about 1 percent.

I think the average people in the State whom I represent would end up paying much more under the Republican tax cut package than they would if we opted to retire the debt because in that case, I think interest payments would go down, and those same people—having watched in wonderment what is or is not going on in Washington—would benefit from the results of two things: Not only lower interest rates, which would affect them up to where they are fixed, but they would also benefit from an economy.

I try to contemplate this in my mind. Come the year 2010 or 2011 when the world really begins to understand that America is indeed talking on the idea of elimination of the national debt, what would happen to the national economy?

My mind can’t even bring that into consideration but it is filled with scenes of incredible entrepreneurial activities by people who are willing to take risks, people who emerge from the hollows of West Virginia, from the deserts of Nevada, from all kinds of high plains of the Northwest, or the northern middle west, and start doing all kinds of things which they have never dared do before base interest rates were there to do it, where money is available, capital is available, and the optimism in America, and what I have seen in the last 8 years becomes almost a memory in terms of the optimism and the incredible success and energy of that kind of new economy.

To me, paying off the national debt does two things:

One, it guarantees the economic future of the people whom I represent, who elect me to represent them; and it guarantees the economic future of the entire country for perhaps a generation or two to come because we will have done something impossible—eliminate the budget deficit, and then eliminate the national debt.

How would the markets respond to that? I would think that would human nature respond to that? I only glory to contemplate what that might mean.

Second, I want to pay down the national debt because I don’t want to spend money, do what we do not spend money so much to do a lot of new things. I want to make sure that something called Social Security—the money for that—and something called Medicare—the money for that—is there in the meantime, until those programs run out of money in a number of years as all of that money will be going into those trust funds, building up and guaranteeing the future of Medicare and Social Security. That is a matter not of the energy of the American economy but the depth of the American commitment, the social contract that we made both with respect to Social Security and Medicare, both of which are going to need our attention and which need more funds. They would have the funds in a modern system wherein one concentrated on paying down the national debt.

In the Finance Committee, I originally was for a tax cut of only $250 billion. I think it was for that reason. That was a different tax cut from anything we are considering. I worry very much about Americans not saving. I like the idea of Government matching any American who put a certain amount of money into a savings account; in other words, to encourage something which we do not do at all well, that is an ingrained in the world, and that is to save money, putting money in the bank—not only for one’s own future but for the capital markets.

I want to see that. I want to see the marriage penalty tax eliminated so it does not become more expensive to get married, it becomes less expensive to get married. If we put up a bill that had no tax cut at all, I would be tempted. I don’t know, in the final analysis, if I would vote for it, but I would be tempted.

I believe in paying off the national debt. I think the consequences of that are enormously exciting. Not contemplating the numerical “joust” we play with each other over billions and trillions of dollars, the simple fact is that by the year 2014 or 2015 there would be virtually no national debt remaining—less than 1 percent. That is the single most exciting public policy event I can contemplate since I have served in the Senate. My fear is that Congress is going to figure this out but that Congress is going to figure it out too late, after it has already done the damage.

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Social Security has lifted two-thirds of Americans out of poverty. Does one talk about the $792 billion tax cut. But $2 trillion of the surplus already belongs to Social Security. That is not on the table. Of the $1 trillion remaining, that can only happen if we do draconian domestic cuts, I don’t mean new domestic cuts. I mean taking tremendous numbers of billions of dollars in every single area for years and years and years and taking away from what we are already doing.

I care passionately about veterans’ health care as I have watched the veterans’ health care system deteriorate in a variety of ways across this country. We are not talking about increasing veterans’ health care costs. We are talking about tremendous cuts in those we already have.

Many Members have discussed the fact that a young mind is formed by the time it is 3 years old. I am sure we all agree that is a very important aspect of low-income housing, education, enterprise zones, law enforcement, the military. All of these receive enormous budget reductions that would sustain themselves over a number of years. Over half a trillion cut from present spending in fiscal year 1999; the same on through fiscal year 2002 and beyond that. CBO doesn’t even choose to figure what happens after 5 years. They say they have never done it before so why should they do it now. I think that is a great way of thinking. That is what they say.

If we spend $792 billion on a bunch of tax breaks now before we even know that the money is for real and that it will absolutely be there, I cannot in conscience, for the people I represent, believe that Medicare and Social Security will be anything under the great strain of reducing benefits. I cannot bear to have that happen. I don’t think anybody should tell you otherwise. I think that is so far to see it is very easy to talk about a $792 billion tax cut. It is wonderful to sit in the Finance Committee and have people say we ought to do...
Mr. DURBIN. I will be happy to yield.

Mr. ROCKEFELLER. I have one quick point. People say we ought to have a tax cut and give it back to the people who earned it. In other words, it is not the Government's money; it is their money.

I think one thing is interesting: How much is it their money as opposed to their children's money and their children's children's money. In other words, when we talk about protecting money for future programs, such as Social Security and Medicare, we are not just talking about those who pay taxes, whether or not they are wealthy, but whether or not their children and their children's children are going to have a reasonable shot at life. It is not just that we do not have money because we are living now and others are not, but we have to keep looking toward the future and our responsibility to that future; is that not right?

Mr. DURBIN. The Senator from West Virginia hits the nail on the head. If we were to abandon our commitment to education, for example, in the country, it, with respect to funding education, is the most shortsighted thing in the world. It may reduce Government spending; yes, it may reduce taxation; but does anyone believe America would be a better country for it? I certainly do not.

When we say to families we can give them a tax break this year, a tax cut this year or we can take the money and reduce the national debt, and by reducing that debt say to their children and their grandchildren, you are going to have less to pay in taxes for interest on the debt we accumulated in our lifetime, that to me is the most popular thing I have found to have gone around the State of Illinois.

People are saying: Senator, before you start talking about new programs or massive tax breaks primarily for wealthy people, shouldn't you accept responsibility to bring down this national debt that is over $5 trillion, a national debt that costs us $1 billion a day in interest payments that are paid primarily to foreigners who hold the national debt of the United States in Treasury securities and the like?

That to me is eminently sensible because when that debt comes down, we reduce the need for $1 billion a day in taxes being collected across America for interest and paying off the Federal debt. When the Federal demand for money goes down, the cost of money—that is, the interest rate—comes down. Families benefit twofold: There is less of a burden when it comes to taxes, the interest and paying off the national debt and lower interest rates, which means homes are more affordable and small businesses and farmers can at a lower cost borrow money necessary for their businesses. That to me is a sensible approach. In fact, let me go out on a limb and say it is a conservative approach.

The Democratic plan we are putting forward is the same, it is to deal with the national debt. I am heartened by the earlier statement of the Republican Senator from Ohio when he agreed with us. He believes, as I do and as Chairman Alan Greenspan of the Federal Reserve Board has said, that our first priority should be the elimination of that debt and keeping our commitment to Social Security and Medicare.

Do not be misled as you hear some of my colleagues say we have $3 trillion in surplus and we ought to be able to at least give a third of it back to the American people. They do not tell you the whole story. Almost $2 trillion, $1.9 trillion of the $3 trillion, is really money that we virtually all agree should be used to pay the Social Security trust fund. People have that money taken out of their payroll for the purpose of making certain Social Security is there in the future. Those who are counting that as some sort of surplus really are not dealing fairly with the most important social program in America. So take off the table of this $3 trillion surplus $1.9 trillion, leaving you a little over a trillion dollars.

Of that amount, how much are we going to dedicate for some very important things—paying down the debt or
Medicare? The Medicare system, if we do not touch it, by the year 2015, is going to be out of money. We have to decide whether or not we will dedicate a portion of our surplus to Medicare. Do we need to do more for Medicare? Of course, we do. Beyond money, we have to make the commitment and the dedication to live those lives comfortably and independently, Social Security and Medicare absolutely have to be there.

The Republican approach to this, sad to report, not only does not protect the Social Security trust fund; if you will look at this chart, when it gets into the red ink, it means the Republican tax break plan has finally broken into the Social Security trust fund. At the year 2005, the Republican tax breaks would raid the Social Security surplus. After all of the speeches they have given about lockboxes and protecting Social Security, they in fact turn to that money in 2005, for what? To give tax breaks to the wealthiest among us.

There is a commentator named Kevin Phillips who for years was identified as a Republican. I do not know what his partisan identification is, honestly, but I can tell you what he had to say yesterday on National Public Radio. It is something that every American should hear. He was introduced by Bob Edwards, a familiar voice on National Public Radio, who said:

The Republican Party last week had its tax reduction proposal passed by the House of Representatives. Commentator Kevin Phillips says it’s the most unsound fiscal legislation of the last half century.

I go on to read quotes from Mr. Phillips:

. . . that’s because the cuts are predicated on federal budget surpluses so far out, six, eight or ten years, that it would take an astrologer, not an economist, to predict federal revenues. . .

He goes on to talk about the fairness of the tax cuts. Kevin Phillips:

. . . Democrats are certainly correct about the imbalance of benefits by income group. Treasury figures show that the top 1 percent of families, just 1 percent, would get 33 percent of the dollar cuts, the bottom 60 percent of families get a mere 7 percent.

So if you are in the category of a Donald Trump or a Bill Gates, or someone else, this is not part of money.

The Republican tax break plan literally could mean $10-, $20-, or $30,000 a year. But if you are working family, struggling to make ends meet, putting some money together for your kid’s college education or your own retirement, it turns out to be in the neighborhood of $20 or $30 a year. That, unfortunately, says a lot about what the Republican proposal would mean to the average family. To endanger our economic expansion, to possibly raise interest rates on home mortgages, business loans and farmers’ loans, and to provide tax breaks which are amusing, at best, for average working families, that does not sound like a very sound deal.

The Senator from West Virginia made the point, and effectively. We should be dedicating these funds to retiring this national debt. It is still hard to believe that only 2 years ago we were talking about amending the Constitution for a balanced budget amendment because we were so hopelessly ensnared by deficits—it was the only way out.

Now we are talking about giving money away at such a fast pace that we can endanger the economic recovery we have seen in the United States.

Let me read Kevin Phillips’ conclusion in his remarks on National Public Radio’s “Morning Edition” on Monday, July 26:

. . . Democrats are certainly correct about the unified surplus is, in fact, including the $1.9 trillion in Social Security trust funds. They talk a lot about lockboxes and protecting Social Security, and yet when it comes right down to it, when you look at the money available outside of Social Security, the actual surplus that we hope to imagine, 97 percent of it goes to the Republican tax cut and little or nothing reaches Medicare and other national priorities.

This debate this week is critically important for all American families to
sustain the economic expansion which we have seen for the last 7 years. I yield back the remainder of my time.

Mr. ROCKEFELLER addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. I ask unanimous consent that I be allowed to speak for 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT addressed the Chair.

Mr. ROCKEFELLER. I yield to the majority leader.

Mr. LOTT. I thank the Senator for yielding to me.

The PRESIDING OFFICER. The Senator from West Virginia is recognized. Mr. ROCKEFELLER, I thank the majority leader for his courtesy.

VETERANS HEALTH CARE

Mr. ROCKEFELLER. Mr. President, I had not expected to talk this afternoon. But I am here. The Senator from West Virginia is here. I am the ranking Democrat on the Veterans’ Committee. I am overwhelmed with the sense of urgency, and almost despair, about the condition of health care for veterans in our country.

Because of caps, the veterans health care budget, which is really the most important part of the veterans operation—benefits are important but what they really care about is, is health care going to be there if they need it?—has been flat-lined for the next 5 years. By flat-lined, I mean there is no increase. Even though there are more expenses, there is more requirement for their services, there is no more money.

The Veterans’ Administration is the largest health care system in the country. The only difference from any other health care system is that it is entirely a Government health care system. Therefore, the Government determines what it can spend and what it cannot spend. Unlike the private health care systems, it cannot spend a dime over what it is appropriated. So the Balanced Budget Act of 1997, which capped all discretionary programs—which said they could not increase—obviously, therefore, included the veterans health care budget.

I cannot tell you the damage that is being done to our veterans across this country. We talk about veterans, and we talk about veterans in veterans’ terms because they deserve that. Those who use the veterans hospitals, who have been in combat, who have sacrificed for their country—America kind of entered into a compact and said that these people will be treated with a special respect, special honor, and special care, and that they will get the health care they need under all conditions and at any time.

The Republican tax cut, along with any other that might be suggested, including the one that is being talked about at $500 billion, would make a mockery of that commitment to the American veteran. I want people to understand very clearly that I will talk specifically about some particular types of needs, such as spinal cord injuries, injuries resulting in blindness or amputations, post-traumatic stress disorder. Beginning in October of last year, I asked my committee staff to undertake an oversight project to determine if the Veterans’ Administration is, in fact, maintaining their ability to care for veterans with those kinds of special needs.

PTSD, post-traumatic stress disorder, we always associated with the Vietnam war. We have discovered it is not just that war; it is the gulf war, it is the Korean war, it is the Second World War, and it even goes back to the First World War. It is an enormous problem and a special need.

This oversight project, which I asked my staff to do, reviewed 57 specialized programs housed in 22 places around the country. I say at the outset that the VA specialized services are staffed with incredibly dedicated workers, people who could be working for higher pay in private situations, private hospitals. They are trying to do more, and they are trying to do it with increasingly less. They are often frustrated in their desire to provide the high-quality services that they went to the Veterans’ Administration to provide. I salute them.

I will mention three of the findings in this oversight effort, and then that is all I will do.

First, the Veterans’ Administration is not maintaining capacity in a number of specialized programs and is barely maintaining capacity in a number of others. Despite resource money shortfalls, field personnel have been able—just barely—to maintain the level of services in Veterans’ Administration prosthetics, blind rehabilitation, and spinal cord injury programs.

Staffing and funding reductions have been replete. The VA’s mental health programs are no longer strong. For example, my staff found that veterans are waiting an average of 5 and a half months to enter posttraumatic stress disorder programs. This is completely unacceptable for a veteran.

Secondly, the VA is not providing the same level of services in all of its facilities. There is wide variation. Staff found that some sites from site to site in the same programs, same facilities, in home services are provided. The availability of services to veterans seems to depend on where they reside, not what they have done but where they reside. In my view, all veterans are entitled to the same quality of service regardless of whether they live in West Chester County or in Berkeley, WV. It should make no difference. They all have suffered the rigors of combat. They have all earned it. We promised it to them. We are not delivering it to them.

Third, and finally, competing pressures on Veterans’ Administration managers make it virtually impossible for them to maintain their specialized programs. Hospital administrators particularly are being buffeted by competing demands because from central headquarters comes the lack of money, from the veterans comes the demand for services, which used to be there and which now aren’t, and they are, therefore, caught in the middle. In many cases, they are suffering across-the-board cuts and have been for a number of years.

I can tell Senators that under neither Democratic nor Republican administrations has the veterans’ health care program been adequately funded and funded up to the cost-of-living increase and the so-called inflationary aspect, which reflects what actually true health care requirements. I think Peter to pay Paul in many of our veterans’ hospitals and to maintain other services on which a higher priority is placed.

Mental health services, I come back to it. Why is it in this country that we will not put down mental health as a disease? Why is it we do not consider it as a medical condition? Why is it that we put it off in the category of human behavior as opposed to something that has a cause in something, such as posttraumatic stress disorder. For veterans, to blindside mental health, to push mental health to the side is beyond comprehension and beyond humanity.

In summary, it is imperative that we all understand what the budget crunch has meant to each VA health service. I say all of this because, again, of the $792 billion tax cut. If that takes place, everything I have talked about not only continues to be true but grows somewhere between 15 and 30 percent worse, not if we are to increase programs, but taking already that we are funding below where programs ought to be, where we have shortchanged veterans’ health care services for years, and now we are going to cut billions and billions of more dollars out of that over these next years. That is absolutely intolerable.

I ask unanimous consent to print a copy of the summary of the committee minority staff report in the Record at this point.

There being no objection, the summary was ordered to be printed in the Record, as follows:

MINORITY STAFF REVIEW OF VA PROGRAMS FOR VETERANS WITH SPECIAL NEEDS

BACKGROUND

From its inception, the Department of Veterans Affairs (VA) health care system has
been challenged to meet the special needs of its veteran-patients with combat wounds, such as spinal cord injuries, blindness, and post-traumatic stress disorder. Over the years, VA has worked widely with experts in providing specialized services to meet these needs.

In recent years, VA’s specialized programs have been under stress due to budget or reorganizational changes, and the introduction of a new resource allocation system. In addition, passage of Public Law 104-262, the Veterans Health Care Eligibility Reform Act of 1996, brought significant changes in the way VA provides health care services.

In passing eligibility reform, Congress recognized the need to include protections for the specialized service programs. As a result, Public Law 104-262 carried specific provisions that the Secretary of VA must maintain the "capacity" to provide VA care to the actively serving treatment needs of disabled veterans in existence at the time the bill was passed (October 1996), including "reasonable access" to such services.

VA has been required to report annually to Congress on the status of its efforts to maintain capacity, with most recent reports published in May 1998. In that report, VA stated that "by and large, the capacity of the special programs . . . has been maintained." However, some issues have been more critical, including the General Accounting Office, which found that "much more information and analyses are needed to support [VA's] determination," and the VA National Advisory Committee on Prosthetics and Special Disability Programs, which called VA’s "flawed" and consequently refused to endorse the report.

MINORITY STAFF PROJECT

Beginning in October 1998, at the direction of Ranking Member John D. Rockefeller IV, Senate Committee on Veterans’ Affairs minority staff undertook an oversight project to determine how well VA was maintaining capacity in the VA’s specialized programs. After first meeting with VA Headquarters officials in charge of the various specialized projects, as well as representatives of the veterans service organizations, we designed a questionnaire and interview protocol for each of the five service programs we selected to study.

Our starting place was defining "capacity," which we do so. After extensive consultation with experts in the field, we chose to focus on the following six factors: (1) number of unique veterans treated; (2) number of serve beds (if applicable); (3) number of staff; (4) number of access to care, in terms of waiting times and geographical accessibility; and (5) patient satisfaction.

DATA COLLECTION AND VALIDITY

DATA collection and validity is a known area of VA weakness, confirmed by our own observations in this study. Despite the fact that we provided program managers ample time to fulfill our requests, many programs still lacked the basic, everyday data that should have been easily accessible to them. In many cases, key metrics were revised upon our discovery of inherent discrepancies or our questioning of the methodology used. Nevertheless, because it would have been impossible for us to conduct a full-scale audit, we relied on the unavailable data provided to us by VA as the basis for this report.

FINDINGS AND CONCLUSIONS

In general, VA’s specialized programs are staffed with incredibly dedicated workers, trying hard to do more with less, but often frustrated in their desire to provide high quality services. One of the most consistent complaints we heard about were staffing shortages, which left employees feeling they were working “close to the edge.” When staffing is cut to the minimum, programs quickly become vulnerable to disruptions and service delays, and staff suffer from overwork, poor morale, burnout, and/or reduced motivation and quality of performance as a result.

In summary, we reached the following conclusions.

I. VA is not maintaining capacity in a number of specialized programs, and is barely maintaining capacity in the others. We found that despite resource shortfalls, VA field personnel have also found ways to maintain the level of services in the Prosthetics, Blind Rehabilitation, and SCI specialized service programs, but have not maintained capacity in PSTD and Substance Use Disorder programs. Because of staff and funding reductions, and the resulting increases in workloads and excessive waiting times, the latter two programs are failing to sustain service levels in accordance with the mandates in law.

II. VA is not providing the same level of services to veterans in all facilities. In the specialized programs we visited, there was wide variation from site to site in capacity and provision of services. It appears that the relative availability of veterans depends on where they reside. However, we believe all veterans are entitled to the same level and quality of service, regardless of where they live in the country.

III. A gross lack of data, as well as lack of validation of the available data, prevents VA from accurately determining whether capacity in its specialized services programs is being maintained. In almost every program we visited, it was difficult to obtain the information we requested, despite the fact that programs were given ample time to complete the data sheets we provided. Frequently, we were told data had been lost, was unanswerable, or was not compiled in a useful format. There were often inherent discrepancies in the data we were initially presented that took a great deal of discussion to resolve. Without readily available data, VA cannot ascertain whether it is meeting its own capacity standards. In fact, this problem with data collection and verification is one reason why VA is late in producing this year’s capacity report.

IV. VA’s shift from inpatient to expanded outpatient treatment has improved access to care for veterans. However, at some sites, certain programs, which require a mix of in- and outpatient services, have been weakened. We are concerned that patient outcomes may be compromised in the long term as VA is struggling to find the right mix of inpatient and outpatient services. Expanded outpatient services often improve geographical access for veterans and are a good way to stretch limited resources. However, we believe VA may be moving too quickly to close certain inpatient programs and expand Substances Use Disorders. This trend is controversial among many clinicians, who are concerned about the appropriateness and effectiveness of these changes.

V. VA’s specialized services suffer from a lack of centralized oversight. As with all VA’s health care services, decentralization has resulted in a lack of effective oversight. Headquarters issues directives, but for the most part, there is little follow-up to monitor how well these directives are being carried out. In addition, once money is allocated to the VISNs, there is little or no monitoring of how this money is being spent. As a result, we found that VA is not in a position to say with any certainty whether or not specialized services are being adequately maintained.

The lack of centralized oversight is particularly critical in the PTSD and Substance Use Disorder programs. VA Headquarters program consultants, who are not consulted when inpatient programs in the facilities are closed or altered in size or format. We believe their expertise should be sought before any programs are made to change established programs.

VI. Competing pressures on VISN directors make it virtually impossible for them to maintain capacity in the specialized service programs. VISN directors, particularly those most affected by funding reductions resulting from VERA, are being buffeted by competing demands for the declining resources allocated to them. In many cases, they are suffering across-the-board cuts, or may be having to "rob Peter to pay Paul" to maintain other programs they place a higher priority. With the lack of centralized oversight, VA has little ability to ensure that VISN directors are spending their money for specialized services as directed.

Mr. ROCKEFELLER. I thank the Chair.

Mr. LOTT. Mr. President, I suggest the presence of the cloak. The PRESIDING OFFICER. The clerk will call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, might I inquire, are we presently in morning business?

The PRESIDING OFFICER. The Senate is in morning business.

Mr. LOTT. Mr. President, if I could be recognized, we hope to momentarily get an agreement with regard to proceeding with the Interior appropriation bill. We are waiting to hear from the Senate leader before we enter this agreement. I think we have worked it out. I certainly hope so. If the Senator wishes to proceed as in morning business, I hope he will yield once we get an agreement all squared away.

Mr. DORGAN. Mr. President, of course, I will yield, if the majority leader requests. I had wanted to make some comments about the trade deficit.
that was announced late last week and show a few charts. I ask unanimous consent to proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

FISCAL POLICY AND THE TRADE DEFICIT

Mr. DORGAN. Mr. President, I will come to the floor and comment generously about this fiscal policy issue of $702 billion of tax cuts over the next 10 years. We don’t have surpluses yet. We have economists who tell us we will have surpluses and when these surpluses will exist over the coming 10 years. We have an appetite for trying to figure out what we want to do with all these surpluses that have not yet materialized.

Economists at the start of this decade in the early 1990s predicted almost universally that we would have a decade of economic growth and continued trouble. Going back 8 years, we had a $290 billion fiscal policy deficit. The Dow Jones industrial average had not yet reached 3,000, or it had barely reached 3,000. We had sluggish growth, and the budget deficit is largely gone. The Dow is somewhere close to 11,000. We have robust economic growth and economists predicting wonderful economic news as far as the eye can see. These are economists who remember the Carter telephone numbers or their home addresses—predicting what will happen, 3, 5, and 10 years in the future.

The result is people seize on these surpluses and say: Let’s give three-quarters of $1 trillion in tax cuts, nearly one-third of which will go to the top 1 percent of the income earners in this country. I will have a lot more to say about that in the debate which will ensue during this week. My colleague, Senator Durbin, just read Kevin Phillips’ book on NPR yesterday morning. I think they were right on point. I hope we can spend some time discussing those as well.

I want to talk about another deficit, one that both parties have been largely right on point. I hope we can spend some time discussing that as well.

Mr. Blustein. Paul is the Washington Post reporter within the Japanese Deutsche, deciding that their central bank should intervene with respect to the value of the yen against the dollar—to manipulate the value of the yen in order to influence continued exports to the United States.

What is happening to the trade deficit? This chart shows record trade months after month. It means we are buying more from abroad than we are selling abroad. It means we are running a current accounts deficit that will some day be repaid by a lower standard of living in the United States.

There is a lot of disagreement among economists but none about that. A trade deficit will be paid for. It will be paid for in the future by a lower standard of living in the country that experiences the trade deficit.

Here is a chart that shows the growing U.S. trade gap, exports and imports. You will see what is happening to the U.S. exports on this softening bottom line. And you will see what is happening to the level of U.S. imports and the massive red ink that represents indebtedness that burdens this country. Should we worry about this? The answer is, yes, of course. Should we do something about it? Absolutely, and sooner rather than later. There is now in law a commission called the Trade Deficit Review Commission. This is a piece of legislation that I authored and was cosponsored by Senators Byrd, Stevens, and others. This Commission has been impaneled and is now beginning its work. But we have a responsibility as a country to recognize this trade deficit and to do so aggressively.

Another chart shows the deficit with respect to specific countries. Japan: We have a trade deficit with Japan, and it is worsening. Why is the trade deficit worsening? Yes, with Japan, and with Canada, and it is worsening with Mexico.

We used to have a trade surplus with Mexico. We were able to turn that into a deficit very quickly because we negotiated a trade agreement with Mexico that was incompetent. We have incompetent negotiations by bad negotiators that resulted in bad trade agreements and higher deficits with respect to Mexico. We turned a surplus into a deficit.

china: What is happening with China is a very substantial runup of the trade deficit in just a matter of about 8 to 10 years.

What do we do about all this? I am concerned, obviously, about not only the general trade deficit but the continued weakness of our manufacturing sector, but also with respect to the economic stars in our country, the family farmers. Agricultural trade balances have worsened. Our agricultural trade balance with Europe declined sharply between 1990 and 1996. In Asia, the agricultural trade balance has changed in a manner that is detrimental to family farming.

Going back to the issue I mentioned on the previous chart of our individual bilateral trade relations with China, Mexico, Canada, and Japan, you will see that we are continuing to run trade deficits that are alarmingly high. Yet no one wants to talk about it, and certainly no one wants to do anything about it. The minute someone says let’s take some action, someone else will say: You are proposing a trade war. What on earth can you be thinking about?

This country had better think about itself for a few minutes. It ought to turn inward and ask: What does this red ink mean to the U.S. and its future?

Even Mr. Greenspan, who is prone to understate, in his latest comments, this cannot be sustained for any lengthy period of time. This country must worry about its bilateral trade relationships with the countries I just described. It also must worry about its agricultural trade strategy, which results in huge trade deficits and in the kind of trade relationships, which I think will make this country’s citizens increasingly angry and anxious.

Incidentally, these trade deficits are much higher than the Washington Post reported. The trade deficits in the Post represent the combination of goods and services. If you look at trade deficits in goods, it is much higher than this. That relates to the question of what is happening to the American manufacturers.

Let me talk about farmers specifically for a moment. Our family farmers around the country are suffering through a very serious crisis. The bulk of that is because prices have collapsed on the grain market, even though the stock market is reaching record highs. The grain market has collapsed, and farmers are told their food has no value.

Another serious part is that, even though we produce more than we need and we need to find a foreign home for our grain, we discover that grain floods across our borders and livestock floods across our border, especially from Canada and other parts of the world, uncompetitive trade deficits, and this wage? Because we had incompetent negotiators negotiating incompetent trade agreements. They have resulted in increasing trade deficits in this country.
The story behind the headlines is the injury that is caused to family farmers, to the manufacturing sector, to that part of America's economy that has produced the strength of this country today. That strength will not long exist if we do something about this existing trade deficit. You cannot sustain long-term economic growth when you run a $21.3 billion deficit in one month. It wasn't more than a couple decades ago that we ran a trade deficit of a couple billion dollars in a quarter of the year. Wilbur Mills, who used to be chairman of the Ways and Means Committee, called special meetings to talk about emergency tariffs to be put on goods to reduce the debilitating trade deficits. Now they are $21 billion a month and growing in a very significant way.

We need the Administration and the Congress to understand that the underlying trade negotiations and trade agreements we have had with a number of countries--including NAFTA and GATT, have undercut this country's interests. They do not work. They sell out the interests of family farmers in this country. They injure our manufacturing sector. I am not suggesting putting up walls and retreating. I want our producers to be required to respond to competition. But our producers cannot and should not be expected to respond to competition when our producers have one hand tied behind their backs by unfair trade agreements.

Finally, I want to talk for a moment about what happened last December with the U.S. Trade Ambassador announcing a deal with respect to the Canadian trade issue. They have all kinds of agreements, as I said, that don't worth much. We just allowed them to put a bunch of points down on a piece of paper. I reviewed that deal, and nothing much has happened. In fact, our trade situation with Canada grows worse. Our agricultural economy grows worse. Prices have continued to collapse. Family farmers continue to be injured and, at the same time, we have durum and spring wheat, cattle and hogs flooding across the border, most unfairly traded and most in violation of the basic tenets of reciprocal trade. Yet, nothing happens. Nobody lifts a finger to say let us stand up on behalf of your interests and take the actions you would expect the Federal Government to take to insist on fair trade.

IN MEMORY OF JUDGE FRANK M. JOHNSON, JR.

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate not proceed to the immediate consideration of S. Res. 165, in memory of Senior Judge Frank M. Johnson, Jr., of the United States Court of Appeals for the Eleventh Circuit, submitted earlier by Senators HATCH, LEAHY, and others.

The PRESIDING OFFICER (Mr. GREGG). The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution in memory of Senior Judge Frank M. Johnson, J.R., of the United States Court of Appeals for the Eleventh Circuit.

There being no objection, the Senate proceeded to consider the resolution.

Mr. HATCH. Mr. President, late last week, Senior Judge Frank M. Johnson, J.R. of the Eleventh Circuit Court of Appeals passed away at his home in Montgomery, Alabama. Judge Johnson will be remembered for his courageous stands in some of the most difficult struggles of the Civil Rights era. At a time when men of lesser fortitude would have avoided direct confrontation on the highly unpopular issues of school desegregation and voting rights for African-Americans, Judge Johnson stood firm on his convictions and the law.

Soon after his appointment to the district court by President Eisenhower in 1955, Judge Johnson took the courageous step of striking down the Montgomery law that had mandated that Rosa Parks sit in the back of a city bus. He believed that "separate, but equal" was inherently unequal. Judge Johnson upheld the constitutionality of federal laws granting African-Americans the right to vote in Alabama elections. He believed in the concept of "one man, one vote."

Despite tremendous pressure from Governor George Wallace, Judge Johnson allowed the voting rights march from Selma to Montgomery to proceed despite threats of continued civil unrest and violence. The national fervor that followed the march resulted in the enactment of the Voting Rights Act of 1965.

Today, around a courthouse that bears Frank Johnson's name in Montgomery, there are integrated schools, buses, and lunch counters. Truly representative democracy flourishes in Alabama with African-American state, county, and municipal officials who won their offices in fair elections with the votes of African-American and white citizens. In large part because of Judge Johnson, attitudes that were once intolerant and extreme have disintegrated.

The members of the Judiciary Committee extend our deepest sympathies to Judge Johnson's family and the host of friends that he had across the country.

Whereas Judge Johnson passed away at his home in Montgomery, Alabama on July 23, 1999;

Whereas the American people will always remember Judge Frank M. Johnson, J.R. for exemplifying unwavering moral courage in the advancement of the wholly American ideal that "all men are created equal" and deserve "equal protection of the laws" and for upholding the law; Now, therefore, be it resolved by the Senate, That—

(1) The Senate hereby honors the memory of Judge Frank M. Johnson, J.R. for his exemplifying unwavering moral courage and for his outstanding example of moral courage; and

(2) The Senate adjourns on this date it shall do so out of respect to the memory of Judge Frank M. Johnson, J.R.

UNANIMOUS CONSENT REQUEST

Mr. LOTT. Mr. President, I believe we are about ready to make the unanimous consent agreement to proceed to the interior appropriations bill. We had one further modification. I believe it is being cleared on both sides. I expect there will be no problem, and hopefully we can go forward with that.
In that connection, I urge Senators to come to the floor if they have amendments to this Interior appropriations bill so we can make progress and not spend too much time on opening statements or in quorum calls. I am not encouraging amendments. But if the Senator objects to the amendment that he or she is very serious about, they should come onto the floor and offer it. If that is not done, we will have a vote before too long. So Members should understand that we will have the Interior appropriations bill available and that the Senators are serious about going forward with it. We hope to make good progress on it tonight. Actually, I would like to see us complete the bill in view of the modifications that have already occurred concerning some of the provisions within this Interior appropriations bill.

It is a very important bill for our country. It involves, obviously, the parks and lands all over our country that we want to protect to people of all persuasions, as well as funding for various commissions.

I hope that it can be considered quickly. I commend in advance Senator Slade Gorton for the work he has done on this Bill and his ranking Member, Senator Byrd, and Senator Reid, who I know has been very interested in this bill and supports it.

When you have Senator Gorton and Senator Byrd prepared to work on an appropriations bill, I suspect that most of its problems have already been resolved, and the Senate should be able to act very quickly on that legislation.

Mr. DORGAN. Mr. President, will the Senator yield?

Mr. DOTT. I am glad to yield to Senator DORGAN.

Mr. DORGAN. I inquire of the majority leader about the schedule. My understanding is that he is intending to bring the Interior appropriations bill to the floor if the majority leader might tell us about the plans he has with respect to the reconciliation bill. Would that be the bill that follows the Interior appropriations bill?

Mr. DOTT. Yes. The reconciliation bill, which provides for the tax relief package, would be next after the Interior appropriations bill. We would like to go to that tonight and begin opening statements. But regardless of what happens with Interior, we will be on the reconciliation bill by 10:30 or quarter to 11 tomorrow morning.

Mr. DORGAN. Because of the time limitations on the reconciliation bill, is it the intention, I am curious, of the majority leader that that would consume all of the time tomorrow and Thursday?

Mr. DOTT. That would be our intention. Of course, under the rules dealing with reconciliation, you have 20 hours for debate on the tax relief package. Included in that 20 hours would be debate on amendments, although the vote time on amendments would not count against the 20 hours. So it would be our intention to go through the day and into the night on Wednesday and all day Thursday. If the bill were not objected to, if we finish the bill Thursday, then it would be our plan at this time for that to be the conclusion for the week.

I hope we would have already done the Interior appropriations bill. If we can't get it done because of problems that develop Thursday or, as you know, if amendments are still pending when all time has expired, we go through this very unseemly process on voting during what we call a "votarama," with one vote after another and only a minute or two between the votes to explain what is in them.

I hope we won't have that problem this time. But if we can't get it done Thursday night, of course, we would reject it. And, of course, under the rules, we should be able to finish it not later than Friday and, hopefully, even Thursday night.

We had indicated earlier a desire to go to the Agriculture appropriations bill this week next week and, hopefully, complete the Agriculture appropriations bill. We then have the option to go back to the reconciliation conference report.

Mr. DORGAN. I will just observe, if I might, that one way to avoid a lot of recorded votes is to accept a lot of amendments.

Mr. DOTT. If the pattern continues on that bill as it has on other bills, I think that probably will happen. As I recall, last Thursday night at about 8 o'clock around 43 amendments were accepted en bloc on the State-Justice-Commerce appropriations bill.

It is a little tougher when you are talking about tax policy. But I am sure that some probably will be accepted to move forward.

Mr. President, I ask unanimous consent that the Senate now turn to the House Interior bill, and, immediately following the reporting by the clerk, Senator Gorton be recognized to offer the text of the Senate reported bill, as modified, to strike on page 116, lines 3 through 7; page 129, line 14, through page 132, line 20, as an amendment to the House bill.

I further ask unanimous consent that the amendment be agreed to, the bill, as thus amended, be considered original text for the purpose of further amendment, and that any legislative provision added thereby be subject nevertheless to a point of order under rule XVI.

Mr. DOTT. I say to my leader, that he is, in fact, Mr. LOTT. Is there some other issue that Senator Boxer wished to address?

Mr. BOXER. My issue is taken care of. I am very happy to say that the oil royalties will be stricken from this particular bill. I am very pleased about the oil and royalty, and oil and royalties.

Mr. LOTT. Mr. President, are we waiting on Senator Byrd's arrival?

Mr. BOXER. I, in fact, read it, and the whole thing is fine with me.

Mr. DURBIN. Mr. President, reserving the right to object, if I might inquire of the majority leader, while we are awaiting the arrival of Senator Byrd, perhaps the Senator from Washington, the chairman of the subcommittee, could respond to some questions about the unanimous consent request.

Mr. LOTT. I have been notified that the Senator from California wanted to be on the floor when this unanimous consent request was made.

I hope we won't have that problem this time. But if we can't get it done Thursday night, of course, we would reject it. And, of course, under the rules, we should be able to finish it not later than Friday and, hopefully, even Thursday night.

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I further ask unanimous consent that the amendment be agreed to, the bill, as thus amended, be considered original text for the purpose of further amendment, and that any legislative provision added thereby be subject nevertheless to a point of order under rule XVI.

Mr. DOTT. The PRESIDING OFFICER. Is there objection?

Mr. BOXER. Reserving the right to object, we just heard that Senator Gorton said it was an error for a couple of seconds. If you would withhold the unanimous consent request until that time, we would greatly appreciate it.
on his way over, and he needs just a couple of minutes. If the leader will, I ask him to delay the unanimous consent request.

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT

Mr. GORTON. Mr. President, I withdraw the formal text of the unanimous consent request by the majority leader, and I will reread it so it is grammatically correct.

I ask consent that the Senate turn to the House Interior bill and, immediately following the reporting by the clerk, Senator Gorton be recognized to offer the text of the Senate-reported bill, as modified, to strike page 116, lines 3 through 7; page 129, line 18 through page 132, line 20, as an amendment to the House bill. I further ask consent that the amendment be agreed to and the bill as thus amended be considered original text for the purpose of further amendment and that any legislative provision added thereby may nonetheless be subject to a point of order under rule XVI.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

The PRESIDING OFFICER. The clerk will report the bill by Title.

The legislative assistant read as follows:

A bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

The Senate proceeded to consider the bill.

AMENDMENT NO. 1257

(Purpose: In the nature of a substitute)

Mr. GORTON. Mr. President, pursuant to the unanimous consent agreement, I send an amendment to the desk and ask that it be reported.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Washington [Mr. Gorton] proposes an amendment numbered 1257.

Mr. GORTON. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's Record under "Amendments Submitted.")

Mr. GORTON. Mr. President, I am pleased to bring before the Senate the Interior and Related Agencies Appropriations Act for Fiscal Year 2000. The bill totals $13.924 billion in discretionary budget authority, an amount that is $919 million below the House Interior bill. The bill fully complies with the spending limits established in the Balanced Budget Act of 1997, and the amount provided is right at the subcommittee’s 302(b) allocation.

As is always the case, putting this bill together has been a tremendous challenge. While I am extremely grateful that Senator Stevens, in consultation with Senator Byrd, was able to provide the subcommittee with an increase over its original 302(b) allocation, the amount contained in this bill is still slightly below the fiscal year 1999 enacted level. I wish to point out to my colleagues, however, that this does not mean that delivery of programs can be continued at the current level simply by holding appropriations even with last year.

The programs funded in this appropriation are intensive, supporting tens of thousands of park rangers, foresters, and Indian Health Service doctors. As such, mandated pay and benefit increases for Federal personnel and increases in rent charges, that the General Services Administration increases over which the subcommittee has no control—place a significant burden on Interior bill agencies. The committee must choose either to provide funds to cover these costs, or require agencies to absorb them by reducing services or finding more efficient ways of delivering programs. For fiscal year 2000, these fixed costs amount to more than $300 million. While the committee has provided increases to cover a majority of this amount by drawing on carryover balances and reducing low priority programs, some agencies will be forced to absorb a portion of their fixed costs.

Given the necessity of funding most fixed costs increases within an allocation that is slightly below the current fiscal year level, there is little room in this bill for new programs, increases in existing programs, or additional projects of interest to individual Members. But by terminating low priority programs and making selective reductions in others, we have been able to provide targeted increases for certain high priority programs.

The committee has provided a $70 million increase for the operation of the national park system, including $27 million to increase the base operating budgets of 100 park units. This increase is further indication of the Senate’s commitment to preserving and enhancing our national park system while restraining the fiscal constraints of the balanced budget agreement. The Senate bill puts funding for the operation of our parks at a level fully $277 million higher than the fiscal year 1999 level, and 82 percent over the amount provided a decade ago.

For the other land management agencies, the bill provides an increase of $27 million for the Fish and Wildlife Service, including more than $13 million for the National Wildlife Refuge System. The bill increases the Forest Service operating account by $17 million, including significant increases for recreation management, forest ecosystem restoration, and road maintenance. A $22 million increase is provided for management of lands by the Bureau of Land Management, as well as another $5 million increase for payments in lieu of taxes. The amount provided for PILT reflects a continued effort to steadily increase appropriations for this program without harming the core operating programs funded in this bill. Though appropriations for PILT were stagnant throughout the first half of this decade, the amount provided in this bill represents a 28 percent increase over the amount provided in fiscal year 1995.

Among the programs in this bill that are specifically for the benefit of Native Americans, the committee’s top priority has been the efforts of the Interior Secretary to deliver $2.5 billion to Indian tribes by fiscal year 2000. The Secretary of the Interior with the resources necessary to fix the Indian trust fund management system. Indian land and trust fund records have been allowed to deteriorate to a deplorable state, and the Department of the Interior now finds itself scrambling to reconcile thousands upon thousands of trust records that are scattered across the country. Many of these records are located in cardboard boxes that have not been touched for years, or in ancient computer systems that are incompatible with one another. The Department is performing this task under the watchful eye of the court, having been sued by those whose trust accounts it is supposed to be managing.

I believe that Secretary Babbitt is making a good faith effort to address this problem, and as such have recommended a funding level for the Office of the Special Trustee that is $9 million over the amount originally provided for fiscal year 1999. This amount will provide for both the manpower and the trust management systems necessary to fix the problem. I will note, however, that the Federal track record in managing large systems like these is not good. As such, I hope to continue to work closely with the Committee on Indian Affairs and the Committee on Energy and Natural Resources to ensure that these funds are expended wisely, and that we do not regret our decision to provide such a considerable amount for this purpose. I plead with my colleagues, however, to refrain from offering amendments to this bill that would radically change the course of action for trust management that has been laid by the administration. Any such changes should be carefully considered and have the benefit of hearings by the authorizing committees.
With regard to other Indian programs, I will quickly note that the bill provides an $83 million increase for the Indian Health Service, as well as significant increases for both Indian law enforcement and Indian school construction grants. Funding for Indian schools continues to be among the highest programmatic priorities expressed by members of the Interior Subcommittee.

The Interior bill also funds a myriad of programs vital that preserve and enhance our nation’s cultural heritage. Perhaps the most visible of these programs are the National Endowments for the Arts and the Humanities. While the subcommittee’s allocation did not allow us to increase these accounts by large amounts as would be the desire of many Senators, the bill does provide a $1 million increase for each program. These increases will not allow for any dramatic expansion the Endowments’ ongoing programs, but do indicate the committee’s commitment to support the Endowments and the efforts they have made to respond to the various criticisms that have been leveled at them. I hope that we may be able to do even better next year.

The bill also includes the full $19 million required to complete the Federal commitment to the construction of the National Museum of the American Indian on The Mall, and $20 million to continue the design of the comprehensive building rehabilitation project at the Kennedy Center.

The final grouping of agencies in this bill that I will mention at this time are the energy programs. The bill provides funding for both fossil energy R&D and energy conservation R&D at roughly the current year level. These programs are vital if we hope to stem our increasing dependence on foreign oil, to preserve the country’s leadership in the manufacture of energy technologies, and to enable our economy to achieve reductions in energy use and emissions in ways that will not cripple economic growth. The bill also preserves funding for the weatherization and state grant programs at the fiscal year 1999 level. Maintaining current funding levels for these programs is made possible in part by the absence of any new appropriations for the naval petroleum and oil shale reserves, and a deferral of appropriations previously made for the Clean Coal Technology Program.

Mr. President, I would like to touch on two more issues that may be of particular interest to members. The first is funding for land acquisition. Many Senators are aware that the President’s budget request included some $1 billion for a “lands legacy” initiative. This initiative is an amalgamation of programs, some of which the committee has been funding for years, some of which are new. Funding for any of the programs included in the initiative lack authorization entirely. While the committee may well have chosen to provide many of these increases if it were allowed to distribute a $1.1 billion increase in spending, the lands legacy initiative is absurd in the context of any overall budget that adheres to the terms of the Balanced Budget Act of 1997—the very act that has helped produce the budget surplus that the President is so anxious to spend.

To be clear, this bill does include large amounts of funding for a variety of land protection programs. The bill provides about the same amount of funding for land acquisition as was included in the Senate reported bill last year. It also includes significant increases for other land protection programs such as the Cooperative Endangered Species Fund and the Forest Legacy Program. The bill does not, however, include funds for the new and unauthorized grant programs requested by the administration, and does not include funds for the Stateside grant program that is authorized under the Land and Water Conservation Fund Act.

While I am sympathetic in concept to the Stateside program, the subcommittee’s allocation does not provide the room necessary to restart the program. Finally, I would like to take a moment to mention the legislative provisions “riders.” This administration has leveled much criticism at this Congress for including legislative provisions in appropriations bills. This criticism is disingenuous in at least two ways. First, the President’s legislative provisions in this very bill that, if removed, would prompt loud objections from the administration itself. Among these are provisions well known to my colleagues, such as moratoria on oil and gas development and a moratorium on new mining patent applications. There are also some less well-known provisions that have been carried in this bill for years, the subjects of which range from clearingcutting on the Shaway National Forest to the processing of oil and gas exploration. Nearly all of these provisions are included in the bill because Congress at some point felt that the Executive branch was tamping on the prerogatives of the legislative branch.

This leads to my second point. It should be well apparent to my colleagues that this administration long ago made a conscious decision not to engage Congress in productive discussion over natural resource issues. Most of these issues are driven by statutes that most responsible people admit are in dire need of updating, streamlining or reform. Instead, the administration has chosen to implement its own version of these laws through expansive regulatory actions, far-reaching Executive orders and creative legal opinions. When the administration overreaches in this fashion, concerned Senators are compelled to introduce laws to counteract those initiatives. The administration knows this, and has clearly made a political calculation that it is in its interest to invite these riders every year. For the administration to criticize the very practice that it deliberately provokes is, as I have said disingenuous at best.

If the administration wishes to take issue with the substance of these provisions rather than hide behind a criticism of the process, it is welcome to do so. I look forward to the open process. It is not done “in the dark of night,” as we so often read. The bill has moved through subcommittee and full committee, and is open for amendment by the full Senate. I expect that we will discuss some of these provisions during the coming debate, and hope that Senators will carefully consider the arguments made on both sides. What I hope Senators will not do, is vote to abdicate the Senate’s responsibility to oversee the actions of the executive branch, or sacrifice the power of the purse that is granted to the Congress by the Constitution.

With that admonition, Mr. President, it is probably an appropriate time to return to Senator Byrd and thank him for his assistance in drafting this bill. He has been an invaluable resource as I have tried to be responsive to the priorities of Members on that side of the aisle, and has been particularly helpful in securing an allocation for the subcommittee that enables us to report a bill that is deserving of the Senate’s support. I thank Senator Byrd’s staff as well—Kurt Dodd, Liz Gelfer, a detaillee, and Carole Geagley for all the hard work they have done on this bill. I also want to thank my subcommittee staff for the long hours and hard work they have put in on this bill—Bruce Evans, Ginny James, Anne McNerney, Leif Fonnesbeck, Joe Norrell, and our detaillee Sean Marsan. Kari Vanderstoep of my personal staff and Chuck Berwick—who has now departed more time for business school—have also done a great job of coordinating the many parts of this bill that have a direct impact on the State of Washington.

Once again, I think this is a good bill that balances the competing needs of the agencies it funds against the broader fiscal constraints that we have imposed upon ourselves. I hope my colleagues will support the bill.

There is one final point I want to make, Mr. President, and emphasize to all the Members and their staffs who are within hearing.

This is a bill created by many individual Senators’ requests for projects in their home States, and sometimes for projects that are regional and national in scope. This year, at least during my tenure, we set another new record. One hundred Senators made more than 2,400 requests for specific provisions in this bill. Obviously, we could not grant all of the requests that are valid. I must say most of them are. I also believe that many of these projects that would increase the ambition of the park system, the national historic system of the country as a whole.
Senator BYRD and I, working together, have done the best job we possibly could in setting priorities for those programs, within the constraints of a bill I have already said is very limited in the total amount of money we have.

So Members' requests that are not included in the bill were not ignored; they were simply omitted either because the given individual had higher priorities within his or her own State or because other priorities intervened in their way.

Mr. BYRD. Mr. President, I speak today in support of the fiscal year 2000 Interior and Related Agencies Appropriation Bill. This is an important bill which provides for the management of our Nation's natural resources, funds research critical to our energy future, supports the well-being of our Indian populations, and protects the historical and cultural heritage of our country. I urge the Senate to move swiftly in its consideration of the Appropriation Bill.

It has been my privilege to serve as the ranking member for this bill at the side of our very able chairman, the senior Senator from Washington. Senator Gorton has done an outstanding job in crafting and balancing its many competing interests, a particularly daunting challenge this year in light of the spending caps within which the Appropriations Committee must operate. Even in the best of years, crafting the Interior bill is not an easy task.

The Interior bill remains one of the most popular appropriation bills, funding a diverse set of very worthy programs and projects. The bill is full of thousands of relatively small, yet very meaningful details. Our chairman is a master of the complexities of the Interior bill. It is a pleasure to work on this appropriations bill with Senator GORTON at the helm. He has treated the Senate fairly and openly. This bill was put together in a bipartisan manner, and it reflects priorities identified by Senators, by the public, and by the agencies which are charged with carrying out the programs and projects funded in the bill.

The breadth of the activities covered by the Interior bill is vast—ranging from museums to parks to hospitals to resources to research—with most of the funds being spent far away from the capital. This bill funds hundreds of national parks, wildlife refuges, national forests, and other land management units. This bill supports more than 400 Indian hospitals and clinics and thousands of Indian students. A wide variety of natural science and energy research and technology development are funded through this bill, providing immediate and far-reaching benefits to all parts of our Nation and to our society as a whole.

This bill makes its presence known in every State—from the rocky coasts of Maine to the mountains of California, from the coral reefs of Florida to the far flung island territories of the Pacific, from the Aleutian Islands in Alaska to the Outer Banks of North Carolina. And the number of requests Senator GORTON and I have received from Senators for project funding in the Interior bill—more than 2,400 requests for specific items—reflects its broad impact. While it is impossible to include every request, Senator GORTON has done an admirable job of accommodating high-priority items within the allocation, an allocation that is $1.13 billion lower than the President's budget request and nearly $20 million below last year's enacted level of $13.94 billion in new discretionary spending authority.

Highlights of this bill include:

A total of $51 million for federal land acquisition, which is $178 million below the President's fiscal year 2000 request (with reprogramming) and $94 million below the level of funding included in the fiscal year 1999 act for land acquisition.

A continuing emphasis on operating and protecting our national parks. Park operation funds are increased by $70 million, including increases of $19 million for resource stewardship, $16 million for services, and $20 million for park maintenance.

A continuing focus on the operational needs of the other land management agencies. The bill provides an increase of $58 million for the operating accounts of the Bureau of Land Management, including a $9 million increase for range management. The bill also provides an increase of $22 million for the resource management account of the Fish and Wildlife Service, including an increase of $13 million for refuge operations and maintenance.

The bill contains $159 million for the Strategic Petroleum Reserve, allowing operation of the reserve without selling any of its stock.

Fossil energy research and development is funded at $395 million (with use of transfers and prior year balances), which is an increase above both the enacted level of $347 million and the request level (by $27 million). Specific increases also are provided for select energy conservation programs in building research and standards, transportation technology and specific industries of the future activities.

While this bill provides needed resources for protecting some of our nation's most valuable treasures, we still have a long way to go. The agencies funded through this bill are starting to address the problem of addressing their operational and maintenance issues, thanks to the leadership of the Congress. But we are by no means out of the woods. Many deplorable conditions remain; many important resource stewardship and management needs are unmet. We must continue our vigilance towards unnecessary new initiatives as well as unwise decreases, our support for the basic programs that provide the foundation of the Interior bill, and our careful stewardship of the resources and assets placed in our trust.

Lastly, I extend a warm word of appreciation to the staff that have assisted the Chairman and myself in this work. They work as a team and serve both of us, as well as all Senators, in a very effective and dedicated manner. On the majority side, the staff members are Bruce Evans, Ginny James, Anne McInerney, Lefi Frubeck, Joseph Gorgan, and Sean Marsan. On my staff, Kurt Dodd, Carol Geagley, and Liz Gelfer have worked on the Interior Bill this year. This team works under the tutelage of the staff directors of the full committee—Steve Coon, Steve Coon, Steve Coon, Steve Coon, and Jim English for the minority.

Mr. President, this is a good bill, and I urge the Senate to complete its action promptly.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, what is the pending legislative business? Mr. GORTON. I believe I have not abandoned the floor at this point.

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that the floor was open.

Mr. GORTON. Then I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Washington has the floor.

Mrs. MURRAY. Mr. President, I believe I have the floor.

Mrs. BOXER. Point of order, Mr. President. You recognized the Senator from Washington, Senator Murray.

The PRESIDING OFFICER. The Senator from Washington has the floor.

Mrs. BOXER. I thank the Chair for that clarification.

Mrs. MURRAY. Mr. President, I rise to talk about some legislative language that is in the Interior bill, on which I will be offering an amendment shortly, which is going to give away more of our public lands for the benefit of a few and at a tremendous cost to all the rest of us. This is a cost to the American taxpayer and to our environment.

I want to begin, as I talk about this, by expressing that I am not going to be attacking the mining industry, which this amendment will be speaking to. I believe mining is an important industry in our country. While most of us don't think about it a lot, mining does produce some important minerals that are vital in every one of our lives. Mining is not only important in individual routines; but it is vital to our industrial base and rural economies. We need an active mining industry in our country. Like all of my colleagues, I support a responsible mining act, but we, as citizens of this country, need a fair deal.

Today the mining industry is treated exceptionally well by our very old laws. Unfortunately, the American taxpayers are not treated well. They receive next to nothing from this industry, and our public lands suffer as well. The act that should be reformed and really appeal the American public is that mining in this country is controlled by a law that was written in
1872. That law was written just a few short years after the Civil War, when Ulysses S. Grant was still President of the United States. The law of 1872 allows mining interests to buy our Federal lands for between $2.50 and $5 per acre. They do not even have to pay royalties for that now, 130 years later. They are paying between $2.50 and $5 per acre. That is quite a bargain.

And what does the hard rock mining industry do back to us for using our land, for what they pull out of our land? Nothing, zero, zilch. The hard rock mining industry is the only extractive industry in this country that pays absolutely no royalties to the public and their lands to this outdated mining law that are coming from our public lands.

In addition, over the course of these past 130 years since this law was written, the mining industry has caused tremendous environmental damage throughout the West. Mining waste dumps are responsible for poisoning streams, lakes, and ground water with toxic minerals such as lead, cadmium, and arsenic. Mining in the United States produces over 12,000 miles of polluted streams and 180,000 acres of polluted lakes. There are 500,000-plus abandoned mines in this country. Guess who pays for the cleanup. The taxpayers. That bill is estimated to be between $30 and $72 billion. We, the taxpayers, pay for the cleanup of these mines.

The 1872 mining law did make sense when it was written 130 years ago. I think everybody here agrees that a lot has changed in 130 years. Our Nation is very different. The value of our public lands has increased dramatically, far more than $2.50 an acre. We no longer need incentives to get people to move out west, which is why that mining law was written. The West, I think, has been settled. Our commitment in this country to protect the environment is now extremely intense. It was nonexistent 130 years ago when this law was written. It is in part because our natural resource seemed unlimited 130 years ago. I think all of us know that is not true anymore.

Mining technology has changed radically in 130 years. Today a lot more land is needed for every ounce of minerals extracted. When this law was written, an old man with a pony or a mule would ride up with his pickax and do his mining on his claim. Today a lot more land is needed for every ounce of mining. Technology has changed dramatically.

No one can stand up and say we should continue to regulate the mining industry as the law that was written 130 years ago. Everyone knows it is time to make changes. The question is how and when. Do we engage in a comprehensive overhaul, or do we do as we have. Guess what they are paying for section of the 1872 law that offends the mining industry? Do we try to move forward with the 1872 mining law, or do we move backwards?

There is one provision in the 1872 mining law that provides minimal protection for the environment and for the taxpayers. When someone stakes a mining claim, the law provides that that person can obtain up to, but no more than, 5 acres of non-mineral land for the purpose of dumping mining waste. You would think, given the incredible deal that the mining industry is getting on access to public lands, the industry would be more than willing to comply with that provision.

Yet when the mining industry was faced with having to comply with the one and only environmental provision in the 1872 mining law, it went running to its champions in Congress to change that provision. The mining industry says it cannot mine if it is only given 5 acres of public land on which to dump its waste. Indeed, it argues, and Senator CRAIG's amendment in this Interior appropriation bill guarantees, the mining industry should get as much public land as it desires to dump its waste. The contention of the industry as well as the language in this bill is that the 5-acre limitation in the 1872 mining law is without meaning. They are wrong. The 5-acre provision provides a small amount of protection for our public lands, and this Senate should retain it.

The Senate has already done some work on this issue. Senator GORTON amended the emergency supplemental appropriations bill that we passed a few months ago to exclude a mine in my home State of Washington from this 5-acre mill site limitation. Of course, other mining industries now want the same good deal. So Senator CRAIG put a rider on the Interior appropriations bill we are now considering, in CRAIG's amendment in this Interior appropriation bill guarantees, the mining industry should get as much public land as it desires to dump its waste. The contention of the industry as well as the language in this bill is that the 5-acre limitation in the 1872 mining law is without meaning. They are wrong. The 5-acre provision provides a small amount of protection for our public lands, and this Senate should retain it.

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We have to ask: Where is the balance? Where is the fairness in this limited approach to the protection of public and their lands to this outdated mining law? It is absolutely absent. The sort of reform to the 1872 mining law that we are witnessing in this bill is not taking us forward but it is taking us backwards.

The environmental provisions in the mining law should be strengthened, not eliminated. Taxpayers should be compensated much more by the mining industry rather than being asked to expand the giveaway of public lands that we are doing in this bill.

Senator GORTON's amendment on the supplemental appropriations bill and Senator CRAIG's amendment on the Interior appropriations bill both provide for everything it wants and give the American public larger dumps. Companies that paid next to nothing for the public land they are mining, $2.50 an acre, are still paying absolutely no royalties and dumping more waste rock than ever on our precious public lands.

I am not going to stand by and let this industry dump waste rock on our public lands without limitation and without true compensation. We do need comprehensive mining law reform, but until then I am going to fight this effort to piecemeal reform, especially piecemeal reform that benefits the one side that already enjoys tremendous advantages under the current system.

Let me show Senators a photo of Buckhorn Mountain in Washington State. This is the area in Washington State, it is a gorgeous piece of public land, and do his mining on his claim. Today a lot more land is needed for every ounce of mining. Technology has changed dramatically.

What does it cost the mining industry to go from this to this? Mr. President, $2.50 an acre. They won't have to pay for the extra land to dump their rock, the cyanide-leached rock that they put there. They won't pay the taxpayers anything, and this is our public land. We know we need a mining industry, but if the mining industry wants to continue to make profits in this country, they then should at least compensate the public for what they are going to do.

Let me show my colleagues what this area will look like in a few years. What will the mining industry pay us for changing it from the beautiful photo I showed to this? $2.50 an acre. Under this bill and under the bill that passed recently, they are going to get as much acreage as they want to dump their rocks onto our public lands. I want to make some points that I think are worth remembering. The mining industry has been very slow to embrace any mining law reform. Now that it has encountered a part of the law it doesn't like, it is trying to eliminate the one provision that can limit some of the damage that has been caused by the mining.

The mining law permits mining companies to extract gold, silver, copper, and other hard rock minerals without paying a cent in royalties to the taxpayers. Hard rock mining is the only extractive industry to get this benefit. I will show this to my colleagues. Coal pays 8-percent royalties for underground mining. Hard rock mining, none; they pay nothing.

As we look at this chart, we see that hard rock mining clearly has been given a great gift by the taxpayers of this country, and now in this bill, we see them wanting more and more public lands. Have they negotiated a change to the 1872 mining law to get this benefit? I will show this to my colleagues. Coal pays 8-percent royalties for underground mining. Hard rock mining, none; they pay nothing.

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Western States collect a royalty or production fee on State lands, collecting between 2 and 10 percent on the gross income of mineral production. We collect nothing for Federal lands. The 1872 mining law is in need of environmental reform. Fiscal reform should not turn over the mill site decision and expand it to allow more dumping of mining waste on public lands without getting something back. The industry does not have hard rock mining on public lands. I want to make that clear. The mill site decision does not have hard rock mining. Don't believe the false rhetoric you will hear about the Solicitor's opinion enjoining a provision of the 1872 mining law, at the expense of millions of dollars and thousands of jobs. That is simply not true. They can pay for it as everybody else does if they need more land.

The Department of the Interior will not enforce the mill site waste limitation retroactively. For future mine proposals and mine expansion, the limitation will apply. The industry says the mill site decision is not consistent with the law. Instead, it is advocacy by the Interior Department. I am sure we will hear that from our colleagues. That is incorrect. The 1872 mining law clearly limits mill site claims to 5 acres for each lode or placer claim. If the industry does not have its legal position, it can fight the Solicitor's opinion in court.

For the Record, let me show my colleagues what the law actually says:

 Such land may be included in application for a patent for such vein or lode, and the same may be patented therewith.

And it goes on and it says:

Where nonmineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such nonadjacent surface ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith.

That was the law written back in 1872. It is very clear. Five acres. It says so right here. If the industry does not agree with the Solicitor's opinion that this law doesn't say exactly what we have just read, they can go to court and fight it. But to come and give this huge giveaway to an industry that already receives an awful lot from the taxpayers I believe is wrong.

Clearly, we need to reform the mining law of 1872 and maybe, in fact, the mill site limitation needs revision, but not by not in this way. We need to hold hearings and mark up an authorization bill. We ought to give the American public time to learn of the issue and revise input. If we are going to revise the 1872 law—and we should—we, the taxpayers, ought to give something back.

Mr. DURBIN. Will the Senator yield for a question?

Mrs. MURRAY. Yes.

Mr. DURBIN. I am glad I can join the Senator in her effort to oppose section 336. This is an environmental rider that is part of the Interior appropriations bill. The administration said that it is a tax cut for the mining companies. I think there are 9 remaining—which would be the basis of the veto of the legislation. I want to make sure the Record is clear and ask the Senator from Washington several questions.

In every instance when she referred to mining, are we talking about mining on public land?

Mrs. MURRAY. We are absolutely referring to mining on our public land.

Mr. DURBIN. So this is land that is owned by all of us, all American taxpayers, land that has been purchased or obtained and supervised over the years at the expense of Federal taxpayers?

Mrs. MURRAY. The Senator from Illinois is absolutely correct. In order to have a claim, you stake your claim on our public lands owned by the taxpayers, and then you have the right to go ahead and move forward and dig your hard rock, and all you have to pay is $2.50 an acre.

Mr. DURBIN. So for $2.50 an acre, these companies—even foreign companies—can go to our federally owned, publicly owned lands and they can start mining for various minerals of value, is that correct?

Mrs. MURRAY. That is correct.

Mr. DURBIN. Now, as I understand the Senator from Washington, you can take up to 20 acres for the actual mining of the mineral, and then you can use 5 acres under the law, nonadjacent, not connected, for the so-called mill site.

Mrs. MURRAY. That is correct. That is where they dump the rock they have extracted.

Mr. DURBIN. Will the Senator show us the photo of what the mill site looks like? Is there a lode or placer who has decided to mine on land owned by taxpayers? If you could show us as an example—

Mrs. MURRAY. This would be one example, I say to the Senator from Illinois, of what a dump site looks like. Here is another one we have. I will put this up as well. This shows where we have an open pit mine, which is what we are talking about, and where the rock is dumped.

Mr. DURBIN. Let me ask the Senator from Washington, if some company—and it could be a foreign company—pays $2.50 an acre, they can start mining these minerals, and then they can take 5 acres of public land and dump all of the rock and waste that is left over after they have mined, is that correct?

Mrs. MURRAY. That is correct.

Mr. DURBIN. Does that company have an obligation under the law, or otherwise, to clean up the mess they have left behind?

Mrs. MURRAY. No, they do not.

Mr. DURBIN. That is an important point. After they have gotten this wonder- derful deal—$2.50—to go ahead and mine for valuable minerals, they then dump on the mill site all of their waste and rock and leave it for generations to come—some of those pictures look like a lunar landscape—if I understand what the Senator from Washington is saying.

Mrs. MURRAY. Well, the Senator from Illinois is correct. Currently, there are 500,000 more abandoned mines in this country today, and the cleanup for that is estimated to be between $2 billion and $72 billion. That is our money.

Mr. DURBIN. Do they monitor the dump sites, mill sites, for these mines to make sure they don’t have at least any environmental danger? They are ugly, but are they environmentally dangerous?

Mrs. MURRAY. In the permanent thinking of mining, those decisions are looked at. But once this is there, it becomes abandoned. It falls to the taxpayer to have to clean it up.

Mr. DURBIN. Let me ask the Senator from Washington, section 336 of this bill, the so-called environmental rider, called a prohibition on mill site limitations, if I read this correctly—I would like to go back to the Senator from Washington for her response—says:

The Department of the Interior and the Department of Agriculture, and other departments, shall not limit the number or acreage of mill sites and the number or acreage of associated load or placer claims for any fiscal year.

I want to ask the Senator from Washington, as I read this, the 1872 mining law put a limitation of five acres on those who mine on our Federal lands to use as a dump site for their mill tailings. If I understand this environmental rider, this says there is no limitation whatsoever—that if this is enacted, these mining companies paying $2.50 an acre and literally taking millions of dollars of minerals out of our land and not paying us for it can then turn around and dump their waste in every direction with no limitation on the number of acres they can cover with this waste.

Mrs. MURRAY. The Senator from Illinois is exactly correct. If we allow the language that is in the Interior bill to move through and to become law, that is exactly correct.
them and cyanide-leached rock left on them, and it will be our responsibility to clean it up. And the mining industry will not have given us a dime for that.

Mr. DURBIN. If I understand, if I might ask the Senator from Washington, if you regard the cyanide-leaching process—I am not an expert, but as I understand it, those who are able to mine on Federal public lands bring up the dirt and the rock and then pour some form of cyanide over it hoping they will derive down at the bottom of this heap some handful of gold, for example.

Mrs. MURRAY. The Senator from Illinois is correct. The technology that is available today allows mining companies to haul out rock, pour cyanide through it, and come up with an ounce of gold. The price of gold today allows them to do that. It has been profitable for them. Therefore, they take tons of rock, and they are claiming of course that they need more acreage for mill sites because they need so much more rock to get a small amount of gold.

Mr. DURBIN. Am I correct that the Senator from Washington is saying that after they have poured the cyanide over the rock and the dirt is gone away, they have a handful of gold, and they walk away from the mess that is left behind?

Mrs. MURRAY. The Senator from Illinois is absolutely correct. This is what they do in the cyanide-leaching process.

Mr. DURBIN. Let me ask the Senator, if we are dealing with a law that was written 127 years ago, the obvious question is, Why would they want to amend one section to allow these mining companies to befool so much more public land and leave the mess behind after they have taken the profits? Why aren’t we addressing a wholesale reform or change of this mining law so that taxpayers have a fighting chance?

Mrs. MURRAY. I respond to the Senator from California as baffled as I am, that every Senator knows the 1872 mining law needs to be reformed. It needs to be reformed in a fair and responsible manner. If, indeed, the mining companies need more mill sites, then the taxpayers ought to get something in return. In fact, the mill site limitation is truly the only part of this law that allows us some control over what is left behind because the mining industry did not want to give and take, they just took, and got their rider put into this bill.

Mr. DURBIN. I would like to ask the Senator from Washington to compare the mining of coal on Federal lands when it comes to royalties to mining under the hard rock provisions.

Mrs. MURRAY. The Senator from Illinois is correct. Coal miners have to pay 8 percent for underground mining and 12 1/2 percent for surface mining where hard rock pays none.

I would think the Senators from States who have coal miners who are paying 8 percent would be rushing to the floor and saying: Where is the fairness here where you can mine hard rock for gold and pay not one dime back to the taxpayers for the use of that public land? And for what they can literally mine millions of dollars’ worth of minerals. The amazing thing is, they do not pay the taxpayers of this country any percentage for what they bring out of the ground.

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Mr. DURBIN. I want to underscore through some questions what the Senator from Illinois asked; that is, I say to the Senator from Washington, I have learned by listening to this debate that when one mining company takes out coal, there is in fact a royalty payment due to the Federal taxpayer. Is that correct?

Mrs. MURRAY. The Senator from California is correct. If you are mining for coal, you have to pay the Federal taxpayer 20 percent for underground mining and 12 1/2 percent for surface mining. That is royalty that you pay back to the taxpayers for the use of that land.

Mrs. BOXER. Is it kind of like a rent payment? You go onto Federal land, and for that privilege you pay a percentage of the value of the coal that is mined and extracted from that land. Is that correct?

Mrs. MURRAY. The Senator from California is correct. If you have oil and gas, there is a royalty payment due to the Federal taxpayer. In the case of coal, there is in fact a royalty payment due to the Federal taxpayer. Is that correct?

Mrs. BOXER. Is the Senator aware—Mrs. MURRAY. I see the Senator from California on her feet to ask another question.

Mrs. MURRAY. Mrs. BOXER. Mrs. MURRAY. The standard criteria is absolutely correct. If you are going to dig coal, you have to have a detailed permitting and reclamation standard. But if you are going to mine hard rock, which we are talking about in this bill, this giveaway in this bill, you have to show reasonable measures to prevent unnecessary or undue degradation of the public land. It is very minimal.

Mr. DURBIN. I say to the Senator from Washington, I am happy to join her in this effort. This debate will continue. I am happy to say that when she has completed her statement on the subject, I will have some other things I would like to add.

I see the Senator from California on her feet to ask another question.

Mrs. BOXER. Yes. Thank you very much. I ask the Senator from Washington to yield for a few questions.

Mr. DURBIN. I would be happy to yield for a question.

Mrs. BOXER. I appreciate the leadership of the Senator from Washington and Senator Durbin from Illinois on this antienvironmental rider. Mr. Chairman, I am fighting this antienvironmental rider all the way from the day they heard about it. I am just pleased to be here in a supportive role.

The reason I came to the floor is that the Senator from Washington has spoken in depth about a particular mine in her State. I want to ask her a few questions about a mine in my State, not that I expect her to be aware of all of this, but to see if she agrees with some of my conclusions on this.

First, I want to underscore through some questions what the Senator from Illinois asked; that is, I say to the Senator from Washington, I have learned by listening to this debate that when an oil company finds oil on Federal land, it is not surprise me.

Mrs. MURRAY. I was unaware of the fact in 1969 a Danish mining company—not an American company—successfully patented public lands in Idaho containing over $1 billion worth of minerals and paid the Federal taxpayers $275.

Mr. DURBIN. I would like to ask the Senator from Illinois asked; that is, I say to the Senator from Washington, I have learned by listening to this debate that when an oil company finds oil on Federal land, it is not surprise me.

Mrs. MURRAY. The Senator from Illinois asked; that is, I say to the Senator from Washington, I have learned by listening to this debate that when an oil company finds oil on Federal land, it is not surprise me.
extract oil, you pay a royalty; you pay us, the public, who owns the lands, something back.

Mrs. BOXER. As a matter of fact, the Senator knows, because she is helping me on this, as is the Senator from Illinois, that some of the large oil companies. We don't believe they are paying their fair share of oil royalties, but at least they are paying some royalties.

Mrs. MURRAY. The Senator from California is right. She may not agree they are paying enough, but they are paying something. Under the current mining laws in this country, hardrock mining pays nothing back to the taxpayers.

Mrs. BOXER. Is it not further the case that Senator from Washington is not suggesting that there be any royalty payment?

Mrs. MURRAY. I am only suggesting, I say to my colleague, that if in this bill we are letting them go free, then let them use, in addition to what they have had before, they give the public something back. Maybe we should negotiate that in terms of royalties; maybe it should be in a higher percentage that they pay the public. We should negotiate the requirement that they clean up the land that they have left behind.

Certainly we should get something back for our public lands rather than what is in this bill, which is to just give them more of our land.

Mrs. BOXER. Right now, what these hardrock miners want to do is ignore the 1872 mining law. Is it not a fact that in this bill we agree with those mining companies that they can use as much land as they may choose for the waste that comes out of these mines?

Mrs. MURRAY. I say to my colleague, what has occurred is that the technology for taking rock out and getting just a little bit of gold has changed dramatically. The mining companies who used to be able to get by on five acres can no longer get by on five acres. They want a lot more. Instead of negotiating with Congress to pay something back for additional shares, they are saying, no, in this provision in this bill, we have given it away to them for nothing else.

Mrs. BOXER. I ask my friend, because she is the expert on this, if she thinks my description is a good description of why they seem to need so much more land for their waste. From the cyanide leach mine pits, piled hundreds of feet high, over an area of several football fields, is a cyanide solution that is sprinkled over the piles. The cyanide, which is poison, trickles down through the ore, chemically combines with the gold and ore, and collects and pools at the base of the piles. The gold is stripped from the cyanide solution, but the cyanide solution is left on the site.

That is what is so contentious. We have poisoned and dumped on beautiful Federal lands. In this bill, we say: Amen; continue to do it. My friend from Washington is trying to say no to that environmental degradation.

Mrs. MURRAY. The Senator from California gives a very accurate description. Yes, maybe we need gold. We all know there are reasons to have this gold. These mining companies are going to extract that rock and use cyanide leach, and need more acreage for the dumped rock with cyanide on it, they should pay something back. We should not give it away in the bill. That is why I am doing.

Mrs. BOXER. I have a last question, and I don't expect the Senator to know about this particular proposal, but hopefully she can respond to this. In southern Imperial County, CA, a Canadian mining company called Glamis Imperial proposes to build a massive, open pit, cyanide heap leach mine, the kind I have described in my question to the Senator from Washington, a Congress we do what we should know how much the people of California treasure their environment, particularly in these areas where we have Native Americans who have very serious tribal concerns over this area. When she votes for this in this way, it is not just for the precious State she represents so well, but it is for other States, including California.

My question is, is my friend aware at the reach and breadth of the fight she is waging?

Mrs. MURRAY. I appreciate the comments from the Senator from California. There are mines in her State as well as many other States where this amendment will simply allow acres and acres of mill site waste to be dumped, with nothing back to the taxpayers.

I hope my colleagues will support me when I offer the amendment to strike the language in this bill, and I hope, as I want what we should have done so long ago, which is to look at the 1872 mining law. If the mining companies, indeed, do need more dump sites, ask what we get in return. We have responsible mining reform, and make sure we do it right for the taxpayers who deserve a lot better.

I appreciate the questions from the Senator from California. I will be offering my amendment in a short while. I urge my colleagues to support this amendment on behalf of the environment, on behalf of the taxpayers, on behalf of what is right and fair for people who pay royalties. Let's give something back, make sure we have responsible mining reform, and make sure we do it right for the taxpayers who deserve a lot better.

I appreciate the Senator from Washington. I have some questions on the record.

Mrs. MURRAY. I am only suggesting, we want to make a motion to strike. If she wishes to do so now, there will be an amendment to that, and we can complete this debate. If she does not wish to do so, the Senator from New Hampshire is prepared to offer an amendment on which there could be a vote probably in an hour or so.

Does the Senator from Washington wish to make a motion to strike or some other motion at the present time?

Mrs. MURRAY. Mr. President, I do intend to offer this amendment. My colleague from Illinois, Senator Durbin, desires to speak first and then I will.

Mr. GORTON. There is plenty of time to speak after the amendments are before the Senate. If the Senator, my colleague from Washington, wishes to make a motion to strike now, I will yield the floor for her to do so. If she does not, I suggest we go on to an amendment we can deal with right away.

Mrs. MURRAY. Mr. President, if my colleague from Washington State will yield for a question.

Mr. GORTON. Yes.

Mrs. MURRAY. We want to make sure that all the Members on the other side who wish to speak on this are ready to do so.

Mr. GORTON. There will be no limitation on debate until the amendment is agreed on both sides.

Mrs. MURRAY. With that understanding, I am happy to offer my amendment at this time.

Mr. GORTON. I yield the floor.

Mrs. MURRAY. Mr. President, I send my amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment is as follows:

On page 79, line 19 of the bill, strike all after "under this Act or previous appropriations Acts." and insert in lieu thereof the following: "under this or any other Act."
The clerk will report.
The assistant legislative clerk read as follows:
The Senator from Washington [Mrs. Murray], for herself, Mr. Durbin, and Mr. Kerry, proposes an amendment numbered 1361.
Mr. REID. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment as is follows:

On page 122, strike lines 1 through 15.

AMENDMENT NO. 1361

Mr. REID. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment is as follows:

In lieu of the language proposed to be stricken, insert:

The fact is the pictures she showed were pictures from some other mining operation that probably took place at least 60 years ago.

Let's take, for example, a mine that is right over the Nevada border in California called Viceroy Gold. It is in the State of the Senator from California, but it is a mine that is very close to the people of the State of Nevada. It is a short distance from the place I was born, Searchlight, NV. It took $80 million to get that operation started and probably could not be situated today. It started out as an old mine and was originally called Big Chief Mine around the turn of the century. After spending $80 million, this mine was developed. It is an open-pit mine.

I invite everyone to look at that mine because part of the requirements of being allowed to mine there is the land has to be reclaimed. This is an area where they have Joshua trees and some small cedar trees, lots of sage-brush. They plow it up and replant these trees. That is going on right now.

That mine only has about a 2-year life left. When the mine is finished, the land will look like it did before. That is one of the reasons the open-pit mining is so controversial. They put up a big bond which makes that necessary. It is not a question of why they do it because they like to do it; they do it because that is a requirement of the State of California that they replace the land the way it used to be.

It is good to do all these scary pictures about mining. My father was a miner, and if my father thought there was gold under my desk, he would dig a hole. That is the way he used to do things. But we cannot do that anymore. There are requirements that say you cannot do that.

I say to my friends from the State of Illinois, from the State of California, and the State of Washington, I have tried to change the 1872 mining law. We have been trying to do that for 10 or 12 years. We offered legislation to change that. We have been as far as conference legislation but equal branches of Government have the legal ability to write laws. That is our responsibility, and that is what this debate is about today.

We recognize the 1872 mining law needs to be changed. Let's do it. I am not debating the fact that it needs to be changed. I have offered legislation at the committee level and the conference level to change the amount of money that mining companies pay when they get a patent. We all agree that should be done, but they do not want to do it because it takes away a great piece of argument they have: You can get land for $5 an acre.

We have agreed to change it. It has been in conference where we said: If you go through all the procedures to get a patent, then you should pay fair market value for the land. We agree. Let's do it.

I am keen to berating these mining companies. Mining is in a very difficult time right now. The price of gold is around $250. Yesterday, the press reported that a company from a little town in Nevada called Battle Mountain in Lander County laid off 100 workers. That little community has had a little bar and casino for some 60 years. That just closed. Mining is in very difficult shape.
I say to my friends who care about working men and women in this country, the highest paid blue collar workers in America are miners. I repeat: the highest paid blue collar workers in America are miners. They are being laid off by mining companies. We can not proceed as they have with these jobs when the gold price has dropped $150 an ounce. It went from almost $400 to $250. They are really struggling. England just sold I do not know how many tons of gold. The IMF is threatening the Swiss government with selling gold.

Mining companies are having a difficult time maintaining. One of the largest mining companies in Nevada—the State of Nevada is the third largest producer of gold in the world. South Africa and Australia lead Nevada. We produce a lot of gold, but the confidence of the mining industry has been shaken tremendously. It is getting more and more difficult to make these mines profitable.

One mining company in Nevada, a very large company, has had two successive years of tremendous losses. We have one mining company that still has some profits, the reason being that they have gold. They are still being paid on a high price of gold which the free market does not support.

I say to my friends, let’s change the mining law. All we are trying to do, I repeat, is not let Secretary Bruce Babbitt legislate. That is what he is doing. All this does is take the law back to the way it existed.

I heard my friend from Washington say: Why don’t the mining companies—may I have the wrong word; “dialog” is not the word she used—have some dealings with Congress? They have tried. We are trying to come up with legislation on which we should all agree.

I hope my friends, for whom I have the deepest respect, understand this is a very tough issue. I do not mind all the speeches. My friend from California, my friend from Washington, and my friend from Illinois are some of the most articulate people in the Senate. They have great records on the environment. My record on the environment is second to none. I acknowledge I have defended the mining industry in this Chamber for many years, and I will continue to do so. I want everyone to understand I have tried to be reasonable on this issue, at least that is according to those who have heard me. I think is the way it is today.

Also, I have tried to be reasonable on the mining issue generally. As my friends will acknowledge, in this subcommittee I offered a very minimal amendment. It was broadened in the full committee, which is fine. But what I have done, along with Senators Bryan and Craig, is tried to change what was done in the full committee.

I have done it reasonable. I tell my friends, basically, here is what it says. It says Babbitt’s opinion does not apply to mining operations that are now ongoing and mining operations that are ongoing that need additional mill sites. It does not apply to new applications. I think that is fair.

Mrs. MURRAY. Will the Senator yield for a question?

Mr. REID. In a second.

I think it is fair. I say to my friends, I think it should not apply to anything because I think the opinion is worthless and does not have any meat to its bones. I do not think the Solicitor has any opinion that he did. But I think this amendment is an effort to kind of calm things down, to compromise things. I say to my friends, if you want the law changed, let’s change it. I am happy to work with you.

I am happy to yield for a question without losing my right to the floor.

Mrs. MURRAY. I appreciate the Senator yielding for a question because the Senator has a second-degree to my amendment. I would like to find a compromise, but the language of the second-degree says that:

any operation or property for which a plan of operations has been previously approved; any operation or property for which a plan of operations has been submitted to the Bureau of Land Management or Forest Service prior to October 1, 2000; or any subsequent amendment or modification to such approved or submitted plans.

To me, it says that leaves the door open for any future, not just current, mine.

Mr. REID. We can even talk about the effective date of this legislation. But the intent of the amendment is to protect those operations that are now ongoing. Secretary Babbitt has written a letter to me—that is part of the record of the committee—saying that mining operations now in effect would not be harmed by his Solicitor’s opinion. What this amendment does is go one step further and say, not only the mining operations that are now in effect but those that are ever in effect that have filed a plan of operation to expand would also be protected.

So that is really the intent of the amendment.

I say to my friends, don’t beat up on the mining industry. They supply good jobs. We are willing to change the law. I do not know if any of my friends are on the committee of jurisdiction, the Natural Resources Committee. I am not. I would be happy to work with you in any way I can, as I have indicated on at least one other occasion tonight.

We have tried. We have had legislation that dramatically changes the 1872 mining law that has gotten as far as the conference between the House and Senate, but it was not good enough. We have made absolutely no changes in the law since I have been in the Senate, going on 13 years. I want to make changes. There aren’t too many people who are not willing to make changes.

So I would hope we could tone down the bashing of the mining companies. They supply jobs. They are not trying to rape the environment. Under the rules that are now in effect, if they wanted to, it would be very hard to do. I am the place where I was raised, we have hundreds of holes in the ground, created in the years when mining took place there. There are a lot of abandoned mines we need to take care of. There are laws in effect.

In the State of Nevada you have to have fences around some of the holes so people do not ride motorcycles into them or do things of that nature. Abandoned mines that create a harm to the environment, we need to clean them up. I am willing to work harder to have money to do that. But let’s limit what we are talking about to the harm that has already been done. Certainly we have a right to do anything legislatively we need to do to protect harm from happening in the future. That is what I am willing to do.

PRIVILEGE OF THE FLOOR

I ask unanimous consent that Mike Haske, a congressional fellow in my office, be granted privileges of the floor during the pendency of S. 1292.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, if the Chair would indulge me for a second.

I apologize to my friend from Illinois who I understand wants the floor.

I yield the floor at this time.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I want to make a quick unanimous consent request.

PRIVILEGE OF THE FLOOR

I ask unanimous consent that Sean Marsan and Liz Gelfer, both on detail to the Appropriations Committee staff, and Kari Vander Stoep of my personal staff, be granted floor privileges for the duration of the debate on the fiscal year 2000 Interior and Related Agencies Appropriations Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. I note for the Record technical clarifications to the committee report:

On page 37 of the report, the section of the Alaska National Interest Lands Conservation Act that is cited should be section 1306(a), not section 1307(a).

In the last paragraph on page 13 of the report, the reference to the “Las Vegas Water Authority” is an error. The language should have referred to the “Las Vegas Valley Water District.” With that, I yield to the Chair.

Mr. DURBIN. The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I rise in opposition to the motion that has been filed by the Senator from Nevada, Mr. Reid, on behalf of himself, Senator Craig, and Senator Bryan.
As I read the amendment that has been proposed by the Senator from Nevada, there is virtually no change in the original language offered by Senator Craig.

What the Senator from Nevada seems to do is attack those mining operations currently in operation, those which have the plans of operations submitted to the Bureau of Land Management prior to October 1 of the year 2000, will not be subject to limitation on the acreage that can be used for their dumping on the mill site. It would suggest to the Senator from Nevada it is a slightly different approach, but the net impact is the same.

I have the greatest respect for the Senator from Nevada. I understand his knowledge and familiarity with this subject is certainly far better than my own. But I can tell the Senator, if he drives across my home area in down State Illinois, he will see the legacy of mining which we continue to live with. In years gone by, in the State of Illinois, and many other States, mining companies literally took to the land, extracted whatever was valuable, and left the mess behind for future generations. You can see it, not only in the areas where he had shaft mining. But you have on our prairies small mountains of what was left behind, often toxic in nature, that now have to be reclaimed by today's taxpayers. Or you might visit Fulton County or southern Illinois to find areas that were strip mined. What is left behind is horrible. It is scrub trees, standing lakes, but, frankly, uninhabitable and unusable—left behind by a mining industry that had one motive: Profit.

It is interesting to me this debate really focuses on a law which was written 127 years ago. Not a single Member of the Senate or the House would suggest that our sensitivity to environmental issues is the same today as it was 127 years ago. We know better now. We want to mine coal in Illinois today, you are held to the same today as it was 127 years ago. Sensitivity to environmental issues is really focuses on a law which was written 127 years ago. But I can tell the Senator; if he want to, unlimited. Go ahead and leave the waste behind. Let the taxpayers in Illinois today. That is the 20th century. That is 1999.

But when it comes to hard rock mining, we are driven and guided by a law that is 127 years old. It is interesting that the hard rock mining industry has not really worked hard to bring about a real reform of the law. I think that has a lot to do with the fact they have a pretty sweet deal. For $2.50 an acre, they can take taxpayers' land—owned—by Americans and use it for their own profit, leaving their waste and mess behind, and move on.

For hundreds of dollars, they can extract millions of dollars of minerals and pay the taxpayers a pittance. The Senator from Nevada says: Don't beat up on the mining industry. I think that is a fair admonition. I don't believe we should beat up on the environment either. We certainly shouldn't beat up on taxpayers. The 1872 mining law does just that.

What is this all about? You will undoubtedly hear in a few minutes from the Senator from Idaho that the mining law is open to interpretation. Interesting enough, the other body, the House of Representatives, by a margin of almost 100 Members, said that that interpretation is wrong. They go along with the position supported by the Senator from Nevada and myself. With respect to mill site claims, the law states: "No location made on and after May 10, 1872, shall exceed 5 acres." The law allows one 5-acre mill site claim per mineral claim. It means that if you have 5 acres of land, for $5 an acre, the right to mine for these minerals, you can only use a 5-acre plot to dump your waste on the so-called mill site. The effect of the amendment offered by the Senator from Nevada and the Senator from Idaho is to say: No, you can dump on as many acres as you want to, unlimited. Go ahead and leave the waste behind. Let the taxpayers in future generations worry about the environmental impact and what it does vis-à-vis to land usage.

The Leshy opinion in 1997 simply reaffirms the plain language of the law and prior interpretations by Congress and the mining industry.

I have in my hand citations of the mill site limitations under the 1872 mining law. I ask unanimous consent to have this printed as part of the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MILLSITE LIMITS UNDER THE 1872 MINING LAW
1984—Secretary of the Interior rules in J.B. Hoggin, 2 L.D. 755, that more than one mill site may be patented with a lode claim, provided the aggregate is not more than five acres.
1989—Secretary of the Interior rules in Hecla Consolidated Mining, 12 L.D. 75, that the Mining Law "expressly limits the amount of land to be taken in connection with a mill to five acres."

1999—Acting Secretary of the Interior rules in Mint Lode and Mill Site, 12 L.D. 624, that the Mining Law "evidently intends to give to each operator of a lode claim, a tract of land, not exceeding five acres, for the purpose of conducting mining or milling operations thereon, in connection with such lode claim."

1999—Acting Secretary of the Interior rules in Alaska Copper Co., 32 L.D. 128, that the "manifest purpose [of the millsite provision of the Mining Law] is to permit the proprietor of a lode mining claim to acquire a small tract of... land as directly auxiliary to the prosecution of active mining operations upon his lode mining location of a quartz mill. . . . The area of such additional tract is by the terms of the statute restricted to five acres as obviously ample for either purpose."

1994—Curtis H. Lindley writes in the third edition of his oft-cited treatise Lindley on Mines, §20, that a "lode proprietor may select more than one tract [for a millsite] if the aggregate does not exceed five acres."

1955—Denver mining attorney John W. Sneath writes in the Rocky Mountain Mineral Law Institute that "Each lode claim is entitled to one mill site for use in addition to the one previously reserved. . . . "Mining Location Procedures," 1 Rocky Min. Min. L. Inst. 307, 321 (1955).

1960—Congress amends the Mining Law to allow mining law claimants to acquire additional mill sites with placer claims. In its report on the bill, the Senate Interior Committee explained that it had modified the language of the bill "so as to impose a limit of one 5-acre mill site in any individual case preventing the location of a series of 5-acre mill sites as where a single claim is jointly owned by several persons. . . . In essence, [the bill] merely grants to holders of placer claims the same rights to locate a 5-acre mill site as has been the case since 1872 in respect to holders of lode claims . . . ." S. Rep. No. 904, 86th Cong., 1st Sess., at 2.

1960—The first edition of American Law of Mining (which is written primarily by attorneys for the mining industry) states: "A mill site may, if necessary for the claimant's mining or milling purposes, be more than one tract of land, provided that it does not exceed five acres in the aggregate." 1 Am. L. Mining § 35 (1960).

1968—The American Mining Congress (the leading trade association for the mining industry) presents the following argument for a law reform to the Public Land Law Review Commission:

"When the mining laws were enacted in 1872, provision was made for the acquisition of five-acre mill sites to be used for plant facilities on mining claims. The typical mine then was a high-grade lode or vein deposit from which ores were removed by underground mining. The surface plant was usually relatively small, and acquisition of five-acre mill sites in addition to the surface of the claim usually adequately served the needs of the mines.

"Today, the situation is frequently different... A mine having 500 acres of mining claims may, for example, require 500 acres for surface plant facilities and waste disposal areas. It is obvious that such activities may not be acquired through five-acre mill sites."

1989—An analysis of the Mining Law prepared for the Public Land Law Review Commission by Twitty, Siewright & Mills (a Phoenix, Ariz. law firm that represents the mining industry) closely tracks the argument by the American Mining Congress two years earlier.
"When the mining laws were enacted in 1872, provision was made for the acquisition of five-acre mill sites to be used for mining or milling purposes. The typical mine then was a high-grade lode or vein deposit from which ore was removed by underground mining. The surface plant was usually relatively small, and the surface of the mining claims together with adjacent mill sites adequately served the needs of the mines for plant facilities and waste disposal areas."

"Today, the situation is frequently different. The high-grade underground mines have, for the most part, been mined out. Open pit rather than underground mining is, with increasing frequency, the most economic way to develop low-grade deposits which now comprise a major portion of the reserves of many minerals. The mining industry now relies on mechanization, the handling of large tonnages of overburden and ores, and the utilization of large surface plants in order to keep costs down so that these low-grade deposits may be mined and treated at a profit. Such mining operations require not only substantial areas for plant facilities, but much larger areas than formerly for the disposal of overburden and mill tailings. The surface areas of mining claims and mill sites are no longer adequate for such purposes."

If a mineral deposit is partially or entirely surrounded by the public domain, the acquisition of adjacent nonmineral land from the United States for necessary facilities is now frequently extremely difficult because the laws do not provide a satisfactory way to make these acquisitions. Small areas may be acquired as mill sites, and in certain instances, if the lands meet the statutory requirements, larger acreages may be acquired at public auction. Mining companies planning large mining operations have been obliged to meet their needs by obtaining the necessary lands by other means.


The Twitty, Sievwright study also states: "Under the first clause of subsection (a) of [30 U.S.C. §42], each lode claimant is allowed, in addition to his lode claim, five acres of land to be used for mining or milling purposes." 1 id. at vol. 2, p. 322.

1974—The Interior Board of Land Appeals rules in United States v. Swanson, 141B LA 158, 173-74. [A millsite] claimant is entitled to receive only that amount of land needed for his mining and milling operations, and this amount can embrace a tract of less than five acres. The statute states that the location shall not "exceed five acres." The reference to five acres in the statute is clearly a ceiling measure, not an absolute, automatic grant.


1979—In an analysis of federal mining law, the Congressional Office of Technology Assessment states: "[I]t is highly doubtful that [millsites] could satisfy all the demands for surface space, especially since most mining plants in most areas were once mill sites, as there are mining claims, and each millsite would be at most one-fourth the size of the typical 20-acre claim, so that the millsites, in the aggregate, would be one-fourth the size of the ore body encompassed by the claims."


1984—In the second edition of American Law of Mining, Patrick J. Garver of the Salt Lake City law firm Parsons, Behle & Latimer (Mr. Garver is now executive vice-president of Barrick Gold Corp.) writes: "Uncertainty also surrounds the issue of the amount of land that may be used by millsite claimants." 4 A. M. Mining, §110.03(4) (2d ed. 1984).

1994—In a mining law textbook, Larry K. Clayton J. Parr and Robert G. Holt write in the second edition of American Law of Mining: "Because of the relatively uncertain tenure of mill sites and the infrequency of mill site locations, mill sites are regarded as a location for permanent mining support facilities." 4 A. L. Mining §110.03(1).

1997—In the revised second edition of American Law of Mining, Phoenix mining attorneys Jerry L. Haggard and Daniel L. Muchow write: "The acquisition of federal lands or interests therein by means other than the locating of mining claims or mill sites is sometimes necessary to provide the additional ground needed for the planned mining operation. The restraints on the number and size of mill site claims can limit their usefulness as a land acquisition method."—4 A. M. Mining, §110.03(1).

1997—Solicitor of the Department of the Interior John D. Leshy issues opinion titled "Limitations on Patenting Millsites Under the Mining Law of 1872." Mr. DURBIN. I thank the Chair.

I have quoted the specific words from the mining law of 1872. I can tell Senators that year after year, the 5-acre limitation was restated. There is nothing new about it. In 1872, again, the General Land Office refers to the law expressly limiting mill site locations made from and after its passage to 5 acres.

Twelve years later, in 1884, Secretary of the Interior J. B. Hoggan provided that the aggregate for lode claims is not more than 5 acres. In 1891, similar references; 1903, the same reference is made by the Acting Secretary of the Interior; the area of such additional tracts is, by the terms of the statute, restricted to 5 acres. They go on. In 1914, a treatise on mining by a gentleman named Curtis Lindley:

Lode proprietors may select one tract per mill site if the aggregate does not exceed 5 acres.

In 1955, Denver mining attorney John Shireman writes in the First Annual Rocky Mountain Mineral Law Institute:

Each lode claim is entitled to 1 mill site for use in connection therewith.

In 1960, Congress amended the mining law to allow location of mill sites in connection with placer claims. In its report on the bill, the Senate Interior Committee explained that it modified the language of the bill "so as to impose a limit of one 5-acre mill site in any individual case, preventing the location of more than one mill site." The references go on and on. The American Mining Congress has acknowledged the 5-acre limitation, and of course the branches of government have done the same.

What is in dispute here is, in the minds of a few Senators and the mining industry, the mining process has changed. They want to be able to use more acreage to dump what is left over from their mining processes."

"It is interesting that the mining industry is so confident that a court would hold up the 5-acre limitation that they have not in any way tested the constitutionality of the statute. They would rather find their friends here in the Senate. That opinion was issued by the solicitor almost 2 years ago.

You will hear a lot of comment—I have heard it in committee—that what Mr. Leshy did in this situation was unfair, illegal, and we are going to stop this bureau cut from overreaching.

The obvious question is, if it is so unfair and illegal on its face, why didn't the mining industry go to court? They didn't go to court. They went to Congress because they didn't like his interpretation; their opposition to Mr. Leshy, can't stand up in court.

The Craig rider and now the Reid amendment will allow more dumping of toxic mining waste on public lands and undermine efforts to reform the mining laws. The last American dinosaur, the 1872 mining law.
the same amount of hazardous waste as all other U.S. industries combined—one industry, hard rock mining, generating the same amount of hazardous waste as all other U.S. industries combined. You would think when you listen to the arguments from those that would make this dumping unlimited that this is somehow a passive thing, that it is no threat to the environment.

According to the EPA, the U.S. hard rock mining industry generated approximately 61 million tons of hazardous waste in 1985 compared to 91 million metric tons for all other American industries. And what the Craig and Reid amendment says is, for this dangerous waste, we will now give to the mining companies an unlimited landscape of taxpayer-owned land to dump it.

Although the mining industry claims that modern mines employ state-of-the-art technology that prevents contamination, it is not consistently used or monitored. Some have said that our references to contamination are ancient. In 1995, reporting to Congress on mine waste, the EPA stated not only did past mining activities created a major waste problem, but some of the very waste practices that contributed to these problems were still being used by the mining industry.

What kind of mining pollution? Acid mine drainage generated when rock which contains sulfide minerals reacts with water and oxygen to create sulfuric acid. Fool’s gold, the most common rock type that reacts to form acid mine drainage. Acid leached from the rock severely degrades water quality, killing aquatic life and making water virtually unusable.

Second, heavy metal contamination is caused when metals such as arsenic, cobalt, copper, cadmium, lead, silver, or zinc contained in excavated rock or exposed in an underground mine come in contact with water. Heavy metals, even in trace amounts, can be toxic to humans and wildlife. When consumed, the metals can bio-accumulate.

Processing chemical pollution occurs when chemical agents used by mining companies to separate the target mineral from the ore—cyanide, sulfuric acid, or liquid metal mercury—spill, leak, or leach from the mine site into nearby waters. These chemicals can be highly toxic to humans and wildlife.

A teaspoon of 2 percent cyanide solution can be lethal to humans; over 200 million pounds of cyanide is used in U.S. mining each year.

I have a lengthy list of examples here.

Gilt Edge Gold and Silver Mine, South Dakota: Shortly after opening in 1988, the Gilt Edge gold and silver mine cyanide leaked into the groundwater and nearby streams as a result of torn containment liners, poor mine design, and sloppy management practices. Beginning in 1992 the mine began generating acid mine drainage. As a result of cyanide plume detection, all mine tailings sumps were taken out of operation.

Summitville Gold Mine, Colorado, in 1992. The mine generated contamination from a state-of-the-art cyanide heap leach gold mine. Immediately after gold production began, the Protective Leaching Complex of lead and zinc in Southwestern Missouri have been contaminated by past mining activities.

Chino Copper Mine, New Mexico: The mine has been plagued by spills, leaks and discharges of contaminated mine waste material. Much of the pollution has spilled into Whitewater Creek which runs through dense National Forest and Lindsay State Fish Hatchery. In several incidents, the mine spilled more than 130,000 gallons of mine wastewater off the site. In 1988 another spill discharged more than 100,000 gallons of wastewater. More than 90,000 gallons of wastewater were spilled in 1990, and another 120,000 gallons were spilled in 1992.

Brewer Gold Mine, South Carolina: Nearly 11,000 fish were killed in 1990 when heavy rains cause a containment pond to breach, dumping more than 10,000,000 gallons of cyanide-laden water into the Lynches River.

Delamar Mine, Idaho: The Delamar silver and gold mine in Idaho has repeatedly dumped and discharged millions of liters of cyanide-laden water into nearby streams. Migratory waterfowl have been poisoned by cyanide from its ponds.

Stibnite Mine, Idaho: The Stibnite gold mine is located in the White Cloud Mountains site can be expected to leach enormous amounts of acid and heavy metals pollution into nearby streams and the Sacramento River.

Despite expensive efforts to reduce pollution—Iron Mountain is now on the Superfund list—large amounts of contaminants contaminate to wash off the site. Each day Iron Mountain discharges huge quantities of heavy metals including 425 pounds of copper, 1,466 pounds of zinc, and 10 pounds of cadmium. Acid waters draining from the site have decimated streams, where the acidity in the water has been measured as low as minus 3 on the pH scale—10,000 times more acidic than battery acid. Streams downstream from the mine are nearly devoid of life. Experts have estimated that at present iron oxide levels in the Iron Mountain site can be expected to lead acid for at least 3,000 years before the pollution source is exhausted.

Iron Mountain, California: Until production was halted in 1963, the Iron Mountain mine produced a wealth of iron, silver, gold, and lead. The mine is the largest source of chemically-reactive ore and waste rock that continues to leach enormous amounts of acid and heavy metals pollution into nearby streams.

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Stibnite Mine, Idaho: The Stibnite gold mine is located in the White Cloud Mountains site can be expected to leach enormous amounts of acid and heavy metals pollution into nearby streams and the Sacramento River.

Despite expensive efforts to reduce pollution—Iron Mountain is now on the Superfund list—large amounts of contaminants contaminate to wash off the site. Each day Iron Mountain discharges huge quantities of heavy metals including 425 pounds of copper, 1,466 pounds of zinc, and 10 pounds of cadmium. Acid waters draining from the site have decimated streams, where the acidity in the water has been measured as low as minus 3 on the pH scale—10,000 times more acidic than battery acid. Streams downstream from the mine are nearly devoid of life. Experts have estimated that at present iron oxide levels in the Iron Mountain site can be expected to lead acid for at least 3,000 years before the pollution source is exhausted.

Iron Mountain, California: Until production was halted in 1963, the Iron Mountain mine produced a wealth of iron, silver, gold, and lead. The mine is the largest source of chemically-reactive ore and waste rock that continues to leach enormous amounts of acid and heavy metals pollution into nearby streams.

Chino Copper Mine, New Mexico: The mine has been plagued by spills, leaks and discharges of contaminated mine waste material. Much of the pollution has spilled into Whitewater Creek which runs through dense National Forest and Lindsay State Fish Hatchery. In several incidents, the mine spilled more than 130,000 gallons of mine wastewater off the site. In 1988 another spill discharged more than 100,000 gallons of wastewater. More than 90,000 gallons of wastewater were spilled in 1990, and another 120,000 gallons were spilled in 1992.

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an interest that goes beyond giving somebody an opportunity to profit and leave a shameful environmental legacy.

Since 1872, there has been more than $240 billion of taxpayer subsidies to the mining industry.

In 1993, the Stillwater Mining Company paid $5 an acre for 2,000 acres of national forest lands containing minerals with an estimated value of $35 billion. I will repeat that. They gave us, as taxpayers, $10 a site and accepted $5 billion worth of minerals. Pretty sweet deal for the mining company. Not for the taxpayers.

In 1994, American Barrick Corporation gained title to approximately a thousand acres of public land in Nevada that contained over $10 billion in recoverable gold reserves. Now, for access to $10 billion on Federal public lands, America’s lands, how much did they pay? Five thousand one-hundred and fifty dollars. A pretty sweet deal.

In 1995, a Danish mining company—not an American company—successfully patented public lands in Idaho containing over $1 billion worth of minerals, and this Danish company paid the American treasury $275—for $1 billion in minerals.

Due to irresponsible mining practices and poor regulation, the mining industry has left behind a legacy of 557,000 high-road abandoned mines in 2 States. The Senator from Washington said earlier, the estimated cost of cleanup is $32 billion to $72 billion. If this amendment passes that is being pushed on us today, it means there will be more land to be cleaned up. The estimate of $32 billion to $72 billion will grow as the profits are taken out of America’s public lands.

There is one case I would like to tell you about: the Zortman-Landuski Mine. The Pegasus Gold Corporation operated these mines for years using Federal and private lands for mining and waste dumping, accumulating numerous citations for water quality violations. In January of 1998, Pegasus Gold Corporation filed for bankruptcy. The mines are now in the hands of a bankruptcy court to provide $5 million in golden parachutes to 20 partners.

In the meantime, Pegasus Gold Corporation has petitioned the bankruptcy court to provide $5 million in golden parachutes to 20 partners. The same executives who left this trail of contamination now want to take out of the bankruptcy corporation $5 million in golden parachutes because they have done such a fine job for the shareholders. They certainly didn’t do a fine job for the taxpayers. They didn’t do a fine job when it came to the environment.

If this amendment in the Interior Appropriations bill provides an invitation for more greed and more environmental disasters. The mining industry has to accept the responsibility to come to Washington, deal across the table in a fair manner and in good faith to revise this law so they can pay royalties and make this land safe.

In the meantime, future taxpayers to pay. Here is where it gets good. In the meantime, they have $120 million to $10 billion on Federal public lands. If they would follow the standards that apply to the mining of coal, here is the difference. We would have approval by the BLM through a leasing process for the selection of mining sites.

Mr. REID. Could I say to my friend that we have that now?

Mr. DURBIN. Mr. REID. What we have now is self-initiation and location under the mining law of 1872 with no BLM approval required.

Mr. REID. That simply isn’t true. In fact, I say to my friend from Illinois, the cost of patenting a claim is in the multimillions of dollars now. It is not easy to get through the process that has been set up.

Mr. DURBIN. I say to the Senator that I stand by my remarks. We could certainly resolve this later when we look more closely at the law.

The second thing I would suggest is they pay a royalty. I think it is an outrage that they would pay $2.50 or $5 an acre and not pay a royalty to the taxpayers when they take millions, if not billions, of dollars worth of recoverable minerals out of our federally owned public lands.

Mr. DURBIN. I say to my friend that there is general agreement. The mining companies agree. Eight years ago, we went to conference and agreed to change the amount they paid when a patent is issued.

Mr. DURBIN. I say to my friend that the mining companies signed off on a royalty. That was something initiated here. I have to ask someone here. I passed. I can’t tell you that it passed. But it was on the Senate floor that a royalty was agreed to.

Mr. DURBIN. I say to my friend that I hope this is the beginning of a dialogue where we can actually get something done. There is nobody that I have more respect for than the Senator from Arkansas, who was the spokesperson against mining companies for all the years I was here—the greatest respect in the world. But I say to my friend that he wanted absolute nothing, and we kept getting nothing.

I hope my friends will allow us to improve something. We have made very small improvements. I say to my friend that those of us who support mining companies want changes. They know it doesn’t look good, from a public relations standpoint, for them to pay $2.50 or $5 for a
piece of land. They know that. But there was something that passed the Senate which allowed the payment of fair market value. That was turned down in conference.

I say to my friend that I know how sincerely he believes in this. I will give him the line and verse. In fact, the Forest Service handbook talks about this very thing. In effect, the solicitor's opinion overruled their own handbook. I hope this will lead to improvement of the law. We all recognize it needs changing. We are willing to work with the Senator in that regard.

Mr. DURBIN. I thank the Senator from Nevada.

Mr. REID. I thank the Senator for allowing me to interrupt. I appreciate it very much.

Mr. DURBIN. I thank the Senator from Nevada, because I believe the statements he made are in good faith and reflect where we should be. We should be sitting down and rewriting this statute that is 127 years old instead of having other environmental riders in an Interior appropriations bill. We should be looking to the royalty question, which is a legitimate question that every taxpayer should be interested in instead of saying we are going to take the limitation of the acreage used by mining companies that dump their waste.

I think that is a legitimate concern. Maybe 5 acres isn't enough. But I also think the way we are going about it isn't the way we should be doing it. We legislate on the peril of having other environmental riders in an Interior appropriations bill. We need to be looking to the royalty question, which is a legitimate question that every taxpayer should be interested in instead of saying we are going to take the limitation of the acreage used by mining companies that dump their waste.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, let me speak directly to the Senator from Illinois, the Senator from Massachusetts, and the Senator from Washington. I have heard statements from the Senator from Illinois that I know he means in good faith but I think are wrong. The record must be corrected in that regard. The law does not allow unlimited of the things he has suggested might happen.

For example, tonight he suggested that the Craig-Reid amendment would allow unlimited surface mining. That is simply not true. Let me repeat for the record, that is an inaccurate statement.

Here is what the law allows today and what the Reid-Craig amendment does: It simply reinstates the law as it existed today. The Senator from Illinois is absolutely right as to what the 1872 mining law says as to the 5 acres per claim. However, what attorneys have said who were brought before the subcommittee that I chair, while that was the law, it was based on the concept of the Comstock Lode, which was the mining activity in the State of Nevada that generated the 1872 mining law. From that time forward to today, it was viewed in the law as a minimum necessary requirement. So that the Senator from Illinois did not say, which refutes the idea that this is some kind of unlimited land surface grab, is the BLM, the administrator of claims on public land, in the
The process of working with a mining company that is establishing a mining operation establishes the 5 acres and additional acres as is necessary to conduct that mining operation.

What does that mean? That does not mean the Solicitor of the Department of Interior would be automatic and immediate. The Solicitor must have met all of the environmental standards; they were complying with the statute unworkable, and we would have envisioned that kind of reform to happen. But this President and his Solicitor will not allow that kind of reform to happen.

I have worked in good faith, and, I must say, the Senator from Nevada has worked in good faith under the law and under the environmental laws of our country. For the Solicitor, an appointed bureaucrat, to step in and stop them without any public process is against the very character of the law we create on this floor.

So the Solicitor of the Department of Interior was right in doing what he did. At that supplemental appropriations conference, while I was trying to do exactly what the Senator from Nevada and I have just done with this amendment, we said: No, let's not do that.

I chair the Public Land Subcommittee, the mining subcommittee. Let's hold hearings on this issue. Let's see if the Solicitor is right in doing what he has done. We brought in mining authorities, lawyers who practice this law professionally full time before the committee, asking if the Solicitor was right in doing what he did. Their answer was unqualifiedly no; 127 years of practice would argue that the Solicitor reached out in thin air and grabbed an opinion that he knew would bring the mining industry to its knees.

Why would he know it? Surely, he wouldn't do it arbitrarily or capriciously. Surely, he wouldn't do that for political purposes. Want to bet? Let me state why he did it. Let me speak to Members in Mr. Leshy's own words, written in his own book, called "Reforming the Mining Law: Problems and Prospects." This Solicitor knew exactly what he was doing. He did it for political purposes. He did not do it for the kind of benevolent, benign, environmentally sound reasons that the Senator from Illinois suggested.

The Solicitor said:

A hoary maxim of life on Capitol Hill is that Congress acts only when there is either a crisis or a consensus. The Solicitor at the Department of Interior attempted to establish a crisis in the mining industry with the mining law. He went on to say:

Currently there is no genuine crisis involving hardrock mining—although the Senator from Illinois worked for about an hour to gin one up.

But with a little effort crises sufficient to bring about reform might be imagined.

That is what the Solicitor said when he was a private citizen environmental advocate against mining. So then he went on to say:

At the extreme, it might even be appropriate for the Interior Department and the courts to consciously reach results that make the statute unworkable.

The Solicitor himself in a former life, in 1988, said: You know what we could do? We could create a crisis and make the statute unworkable, and we would force the Congress to change the law. And then all of a sudden John Leshy was no longer private citizen, environmental advocate; he was public citizen appointed Solicitor of the Department of Interior. And what did he do? He followed his own words and his own edicts. He attempted to create a crisis. And a crisis it was, and we have spoken to it already, the crisis that tumbled mining stock dramatically in the stock markets of this country.

A message went out to the mining industry: You are not only unwelcome on public lands, we are going to try to run you off from them. That is a hundreds-of-millions-of-dollars industry, with tens of thousands of employees across this country, yet the Solicitor, a non-elected public official with no public process, did this. The Solicitor's opinion was not subject to public comment or review. The Department of Interior did not provide for any interested parties to express their views. The Solicitor's opinion is a change in the law that the administration made without any kind of review. It just simply said: That's the new law. And I say "new law" because for 127 years the Department of Interior, the BLM, and the Forest Service operated under the law that Senator Reio of Nevada and I are attempting to restate this evening. That is what the Solicitor did.

Mr. KERRY. Mr. President, may I ask my colleague how long he will be going, just so I can plan accordingly? Mr. CRAIG. Probably for about another 10 or 15 minutes. Mr. KERRY. I thank my colleague. Mr. CRAIG. The Solicitor went on to say:

Some particularly dramatic episode that highlights the particular anomalisms of the mining law might also encourage Congress to perform surgery on the Law.

That is what the Solicitor said, and that is what the Solicitor did.

What John Leshy failed to say is that over the years he and I have met around the country, debating, and he has wanted to change the mining law in such a dramatic way that the mining industry of this country simply could not operate.

The Senator from Illinois suggested we ought to change the law. You know, he is right. As chairman of the Public Lands Subcommittee and as chairman of the mining committee for the last 5 years, I say to the Senator from Illinois, we have tried to change the law. We even brought it to the floor once, passed it in a supplemental, and guess what happened. President Clinton vetoed a major change in the mining law. What did that law have in it? Major reclamation reform. It had within it a hard rock mining royalty that would have funded that reclamation reform so if mine industries went bankrupt, there was a public trust provided by the mining companies to do that kind of reclamation reform. But this President and his Solicitor will not allow that kind of reform to happen.

I have worked in good faith, and, I must say, the Senator from Nevada has worked in good faith for the last 5 to 6 years to make significant change in the 1872 law. We recognize the need for its modernization. That is not denied here. But what you do not do is the very backdoor, unpaticipatory, nonpublic effort of the kind the Solicitor did.

The Solicitor from Illinois talked about the degradation that happened in his State. What the Senator did not say is, it does not happen anymore. The reason it does not happen anymore is the reason he used it as an example, is that there is a law that disallows it today. There is full mine reclamation on surface mining, especially in the coal industry.
So let me suggest to the Senator from Illinois, let's talk today and not 50 years ago, when he and I would both agree those kinds of practices now are unacceptable. They may have been acceptable then, but they are not acceptable in fact or in law. Senator Leshy held up a picture. He did not quite know where it was. I will tell him where it was. It was in the State of Montana. I have been to that site. I have traveled and seen these problems. Three times we tried to get that issue in Montana cleaned up. Environmental groups stepped in and sued.

You kind of wonder if they do not want the issue instead of a resolution to the problem. We have worked progressively with them to try to reform the 1872 mining law, and in all instances they have said no. Here is why they said no. They said: We don't want you to have the right to go find the mineral if you find it in a place in which we don't want you to mine.

There is an interesting thesis because gold is, in fact, where you find it. It is not where you might like to have it for environmental reasons. What do we do with a thesis like that? We say OK, gold is where you find it, silver is where you find it, but because of our environmental ethics and standards today, you have to do it in an environmentally sound way.

That is what you have to do. You have to comply with the Clean Air Act. They have to comply with the Clean Water Act. They did in the State of Washington. You have to comply with all the State standards—tough standards in the State of Washington. You have to meet all the Federal standards—tough standards in the State of Washington.

That is what the Crown Jewel Mine did. And yet, at the last moment, in the 12th hour, by pressure from environmental groups, Mr. Leshy came out of his closet and said: No, you can't. And the senior Senator from the State of Washington said: Wrong, Mr. Leshy. That is not the way a democracy works. That is not the way a representative republic works. If they played by the rules and they played by the law, then they must have the right to continue. That is the issue we are talking about. We are talking about dealing fairly and appropriately with the law.

Let me go ahead and talk about Mr. Leshy. I do not quite know where he comes from, but because of our environmental ethics and standards today, we have to do it in an environmentally sound way. That is the character of it. There are few businesses where you disturb or disrupt the ground on which you stand. It is how you handle them after the fact with which I think the Senator from Illinois, the Senator from Massachusetts, and I would agree. I hope they do not want to run the mining industry out of our country. We already have substantial exodus from our country because of costs of mining based on certain standards. They all attempt to comply.

The greatest problem today is access to the land. The Senator from Illinois does not have any public land in his State, or very limited amounts. My State is 63 percent federally owned—your land—your land and my land. I am not suggesting that it is Idaho's lands, nor would the Senator from Nevada suggest that only Nevadans ought to determine the surface domain of the State of Nevada. We understand it is Federal land.

Nevadans and Idahoans and Americans all must gain from the value of those resources, but we also understand that they must be gained in an environmentally sound way. We have worked mightily so to build and transform a mining law for that purpose. I must tell you that the Solicitor, both as a private citizen environmental advocate and now as a public citizen Solicitor, has fought it all the way, because he wanted a law that fundamentally denied a mining company the right of discovery, location, and development unless it was phenomenally limited. Those are the issues that clearly we deal with when we are on the floor.

Let me say in closing, Mr. President—and it is very important for the Senators to hear this—we are not.
going to go with this. There are a number, are curious as to how long we are to yield is, the two leaders, I am a question?

A process that will deny the right of public input.

We are working to change a law without the public process in 1990, as did the Senator from Nevada. We worked mightily to change the law, and we are still working to do it. We have not been able to accomplish that. I hope we can, and we will work hard in the future to do that. But I hope the Senators and fellow Senators will support us tonight in passing the current law intact and not allowing this administration, or any other one, through their attorneys, to arbitrarily change a law without the public process and the public input that the Senator from Idaho and I are obligated to make, and yet tonight he defends the opposite. I do not think he wants that. I do not think any of us want a private process that will deny the right of public input.

Mr. Reid. The reason I ask the Senator from Nevada, I am ready to relinquish the floor. The Senator from Massachusetts has been waiting a good long while. I will work with the Senator from Washington. It is certainly her amendment. We have second-degreed it. If we cannot arrive at a time agreement, I would like to do so to accommodate all the second degree, or, if that is not going to happen, if we cannot arrive at something, we will want to look at finalizing this by a tabling motion. Let me work with the Senator from Washington.

Mr. Craig. Before the Senator yields the floor, will he yield for a question?

Mr. Craig. I will be happy to yield the floor.

Mr. Stevens. I have been listening to the debate, and it has primarily been proponents of the amendment. I am willing to have some time. We should have a time certain to vote. I hope there is going to be some accommodation for those who have been speaking for 8 o'clock or somewhere near that, recognizing everyone's right.

Mr. Reid. Will the Senator yield for another question?

Mr. Craig. Yes.

Mr. Reid. I yield to my friend from Idaho and to the Senator from Alaska, there has been a debate on both sides. It has not been dominated by the proponents of the underlying amendment. There has been a good discussion here. Mr. Stevens. Perhaps I was just listening at the wrong time.

I thank the Chair.

Mr. Craig. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. Craig. I thank the Chair.

Mr. President, I have listened with interest to the debate for some time now, and I listened with great interest to the Senator from Idaho. After listening to the Senator from Idaho, I really believe the fundamental concept here was not addressed by the Senator in his comments. He made a lot of references to the Solicitor of the Department of the Interior and to the decision that he was made in the dead of night and that we should move forward with decisio by a bureaucrat to change the law itself on which all of this is based.

This is not something that is happening just at the whim of a bureaucrat. This is not something that is happening this year, not so much for the first time. There has been a 10-year effort to try to change how we regulate mining in this country, and every time we get close to accomplishing that, some argument or another is used to try to avoid making a choice—the choice that is part of the original law itself on which all of this is based.

That law is the Federal Land Policy and Management Act of 1976 by which the BLM published its current regulations in 1980. Those regulations are required under the law. It is the law of the land that the Secretary of the Interior must take any action necessary, by regulation or otherwise, to prevent unnecessary or undue degradation of public lands. That is the law.

The Secretary is required to take action to prevent undue or unnecessary degradation of the public domain. We have been debating in the Congress, as long as I have been here, the level of degradation that is taking place, and its impacts, as a result of the hard rock mining.

The BLM published regulations in 1980. They became effective in 1981. That was the first attempt of the BLM to try to provide some kind of effective management ever since the mining law of 1872. A review was supposed to take place 3 years later. That review never took place. But in 1989 a task force was created, and a rulemaking was begun in the Bush administration to consider amendments of the 3099 regulations. The fact is, there was a failure to enact that. Why? Specifically, to give Congress the opportunity to develop its own plan.

Contrary to what the Senator from Idaho said about secret, last-minute meetings, the fact is that in the 103rd Congress Senator Bumpers introduced
legislation. Representative Nick Rahall of West Virginia introduced legislation, and the House passed his legislation by 316–108. One of the major concerns of those who opposed the measure was that it included an 8-percent royalty on 5-acre mill sites. Since that would have, according to the arguments of some, and I suspect that includes Western Senators and Representatives, made some mines uneconomic.

So we go back to 1993 when legislation was introduced that would have instituted the very royalties that we were just heard the opponents of the Murray amendment tell us they would accept. But they fought the royalties, and they fought the bill, and the bill died.

Two less comprehensive and almost identical bills were introduced in April of 1993. In those, patents were to continue to be an option, but patent fees were going to reflect the fair market value of the real estate, 25 percent net value mine mouth royalty was going to be imposed. In the Senate that year, there was an industry-backed bill. That was passed by the Senate in May of 1993, but once again it was stopped in the House. The House and Senate conferees could not bridge the gap between the industry-backed legislation and the environmentally-backed legislation. It died.

In the 104th Congress the Mineral Exploration and Access Act of 1995 was introduced by, again, Representative Rahall and others to overhaul the mining law. That was almost identical to the bill the House passed in the 103rd Congress.

Three mining reform bills were introduced in the Senate. One was introduced by Senator Craig. It was supported by the mining industry. Another was introduced by Senator Bumpers. The one introduced by Senator Craig more closely resembled the Rahall bill. The bill Senator Bumpers introduced was supported by most of the environmental and conservation community. And a third bill was introduced by Senators Johnston and Campbell that resembled a later version of what then-Chairman Johnston incorporated into the conference debate.

But again no further action was taken. Why? Because once again the industry refused to accept some of the provisions that would protect the land adequately, including clean up, holding sufficient bonding, do the things necessary which the Senator from Nevada has offered to do on the floor tonight. But there is a long legislative history of the opponents of the amendment refusing to do that. That is why the Bureau of Land Management has finally come to the point of saying we have to do something. And what they are doing is justified.

Since the mining industry in the United States has undergone a 10-fold expansion. I know it is now on facing many challenges as the world market for gold has pushed prices down, but nevertheless, it has grown substantially over the past two decades. Many of those gold mines are located on the public lands that we are suppose to be protecting. Much of this increased production comes from the use of new factories, new technologies, you can mine ore of a much lower grade. Mine operations are able to move millions of tons of material and move it around the landscape to produce just ounces of gold. The new techniques you cite, and other toxic chemicals for processing.

In short, even though I agree that we are more environmentally concern today than in years past, the fact is that today's mines have an even greater capacity to cause environmentally negative impacts. We did not hear the Senator from Idaho talk about how we are going to ensure that these mines clean up. Of course, there is an economic impact in trying to clean up a mine. But, I respectively as my colleagues try to get to the floor of the Senate and start complaining that suddenly a bureaucrat is coming in the dead of night to do what we have been fighting to do for 10 years in the Senate, and what I think most people of this country think is a struggle between those who want to protect the lands adequately and those who want to continue these practices that are endangering them.

The fact is this is a fact—this provision is simply the latest addition in a series of riders that have prevented the Clinton Administration from enforcing the 1872 mining law and reforming the sale of our Nation's mineral assets.

Coal does not get the privileges of hard rock mining. Oil and gas do not get the privileges of hard rock mining. It is absolutely extraordinary that at a time when Senators will come to the floor of the Senate and talk about giving money back, in tax cuts, to the citizens of this country, who deserve the money, that they will vote against giving them the money they deserve from the land that they own. This land belongs to the American citizens, and it is nearly being given away, without royalties, to mining companies that leave behind devastation. The are not paying their fair share, not just for cleaning it up, but also on the gold, silver and other minerals that they profit from, and the American's own. I think it is the wrong way to legislate the priorities of our lands and the protection of them.

The Bureau of Land Management tried to update environmental protections in 1997. Respectfully, I ask that my colleagues not come to the floor and tell us that this all of this happened in the dead of night or some secret effort. The Clinton Administration tried to enact some reforms in 1997, and they had to stop it in a rider on appropriations bill. It was stopped again by a rider in the 1998 Interior appropriations bill that prohibited them from issuing proposed rules until the Western Governors were consulted and then, until after November of 1998.

Here we are in July of 1999. The BLM satisfied the requirements of that rider of 1998. They then resumed the rulemaking process. It wasn't in the dead of night. It wasn't a surprise. The Clinton Administration, again, took up the rulemaking after they had been required to consult with the western Governors. The BLM satisfied the requirements of the rider, and then they were stopped again by a rider in the fiscal year 1999 omnibus appropriations bill calling for a study by the National Academy of Sciences and delaying the rules at least until July, which is where we are right now. However, not even that was enough. In February of this year, the BLM issued proposed rules, and it entered a public comment period, not the dead of night, not some surprise effort by the rulemakers. They are representing their State and he has to. He has 13,000 miners there. But one has to wonder about the cost of reclaiming the land and who will pay it. At some point we may find cheaper for the United States of America to pay those men not to mine than the kind of environmental damage that has been presented here today by the Senators from Washington and Illinois. Rivers have been ruined, the toxics spilled into the environment. What is it, $32 billion to $72 billion is the estimated cost of cleaning up chemicals that have been released in these operations and other environmental damage to drinking water and water systems. It is cheaper to pay these men not to do it than to continue to do this.

What are we doing? Well, we have a law, the 1872 Mining Law, that restricts each mine claim of up to 20 acres to a mill site of 5 acres to dump waste and protect precious material.

In his decision, the Solicitor did not amend, he did not reinterpret the law. Even the mining industry has agreed that the 5-acre mill site limit is the law. I point to an article I read in 1970 when a law firm representing the industry openly conceded that point. They may argue a different case now, but before this opportunity presented itself,
the mining industry agreed. All the Solicitor did was recommend that the BLM start enforcing this provision again. That is all. Enforce the provision.

Mr. REID. Will my friend yield for a parliamentary inquiry?

Mr. KERRY. I will for the purpose of a parliamentary inquiry.

Mr. REID. I say to my friend, we have talked, and we would like to vote at 7:35 or 7:40. What we are going to do is divide the time between now and then between the proponents and the opponents of this particular amendment. There will be, near that time, a motion to table that will be initiated. Could the Senator indicate about how much longer he wishes to speak?

Mr. KERRY. Mr. President, I can't. I want to speak my mind on this issue. Although I am one of the original co-sponsors, I can't speak for the lead sponsor. I don't know if there are other Senators on our side who would like to speak in order to have their position known.

Mr. REID. We know the Senator from Washington wishes to. We want to try to be fair.

Mr. KERRY. I don't imagine I will go more than 10 minutes or so. I don't know. But if the Senator from Washington needs.

Mr. REID. We could go until 7:40, which leaves 35 minutes.

Mrs. MURRAY. Mr. President, I believe the Senator from Massachusetts has the floor, but if I may clarify, is the Senator asking to divide the time equally between now and 7:40?

Mr. REID. Yes.

Mrs. MURRAY. I will not object to that.

Mr. REID. Divided equally. I ask unanimous consent, Mr. President.

Mr. STEVENS. Just a minute. I don't understand the division of time.

Mr. KERRY. Mr. President, reserving my right to reclaim the floor.

Mr. REID. The Senator has the floor. I say to my friend from Alaska, we would divide the next 35 minutes between the proponents and opponents. There would be equal time. I checked with the other Senator from Alaska and he thinks that is okay.

The PRESIDING OFFICER (Mr. ALARD). Is there objection? Without objection, it is so ordered. The Senator from Massachusetts is recognized.

Mr. KERRY. I thank the Chair.

The only reason we seek to enforce the existing law once again. No reinterpretation, no change. This is not a far reach. This is existing law, which, as I say, very clearly in 1970 and in other times has been acknowledged as the law even by the mining industry itself.

It was likely under pressure from the mining industry in the 1960s and 1970s that the Federal Government started to overlook the provision and permitted mining operations to use more than the single 5-acre mill site. What we are saying is that was a mistake of enormous environmental and fiscal consequences.

The BLM ought to enforce the law. It is one of the few protections that we have. Let me try to share with colleagues what the consequences of the current law are, why it needs reform and why it needs us to have the right to vote to continue these. The cost of not enforcing the law and doing what is required. The Senator from Nevada asked, a moment ago, of the Senator from Illinois: What would you like us to do? He said: What do you think the mining companies ought to do?

Let me respectfully share with you what the Bureau of Land Management wants them to do, which the mining companies and these constant riders are blocking us from doing. Here it is very simply: Protect water quality from impacts caused by the use of cyanide leaching, thereby safeguarding human environmental health in the arid West. Second, protect wetlands in riparian areas, which are critical wildlife habitat in arid regions, as well as promoting long-term environmental health, and sharply limit or eliminate any loopholes to the requirement to get advance approval of mining and reclamation plans.

Moreover, there are significant things that could be done. Require financial guarantees for all hard rock mining operations; base the financial guarantee amount on the estimated reclamation costs; require a trust fund to pay for long-term water treatment, if necessary. Is that asking too much? If you come in and use the land and degrade the water, shouldn't you be required to provide water treatment in order to protect the water?

Is it asking too much that you should post a bond in order to guarantee that once you strip the mine of all of its economic value and you walk away with billions of dollars and walked away with your profits, that you should have some requirement for reclamation, and that there is a sufficient bonding from those profits. Even if you don't pay royalties, shouldn't you pay to guarantee the land is going to be cleaned up?

So they ask what should we be able to do. The things they should do are clear. But costs, right there, have been blocked. Blocked for the 10 years that I have watched this being fought here. I watched Senator Bumpers from Arkansas pace up and down there with
these arguments year in and year out. And year in and year out, unfortunately, the industry works its will against the better common sense of true conservationists, against the better common sense of those whom I believe, the Senator from Alaska to be. It is incredible to me that we of good conscience can't find adequate language and compromise to protect this land, to be able to do this properly. We require more of coal miners, and we require more of oil and gas than we do of hard land. And it is public land.

So I say to my colleagues we have an opportunity to do what we have been trying to do as a matter of common sense, which is enforce the law of the land. That is all we are asking—enforce the current law of the land as it was before, as it should have been, and as it must be now, in order to adequately protect the interest of the citizens.

I reserve the remainder of our time.

Mr. STEVENS. Mr. President, may I have 8 minutes?

Mr. GORTON. I yield 8 minutes to the Senator.

Mr. STEVENS. Mr. President, I find myself in a strange position because I was Solicitor of the Interior Department. At the time, I followed the law and I interpreted the law; I did not make law. The BLM manual, in case you are interested, says specifically: One mile site cannot exceed 5 acres in size. There is no limit to the number of mill sites that can be held by a single claimant.

Now, that is a regulation made pursuant to the law that was in existence at the time the Solicitor rendered his opinion. He ignored that. But the main thing is, I do want to say that this floor that amazes me. The Senator from Illinois says that, apparently, the environmental laws don't apply to mining claims. Why is it, then, that there is a requirement for mill sites? The mill sites are there primarily for the purpose of mill sites as does active claims under a plan by the Secretary of the Interior Department raised a question as to whether we would limit these mill sites to 5 acres. That limitation as to whether we would limit them to that number of mill sites.

The amendment of the Senate from Washington attacks mill sites under the Solicitor’s opinion—a misguided opinion, I feel, with regard to the number of mill sites. The Forest Service manual states:

This is a regulation that has been issued by the Forest Service pursuant to the mining law, and it has been valid for years. Suddenly, the Solicitor’s opinion says all that is nonsense; you can only have one mill site per mining claim. I am at a loss to understand why all of this rhetoric is coming to us at this point in the history of the situation.

Why don’t we talk about the tremendous destruction in the East? Why is this all about the West? As a matter of fact, when I came from the East, moved into the West, they laid the West to waste, and that is what led to the environmental laws that we have and live by. We abide by them, particularly the Clean Water Act, the Clean Air Act, and the basic Environmental Protection Act.

Every one of these mining claims must have a mining plan approved by the agency that is managing the Federal lands for the Federal Government. These agencies approved those plans. To suddenly say there is something wrong about this, I don’t understand the Senators from the East, nor do I understand the Senators from the West, raising this kind of an objection to the lands that are necessary for environmental purposes. If this mining claims decision is upheld, that decision made by the Solicitor, every mine in my State must close. Every mine must close.

Senator MURRAY’s amendment merely states that the Solicitor is not going to make law. If you want to bring the law in and change the law of 1872, bring it in the bill. We will debate it, as we did Senator Bumpers’ bills. But don’t come in and try to validate a Solicitor’s opinion which is erroneous, and it is not good law.

The PRESIDING OFFICER (Mr. Thomas). Who yields?”

Mrs. MURRAY. Mr. President, I yield 4 minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the Senator from Washington for her leadership on this important issue.

I have listened carefully to this debate. I will gladly acknowledge that many of the Senators, including the Senator from Alaska, have more personal knowledge of the mining industry than I do. But I believe that the environmental issues here are clear-cut issues, whether you live in the East, West, North, or South.

What we are talking about here is public land—land owned by every taxpayer. The people in a certain State with public land have no more claim to it than those in every other State. That is why this is a national issue. Allow me, if I may, to put this in a political context. It is my understanding that this was based on a decision in 1991—I underline 1991—in a manual that was issued by the Department of the Interior, which has now become the handbook, or so-called ‘manual,’ which has now become the basis of this debate. This so-called manual, or handbook, was neither a regulation nor a law. It was an interpretation which varied from interpretations which had been in existence since 1872.

For the first time since 1872, in 1991, in the closing days of the Bush administration, someone working in the Department of the Interior raised a question as to whether we would limit these mill sites to 5 acres. That limitation has not been questioned seriously until now. The so-called manual, or handbook, was not a regulation nor a law. It was an interpretation which varied from interpretations which had been in existence since 1872.

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In Nevada, we have witnessed in the last decade the third renaissance of mining activity. It has employed thousands and thousands of people in my State with an average salary about $49,000 a year with a full range of benefits. These are good jobs.

Because of the declining price of gold on the world market, we have lost more than 2,000 jobs in the last 6 months alone, and more are scheduled to be laid off. In part, this is because of some proposals by the British Government and Mexico, for example. It is an issue for us. But we are facing a very difficult time.

The second point I would like to make is that this has been framed as an environmental issue. It is not. The full panoply of all of the environmental laws enacted since the late 1960s applies to this industry. So they are not exempt from any of these provisions.

Finally, the point needs to be made that with respect to the reclamation, all of the activities are conducted to fit the Clean Water Act. The Clean Water Act will guarantee no environmental standards for a mine to assure that sites will not continue to pollute water sources when they are abandoned. So for those who are arguing on the side of the mining industry to come to this floor and argue that the Clean Water Act will guarantee no environmental problems, let me tell you, it does not do so.

Mr. STEVENS. Will the Senator yield for 30 seconds on our time?

Mr. DURBIN. Yes.

Mr. STEVENS. The Great Malinda Mine in southeast Alaska never opened because of the Clean Water Act. The Senator and his source could not be further wrong.

Mr. DURBIN. I say to the Senator from Alaska that I have no idea about that particular mine. But it could be that they couldn't meet the Clean Water Act test, the fixed-point source test, because if it came to ground water contamination, there is no regulation under the Clean Water Act on mining.

The PRESIDING OFFICER (Mr. ALARD). The time of the Senator has expired.

Mr. GORTON. I yield 3 minutes to the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. GORTON. I yield 4 minutes to the Senator from Alaska.

Mr. MURKOWSKI. Mr. President, this is deja vu all over again, with the exception of the former Senator from Arkansas, Mr. Bumpers, who obviously led this charge before.

I have heard things on the floor of the Senate tonight that are so inaccurate that I am surprised. Some have suggested that cyanide is poured on the face of our country, that there are 12,000 streams that have been polluted and damaged from our mining industry—and ruined, I think was the terminology used. These are totally inaccurate, false statements.

They are not the result of cyanide from the mining industry leaching out in the area where mining has occurred. They are all closed systems. These are emotional appeals based not on fact but on fiction. They are directed by misleading environmentalists who have decided the mining industry and America's can-do spirit and technology can't take resources from the ground and do it properly.

We are not talking about a mining bill. We are talking about the proposal by the Senator from Alaska which would limit what the Solicitor has proposed—one site, one mill site in a mining claim.

The reality is we will shut down the industry. That is all there is to it. Cannot compete in both. We cannot operate the industry on that kind of a land availability.

They generalize in their criticism. They talk about Superfund, the ground water contamination. There are 55,650 sites. These are sites where mining has been halted. Let's look at their record. Reclaimed or benign, 34 percent, 194,000; landscaped disturbances, 31 percent; safety hazard, 116,000; 20 percent; surface water contamination, 2.6 percent; ground water contamination, eighty-nine one-hundredths; Superfund, eighty-nine one-hundredths.

My point is this is not a crass dere
diction of responsibility. This is the mining industry's history as evaluated by the U.S. Abandoned Mines. Certainly we have exceptions on past practices.

To suggest cyanide is leaching out, to suggest we have an irresponsible industry, to suggest the States are not doing their jobs—and the States obviously oversee reclamation; they see the mining permits—and to try to kill the industry with a proposal that is absolutely inaccurate, impractical, and unrealistic is beyond me. I don't think it deserves the time of the Senate today.

Nevertheless, that is where we are. This creates an impossible situation. If we want to run the mining industry offshore, this is the way to do it. Canada did it by a gross royalty. Mexico did it by taxing them.

What is the matter with this body? There are 58,000 U.S. jobs, good paying jobs. We need to be a resource-developed country. Otherwise, we will bring them in from South Africa.

What happened in South Africa? It speaks for itself. I hope my colleagues recognize what this does. This kills the
This bill, this night, is not the way to bate. To do it blatantly for one side in this Congress ought to get into this de-

up? Is it more per acre? Should environ-

will give us in return. Will it be roy-

we should ask the industry what they

change a part of the law, this law, then

now? We are saying if we are going to

law that was written in 1872 be changed

manual. We are here to say: Should the

that can be held by a single claimant.

era. It was changed to read:

from 1976 to 1991 was also very clear

plicable to the placers. No location made of

quirements as to survey and notice as are ap-

ated therewith subject to the same re-

may be patented therewith . . . on no loca-

the 1872 law. It is very clear. It says:

credible mass use of our public lands.

royalty that is out there. However, they

pay $2.50 to $5 an acre for the land they

ready have an incredible deal. They

nology that is out there. However, they

are to be amended by the De-

partment of the Interior's ruling. No

requirements, got all those per-

ments. The mine in the State of Wash-

quirements of the Endangered Species

quirements of the National Environ-

mental Policy Act, must meet the re-

quirements of the Clean Water Act, must meet the re-

This debate is about is whether or not the laws of the United States are to be amended by the Congress of the United States or by an employee of the Department of the Interior. This 1872 law has been amended by the De-

partment of the Interior's ruling. No Member of Congress, whatever his or her views of the Mining Act of 1872, should favor the proposition that a bu-

aucrat can amend the laws of the United States. Of course, we ought to debate the 1872 Mining Act. Of course, we ought to vote on it. We have in fact

debated and voted on it here in the Congress. But the fact that the changes have not taken place to the satisfac-

of some does not delegate the au-

ority to change the laws of the

States to the Department of the Interior.

The subject here is simply that. If

Election Commission on this subject, I as-

sure you that no final provision will be

any stronger than the Craig-Reid amend-

tement because of what the House

does have and may well be less sweeping

even than that. So at the most, Mem-

ers, by voting for this motion to table, are voting for the Craig-Reid amendment and probably for some-

thing somewhat less stringent.

The PRESIDING OFFICER. All time has expired.

Mr. STEVENS. Mr. President, on be-

half of myself and the Senator from Nevada, Mr. REID, I move to table the Murray amendment, No. 1360.

Mr. President, I ask for the yeas and

nays. The PRESIDING OFFICER. Is there a sec-

ond? There is a sufficient second. The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 1360. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll. Mr. NICKLES. I announce that the Senator from Mississippi (Mr. LOTT) is necessarily absent.

Mr. REID. I announce that the Sen-

ator from Delaware Mr. (BIDEN), the Senator from Massachusetts (Mr. KEN-

edy), and the Senator from New York (Mr. MOYNIHAN) are necessarily absent.

The result was announced, yeas 55, nays 41, as follows:

[Yeas—55]

[Rollcall Vote No. 223 Leg.]

YEAS—55

NAYs—41

[Not Voting—4]

[Names of Senators voting]

The motion was agreed to.

Mr. GORTON. Mr. President, I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table. The motion to lay on the table was agreed to.
Mr. REID. Mr. President, I ask unanimous consent that the Reid amendment No. 1361 be withdrawn.

The PRESIDING OFFICER (Mr. Bunning). Without objection, it is so ordered.

MORNING BUSINESS

Ms. COLLINS. Mr. President, I ask unanimous consent to proceed as in morning business for 15 minutes. The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent to proceed as in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

JUDGE FRANK M. J. JOHNSON, J.R.

Mr. SESSIONS. Mr. President, I would like to make a few comments at this time upon the death of Judge Frank M. Johnson, Jr., a native Alabamian born in Haleyville, AL, who was appointed to the Federal bench in 1953 by President Eisenhower and who was buried today in his native Winston County, aged 80.

That Frank M. Johnson, Jr., was a great judge, there can be no doubt. It is appropriate and fitting that this body, which reviews and confirms all members of the judiciary, pause and consider his outstanding life. His death has attracted national attention. While I knew him and considered him a friend, I am certainly unable to effectively articulate in any adequate way what his long tenure has meant to America and to Alabama, but the impact of his life on law in America is so important, I am compelled to try. I hope I shall be forgiven for my inadequacies.

Many will say that his greatness was to be found in his commitment to civil rights and his profound belief in the ideal of American freedom, which was deep and abiding. These were, indeed, powerful strengths. Others will say that his greatness is the result of his wise handling of a series of pivotal cases that changed the very nature of everyday life throughout America, cases which were at the forefront of the legal system's action to eliminate inequality before the law. Indeed, it is stunning to recall just how many important cases Judge Johnson was called upon to decide and how many of these are widely recognized today as pivotal cases in the history of American law.

How did it happen? How did so much of importance fall to him, and how did he, in such a crucial time, handle them with such firm confidence?

I tend to believe those cases and his achievements at the root arose out of his extraordinary commitment to law, to the sanctity of the courtroom, and to his passionate commitment to truth. That was the key to his greatness. Judge Johnson always sought the truth. He demanded it even if it were not popular. He wanted it unvarnished.

Once the true facts in a case were ascertained, he applied those facts to the law. That was his definition of justice. Make no mistake, he was very hard working; very demanding of his outstanding clerks; and, very smart. He finished first in his class at the University of Alabama Law School in 1943. This combination of idealism, courage, industry, and intelligence when applied to his search for truth along with his brilliant legal mind was the source, I think, of his greatness. This explains how he could be in the middle of a revolution, he was ready, capable and possessed of the gifts and grades necessary for the challenge.

The historic cases he handled are almost too numerous to mention. There was the bus boycott in which Rosa Parks, the mother of the civil rights movement, was arrested for failing to move to the back of the bus. There, he struck down Alabama's segregation law on public transportation. That was the beginning. Later, this was his order in allowing the Selma to Montgomery march in 1965, the order to integrate his alma mater, the University of Alabama, despite the famous and intense opposition by Governor George C. Wallace, the desegregation of the Alabama State Troopers, historic prison litigation cases and his mental health rulings which were quoted and followed throughout the nation. Each of these and many other cases were truly historic in the significant legal. Did he go too far on occasion? Was he too much of an activist? On a few occasions, perhaps. Some would say, on occasion, the remedies that he imposed maybe went further than they should have, even though most have agreed that his findings of constitutional violations were sound. But, most of the time and in most of the cases he simply followed the law as we had always known it to be, but unfortunately, not as it was being applied.

When he ordered the Selma to Montgomery march, Judge Johnson concluded, in words quoted, in a fine obituary by J. Y. Smith in the Washington Post Sunday, that the events at the Pettus Bridge in Selma involved nothing more than a peaceful effort on the part of Negro citizens to exercise Constitutional right: that is, the right to assemble peaceably and to petition one's government for the redress of grievances. * * * It seems basic to our Constitutional principles that the extent of the right to assemble, demonstrate, and march peaceably along the highways can only be determined by the manner should be commensurate with the enormity of the wrongs that are being protested and petitioned against. In this case, the wrongs are enormous. The extent of the right to demonstrate against these wrongs should be determined accordingly.

These simple, direct and powerful words are typical of Johnson and his way of thinking. The years in which he presided were tumultuous, the times very tense. I remember the times. Few who were alive in those days do not. Rosa Parks and Frank Johnson were there. They were participating in the commencement of a revolution and the creation of a new social order in America—a better society in which we undertake as a nation to extend equality to all people. True equality has not been fully achieved, but is indisputable that when the hammer of Rosa Parks hit the anvil of Frank Johnson, the sound of freedom rang out loud and clear and to this day that sound has not been silenced. His actions, the cases he decided have caused the anvil of freedom to ring again and again, and that sound changed, not just the South and America but the entire world.

Though I never tried a jury case before Judge Johnson, I did have appellate cases before him when he was a member of the U.S. Court of Appeals for the Eleventh Circuit, to which he was appointed by President Carter in the late 1970's. I was honored to meet him occasionally when I was a United States Attorney and when I was a private attorney. I considered him a friend. He had himself been a United States Attorney and he had great respect for the office. In several ways, and at various times he made comments that affirmed me and my service. It made me feel good. Of this I am certain. If the law, in a case before Judge Johnson, and facts were on my client's side my client would win, if not, my client would lose. This was his reputation throughout the Bar and it was one of his highest accomplishments. He was respected by all members of the Bar.

The stories told by lawyers practicing before Judge Johnson were many and some are now legendary. None were better told than those by the long time federal prosecutor, Broward Segrest, who practiced in Judge Johnson's courtroom throughout his career. No one knew more of the courtroom events and could tell them better than Broward.

There were almost as many Frank Johnson stories as Bear Bryant stories. The point is this: yes, he was famous. Yes, he played an historic role in making this land of equality. And, yes, he was brilliant and fearless. He stood for what he believed in no matter what the consequences at any time. It was not just in these great trials that one could divine the nature of his greatness. It was also in the lesser cases that he demonstrated his fierce determination to make justice come alive in his court, for every party in every case.

Lawyers who failed to follow the rules of court or to do an effective job

CONGRESSIONAL RECORD — SENATE

JULY 27, 1999

S9370
Mr. LOTT. Mr. President, I rise in support of H.R. 1654, the NASA Authorization Act for fiscal years 2000, 2001, and 2002. Many of my colleagues and their staff have worked hard on this legislation. This is a good bill. It ensures NASA is authorized at the appropriate level to continue its role in Space Flight and Exploration, Earth and Space Science, assembly and operations on the International Space Station, and Aeronautical Research.

Over the last decade, the U.S. commercial space launch industry has lost its technological advantage and now holds only 30 percent of the worldwide space launch market. As a result, sensitive U.S. technology is often launched into space by either Chinese, Russian or French rockets, increasing the risk of unwarranted U.S. technology transfer to foreign nations. The delayed development of modern, less expensive launch systems in this country needs to be rectified. This high cost of space transportation has greatly curtailed U.S. efforts in space research, science and exploration. This bill includes important provisions to address this issue which I would like to highlight.

Mr. President, NASA is currently conducting research programs, such as the X-33, X-34 and X-37, that could result in important technological advancements applicable to future reusable launch vehicles and reductions in space transportation costs. In addition, there are existing hardware and engine systems, that if evaluated, could make an immediate contribution to reducing the cost of access to space by a factor of 10. The information gained from these evaluations can be incorporated into design plans for the Spaceliner 100 series of vehicles and ultimately reduce the cost of access to space by a factor of one hundred. In the Commerce Committee, I amended the Senate Fiscal Year 2000 appropriations bill to accelerate future space launch programs by one year. Accelerating the efforts that gain us cheaper access to space will help the U.S. recapture the space launch business and save on future launch costs. American companies would not have to look overseas for cheaper launches, thereby minimizing our technology exposure to foreign governments.

Also, I am pleased to see the portion of the bill supporting NASA's Commercial Remote Sensing effort is sustained. These programs, managed by the NASA Stennis Space Center's Commercial Remote Sensing Program Office in Mississippi, are contributing to the birth and growth of a new international industry. Wall Street has predicted this industry will grow to the $10 billion level by 2010. NASA Stennis personnel working together with the private sector, university researchers, and other federal agencies are already producing viable commercial products. New efforts are underway to coordinate the potential impact of these commercial products with the Department of Transportation. I have been told by DOT officials that remote sensing technology infused in the right way to DOT's planning efforts could result in significant savings in highway planning and construction. That is a very good potential payback for a small investment in the commercialization of remote sensing technology.

Mr. President, this is a good bill. I hope that the Senate's differences with the House can be resolved quickly so that the bill can be presented to the President for signature.

ON THE KENNEDY/BESSETTE TRAGEDY

Mr. DACSCHLE. Mr. President, last week was one of unimaginable shock and sorrow for the families of John Kennedy, J.r., Carolyn Bessette Kennedy and Lauren Bessette. We prayed as we first heard the news that their plane had disappeared. We hoped against hope as the Coast Guard, the Navy and the National Transportation Safety Board conducted their “search and rescue” mission, and we anguish when they shifted to “search and recovery.” Now, as John, Carolyn and Lauren are forever in the ocean that claimed their lives, we grieve. Much has been said these past weeks—in this Chamber, across the country, and around the world—about these three exceptional young people. We have heard again and again how John, Carolyn and Lauren loved life. We have heard so many stories of their compassion and grace, their generosity and their considerable talents. We've heard the most heartbreakingly, about their potential. They had, each of them, the capacity for greatness. That is part of what makes their loss so profound.

The great poet William Wordsworth wrote:

"What though the radiance which was once so bright
Be now for ever taken from my sight
Though nothing can bring back the hour
Of splendor in the grass, of glory in the flower;
We will grieve not, rather find
Strength in what remains behind.

Nothing can bring back the splendor of their lives, or their potential. We are left now with only our memories of John Kennedy, J.r., his wife Carolyn, and her sister Lauren. With that in mind, Senator Lott and I are introducing a resolution to authorize the presentation of a Memorial to John Fitzgerald Kennedy, J.r.” These are our own tributes and condolences offered on this floor, this week, by members of the United States Senate. I ask the Senate to pass a resolution so that we may share our tributes with the families of John Kennedy, Carolyn Bessette Kennedy and Lauren Bessette. I can only hope the Kennedy, Bessette and Freeman families are able to find some small strength in the memories of their loved ones, and in the words and sympathy of those who grieve with them.

TRIBUTE TO FIELDING BRADFORD ROBINSON, JR., SPECIAL LEGISLATIVE ASSISTANT AND DEPUTY DIRECTOR OF PROJECTS

Mr. LOTT. Mr. President, I wish to take this opportunity to recognize and say farewell to my longtime staff member, Fielding Bradford Robinson, J.r., who is departing my personal office staff and returning to the State of Mississippi, after more than ten years of outstanding service here in Washington. Throughout his career, Brad Robinson has served with great distinction, and it is my privilege to recognize him and this accomplishment. I commend him for the superb service he has provided to me and to my home state of Mississippi.

A native of Jackson, Mississippi, Brad graduated from the University of Mississippi in 1962, with a Bachelor of Arts Degree in Public Administration. At Ole Miss, Brad was an officer of the Associated Student Body and a member of the Delta Psi Fraternity, St. Anthony Hall. He began his association with politics as Page Captain in the Mississippi House of Representatives. After logging countless miles as a polli ster associated with CBS News, Brad went to work as a staff assistant to the
legendary United States Senator John C. Stennis of Mississippi. At that time, Senator Stennis was President Pro Tempore of the Senate and Chairman of the Appropriations Committee. Following the retirement of Senator Stennis, he was a staff member for freshman Congressman Larkin Smith, my friend and successor in the U.S. House of Representatives. Tragically, Congressman Smith died in a plane crash only months after taking office.

In 1989, Brad returned to the United States Senate and began work as a member of my personal staff. On Thursday, August 5th, 1999, Brad will conclude over ten years of faithful service in my office. During these years, Brad has proven to be one of my most loyal and dedicated staff members. As a special legislative assistant and as my deputy director of projects, Brad has tirelessly worked for the best interests of our Nation and the State of Mississippi. Over the years, working on Mississippi project interests has brought Brad into contact with virtually every city, county, and state agency in Mississippi; every federal agency, department, and every committee of the Senate and the House of Representatives as well.

Brad has pursued virtually every type of public infrastructure project conceivable, helping Mississippians build and improve utility systems, industrial parks, highways, bridges, railroads, airports and water ports. Using formal training from Ole Miss as a public planner, Brad labored closely with local engineers, and with the Army Corps of Engineers, to champion life saving flood control projects in the Mississippi Delta Region, the Jackson Metropolitan Area of Central Mississippi, and in the Forrest and Harrison County areas of South Mississippi. From the Director of the Mississippi Rural Water Association to port directors along the Mississippi River, the Tennessee-Tombigbee Waterway, and the Mississippi Gulf Coast, have come to rely on Brad's expertise and network of contacts, on everything from dredging projects, to trade and empowerment zone designations.

Working side by side with the leaders of the Southern Rapid Rail Transit Commission to encourage top flight companies such as Southwest Airlines to expand into Mississippi, has also been a talent in which Brad has excelled. He is known by airport directors throughout our state as a man they know personally; who seemingly always is there to help with extending or repairing a runway, or improving navigation and weather instrument capability. Railroads, too, came to know Brad as an honest broker who stood and signed on as a staff member that always safeguarded and improved public safety. His multi-modal expertise, made Brad a natural asset to my staff during the legislative process that culminated in the Intermodal Surface Transportation Efficiency Act (ISTEA), as well as later during the legislative development of the Transportation Efficiency Act of the Twenty-first Century (TEA-21).

Among his many successes, Brad played a key role in encouraging the establishment of an environmentally friendly power generating facility in our state, which will efficiently and cleanly make use of vast alternative fuel supplies like lignite or low-grade coal. Combining a broad general knowledge with a keen appreciation for business, science, and technical development, and a deep respect for conservation and history, Brad has become a favorite of both business and development concerns, as well as leaders in historic and natural preservation. Brad was instrumental in historic preservation efforts for the Natchez Trace and the Natchez National Historic Park, as well as efforts to establish a Campaign of Virginia and the National Trail, and a new visitors center for the Corinth, Mississippi Battlefield and Cemetery. Working both with community activists and public officials, Brad helped further these causes as well as championed important development projects such as rebuilding the Fort Massachusetts lighthouse on Ship Island, and restoring natural levels of water flow along the Lower Pearl River.

Like many effective staff members on Capitol Hill, Brad is the kind of person who never meets a stranger. A true southern gentleman, his Christian values and honest work ethic have endeared Brad to his colleagues and constituents in addition to earning their respect and trust. His flexible yet focused demeanor enables him to handle numerous projects without losing sight of the people with whom he works. For all of the many public projects Brad assists, he always made time to help individual citizens with their problems. On one occasion, while assisting a constituent with her tax problem, Brad learned of an unintended result that affected similarly situated citizens across our Nation. Brad got to work, helped form a bipartisan coalition, and succeeded in helping amend the tax code to reflect the original intent of Congress.

Brad also has contributed to the quality of life here on Capitol Hill through volunteering his time and leadership for such non-profit organizations as the Mississippi Society, the Ole Miss Alumni Association, and the Taste of the South annual charity ball. He even met his lovely wife, Mary Ellen, while she served on the staff of Senator Strom Thurmond. Brad and Mary Ellen will make their new home in Gulfport, Mississippi, and are expecting their first child in October.

Upon leaving my staff, Brad will serve as Executive Director of the Southern Rapid Rail Transit Commission where he will play a significant role in helping to establish high speed rail passenger service from Houston, Texas, to Jacksonville, Florida, and from the Gulf Coast to Atlanta. On behalf of my colleagues on both sides of the aisle, I wish Brad all of the best in his new career. I wish for Brad, and his growing family, that they experience all the fun, adventure, and enjoyment of the American Dream as they enter this new chapter of their lives and all of their future endeavors. Brad, my most sincere congratulations on a job well done.

EXPRESSING THANKS AND APPRECIATION TO AMBASSADOR JAMES SASSER

Mr. DODD. Mr. President, I rise today to add my voice to others in thanking Ambassador Jim Sasser for his service to our country as the United States Ambassador to the People's Republic of China for the last three and one half years.

Our friend Jim Sasser has just returned home having distinguished himself as the President's representative in Beijing during a critical and often difficult period in United States/Chinese relations. He understood better than anyone how important it is to do an effective job as United States Ambassador to such a strategically important country.

When President Clinton nominated Jim as his ambassador he had every confidence in Jim's ability to fulfill his diplomatic duties, and that confidence was not misplaced. Even before Jim took on this assignment he understood that the state of U.S./China relations could have profound implications for peace and prosperity not only in the Asia-Pacific region but globally as well.

Once confirmed, Ambassador Sasser became an articulate and effective spokesman for the administration's policy of engagement with China. He rightly stressed that the United States does not have the luxury of not dealing with China. He would remind his audiences that China's sheer size, its permanent membership on the United Nations Security Council, its nuclear weapons capability, its economic and military potential, all demand that the United States engage the Chinese Government and the Chinese people.

Within weeks of his arrival, Jim established excellent working relationships with the Chinese leadership. Both formally and informally he encouraged Beijing to view itself as a responsible member of the international community and act accordingly. I credit Jim's efforts along with others in successfully persuading China to commit itself to respect a number of non-proliferation regimes and to take under serious review the possibility of formally accepting the Nuclear Non-Proliferation Treaty.

Perhaps Jim's most significant achievement during his tenure was to oversee preparations for two high level bilateral summits between the United
DOMINO THEORY

“The Sandinista leadership thought they could be the Che Guevaras of all Latin America, from Mexico to Antarctica,” former Sandinista leader Moises Hassan told The Herald. “The domino theory was not so dumb.”

During their explosive battles with Congress over U.S. aid to anti-Sandinista rebels...

NICARAGUA’S SANDINISTAS ADMIT TO SUBVERTING NEIGHBORS

Mr. HELMS. Mr. President, I have at hand several news reports indicating that Nicaragua’s Sandinistas have finally confessed that they supplied weapons in the 1980s to communist guerrillas in El Salvador and, in fact, were themselves dependent on a flood of weapons from the Soviet Union during that period.

An extensive series of articles, written by Glenn Garvin and published in the Miami Herald earlier this month, at last long makes the record clear on that score. I ask unanimous consent that Glenn Garvin’s articles be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1)

Mr. HELMS. Mr. President, Mr. Garvin conducted a series of interviews with former Sandinista officials who are now celebrating the 20th anniversary of their rise to power on July 19, 1979. What they celebrate is a revolution that brought nothing but poverty and heartache to millions of people.

But in the midst of reciting war stories, they let the truth slip out: these Sandinista officials confirmed that they provided weapons to the Marxist Salvadoran guerrillas. They also acknowledged that the Soviet Union agreed to supply Nicaragua with high-performance MiG fighters, along with other military assistance.

This is not news, but what is, indeed, news is that, for once, two Sandinistas told the truth back in the 1980s, when President Reagan and good many Senators accused the Sandinistas of fomenting revolution in neighboring countries, they and their left-wing media apologists in the United States questioned our facts. When the Reagan Administration warned the Soviets not to provide MiGs to Nicaragua, the other side falsely accused President Reagan of hysteria.

Now come Sandinista leaders—cofounders of the party and former President Daniel Ortega—admitting their role in a plot to escalate the crisis in Central America. Mr. President, neither of the two is famous for telling the truth, but in this case, I think they stumbled upon it, letting the cat out of the bag.

EXHIBIT 1
[From the Miami Herald]

WE SHIPPED WEAPONS, SANDINISTAS SAY

(By Glenn Garvin)

MANAGUA—When Ronald Reagan and Sandinista leaders slugged it out during the 1980s over events in Nicaragua, Reagan was right more often than they liked to admit, the Sandinistas now say.

In a series of interviews with The Herald, several past and present Sandinista officials confirmed that they shipped weapons to Marxist guerrillas in neighboring El Salvador, a statement they once hotly denied.

The Sandinistas also said that the Soviet Union agreed to supply them with MiG jet fighters and even arranged for Nicaraguan pilots to be trained on the planes in Bulgaria, but the Soviets reneged on the deal, sending the Sandinistas scurrying to make peace with the contras.

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in Nicaragua, Reagan administration officials frequently justified helping the rebels on the grounds that the Sandinistas were shipping arms to the Salvadoran guerrillas. Reagan also accused the Sandinistas of planning to acquire the MiGs, a move that they warned that the United States "would view with the utmost concern." The American officials cited large crates being unloaded from Soviet ships in Nicaraguan ports, there was widespread fear that the two countries would go to war, but the crates turned out to contain helicopters, and tensions eased.

Sandinista leaders had denied supplying the Salvadoran guerrillas. "We are not responsible for what happens in El Salvador," said Sandinista party cofounder Tomas Borge said in 1980.

Earlier this month, Borge and former president Daniel Ortega both said the denials were false. They said the Sandinistas had shipped arms to Salvadoran guerrillas because the Salvadorans helped them in their successful insurrection against Anastasio Somoza, and also because they thought it would be more difficult for the United States to attack two revolutionary regimes instead of one.

A MATTER OF ETHICS'

"We wanted to broaden the territory of the revolution, to make it wider, so it would be harder for the rebels to come after us," Borge said. Ortega added that it was "a matter of ethics" to arm the Salvadorans.

Neither man offered details on how many weapons were supplied. But Hassan, a former Sandinista official who was a member of the revolutionary junta that governed Nicaragua in the early 1980s, said he believed about 50,000 weapons and a corresponding amount of ammunition were sent to El Salvador just in the first 16 months of the Sandinista government.

"Ortega and Borge didn't tell me about it, because they thought I was unreliable, but other people who just assumed I knew would casually bring it up," Hassan said.

Hassan resigned from the Sandinista party in June 1985 but continued to work closely with his old colleagues as mayor of Managua until late 1988. He later confirmed that the Sandinistas had a commitment for MiGs from the Soviet Union.

He said he learned of the plan for the MiGs during 1982, when he was minister of construction and Sandinistas began building a base for the jet fighters at Punta Hueite, a remote, southern tip of Lake Managua.

The site included a 10,000-foot concrete runway—the longest in Central America—capable of handling any military aircraft in the Soviet fleet.

CODE NAME: PANCHITO

"It was top secret—we even had a code name, Panchito, so we could talk about it without the CIA hearing," Hassan said. "But somehow it still got out.

Alejandro Bendaña, who was secretary general of foreign affairs during the Sandinista government, said Nicaraguan pilots trained to fly the MiGs in Bulgaria. But in 1987, soon after the Punta Hueite site was finished, the Soviets backed out, he said.

The news that they weren't getting a weapon they had always considered security blank, coupled with Soviet advice that it was "time to achieve a regional settlement of security problems," made the Sandinistas realize they would no longer depend on the USSR for help, Bendaña said.

Quickly, the Sandinistas signed onto a regional peace plan sponsored by Costa Rican President Oscar Arias, which required them to talk with the U.S.-backed contra army, Bendaña said. Those talks led eventually to an agreement for internationally supervised elections that resulted in a Sandinista defeat in 1990.

"It wasn't the intellectual brilliance of Oscar Arias, but when Arias said 'Fidel was us grinning frantically onto any framework that was there, trying to cut our losses.'"

HOSTILITY TO THE U.S.: A COSTLY MISTAKE

20 YEARS AFTER THE REVOLUTION, NICARAGUANS WONDER HOW IT ALL COULD HAVE GONE SO WRONG

(by Glenn Garvin)

MANAGUA—It was hard to say which was shining brighter, the sun in the sky, or the faces of the people crowding along the road, shrieking "Viva!" to his troops.

It was the morning of July 19th, 1979, and Nicaragua had just awakened to find itself abruptly, stunningly free of a dictatorship that, for more than 40 years, had passed the country around from generation to generation like a family cow.

Hassan, as a senior official in the Sandinista National Liberation Front, the guerrilla movement that had spearheaded the rebellion against the dictatorship, had played a key role in ousting the Somoza regime. But he realized that it was what came next that really counted.

"You could see the happiness in the people's faces," he recalled. "And you could see the hope, too. And I told myself, damn, we've taken a lot of responsibility on ourselves. ... We cannot let these people down."

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meet to decide what position we were going to take at the United Nations," Hassen said. "We decided we would condemn it. But when [Foreign Minister Miguel] D'Escoto went up to New York, he didn't get the majority to vote. The Sandinista directorate told him what to do, and he obeyed them, not us."

In fact, there was an increasing confusion between the two leaders within the Sandinista party. The police became the Sandinista National Police, the army the Sandinista Peasants' Army. Schoolchildren pledged allegiance not only to Nicaragua but to the Sandinista party, and promised it their "love, loyalty and sacrifice.

Meanwhile, the failure to condemn the Soviet invasion was symptomatic of the revolution's leftward march. The government quickly moved to seize anything that was "incorrect political culture." Publishers were ordered to sell grain only to a state purchasing agency and cattle only to state slaughterhouses.

Newsweek who criticized government policies lost their papers or radio programs, and sometimes were jailed. Kids learned math from schoolbooks that taught two granadas plus five granadas equals six granadas, and their alphabet from sentences like this one that illustrated the use of the letter Q: "Sandino fought the yanquis. The yanquis will always be defeated in our fatherland."

It was the profound Sandinista hostility to the United States—the party anthem even referred to the "enemy of humanity"—that led to what some party leaders now consider its most ruinous mistake: supporting Marxist guerrillas in nearby El Salvador against the American-backed government.

First Jimmy Carter and then Ronald Reagan sent Sandinistas to either sides of the Salvadoran conflict. When they didn't, the United States first suspended aid to Nicaragua, and later began supporting the counterrevolutionary forces that came to be known as the contras in a civil war that ultimately cost the Sandinistas power.

"It was just political machismo," Belli said. "Everybody was young, wearing uniforms, and they thought they were cut. They wanted to be heroic, and going up against the United States was heroic... But it was the wrong thing to do, and the Nicaraguan people paid a high price."

Several Sandinista leaders say the party missed a golden opportunity when Thomas Enders, the World Bank's major scandal-plagued, came to Managua in 1981 with a final carrot-and-stick offer from the Reagan administration: Quit fooling around in El Salvador, and we'll leave you alone, no matter what you do inside Nicaragua. Keep it up, and we'll swat you like a fly.

"It was a great opportunity for a deal," said Auro Carazo Chaj, who was a key official in Nicaragua's foreign ministry at the time. "I think it was a sincere offer. Ronald Reagan considered Nicaragua a lost cause. Their idea was that, with Daniel Ortega, a Sandinista, they could use Nicaragua as a base to overthrow the Somoza regime."

Even with the benefit of hindsight, some Sandinistas say it was unthinkable to back away from the Salvadoran guerrillas.

"That was a matter of ethics on our part," said former President Daniel Ortega. "The Salvadorans had helped us [against Somoza]. And thanks to the armed struggle, El Salvador has changed. It's a much different place than it was then... The war in El Salvador has led to a political advance, and we are making a great movement."

The United States wouldn't have kept its promise anyway, said Borge. "Look, I don't think Cuba was ever a threat to the United States, but let's say it was at one time," he explained. "Well, with the fall of the Soviet Union, it obviously isn't a threat anymore."

And thanks to the armed struggle, El Salvador has changed. It's a much different place than it was then... The war in El Salvador has led to a political advance, and we are making a great movement.

But is someone who had doubts about the carrot in Enders' offer, they know he was serious about the stick. Three months after the Sandinistas rejected the deal, the Reagan administration stepped in. In May 1982, the contras blew up two major bridges in northern Nicaragua, and the war was on in earnest.

The war led directly to some of the Sandinistas' most unpopular policies, like the military draft, conscription for both men and women, lienagistas, the forced collection of funds... and the Sandinistas' leader, Daniel Ortega, had been a postal worker...

The conflict with the church was strong, and it cost us, but I don't think it was our fault," Ortega said. "There was so many people being wounded every day, so many people dying..."

Before that, my understanding of the revolution was headed by intellectuals. We did it together, with the decimation of the country and the war... and we have been worthwhile even if it never accomplished anything but getting rid of the Somozas."

Bell said, "What we see now is a new generation of the left in Nicaragua."

"Before the revolution, we had a great legacy of the revolution. That is a legacy of the revolution..."

Belli said, "The conflict with the church was strong, and it cost us, but I don't think it was our fault..."

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The opposition to the Sandinista revolution was headed by intellectuals. We did it together, with the decimation of the country and the war... and we have been worthwhile even if it never accomplished anything but getting rid of the Somozas."

Belli said, "Before the revolution..."
"Our parents had failed to get rid of the bastard, and we were the ones who did it," he said. "And to get rid of the dictatorship, armed force was required. Banging pots and pans there in the Philippines, that wasn't going to do it."

Ortega, somewhat paradoxically, believes that the election that ousted him proves that the Sandinistas moved the country forward.

"When we lost the election, we gave up the government," Ortega said. "That hadn't happened before. But we have here a typical bourgeois democracy—not a true people's democracy—but I still think it represents an advance for Nicaragua."

But being remembered as a transitional asterisk in Nicaraguan history was not what the Sandinistas dreamed of in 1979, when they boasted that they would do nothing less than construct a New Man, free of the chains of ego and selfishness.

"I always thought the revolution would be a transcendental story in human development," mused Ramirez earlier this month. "But it wasn't, was it?"

46TH ANNIVERSARY OF THE KOREAN ARMISTICE

Mr. SHELBY. Mr. President, on July 27, 1953, the armistice was signed, ending the Korean War. On Sunday, July 25, 1999, four years after the fighting stopped, the Veterans of Foreign Wars gathered for the dedication of a Korean War Memorial in Fultondale, Alabama. I rise today on the 46th Anniversary of the armistice, to honor the military personnel who faithfully served our nation in this conflict.

Many have wrongfully called Korea "the Forgotten War." I want Korean War veterans to know that we have not forgotten their brave service to our nation. The courage and dedication of American troops who fought on and around the Korean Peninsula should never be forgotten. The names of Pusan, Inchon, Chosin Reservoir and countless other locations where our forces fought against Communist aggression continue to bring pride to the hearts and minds of all Americans.

We are constantly and correctly reminded of the thousands of Americans who lost so much in the Vietnam War. Vietnam left such a lasting impression on our history that there has been a temptation to overlook our nation's first stand against the Communist threat in Asia. I am committed to insuring that we do not succumb to this temptation. We must not forget either the 37,000 Americans who gave their lives in Korea, or the 8,000 MIAs whose fate remains a mystery.

Those who served their nation from 1950-53 suffered much, but have left a proud legacy. The 8th Army, Far East Air Force, 1st Marine Division, and 7th Fleet proved their mettle in Korea and remain among the proudest names in American military history. The peace and prosperity which the people of South Korea enjoy today is the direct result of the gallantry of our Armed Forces. The 36,000 American personnel who currently serve in South Korea are guardians of the liberty which their predecessors fought to establish nearly half a century ago.

Mr. President, I ask you and my fellow United States Senators to join me in recognizing the members of the Armed Services who sacrificed so much in defense of freedom and democracy on the Korean Peninsula.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, July 26, 1999, the Federal debt stood at $5,636,525,745,471.93 (Five trillion, six hundred thirty-six billion, five hundred twenty-five million, seven hundred forty-five thousand, four hundred seventy-one dollars and ninety-three cents).

FIVE years ago, July 26, 1994, the Federal debt stood at $4,632,297,000,000 (Four trillion, six hundred thirty-two billion, two hundred ninety-seven million).

Ten years ago, July 26, 1989, the Federal debt stood at $2,802,473,000,000 (Two trillion, eight hundred two billion, four hundred seventy-three million).

Fifteen years ago, July 26, 1974, the Federal debt stood at $1,536,607,000,000 (One trillion, five hundred thirty-six billion, six hundred seven million).

Twenty-five years ago, July 26, 1959, the Federal debt stood at $475,807,000,000 (Four hundred seventy-five billion, eight hundred seven million) which reflects a debt increase of $2,802,473,000,000 (Two trillion, eight hundred two billion, four hundred seventy-three million) during the past 25 years.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the President Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(THE Nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:46 a.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2415. An act to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes.

H.R. 2561. An act to direct the Secretary of Agriculture to cooperate in a land exchange with Georgia Power Company.

S. 1259. An act to amend the Trademark Act of 1946 relating to dilution of famous marks, and for other purposes.

S. 1260. An act to make technical corrections in title 17, United States Code, and other laws.

The message further announced that the House insists upon its amendments to the bill (S. 507) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes and asks a conference with the Senate in the Senate, on the pending votes of the two Houses thereon; and appoints the following members as managers of the conference on the part of the House:

Mr. SHUSTER, Mr. YOUNG of Alaska, Mr. BOEHLENT, Mr. BAKER, Mr. DOOLITTLE, Mr. SHERWOOD, Mr. OBERSTAR, Mr. BORASKI, MTS. TAUSCHER, and Mr. BAIRD.

At 2:06 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 457. An act to amend title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with serving as an organ donor, and for other purposes.

H.R. 1074. An act to provide Government-wide accounting of regulatory costs and benefits, and for other purposes.

H.R. 2565. An act to clarify the quorum requirement for the Board of Directors of the Export-Import Bank of the United States.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 457. An act to amend title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with serving as an organ donor, and for other purposes.

H.R. 1074. An act to provide Government-wide accounting of regulatory costs and benefits, and for other purposes; to the Committee on Governmental Affairs.

H.R. 2565. An act to clarify the quorum requirement for the Board of Directors of the Export-Import Bank of the United States, to the Committee on Banking, Housing, and Urban Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with
accompanying papers, reports, and documents, which were referred as indicated:

EC-4388. A communication from the Chief, Regulations Branch, U.S. Customs Service, Department of Treasury, transmitting, pursuant to law, the report of a rule entitled "Automated Export System (AES)" (RIN1551-AC42), received July 23, 1999, to the Committee on Finance.

EC-4389. A communication from the Secretary of Labor, transmitting, pursuant to law, a report relative to worker adjustment assistance training funds; to the Committee on Finance.

EC-4390. A communication from the Director, Office of Research and Development, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Protection of the Environment and Human Welfare, proposing to amend the regulations governing the registration, sale, and use of certain pesticides" (RIN0565-AC33), received July 23, 1999, to the Committee on Commerce, Science, and Transportation.

EC-4391. A communication from the Administrator, Federal Trade Commission, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the United States, transmitting, pursuant to law, the report of a rule entitled " Elimination of Foreign Policy Export Controls for Exports and Re-exports of Certain Software to the People's Republic of China"; to the Committee on Banking, Housing, and Urban Affairs.

EC-4392. A communication from the Under Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to China; to the Committee on Banking, Housing, and Urban Affairs.

EC-4393. A communication from the Director, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Taiwan; to the Committee on Banking, Housing, and Urban Affairs.

EC-4394. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "List of Communities Eligible for the Sale of Flood Insurance Policies" (RIN3206-AC39), received July 23, 1999, to the Committee on Banking, Housing, and Urban Affairs.

EC-4395. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility; 64 FR 36930; 07/16/99" (Docket No. FEMA-99-71), received July 22, 1999, to the Committee on Banking, Housing, and Urban Affairs.

EC-4396. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, a report entitled "Cigar Sales and Advertising and Promotional Expenditures" for calendar years 1996 and 1997; to the Committee on Commerce, Science, and Transportation.

EC-4397. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bell Helicopter Textron Inc. Model 369 D and E Helicopters; Request for Comments; Docket No. 99-55-20 (7-207-22)" (RIN19120-AA64) (1999-0274), received July 23, 1999, to the Committee on Commerce, Science, and Transportation.

EC-4398. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 777-200ER-212 Helicopters; Request for Comments; Docket No. 99-55-23 (7-207-22)" (RIN19120-AA64) (1999-0278), received July 23, 1999, to the Committee on Commerce, Science, and Transportation.

EC-4399. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Alcatel 205 Series Airplanes; Request for Comments; Docket No. 99-55-13" (RIN19120-AA64) (1999-0277), received July 23, 1999, to the Committee on Commerce, Science, and Transportation.

EC-4400. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 777-200ER-212 Helicopters; Request for Comments; Docket No. 99-55-23 (7-207-22)" (RIN19120-AA64) (1999-0278), received July 23, 1999, to the Committee on Commerce, Science, and Transportation.
and Detective John Gibson were killed by a deranged man. This legislation introduces today will ensure that their story of heroism and sacrifice is never forgotten, just as we must never forget the thousands of other officers who have made the ultimate sacrifice to secure the safety and well-being of our communities.

As a former deputy sheriff, I know first-hand the risks police officers face in enforcing our laws. Throughout our nation's history, nearly 15,000 federal, state, and local law enforcement officers have lost their lives in the line of duty. Based on FBI statistics, nearly 63,000 officers are assaulted each year in this country, resulting in more than 21,000 injuries. On average, one police officer is killed somewhere in America every 54 hours.

Approximately 740,000 law enforcement professionals are continuing to put their lives on the line for the safety and protection of others. We owe all of those officers a huge debt of gratitude, and it is only fitting that we properly commemorate this outstanding record of service and sacrifice.

My legislation seeks to achieve this important goal by authorizing the National Law Enforcement Officers Memorial Fund, a nonprofit organization, to establish a comprehensive law enforcement museum and research repository on federal land in the District of Columbia. The Fund is the same group that so ably carried out the congressional mandate of 1984 to establish the National Law Enforcement Officers Memorial, which was dedicated in 1991 just a few blocks from the Capitol. Clearly, their record of significant achievement speaks volumes about their ability to meet this important challenge.

Since 1993, the Fund has efficiently operated a small-scale version of the National Law Enforcement Officers Memorial Fund at a site located about two blocks from the Memorial. The time has come to broaden the scope of this museum and move it in closer proximity to the National Law Enforcement Officers Memorial.

This museum would serve as a repository of information for researchers, practitioners, and the general public. The museum will become the premiere source of information on issues related to law enforcement history and safety, and obviously a popular tourist attraction in Washington, DC, as well.

The ideal location for this museum is directly across from the National Law Enforcement Officers Memorial on a parcel of federal-owned property that now functions as a parking lot. The building, as planned, will have underground parking for the judicial officers who currently use this lot.

Under my legislation, no federal dollars will be used to establish this museum. Rather, the Fund would raise all of the money necessary to construct the museum through private donations. Recognizing the national importance of this museum, however, the legislation states that upon completion of the museum facility the Secretary of the Interior and the Administrator of the General Services Administration will be responsible for the maintenance of the exterior grounds and interior space, respectively. The legislation places the responsibility of operating the museum in the hands of the Fund.

Finally, let me add that this legislation is supported by 15 national law enforcement organizations; the Fraternal Order of Police; the International Association of Chiefs of Police; the International Brotherhood of Police Officers; the International Union of Police Associations/AFL-CIO; the National Association of Police Organizations; the National Black Police Association; the National Organization of Black Law Enforcement Executives; the National Sheriffs Association; the National Troopers Coalition; the Police Executive Research Forum; the Police Foundation; the United Federation of Police; and the National Law Enforcement Council. Together, these organizations represent virtually every law enforcement officer, family member and police survivor in the United States.

Mr. President, as we remember the sacrifice made by Officer Chestnut, Detective Gibson and so many other brave officers, I strongly urge my colleagues in the Senate to join me in support of this important legislation.

Mr. President, I ask unanimous consent that the text of the legislation and letters of support be printed in the RECORD.

There being no objection, the materials ordered to be printed in the RECORD, as follows:

S. 1438

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Law Enforcement Museum Act".

SEC. 2. FINDING.

Congress finds that there should be established a National Law Enforcement Museum to honor and commemorate the service and sacrifice of law enforcement officers in the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) "MEMORIAL FUND"—The term "Memorial Fund" means the National Law Enforcement Officers Memorial Fund.

(2) "MUSEUM"—The term "Museum" means the National Law Enforcement Museum established under section 4(a).

(3) "SECRETARY"—The term "Secretary" means the Secretary of the Interior.

SEC. 4. NATIONAL LAW ENFORCEMENT MUSEUM.

(a) ESTABLISHMENT—The Memorial Fund may construct a National Law Enforcement Museum on Federal land located on United States Reservation #7, on the property designated as the National Law Enforcement Officers Memorial, bounded by—

(1) E Street, NW., on the north; (2) 5th Street, NW., on the west; (3) 4th Street, NW., on the east; and (4) Indiana Avenue, NW., on the south.

(b) DESIGN AND PLANS—

(1) GENERAL—In carrying out subsection (a), the Memorial Fund shall be responsible for preparation of the design and plans for the Museum.

(c) APPROVAL.—The design and plans for the Museum shall be subject to the approval of—

(A) the Secretary; (B) the Commission of Fine Arts; and (C) the National Capital Planning Commission.

(f) FEDERAL SHARE.—The United States shall pay no expense incurred in the establishment or construction of the Museum.

(g) FAILURE TO CONSTRUCT.—If the Memorial Fund fails to construct the Museum by the date that is 7 years after the date of enactment of this Act, the authority to construct the Museum shall terminate on that date, unless construction of the Museum begins before that date.

NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.


Hon. Ben Nighthorse Campbell, Washington, DC.

Dear Senator Campbell: I am writing on behalf of the National Association of Police Organizations (NAPO) to thank you for your understanding and willingness to introduce legislation that when passed into law would allow the National Law Enforcement Officers Memorial Fund (NLEOMF) to establish a National Law Enforcement Museum in the District of Columbia directly across the street from the National Law Enforcement Officers Memorial.

I stand ready to work with your staff to ensure speedy passage of this important legislation.

NAPO is a coalition of police unions and association from across the United States that serves in Washington, DC to advance the interest of America's law enforcement officers through legislative and legal advocacy, political action and education. Founded in 1978, NAPO now represents 4,000 police unions and 220,000 sworn law enforcement officers including the Denver Police Association and the nearly 4,000 members of the Colorado Police Protective Association.

NAPO lobbied tirelessly for the passage of legislation that allowed for the establishment of the National Law Enforcement Officers Memorial and will work just as hard for this legislation, which when completed will truly complement each other.

The Memorial serves as a reminder to the law enforcement community and the public the sacrifices made on a daily basis by our nation's law enforcement officers and their loved ones.
CONGRESSIONAL RECORD – SENATE

July 27, 1999

The museum will serve as the most comprehensive law enforcement museum and research facility in the world. It will help create a better understanding of the law enforcement mission, it will assist in bringing the police and the public closer together.

I appreciate your continued support of the law enforcement community.

Sincerely,

ROBERT T. SCULLY, Executive Director.

NATIONAL TROOPERS COALITION,

Hon. Ben Nighthorse Campbell,
Washington, DC.

Dear Senator Campbell:

On behalf of the over 40,000 members of the National Troopers Coalition, I wish to thank you for your sponsorship of legislation that will create a National Law Enforcement Museum on Federal land directly across the street from the National Law Enforcement Officers Memorial.

This museum, in combination with the National Law Enforcement Officers Memorial, will pay tribute to law enforcement as a profession, as well as educate the public on the duties performed by the public servants who have sworn to protect the Constitution and the communities they serve. The research component alone, in conjunction with established Federal resources, should serve all of law enforcement as the premier source of information for operational and training purposes.

The site being considered is a natural setting for this museum and would no doubt enhance those Federal and District of Columbia facilities located nearby.

In closing, I would like to thank you for your leadership in introducing this legislation, as well as your support for State Troopers/Highway Patrolmen and their families. Your concern for them is deeply appreciated. If I or any other member of the National Troopers Coalition can assist you, please don’t hesitate to contact us.

Sincerely,

MIGE MUTH,
1st Vice Chairman.

FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION,

Hon. Ben Nighthorse Campbell,
U.S. Senator,
Russell Senate Office Building, Washington, DC.

Dear Mr. Chairman:

On behalf of the more than 16,000 members of the Federal Law Enforcement Officers Association (FLEOA), I wish to extend the Association’s strong support for legislation establishing a National Law Enforcement Museum on Federal land located directly across the street from the National Law Enforcement Officers Memorial (NLEOM). FLEOA thanks you for your support.

This legislation creates the largest and most comprehensive law enforcement museum and research facility, at no cost to the taxpayer as all funds necessary to complete the construction will be raised through private donations. We sincerely believe the museum and research facility will enable the public to better understand and appreciate the work of law enforcement, and thus further assist law enforcement in fighting crime. The proposed location, across the street from the Memorial Wall containing the names of nearly 15,000 American law enforcement officers, is ideal. FLEOA, as a member of the NLEOM Executive Board, fully supports this concept and proposed legislation.

If you have any questions or need further information, please feel free to contact me directly at (212) 264-8400, or through feel free to contact me directly at (516) 369-6137. Thank you for your support.

RICHARD J. GALLO,
President.

NATIONAL BLACK POLICE ASSOCIATION,

Hon. Ben Nighthorse Campbell,
U.S. Senator, Russell Senate Office Building, Washington, DC.

Dear Senator Campbell:
The National Black Police Association was created in 1972 as a network between minority officers across the country. The NBPA fosters a bond between these minority officers and their communities. This nonprofit organization has helped to improve relations between the police departments and the community.

I am writing on behalf of the National Law Enforcement Officers Memorial. This museum, in combination with the National Law Enforcement Officers Memorial, will pay tribute to law enforcement as a profession, and the work that they perform at great personal risk. The museum and research facility would also serve as an important tool for policy makers and law enforcement personnel in their efforts to make the profession safer and more effective. This museum facility would provide an effective place to commemorate the National Law Enforcement Officers Memorial in commemorating the extraordinary level of service and sacrifice provided throughout our history by our nation’s law enforcement officers.

Therefore, on behalf of our active, retired, and associate members, I urge you to shepherd this legislation through the United States Congress so this dream will become a reality.

Sincerely,

RALPH M. PURDY,
President.

NATIONAL SHERIFFS’ ASSOCIATION,


Hon. Ben Nighthorse Campbell,
U.S. Senator, U.S. Senate, Russell Senate Office Building, Washington, DC.

Dear Senator Campbell:

On behalf of the National Sheriffs’ Association—representing the Office of Sheriff and the public safety community in law enforcement, jails, and judicial and court services—I write to express our organization’s wholehearted support for the establishment of a National Law Enforcement Memorial in Washington, D.C.

Your background as a law enforcement officer and your advocacy on behalf of the public safety community are respected and appreciated by the NSA constituency, and I assure you that— as a proud and dedicated member of the Executive Committee and Board of Directors for the National Law Enforcement Officers’ Memorial—I will work with NSA’s leadership to ensure you in any way we can in furtherance of your proposal legislation for the Museum.

NSA supports all legislation for the betterment of our citizenry and the public safety community. The old motto To Protect and Serve would be enshrined in a museum such as that proposed and would preserve law enforcement’s historical roots. Accordingly, the National Sheriffs’ Association would welcome the privilege to work closely with you on this honorable endeavor.

Sincerely,

A.N. MOSER, JR.,
Executive Director.
Mr. FEINGOLD. Mr. President, I come to the floor today to introduce a bill whose time has come.

Mr. President, it is a decade since the Berlin Wall came down, heralding the end of the Cold War. Since then, we have reduced our nuclear arsenal, as have the Russians. And our Navy is advocating to downsize the Trident nuclear submarine fleet, the cornerstone of our strategic nuclear capability. It is just common sense to limit future production of weapons deployed in those submarines.

The bill I introduce today would terminate future production of the Trident II. In doing so, this common sense bill would save American taxpayers $5 billion over the next five years, and more than $13 billion over the next ten years.

Mr. President, the Trident II, or D-5, missile, is Ohio-class nuclear submarines in the order of 24 per boat. Each missile is loaded with 8 independently targetable, nuclear warheads, 192 warheads per submarine. The warheads bear 300-475 kilotons of explosive power. Doing the math, that equals up to 91,200 kilotons of warheads on each and every Trident submarine.

Mr. President, the truth of the matter is we all know that one submarine firing 192 warheads could bring about an apocalypse on this planet. Needless to say, 18, 14, or even 10 submarines with that kind of firepower is beyond necessity. This is especially true if one considers that China, in less than a year, in addition to the SLBMs, the United States deploys 500 Minuteman III intercontinental ballistic missiles with three warheads each; 50 Peacekeeper ICBMs with 10 warheads each; and 94 B-52 and 21 B-2 bombers capable of carrying strategic nuclear warheads.

Mr. President, the United States is building or possesses, right now, 360 Trident II missiles. Current plans would have us purchase 65 more missiles through 2005. The 360 missiles we already own are more than enough to fully arm the ten existing Trident II submerged submarines as well as maintain an adequate test flight program. We simply do not need 65 more missiles. Nor do we need to fully arm the Trident I or C4 missile carrying submarines to carry Trident IIs, especially when one considers that the C4 submarines won’t even last past the Trident I missiles they carry.

I’d like to briefly inform my colleagues on the difference between the Trident I and Trident II missiles. According to CBO, the C4 has an accuracy shortage of about 450 feet compared to the D5, or the distance from where the president is sitting right now to where the Speaker of the House is sitting down the hall. Given the fact that either missile could utterly destroy the District of Columbia many times over, considering billions of dollars to backfit the C4 submarines seems unnecessary.

And this is not an inexpensive program. Mr. President, according to the Congressional Budget Office, which issued this testimony, if we proceed with the production of the Trident II and retire all eight C4 submarines, if we terminate production of the missile after this year and retire the C4s by 2005, we would save more than $5 billion over five years, and more than $13 billion over the next ten years. Even here in the Senate, that’s real money.

Mr. President, I am not naïve enough to believe that Russia’s deteriorating main far behind those of our Navy due to the threat of their ballistic missile capability. And given the missile technology advances in China, North Korea, and Iran, and attempts by rogue states to buy intercontinental ballistic missiles, it is imperative that we maintain a deterrent to ward off this threat. There is still an important role for strategic nuclear weapons in our arsenal. Their role, however, is diminished dramatically from what it was in the past, and our missile procurement decisions should reflect that change.

Mr. President, of our known potential adversaries, only Russia and China even possess ballistic missile-capable submarines. China’s one ballistic missile capable submarine is used solely as a test platform. Russia is the only potential adversary with a credible SLBM force, and its submarine capabilities have deteriorated significantly or remain obsolete. Due to Russia’s continued economic hardships, they continue to cede ground to us in technology and training. Reports even contend that Russia is having trouble keeping just one or two of its submarines nuclear capable. Its SLBM infrastructure has eliminated the threat.

Mr. President, Russia’s submarine fleet has shrunk from more than 300 vessels to about 100. Even Russia’s most modern submarines can’t be used to full capability because Russia can’t adequately train its sailors. Clearly, the threat is diminishing.

Mr. President, earlier this year, Admiral Jay Johnson, the Chief of Naval Operations, went before the Senate Armed Services Committee and stated unambiguously that the Navy believes that 14 Trident submarines is adequate to anchor the sea-based corner of the nuclear triad. Based on that testimony, the committee put forward a Department of Defense authorization bill supporting billions of dollars to backfit the C4 submarines which would dictate that fewer submarines warrant fewer missiles. The threat is diminishing; the Navy knows it and the Congress knows it.
The Navy's plan, with the Senate's agreement, to downsize our Trident submarine fleet saves valuable resources and allows us to reach START II arms levels for our SLBMs, and moves us toward future arms reduction treaties. By going with ten boats, the Navy can add essential programs under START II today and the anticipated requirements under a START III framework tomorrow.

And ultimately, Mr. President, the United States' leadership in reducing our nuclear stockpile shows our good faith, and will make Russia's passage of a START II treaty more likely.

This strategy of reducing our nuclear stockpile is supported widely by some of our foremost military leaders. General George Lee Butler, former commander in chief of the U.S. Strategic Command, and an ardent advocate of our deterrent force during the Cold War, has said that "With the end of the Cold War, these weapons are of sharply reduced utility, and there is much to be gained by substantially reducing their numbers." I believe we should heed his words.

Mr. President, more than anything else, this issue comes down to a question of who do we want to save $13 billion over the next ten years to purchase unnecessary Trident II missiles, or do we want to use that money to address readiness concerns that we've talked a lot about but haven't addressed adequately? Mr. President, for the past year, we've heard the call to address our military's readiness crisis from virtually all quarters. We were told that foremost among the readiness shortfalls were operations and maintenance, as well as pay and allowances accounts.

A preliminary General Accounting Office report on recruitment and retention found that issues like a lack of spare parts; concerns with the health care of delayed deployments; and dissatisfaction with military leaders have at least as much effect on retention, if not more, than a pay raise.

And the Pentagon concurs. Last September, General Henry Shelton, Chairman of the Joint Chiefs, stated that "Without relief, we will see a continuation of the downward trends in readiness... and shortfalls in critical skills." Army Chief of Staff General Dennis Reimer claimed that the military forces are "increasingly less ready." And Chief of Naval Operations Admiral Jay Johnson has asserted that the Navy has a $6 billion readiness deficit.

To address the readiness shortfall, Mr. President, the Congress passed an emergency supplemental appropriations bill. The bill spent close to $9 billion, but just $1 billion of it went to address the readiness shortfall. Priorities, Mr. President.

And last month, on the Defense appropriations bill, a couple of Senators inserted an amendment, without debate, to take $220 million from vital Army and Air Force spare parts and repair accounts, and from the National Guard equipment account to buy planes. Planes that the Pentagon doesn't even want. Sponsors of the amendment admitted readily that this was done for the benefit of a company that had lost a multi-billion dollar contract with a foreign country. Priorities, Mr. President.

This bill makes sense now and for the future by saving vital defense dollars now and for years to come, and by stimulating the arms treaty dialogue. We've heard the call to address our nuclear stockpile, and the Navy's plan, with the Senate's agreement, to downsize our Trident submarine fleet saves valuable resources and allows us to reach START II arms levels for our SLBMs, and moves us toward future arms reduction treaties.
Mr. President, in the 1997 Budget Reconciliation bill, as part of the deficit reduction effort, Congress enacted temporary increases in Federal employee retirement contribution rates. In order to meet its fiscal year 1998 reconciliation instructions, the Governmental Affairs Committee reluctantly agreed to phased-in, temporary increases in employee retirement payments of .5 percent through December 31, 2002.

The 1997 provision effectively takes retirement contribution rates under the Civil Service Retirement System (CSRS) from 7 percent to 7.5 percent and under the Federal Employee Retirement System (FEPS) from 8 percent to 8.5 percent. Rates are to return to 7 percent and .8 percent respectively in 2003.

Mr. President, the sole rationale for this additional tax on Federal employee income in 1997 was to aid the deficit reduction. It is important to point out that Federal employees received no additional benefits from their increased contributions. Thus, the size of a Federal employee’s retirement contribution rate is not greater because of their increased contributions. Instead, these contribution increases were merely one of several measures included in the Balanced Budget Act in order to raise revenues and reduce the deficit.

The goal of deficit reduction is being realized, and after 30 years of spiraling deficits the economy is now strong and the budget has been balanced. With budget surpluses projected for the near future, the rationale for increasing Federal employees’ retirement contributions is no longer valid.

During the past weeks as tax cut proposals have begun moving in the Senate, I have worked to repeal the increased contributions as part of these proposals. While the Majority’s tax cut packages would grant billions of dollars in tax relief over the next ten years, and even more in future years, the bill proposals fail to remove the burden that was placed on Federal employees under the Balanced Budget Act.

Mr. President, if we are going to move forward with tax reduction proposals, it is my strong view that we should first make certain that Federal employees, who were singled out to bear an additional burden in the deficit reduction effort, are relieved of that burden. Federal employees should not be forced to continue to contribute more than their fair share, at a time when others are having their taxes reduced.

As of January 1, 1999, half of the .5 percent increase (.25 percent) has already taken effect. Unless action is taken, an additional .15 percent will be deducted from Federal employees’ salaries for their retirement on January 1, 2000, followed by .10 percent more in 2001. In these times of strong economic growth, Federal workers should no longer be required to carry this additional burden.

Federal employees were asked to make numerous sacrifices in order to contribute to our Nation’s fiscal health. In addition to the increase in retirement contributions, the Federal Government has cut approximately 330,000 employees from its rolls and delayed statutory pay raises over the last several years. Certainly, these were substantial contributions to our country’s economy and have helped us turn the corner toward the bright economic future that is now predicted. As we consider how to best utilize projected budget surpluses, we should first remove this burden from Federal employees who have already contributed so much. Repealing the increases in Federal employee retirement contributions is the fair thing to do.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 1441

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 “Federal Employee Retirement Contributions Act of 1999.”

SEC. 2. DEDUCTIONS, CONTRIBUTIONS, AND DEPOSITS.

(a) CIVIL SERVICE RETIREMENT SYSTEM.— The table under section 8334(c) of title 5, United States Code, is amended—

(1) in the matter relating to an employee by striking:


7.5 After December 31, 2002.;

and inserting the following:

``7.5 After December 31, 1999.;``

(2) in the matter relating to a Member or employee for Congressional employee service by striking:


7.5 After December 31, 2002.;

and inserting the following:

``7 After December 31, 1999.;``

(3) in the matter relating to a Member for Member service by striking:


8 After December 31, 2002.;

and inserting the following:

``8 After December 31, 1999.;``

(4) in the matter relating to a law enforcement officer for law enforcement service and firefighter for firefighter service by striking:


and inserting the following:

and inserting the following:

"7.5 Before January 1, 1999.

(2) VOLUNTEER SERVICE.—Section 854(c)(1) of the Foreign Service Act of 1980 (22 U.S.C. 4071c(1)) is amended by striking all after "volunteer service;" and inserting "except, that amount to be paid for volunteer service beginning on January 1, 1999, through December 31, 1999, shall be 3.25 percent."

SECTION 5. EFFECTIVE DATE

By Mr. REED

S. 1442. A bill to provide for the professional development of elementary and secondary school teachers; to the Committee on Health, Education, Labor, and Pensions.

PROFESSIONAL DEVELOPMENT REFORM ACT

Mr. REED. Mr. President, I rise today to introduce the Professional Development Reform Act to strengthen and improve professional development for teachers and administrators.

I have long worked to improve the quality of teaching in America's classrooms for the simple reason that well-trained and well-prepared teachers are central to improving the academic performance and achievement of students.

Last Congress, I introduced the TEACH Act to reform the way prospective teachers are trained. The TEACH Act sought to foster partnerships among teacher colleges, schools of arts and sciences, and elementary and secondary schools.

Such partnerships were a central recommendation of the National Commission on Teaching and America's Future to reform teacher training, and I was pleased that my legislation was included in the renewed teacher training title of the Higher Education Act Amendments of 1998.

As Congress turns to the reauthorization of the Elementary and Secondary Education Act, the focus shifts to new teachers and teachers already in the classroom.

Mr. President, the legislation I introduce today would reform professional development, which too often consists of fragmented, one-shot workshops, at which teachers passively listen to experts and are isolated from the practice of teaching.

We don't expect students to learn from 1 to 8 hours—the equivalent of fragmented, one-shot workshops, at which teachers passively listen to experts and are isolated from the practice of teaching.

Research shows that such professional development fails to improve or even impact teaching practice.

Moreover, a recent survey of teachers found that professional development is too short term and lacks intensity. In 1998, participation in professional development programs typically lasted from 1 to 8 hours—the equivalent of only a day or less.

As a consequence, only about 1 in 5 teachers felt very well prepared for addressing the needs of students with individual needs.
limited English proficiency, those from culturally diverse backgrounds, and those with disabilities, or integrating educational technology into the curriculum.

Instead, research shows that effective professional development approaches are sustained, intensive activities that focus on deepening teachers knowledge of content; allow teachers to work collaboratively; provide opportunities for teachers to practice and reflect upon their teaching; are aligned with standards in the daily work of the school; and involve parents and other community members.

Such high-quality professional development improves student achievement. Indeed, a 1996 study in California found that the more teachers were engaged in ongoing, curriculum-centered professional development, holding school conditions and student characteristics constant, the higher their students’ mathematics achievement on the state assessment.

Community School District 2 in New York City is one district which has seen its investment in sustained, intensive professional development pay off with increases in student achievement. Professional development in District 2 is delivered in schools and classrooms and focused on system-wide instructional improvement, with intensive activities such as observation of exemplary teachers and classrooms both inside and outside the district; supervised practice, peer networks, and off-site training opportunities.

Unfortunately, a recent national evaluation of the Eisenhower Professional Development program found that the majority of professional development activities in the six districts studied did not follow such a sustained and intensive approach.

And, in a recent article in the Providence Journal, some teachers noted that professional development for them has revolved around sitting and listening to experts talk about standards, rather than working closely with teachers and students to refine new methods of teaching those standards. Unlike the bill passed last week in the other body which would do little to address these issues or change professional development, my legislation would create a new formula program for professional development that is collaborative, content-centered, embedded in the daily work of the school, and aligned with standards and school reform efforts.

To achieve this enhanced professional development, the legislation funds the following activities: mentoring; peer observation and coaching; curriculum-based content training; dedicated time for collaborative lesson planning; opportunities for teachers to visit other classrooms to model effective teaching practice; training on integrating technology into the curriculum, addressing the specific needs of diverse students, and involving parents; professional development networks to provide a forum for interaction and exchange of information among teachers and administrators; and release time and compensation for mentors and substitute teachers to make these activities possible.

The Professional Development Reform Act also requires partnerships between elementary and secondary schools and institutions of higher education for providing training opportunities, including advanced content area activities for teachers in areas of teacher shortages. In fact, preliminary U.S. Department of Education data show that the Eisenhower Professional Development activities sponsored by institutions of higher education are most effective.

My legislation will also provide funding for skills and leadership training for principals and superintendents, as well as mentors. Indeed, ensuring that our principals have the training and support to support them as instructional leaders critical, as is ensuring that mentors have the skills necessary to help our newest teachers and other teachers who need assistance in the classroom.

The Professional Development Reform Act funds Title I schools with the highest percentages of students living in poverty, where improvements in professional development are needed most.

My legislation does not eliminate the Eisenhower program, but it does require that Eisenhower and other federal, state, and local professional development funds be coordinated and used in the manner described in our legislation—on professional development activities that research shows works.

In addition, the Professional Development Reform Act offers resources but it demands results. Strong accountability provisions require that school districts and school-training organizations that receive funding actually improve student performance and increase participation in sustained professional development in three years in order to secure additional funding.

In sum, the legislation seeks to ensure that new teachers have the support they need to be successful teachers, that all teachers have access to high quality professional development regardless of the content areas they teach, and that the professional development does not isolate teachers, but rather is part of a coordinated and comprehensive strategy aligned with standards.

Not only does the research bear this out as the way to improve teaching practice and student learning, but education leaders in my home state of Rhode Island and across the country have been pressuring the importance of this type of professional development.

Mr. President, the time for action is now as schools must hire an estimated 2.2 million professionals to cover the next decade due to increasing enrollments, the retirement of approximately half of our current teaching force, and high attrition rates.

Ensuring that teachers have the training, assistance, and support to increase student achievement and sustain them throughout their careers is a great challenge. But we must meet and overcome this challenge if we are to reframe our education and prepare our children for the 21st Century.

The Professional Development Reform Act, by increasing our professional development investment and focusing it on the kind of activities and partnerships that research shows work, is critical to this effort.

I urge my colleagues to join me in this essential endeavor by cosponsoring this legislation and working for its inclusion in the reauthorization of the Elementary and Secondary Education Act.

Mr. President, I ask unanimous consent that the text of this legislation be printed in the Record.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1442

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

SECTION 1. PROFESSIONAL DEVELOPMENT.

(a) SHORT TITLE.—This section may be cited as the "Professional Development Reform Act".

(b) AMENDMENTS.—Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended—

(1) by redesigning part E as part F; and

(2) by inserting after part D the following:

"PART E—PROFESSIONAL DEVELOPMENT

SEC. 2351. PURPOSES.

"(a) In general.—The purposes of this part are as follows:

"(1) To improve the academic achievement of students by providing every student with a well-prepared teacher.

"(2) To provide every new teacher with structured support, including a qualified and trained mentor, to facilitate the transition into successful teaching.

"(3) To ensure that every teacher is given the assistance, tools, and professional development opportunities, throughout the teaching career, to help the teacher teach to the highest academic standards and help students succeed.

"(4) To provide training to prepare and support principals to work with teachers and administrative leaders and to work with teachers to create a school climate that fosters excellence in teaching and learning.

"(5) To transform, strengthen, and improve professional development from a fragmented, one-shot approach to sustained, high quality, and intensive activities that are collaborative, content centered, standards based, results driven, and embedded in the daily work of the school.

"(b) is allocated to Title II-A (Public School Facilities and Improvement Act) to allow teacher training to be part of the school’s comprehensive plan.

"(c) are responsible to teacher needs.

SEC. 2252. DEFINITIONS.

"(a) In general.—The term "professional development" means effective professional development that—

"(1) is sustained, high quality, intensive, and comprehensive;

"(2) is content centered, collaborative, school embedded, tied to practice, focused on student achievement, and aligned with and designed to help elementary school or secondary school students
meet challenging State content standards and challenging State student performance standards;

"(C) includes structured induction activities that provide ongoing and regular support to new teachers in the initial years of their careers;

"(D) includes sustained in-service activities to improve elementary school or secondary school teaching in the core academic subjects, to integrate technology into the curriculum, to improve understanding and the use of student assessment, to improve classroom management skills, to address the specific needs of diverse students, including limited English proficient students, individuals with special needs and disadvantaged individuals, and to encourage and provide instruction on how to work with and involve parents to foster student achievement; and

"(E) includes sustained onsite training opportunities that provide active learning and observational opportunities for elementary school or secondary school teachers to model effective practice.

"(2) ADMINISTRATOR.—The term "administrator" means a school principal or superintendent of schools.

"SEC. 2353. STATE ALLOTMENT OF FUNDS.

"From the amount appropriated under section 2353 for the fiscal year, the Secretary will make an allotment to each State educational agency having an application approved under section 2354 in an amount that bears the same relation to the amount appropriated under section 2361 that is not reserved under section 2360 for the fiscal year as the amount the State educational agency receives for any fiscal year bears to the amount received under such part for the fiscal year.

"SEC. 2354. STATE APPLICATIONS.

"Each State educational agency desiring an allotment under section 2353 for a fiscal year shall submit to the Secretary an application at such time, in such manner, and accompanied by such information as the Secretary may require. The application shall include—

"(1) a description of the strategy to be used to implement State activities described in section 2355;

"(2) a description of how the State educational agency will assist local educational agencies that provide under this part the same services provided by the local educational agency that are described in section 2357; and

"(3) a description of how the activities described in section 2357 will be implemented.

"SEC. 2355. STATE ACTIVITIES.

"From the amount allotted to a State educational agency under section 2353 for a fiscal year, the State educational agency—

"(1) shall reserve not more than 2 percent of the amount allotted to the State educational agency for providing technical assistance and dissemination of information to schools and local educational agencies in the State that are aligned with challenging State content standards and challenging State student performance standards, and for administrative costs; and

"(2) may reserve not more than 2 percent for providing technical assistance and dissemination of information to schools and local educational agencies in the State that are aligned with challenging State content standards and challenging State student performance standards, and for administrative costs.

"SEC. 2356. LOCAL PROVISIONS.

"Each local educational agency receiving an allocation under this section shall use the allocation to carry out professional development activities that are aligned with challenging State content standards and challenging State student performance standards, and for administrative costs.

"SEC. 2357. LOCAL ACTIVITIES.

"Each local educational agency receiving an allocation under section 2356 shall use the allocation to carry out professional development activities that are aligned with challenging State content standards and challenging State student performance standards, and for administrative costs.

"(1) a description of how the local educational agency will collect and analyze data on the quality and impact of activities carried out in schools under this part, and the specific performance measures the local educational agency will use in the local educational agency’s evaluation process;

"(2) a description of the local educational agency’s plan to develop and carry out the activities described in section 2357 with the extensive participation of administrators, teachers, parents, and the partnering institutions described in section 2357(4); and

"(3) a description of how the local educational agency’s strategy for ensuring that there is schoolwide participation in the schools to be served by the activities described in this section; and

"(4) a description of how the local educational agency will ensure that the activities described in this section are consistent with the State’s comprehensive education reform, will help all students meet challenging State content standards and challenging State student performance standards, and will help all teachers and administrators meet State standards for teaching excellence; and

"(5) a description of—

"(A) how the State educational agency will collect and utilize data for evaluation of the effectiveness of the activities described in this section; and

"(B) how the State educational agency will ensure that the activities described in this section—

"(i) provide teachers with the knowledge and skills necessary to teach students to be proficient or advanced in challenging State content standards and challenging State student performance standards, and any local education reform plans or policies; and

"(ii) provide teachers with the knowledge and skills necessary to teach students to be proficient or advanced in challenging State content standards and challenging State student performance standards, and any local education reform plans or policies; and

"(B) meet the purposes described in section 2353; and

"(C) include—

"(i) a description of the manner in which the local educational agency will ensure that—

"(A) the grant funds will be used—

"(1) to provide teachers with the knowledge and skills necessary to teach students to be proficient or advanced in challenging State content standards and challenging State student performance standards, and any local education reform plans or policies; and

"(2) to provide teachers with the knowledge and skills necessary to teach students to be proficient or advanced in challenging State content standards and challenging State student performance standards, and any local education reform plans or policies; and

"(B) allow the exchange of information regarding advances in content and pedagogy.
SEC. 2360. NATIONAL ACTIVITIES.

(a) RESERVATION.—The Secretary shall re-
serve not more than 5 percent of the amount
appropriated under section 2361 for each fis-
cal year for the national evaluation de-
pended to carry out activities relating to
professional development; and

(b) NATIONAL EVALUATION.—

(1) IN GENERAL.—The Secretary shall pro-
vide for an annual, independent, national
evaluation of the activities assisted under this
part not later than 3 years after the date of
enactment of the Elementary and Secondary
Education Act of 1995 regarding elemen-
tary school and secondary school coun-
selors in the elementary schools.

The expanded counseling program—
Smother Sailing operates on the sim-
ple premise that we must get to kids early
to prevent problems rather than wait-
ing for a crisis. As a result, the
district more than tripled the number of
elementary school counselors to
provide for an annual, independent, national
evaluation of the activities assisted under this
part not later than 3 years after the date of
enactment of the Elementary and Secondary
Education Act of 1995 regarding elemen-
tary school and secondary school coun-
selors in the elementary schools.

The expanded counseling program—
Smother Sailing began as a pilot
program in 10 elementary schools. The
program is made up of coun-
selors in the elementary schools so
there is one counselor for every 250 stu-
dents—the ratio recommended for
an effective program. The participating
schools began seeing many positive
changes.

After two years, the schools particip-
ating in Smother Sailing saw a dra-
matic reduction in the number of stu-
dents referred to the office for discipli-
nary reasons.

During the 1987±88 school year, 157
students were referred to the office for
disciplinary action. After two years of
Smother Sailing, the number of office
referrals in those schools dropped to
83—a 47% reduction in office referrals.

During the same period, Des Moines
elementary schools with a traditional
 crisis intervention counseling program
had only a 21% reduction in office refer-

There were other changes as well.
Teachers in Smother Sailing schools
reported fewer classroom disturbances
and principals noticed fewer fights in
the cafeteria and on the playground.
The schools and classrooms had be-
come more disciplined learning envi-
nronments. It was clear that Smother
Sailing was increasing the demand for
counseling services. The number of
counseling programs expanded to
all 42 elementary schools in Des Moines
in 1990.

Smother Sailing continues to be a
success.

Smother Sailing helps students
solve problems in a positive man-
ner. Assessments of 4th and 5th grade
students show that students can generate
more than one solution to a problem.
Further, the types of solutions were
positive and proactive. We know that
the ability to effectively solve prob-
lems is essential for helping students
make the right decisions when con-
fronted with violent or threatening
situations.

Smother Sailing gets high marks in
surveys of administrators, teachers and
parents. They report a high degree of
satisfaction with the program.

Ninety-five percent of parents sur-
veyed said the counselors were a valuable
part of their child's educational develop-
ment. Ninety-three percent said they
would seek assistance from the coun-
selors if the child was experiencing diffi-
culties at school.

Administrators credit Smother Sail-
ing with decreasing the number of stu-
dent suspensions and referrals to the
office for disciplinary action. In addi-
tion, principals report that the pro-
gram is responsible for creating an at-
mosphere that is conducive to learning.
Experts tell us that to be effective,
there should be at least one counselor
for every 250 students. Unfortunately,
the current student:counselor ratio is
more than double the recommended
level—it is 531:1. That means coun-
selors in our nation's schools can
never be expected to do all that they
cannot do because of the large num-
bers of students they have. The pro-
gram is responsible for creating an at-
mosphere that is conducive to learning.

Mr. President, Smother Sailing was
the model for the Elementary School
Counseling Demonstration Act, a sec-
tion of the Elementary and Secondary
School Act.

Today, along with Senators LINCOLN
and WELLSTONE, I am introducing the
Elementary and Secondary School
Counseling Improvement Act of 1999.

This legislation does three things.

First, it reauthorizes the Elementary
School Counseling Demonstration Act
and expands services to secondary
schools.

Second, it authorizes $100 million in
funding to hire school counselors,
school psychologists and school social
workers.

Finally, since the counselor shortage
is particularly acute in elementary
schools, the amendment requires that
the $60 million appropriated would go
to provide grants for elementary
schools.

Mr. President, CNN and USA Today
recently conducted a public opinion
poll of Americans. They asked what
would make a difference in preventing
or fighting the outbreak of violence in our
nation's schools.

The leading response was to restrict
access to firearms. The second most
popular response—a response selected
by 44% of those polled—was to increase
the number of counselors in our na-
ton's schools.

We should heed the advice of the
American people. We have a desperate

By Mr. HARKIN (for himself, Mrs. LINCOLN, Mr. WELLSTONE, and
Mrs. MURRAY): S. 1445. A bill to authorize section 10102
of the Elementary and Secondary Edu-
cation Act of 1995 regarding elemen-
tary school and secondary school coun-
seling to the Committee on Health,
Education, Labor, and Pensions.

Mr. HARKIN. Mr President, in April,
the nation was rocked by an unemploy-
able act of violence at Columbine High
School in Littleton, Colorado. Twelve
innocent students, a heroic teacher and
the two student gunmen were killed in
the 8th deadly school shooting in 39
months.

Since that tragic incident, there has
been a nation wide discussion on the
causes of such violence and a search for
solutions to prevent such occurrences
in the future. I would like to take a few
moments to discuss one innovative pro-
gram that can help us prevent violent acts
from happening in the schools in the
first place.

Mr. President, children today are
subjected to unprecedented social
pressures, including the fragmentation
of the family, drug and alcohol abuse,
vioence, child abuse and poverty. In
1988, the Des Moines Independent
School District recognized the situa-
tion confronting young students and
expanded counseling services in ele-
mentary schools.

The expanded counseling program—
Smother Sailing began as a pilot
program in 10 elementary schools. The
program is responsible for creating an
atmosphere that is conducive to learning.
Experts tell us that to be effective,
there should be at least one counselor
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SEC. 2350. CONTINUATION OF FUNDING.

Each local educational agency or school
that receives funding under this part shall be
eligible to continue to receive the funding after
the third year if the local educational agency
or school receives the funding if the local
educational agency or school demonstr-
ated that the local educational agency or
school has—

(1) improved student performance;

(2) increased participation in sustained
Profession Development; and

(3) made significant progress toward at
least 1 of the following:

(A) Reducing the number of out-of-field
placements and teachers with emergency
credentials.

(B) Improving teaching practice.

(C) Reducing the new teacher attrition
rate for the local educational agency or
school.

(D) Increasing partnerships and linkages
with institutions of higher education.

SEC. 2350A. SUPPLEMENT NOT SUPPLANT.

"Funds made available under this part
shall be used to supplement and not supplant
other Federal, State, and local funds ex-
pended for the activities relating to
teacher programs or professional development.

SEC. 2360. NATIONAL ACTIVITIES.

(1) RESERVATION.—The Secretary shall re-
serve not more than 5 percent of the amount
appropriated under section 2361 for each fis-
cal year for the national evaluation de-
pended to carry out activities relating to
professional development; and

(2) NATIONAL EVALUATION.—

(1) IN GENERAL.—The Secretary shall pro-
vide for an annual, independent, national
evaluation of the activities assisted under this
part not later than 3 years after the date of
enactment of the Elementary and Secondary
Education Act of 1995 regarding elemen-
tary school and secondary school coun-
selors in the elementary schools.

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The leading response was to restrict
access to firearms. The second most
popular response—a response selected
by 44% of those polled—was to increase
the number of counselors in our na-
ton's schools.

We should heed the advice of the
American people. We have a desperate
need to improve counseling services in our nation's schools and this legislation will be an important step in addressing this critical issue. I urge my colleagues to support this legislation.

This legislation is supported by several organizations—the American Counseling Association, the American School Counseling Association, the American Psychological Association, the National Association of School Psychologists, the School of Social Work Association of America and the National Association of School Social Workers. I ask unanimous consent that a copy of the letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

JULY 26, 1999

DEAR SENATOR. We are writing to urge your support of the “Elementary and Secondary Counseling Improvement Act” introduced by Senator Tom Harkin (D-IA). The Act would increase and expand access to much needed counseling and mental health services throughout our nation’s elementary and secondary schools.

According to the National Institute of Mental Health (NIMH), although 7.5 million children under the age of 18 require mental health services, only one in five receive them. As the tragedy of this year’s school shootings remind us, students have mental, emotional, and behavioral needs which require the services of qualified counseling professionals. Additionally, counseling and mental health services are essential to help teachers and school administrators instruct capable students to achieve high academic standards.

Unfortunately, in schools across the nation, the supply of qualified school counselors, school psychologists and school social workers is scarce. The U.S. average student-to-counselor ratio is 313:1. In states like California and Minnesota, one counselor serves more than 1,000 students, and in other states, one school psychologist serves as many as 2,300 students. Similar caseloads exist for school social workers in one county in Georgia, one school social worker is responsible for over 4,000 students. These ratios make it nearly impossible for students to get the counseling and mental health services they need. This serious shortage of qualified professionals has undermined efforts to make schools safe, improve academic achievement, and have overly burdened teachers.

High caseloads are not the only obstacle facing a student in need of help. School counselors, school psychologists, and school social workers are often charged with miscellaneous administrative or paperwork duties, and may spend almost a quarter of their time on these tasks. Providers need to be able to provide direct services to student, teachers, families, and staff in schools.

The Elementary School Counseling Demonstration Act (ESDA) was first enacted with bi-partisan support as part of the Improving America’s Schools Act in 1994. The Act provided counseling services through qualified school counselors, school psychologists, and school social workers. Senator Harkin’s “Elementary and Secondary Counseling Improvement Act” would reauthorize the Elementary School Counseling Demonstration Act, and expand services to secondary schools.

The Elementary and Secondary Counseling Improvement Act would provide funding to schools to expand counseling programs and services provided by only hiring qualified school counselors, school psychologists, and social workers. The Act ensures that programs funded will be comprehensive and accountable by requiring that applicants:

- Design the developmental and preventative; Provide in-service training for school counselors, school psychologists, and school social workers; Convene an advisory board of counseling professionals, teachers, school administrators, and community leaders to oversee the design and implementation of the program;
- That counseling professionals spend at least 85% of their work time providing direct services to students and no more than 15% on administrative tasks.

I urge your support Harkin’s Elementary and Secondary Counseling Improvement Act.

Sincerely,

By Mr. GRASSLEY (for himself and Mr. BURNS):

S. 1444. A bill to amend the Internal Revenue Code of 1986 to provide that the sixty-month payment limitation on the student loan interest deduction; to the Committee on Finance.

EXPANSION OF THE STUDENT LOAN INTEREST DEDUCTION

Mr. GRASSLEY. Mr. President, I am joined today by Senator Burns introducing legislation to expand the student loan interest deduction. Specifically, my bill will repeal the sixty-month payment limitation and increase the income levels qualifying students for the tax deduction for student loan interest. I previously presented the elimination of the sixty-month student loan deductibility restriction in a bill in February. As a member of the Finance Committee, I have asked Senator Burns to introduce the income limit expansion I now propose be included in the Reconciliation bill that will be before the Senate this week. I am happy to report that both are in the committee reported bill.

In a move detrimental to the education of our nation's students, the Tax Reform Act of 1986 eliminated the tax deduction for student loan interest. Deeply troubled that this important relief was no longer available to young women and men trying to start their careers, since 1997 my colleagues on both sides of the aisle and I have sought to ease the heavy burden of paying back student loans by reinstating the tax deduction. In 1992, we succeeded in passing legislation to restore the deduction for student loan interest, only to be stymied by a veto as part of a larger bill with tax increases. After ten arduous years, our persistent work on behalf of America's students finally came to fruition when we succeeded in reinstating the deduction under the Taxpayer Relief Act of 1997. Our victory demonstrated Congress' sincere commitment to making educational opportunities available to all students and families across the nation, and confirmed our willingness to assist young Americans in acquiring the best education possible by easing the financial hardship they face.

While our endeavors in 1997 were programmatic, we were compelled to limit the deductibility of student loan interest to sixty payments, and to only certain taxpayers with an adjusted gross income between $40,000 and $55,000 filing individually or between $60,000 and $75,000 for married couples. Additionally, the deduction itself was phased in at $1,000, and will cap out at $2500 in 2002. In keeping the income limits for the deduction at such low income levels, we are letting a great opportunity to assist more young Americans pass us by. Setting the income cap at the current mark does a disservice to some of our nation's most needy college borrowers. A great number of students are forced to borrow heavily to acquire an education that will allow them to stay competitive in our global economy. The present restriction punishes resourceful students who land jobs which pay salaries slightly above the meager cap, even though they may have been forced to borrow heavily to obtain their education due to limited means.

Currently, the deductibility of student loan interest is limited to a mere sixty loan payments, equivalent to five years plus time spent in forbearance or deferment. This payment limitation, like the income restriction, was put in place during our fiscal difficulties of 1997. Since we are now experiencing a great budget surplus with our booming economy, Congress now has the ability to expand on both of these areas where previously we were forced to scale back. As mentioned, I introduced a bill, S. 471, that would eliminate the 60-month limit on student loan interest reductions.

Fortunately, our situation today is quite different than when we made our original improvements in 1997. Now, with our robust economy and budget surplus, we have a splendid opportunity to do what we were unable to do before. As the price of going to college has continued to spiral upward, student loan debt has risen to record levels. We must not shrink from our responsibility to provide additional relief to our students. We should repeal the sixty-month payment limitation. We should increase the income levels from $40,000 to $50,000 for single students, and, eliminating any marriage penalty, increase from $60,000 to $100,000 for married couples. The amount of the deduction would then be gradually phased out for taxpayers with incomes between $50,000 and $65,000 for single students, and, $100,000 and $115,000 for married couples. Let our actions clearly demonstrate that the United States Congress stands behind
all of our nation’s students in their efforts to better their lives. By expanding the student loan interest deduction, we will bring vital relief to some of our most deserving borrowers seeking the American dream. Rather than penalizing resourceful students who find jobs with incomes above the present cap, we will be rewarding the hard work and ingenuity of our students. We must continue to support young Americans who land jobs with salaries slightly above our current threshold yet still needing financial assistance.

Excessive student debt is a major problem for many students. As people in a position to help them, Congress must seek out more ways to be of service to our young people. In this time of economic plenty, it is our duty to invest in our students’ education, for to do so is an investment in America’s future. A well-deducted workforce is vital to maintain competitiveness in an ever-changing global economy. By broadening the income limits to receive the tax deduction for student loan interest, we demonstrate our commitment to education and maintaining the position of the United States at the pinnacle of the world.

I urge my colleagues to join me in this effort to relieve the excessive burdens on those trying to better themselves and their families through education by loosening the income limits to qualify for the tax deduction for student loan interest payments and eliminating the sixty-month payment limitation.

By Mr. KOHL (for himself and Mr. REID):

S. 1445. A bill to amend titles XVIII and XIX of the Social Security Act to prevent abuse of recipients of long-term care services under the Medicare and Medicaid programs; to the Committee on Finance.

PATIENT ABUSE PREVENTION ACT

Mr. KOHL. Mr. President, I rise today to reintroduce the Patient Abuse Prevention Act.

I am pleased to be joined in this effort by Senator Reid, who has worked tirelessly with me on this important legislation.

This bill is the product of collaboration and input from the administration, the health care industry, patient and employee advocates—who all have the same goal: protecting patients and employee advocates—who all have the same goal: protecting patients and paying for nursing home care. It is the result of working with my colleagues, the administration to make sure we treat them with dignity, care, and respect they deserve.

I realize that this legislation will not solve all instances of abuse. We still need to do more to stop abuse from occurring in the first place. But this bill will ensure that those who have already abused an elderly or disabled patient, and those who have committed violent crimes against people in the past, are kept away from vulnerable patients.

Mr. President, I want to repeat that I strongly believe that most long-term care providers and their staff work hard to deliver the highest quality care. However, it is imperative that Congress act immediately to get rid of those that don’t. When a patient checks into a nursing home or hospice, or receives home health care, they should not have to give up their right to be free from abuse, neglect, or mistreatment.

Our nation’s seniors made our country what it is today. It is our obligation to make sure we treat them with the dignity, care, and respect they deserve. I look forward to continuing to work with my colleagues, the administration, and the health care industry in this effort to protect patients. Our nation’s seniors and disabled deserve nothing less than our full attention.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD. I also ask unanimous consent that a letter of support for this legislation from the National Citizens’ Coalition for Nursing Home Reform be included in the RECORD.

If there being no objection, the material was ordered to be printed in the RECORD, as follows:

SECTION 1. SHORT TITLE. This Act may be cited as the “Patient Abuse Prevention Act.”

SEC. 2. ESTABLISHMENT OF PROGRAM TO PREVENT ABUSE OF NURSING FACILITY RESIDENTS. (a) NURSING FACILITY AND SKILLED NURSING FACILITY REQUIREMENTS.—

(1) MEDICAID PROGRAM.—Section 1919(b) of the Social Security Act (42 U.S.C. 1396) is amended by adding at the end the following:

“(ii) SCREENING OF NURSING FACILITY WORKERS.—

(A) BACKGROUND CHECKS ON APPLICANTS.— Subject to subparagraphs (B)(i) and (ii), before hiring a nursing facility worker, a nursing facility shall—

(i) give the worker a written notice that the facility is required to conduct background checks with respect to applicants;

(ii) require, as a condition of employment, that such worker—

(1) provide a written statement disclosing any conviction for a relevant crime or finding of patient or resident abuse;
"(ii) knowingly continues to employ a nursing facility worker in violation of subparagraph (A) or (B); or

"(iii) knowingly fails to report a nursing facility worker pursuant to clause (C); and

"(iv) if that system does not contain any such disqualifying information—

"(I) request that the State initiate a State and national criminal background check on such worker in accordance with regulations promulgated by the Secretary to determine whether such worker has committed an act of resident neglect or property in the course of employment by the facility; and

"(II) furnish to the State the background check.
CONDUCT BACKGROUND CHECKS.—The term ‘conviction for a relevant crime’ means any Federal or State criminal conviction for—

(i) any offense described in paragraphs (I) through (IV) of section 1128A(a) and
(ii) such other types of offenses as the Secretary may specify in regulations, taking into account the gravity and relevance of such offenses, and after consultation with representatives of long-term care providers, representatives of long-term care employees, consumers, and appropriate Federal and State officials.

DISQUALIFYING INFORMATION.—The term ‘disqualifying information’ means information concerning an individual or entity that directly affects a patient or resident abuse.

FINDING OF PATIENT OR RESIDENT ABUSE.—The term ‘finding of patient or resident abuse’ means any substantiated finding by a State agency under section 1919(n)(1)(C) or a Federal agency that a skilled nursing facility worker has committed—

(i) an act of patient or resident abuse or neglect or a misappropriation of patient or resident property; or
(ii) such other types of acts as the Secretary may specify in regulations.

SKILLED NURSING FACILITY WORKER.—The term ‘skilled nursing facility worker’ means any individual who is licensed, certified, or registered to perform services, as defined by the Secretary of Health and Human Services, in a skilled nursing facility under an employment relationship with a skilled nursing facility that has direct access to a patient of a skilled nursing facility.

The term ‘skilled nursing facility worker’ includes individuals who are licensed, certified, or registered to perform services, as defined by the Secretary, who perform such services, and nonlicensed individuals providing such services, as defined by the Secretary.

The term ‘skilled nursing facility worker’ includes individuals who perform such services and nonlicensed individuals providing such services, as defined by the Secretary. The term includes individuals who are licensed, certified, or registered to perform services, as defined by the Secretary.

CONGRESSIONAL RECORD — SENATE S9391

July 27, 1999

CONDUCT BACKGROUND CHECKS.—The term ‘conviction for a relevant crime’ means any Federal or State criminal conviction for—

(i) any offense described in paragraphs (I) through (IV) of section 1128A(a) and
(ii) such other types of offenses as the Secretary may specify in regulations, taking into account the gravity and relevance of such offenses, and after consultation with representatives of long-term care providers, representatives of long-term care employees, consumers, and appropriate Federal and State officials.

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(ii) such other types of acts as the Secretary may specify in regulations.

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The term ‘skilled nursing facility worker’ includes individuals who are licensed, certified, or registered to perform services, as defined by the Secretary, who perform such services, and nonlicensed individuals providing such services, as defined by the Secretary. The term includes individuals who are licensed, certified, or registered to perform services, as defined by the Secretary.
records of the Federal Bureau of Investigation for any criminal history records corresponding to the fingerprints or other positive identification information submitted. The Act also provides that the cost of such activity, the responding information resulting from the search to the State.

(C) STATE REPORTING OF INFORMATION TO SKILLED NURSING FACILITIES—Upon receipt of the information provided by the Attorney General pursuant to subparagraph (B), the State shall—

(i) review the information to determine whether the individual has any conviction for a relevant crime (as defined in subsection (b)(8)(i)(I));

(ii) report to the skilled nursing facility the results of such review; and

(iii) in the case of an individual with a conviction for a relevant crime, report the existence of such conviction of such individual to the database established under section 1128E.

(D) FEES FOR PERFORMANCE OF CRIMINAL BACKGROUND CHECKS.—

(1) AUTHORITY TO CHARGE FEES.—

(A) ATTORNEY GENERAL.—The Attorney General may charge a fee to any State requesting a search and exchange of records pursuant to this paragraph and subsection (b)(8) for conducting the search and providing the records. The amount of such fee shall be determined on the basis of the amount of cost of such activities or $50. Such fees shall be available to the Attorney General, or, in the Attorney General’s discretion, to the Federal Bureau of Investigation until expended.

(B) STATE.—A State may charge a skilled nursing facility a fee for initiating the criminal background check under this paragraph and subsection (b)(8) including fees charged by the Attorney General, and for performing the review and report required by subparagraph (C). The amount of such fee shall not exceed the actual cost of such activities.

(2) PROHIBITION ON CHARGING APPLICANTS OR EMPLOYEES.—An entity may not impose on an applicant for employment or an employee any charges relating to the performance of a background check under this paragraph.

(E) REGULATIONS.—

(i) IN GENERAL.—In addition to the Secretary’s authority to promulgate regulations under this title, the Attorney General in consultation with the Secretary may promulgate such regulations as are necessary to carry out the Attorney General’s responsibilities under this paragraph and subsection (b)(9), including regulations regarding the security confidentiality, accuracy, use, destruction, and dissemination of information, audits and recordkeeping, and the imposition of fees.

(ii) APPEAL PROCEDURES.—The Attorney General, in consultation with the Secretary, shall promulgate such regulations as are necessary to carry out the Attorney General’s responsibilities under this paragraph and subsection (b)(9), including regulations regarding the security confidentiality, accuracy, use, destruction, and dissemination of information, audits and recordkeeping, and the imposition of fees.

(F) REPORT.—Not later than 2 years after the date of enactment of this paragraph, the Attorney General shall submit a report to Congress on—

(1) the number of requests for searches and exchanges of records made under this section;

(2) the disposition of such requests; and

(3) the cost of responding to such requests.

(C) APPLICAITON TO OTHER ENTITIES PROVIDING LONG-TERM CARE SERVICES.—

(1) MEDICARE.—Section 1905(e) of the Social Security Act (42 U.S.C. 1395x-6(e)) is amended—

(A) in paragraph (6), by striking the period and inserting ‘‘; and’’;

(B) by inserting after paragraph (6) the following:

‘‘(6) provide that any entity that is eligible to be paid under the State plan for providing services for which medical assistance is available under the State plan to individuals requiring long-term care complies with the requirements of subsection (b) of section 1903.’’.

(2) MEDICAID.—Part D of title XVIII of the Social Security Act (42 U.S.C. 1396x et seq.) is amended by adding at the end the following:

‘‘APPLICATION OF SKILLED NURSING FACILITY PREVENTIVE ABUSE PROVISIONS TO ANY PROVIDER OF SERVICES OR OTHER ENTITY PROVIDING LONG-TERM CARE SERVICES.—

SEC. 1128E. The requirements of subsections (b)(8) and (e)(6) of section 1919(b) shall apply to any provider of services or any other entity that is eligible to be paid under this title for personal care services for an individual entitled to benefits under part A or enrolled under part B (including an individual provided with a Medicare-Choice organization under part C).’’.

(3) REIMBURSEMENT OF REASONABLE COSTS FOR BACKGROUND CHECKS.—The Secretary of Health and Human Services shall factor into any payment system under titles XVIII and XIX of the Social Security Act the reasonable costs of background checks for an individual entitled to benefits under part A or enrolled under part B (including an individual provided with a Medicare-Choice organization under part C).

(d) REIMBURSEMENT OF REASONABLE COSTS FOR BACKGROUND CHECKS.—The Secretary of Health and Human Services shall factor into any payment system under titles XVIII and XIX of the Social Security Act the reasonable costs of background checks for an individual entitled to benefits under part A or enrolled under part B (including an individual provided with a Medicare-Choice organization under part C).

(e) ACCESS TO REPORTED INFORMATION.—

(1) IN GENERAL.—Section 1128E(b)(1) of the Social Security Act (42 U.S.C. 1396a) is amended—

(A) in paragraph (6), by striking the period and inserting ‘‘; and’’;

(B) by inserting after paragraph (6) the following:

‘‘(6) provide that any entity that is eligible to be paid under the State plan for providing services for which medical assistance is available under the State plan to individuals requiring long-term care complies with the requirements of subsection (b) of section 1903.’’.

(f) DEFINITION OF LONG-TERM CARE FACILITY.—Section 1128E(g) of the Social Security Act (42 U.S.C. 1396a) is amended by adding at the end the following:

‘‘(G) LONG-TERM CARE FACILITY.—The term ‘long-term care facility’ means a skilled nursing facility (as defined in section 1128E(f)(1)(A) of the Social Security Act (42 U.S.C. 1396a)), a home health agency, a hospice facility, an intermediate care facility for the mentally retarded (as defined in section 1128E(f)(1)(B)(ii) of the Social Security Act (42 U.S.C. 1396a)), or any other facility that provides long-term care services and receives payment for such services under the medicare program under title XVIII of the medical program under title X.

(g) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to carry out the amendments made by this section, $10,200,000 for fiscal year 2000.

SEC. 4. PREVENTION AND TRAINING DEMONSTRATION PROJECT.

(a) ESTABLISHMENT.—The Secretary of Health and Human Services shall establish a demonstration program to provide grants to organizations (including health care providers, long-term care providers, ombudsman programs, the long-term care industry, and local community members) to establish a demonstration program to provide grants to entities, including the training program described in section 1819(a) of the Social Security Act (42 U.S.C. 13955(a)), for a Medicare+Choice program, for preventing and reducing patient abuse.

(b) USE OF FUNDS.—Amounts received under a grant under this section shall be used to—

(1) examine ways to improve collaboration between the health care providers, including providers of long-term care services, and the persons responsible for preventing abuse and neglect; and

(2) examine ways to improve collaboration between the health care providers, including providers of long-term care services, and the persons responsible for preventing abuse and neglect.

(c) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated such funds.
sums as may be necessary to carry out this section.

SEC. 5. EFFECTIVE DATE.

The provisions of and amendments made by the Act shall apply, without regard to whether implementing regulations are in effect, to any individual or family—

(1) by any skilled nursing facility (as defined in section 1919(a) of the Social Security Act) or any nursing facility (as defined in section 1919(a) of such Act), or on or after the date which is 6 months after the date of enactment of this Act,

(2) to any home health agency, on or after the date which is 12 months after such date of enactment, and

(3) by any hospice facility, any intermediary or intermediary for the meaning as defined in section 1905(d) of the Social Security Act, or any other facility that provides long-term care services and receives payment for such services under the Medicare program under title XXVIII of such Act or the Medicaid program under title XIX of such Act, on or after the date which is 38 months after such date of enactment.


Hon. Herbert Kohl, U.S. Senate, Washington, D.C.

Dear Senator Kohl: The National Citizens' Coalition for Nursing Home Reform (NCCNHR) commends you and your staff for your initiative in seeking to improve care and conditions in long-term care facilities. NCCNHR is a non-profit consumer organization that works to improve the quality of care and life for long-term care residents. Our organization represents residents and their advocates. We work closely with the nation's long-term care ombudsman and other advocacy groups for their facilities.

We strongly support your proposed legislation cited as the Patient Abuse Prevention Act, which would require criminal background checks for nursing home workers. This legislation would provide residents protection from individuals with a history of committing offenses against residents. It would also create a much needed National Registry for long-term care employees with a history of abuse, to be used by nursing homes when hiring employees for their facilities.

In particular, NCCNHR applauds your revisions to last year's bill, the "Long-Term Care Patient Protection Act of 1998" to include (1) a requirement that criminal background checks of employees will be conducted in all facilities (including specifically, nursing homes, home health, and hospices); (2) that applicants may not be charged for the costs of the checks; (3) that applicants who challenge the accuracy of the background check will also be able to appeal the decision and that there is no longer a prohibition on Medicare and Medicaid reimbursement for the costs of conducting background checks.

We strongly urge, however, that the legislation provide language that all criminal background checks on all long-term care workers and not just employees who have direct access to residents. Considering the vulnerability of long-term care residents, criminal background checks should be conducted on all workers, including contract workers, in all health care settings, including home care and assisted living.

Again, NCCNHR congratulates you, Senator Kohl, on your persistence and foresight. If you need further information, contact me or Ana Rivas-Beck, J.D., Law and Policy Specialist.

Sincerely,

Elma Holder
Founder

Mr. REID. Mr. President, I rise today to join my colleague, Senator Kohl, in introducing the "Patient Abuse Prevention Act." This legislation would help protect our nation's most vulnerable citizens by keeping workers with criminal and abusive backgrounds out of our long-term care facilities.

It is simply too easy for workers with criminal or abusive histories to gain employment in long-term care facilities. A report released last year by the Office of the Inspector General at the Department of Health and Human Services (HHS) confirmed that current regulations were not sufficient to protect the frail and elderly from being placed in the hands of known abusers and criminals. If we do not take steps to keep workers with criminal and abusive backgrounds out of our long-term care facilities, the growing number of reports of abuse and theft in these facilities will only continue to increase.

The Patient Abuse Prevention Act would give employers the tools they need to weed out potential employees who are unfit to provide care to the elderly because of abusive or criminal backgrounds. Our bill would create a national registry of abusive workers and permit the Federal Bureau of Investigation (FBI) to conduct fingerprints and background checks. It would also expand existing State nurse aide registries to include substantiated findings of abuse by all facility employees, not just nurse aides. States would submit any existing or newly acquired information contained in the State registries to the national registry. This would ensure that once an employee is added to the national registry, the offender will not be able to simply cross state lines and find employment in another facility where he or she will continue to prey on the frail and elderly.

Our bill would require all long-term care facilities to initiate a search of the national registry of abusive workers when considering a potential employee. If the prospective employee is not listed on the registry, the facility would conduct a State and national criminal background check on the individual through the Federal Bureau of Investigations.

The Inspector General for the Department of Health and Human Services reports that 46 percent of facilities believe that incidents of abuse are under-reported. Our bill would require long-term care facilities to report all instances of resident neglect, abuse, or theft by an employee to the State. This would ensure that offenders are reported and added to the national registry before they have the opportunity to strike again.

Over the past few years, Senator Kohl and I have worked to ensure that our frail and elderly are not placed in the hands of criminals. During the 105th Congress, we introduced similar legislation and conducted hearings through the Senate Special Committee on Aging. This bill is a culmination of our efforts to institute greater protections for all residents of long-term care facilities.

One of the most difficult times for any individual or family is when they must make the decision to rely upon the support and services of a long-term care facility. Families should not have to live with the fear that their loved one is being left in the hands of a criminal. Last year, Richard Leyer testified before the Senate Aging Committee about the sexual assault of his 92-year-old mother by a male certified nursing assistant who had previously been charged and convicted for sexually assaulting a young girl. This legislation would prevent tragedies like this one from occurring in the future.

I have visited countless long-term care facilities in my home state of Nevada. During these visits, I have always been impressed by the compassion and dedication of the staff. Most nurse aides and health care workers are professional, honest, and dedicated. Unfortunately, it only takes one abusive staff member to terrorize the lives of residents. That is why we must work to weed out the "bad apples" who do not have the best interest of the residents in mind. I urge you to join Senator Kohl and me in our efforts to provide greater protections for all residents of long-term care facilities.

By Mr. LOTT:
S. 1446. A bill to amend the Internal Revenue Code of 1986 to allow an additional advance refunding of bonds originally issued to finance governmental facilities used for essential governmental functions; to the Committee on Finance.

State and Local Government Essential Services Financing Legislation

Mr. LOTT. Mr. President, I rise today to introduce legislation to help state and local governments more effectively finance the cost of essential services such as schools, streets, and water and sewer systems. By easing tax law restrictions on the refinancing of certain bonds, this proposal would allow local jurisdictions to take advantage of favorable market interest rates. Financing the essential projects of our communities is primarily a state and local government responsibility. Federal tax laws should make it easier—not more difficult—for them to lessen the burden of taxes and other governmental charges on our citizens.

The proposal would adjust tax law restrictions on the refinancing of certain bonds issued to provide services such as government-owned schools, hospitals, streets and water and sewer systems. Under current tax rules, most state and local governments may undertake an advance refunding of bonded indebtedness only one time and are thus unable to take full advantage of periods when market interest rates are low.
This legislation would allow every state and local government an additional opportunity to refinance bonded indebtedness issued to finance essential governmental projects.

Furthermore, this legislation would give local governments flexibility skin to that of a homeowner who refinances a mortgage to reduce monthly payments and thereby increase income. The federal government should not expect state and local governments to shoulder the burden of financing local infrastructure, and then deny them the flexibility to handle their own affairs in the most efficient and cost-effective manner. The change will help continue shifting power and control to local government where it belongs.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1446

B e it enacted by the Senate and House of Representations of the United States of America in Congress assembled,

SECTION 1. ADDITIONAL ADVANCE REFUNDINGS OF CERTAIN GOVERNMENTAL BONDS.

(a) In GENERAL.—Section 149(d)(3)(A)(i) of the Internal Revenue Code of 1986 (relating to advance refundings of other bonds) is amended—

(1) by striking "or" at the end of subclause (I),

(2) by adding "or" at the end of subclause (II), and

(3) by inserting after subclause (II) the following—

"(III) the 2nd advance refunding of the original bond if the original bond was issued after 1985 or the 3rd advance refunding of the original bond if the original bond was issued before 1986. If, in either case, the original bond was issued as part of an issue 90 percent or more of the net proceeds of which were for certain governmental projects.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to refunding bonds issued on or after the date of enactment of this Act.

ADDITIONAL COSPONSORS

S. 10

At the request of Mr. Daschle, the name of the Senator from Louisiana (Ms. Landrieu) was added as a cosponsor of S. 10, a bill to provide health protection and needed assistance for older Americans, including access to health insurance for 55 to 65 year olds, assistance for individuals with long-term care needs, and social services for older Americans.

S. 37

At the request of Mr. Grassley, the name of the Senator from Montana (Mr. Burns) was added as a cosponsor of S. 37, a bill to amend title XVIII of the Social Security Act to repeal the restriction on payment for certain hospital discharges to post-acute care imposed by section 4407 of the Balanced Budget Act of 1997.

S. 71

At the request of Ms. Snowe, the name of the Senator from Tennessee (Mr. Frist) was added as a cosponsor of S. 71, a bill to amend title 38, United States Code, to establish a presumption of service connection for veterans with Hepatitis C, and for other purposes.

S. 75

At the request of Mr. Lugar, the name of the Senator from Montana (Mr. Burns) was added as a cosponsor of S. 75, a bill to repeal the Federal estate and gift taxes and the tax on generation-skipping transfers.

S. 76

At the request of Mr. Lugar, the name of the Senator from Montana (Mr. Burns) was added as a cosponsor of S. 76, a bill to phase-out and repeal the Federal estate and gift taxes and the tax on generation-skipping transfers.

S. 77

At the request of Mr. Lugar, the name of the Senator from Montana (Mr. Burns) was added as a cosponsor of S. 77, a bill to increase the unified estate and gift tax credit to exempt small businesses and farmers from estate taxes.

S. 78

At the request of Mr. Lugar, the name of the Senator from Montana (Mr. Burns) was added as a cosponsor of S. 78, a bill to amend the Internal Revenue Code of 1986 to increase the gift tax exclusion to $25,000.

S. 88

At the request of Mr. Bunning, the names of the Senator from Arkansas (Mrs. Lincoln), the Senator from Connecticut (Mr. Dodd), the Senator from Kentucky (Mr. McConnell), and the Senator from South Dakota (Mr. Daschle) were added as cosponsors of S. 88, a bill to amend title XIX of the Social Security Act to exempt disabled individuals from being required to enroll with a managed care entity under the medicaid program.

S. 309

At the request of Mr. McCain, the name of the Senator from Vermont (Mr. Leahy) was added as a cosponsor of S. 309, a bill to amend the Internal Revenue Code of 1986 to provide that a member of the uniformed services shall be treated as using a principal residence while away from home on qualified official extended duty in determining the exclusion of gain from the sale of such residence.

S. 335

At the request of Ms. Collins, the name of the Senator from Louisiana (Mr. Breaux) was added as a cosponsor of S. 335, a bill to amend chapter 30 of title 39, United States Code, to provide for the nonavailability of certain deceptive matter relating to games of chance, administrative procedures, orders, and civil penalties relating to such matter, and for other purposes.

S. 407

At the request of Mr. Lautenberg, the name of the Senator from California (Mrs. Boxer) was added as a cosponsor of S. 407, a bill to reduce gun trafficking by prohibiting bulk purchases of handguns.

S. 409

At the request of Mr. Kennedy, the name of the Senator from Vermont (Mr. Leahy) was added as a cosponsor of S. 409, a bill to authorize qualified organizations to provide technical assistance and capacity building services to microenterprise development organizations and programs and to disadvantaged entrepreneurs using funds from the Community Development Financial Institutions Fund, and for other purposes.

S. 471

At the request of Mr. Grassley, the name of the Senator from Montana (Mr. Burns) was added as a cosponsor of S. 471 and a bill to amend the Internal Revenue Code of 1986 to eliminate the 60-month limit on student loan interest deductions.

S. 472

At the request of Mr. Grassley, the name of the Senator from California (Mrs. Boxer) was added as a cosponsor of S. 472, a bill to provide for granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POWs/MIA.s or American Korean War POWs/MIA.s may be present, if those nationals assist in the return to the United States of those POWs/MIA.s alive.

S. 484

At the request of Mr. Campbell, the name of the Senator from New Mexico (Mr. Bingaman) was added as a cosponsor of S. 484, a bill to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POWs/MIA.s or American Korean War POWs/MIA.s may be present, if those nationals assist in the return to the United States of those POWs/MIA.s alive.

S. 662

At the request of Mr. Chaffee, the names of the Senator from Nevada (Mr. Bryan), and the Senator from West Virginia (Mr. Byrd) were added as cosponsors of S. 662, a bill to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program.

S. 664

At the request of Mr. Chaffee, the names of the Senator from Indiana (Mr. Bayh), and the Senator from Delaware (Mr. Biden) were added as cosponsors of S. 664, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 800

At the request of Mr. Burns, the name of the Senator from Kansas (Mr.
At the request of Mr. Durbin, the name of the Senator from California (Mrs. Feinstein) was added as a cosponsor of S. 861, a bill to designate certain federal land in the State of Utah as wilderness, and for other purposes.

At the request of Mr. Gramm, the name of the Senator from Idaho (Mr. Crapo) was added as a cosponsor of S. 915, a bill to amend title XVIII of the Social Security Act to expand and make permanent the Medicare subvention demonstration project for military retirees and dependents.

At the request of Mr. Edwards, the name of the Senator from Massachusetts (Mr. Kerry) was added as a cosponsor of S. 956, a bill to establish programs regarding early detection, diagnosis, and interventions for newborns and infants with hearing loss.

At the request of Mr. M. Boxer, the name of the Senator from California (Mrs. Boxer) was added as a cosponsor of S. 1131, a bill to promote research into, and the development of, an ultimate cure for, the disease known as Fragile X.

At the request of Ms. Snowe, the name of the Senator from California (Mrs. Feinstein) was added as a cosponsor of S. 1144, a bill to provide increased flexibility in use of highway funding, and for other purposes.

At the request of Mr. Voinovich, the name of the Senator from Indiana (Mr. Bayh) was added as a cosponsor of S. 1148, a bill to require that certain drug products be designated as a controlled substance, and to provide for the establishment of a national system for tracking and monitoring, and for other purposes.

At the request of Mr. D. Stabenow, the name of the Senator from Alaska (Mrs. Begich) was added as a cosponsor of S. 1172, a bill to provide federal matching funds to states to provide prescription drug coverage to Medicare beneficiaries, and for other purposes.

At the request of Ms. Mikulski, the name of the Senator from Hawaii (Mr. Inouye) was added as a cosponsor of S. 1203, a bill to amend the Older Americans Act of 1965 to authorize expanded programs and services to older persons under the Act through fiscal year 2004, to establish a National Family Caregiver Support Program, to modernize aging programs and services, to address the need to engage in life course planning, and for other purposes.

At the request of Mr. Ben Nighthorse Campbell, the name of the Senator from Colorado (Mr. Allard) and the Senator from California (Mrs. Feinstein) were added as cosponsors of S. 1211, a bill to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner.

At the request of Mr. Gorton, the name of the Senator from Wyoming (Mr. Thomas) was added as a cosponsor of S. 1266, a bill to allow a State to combine certain funds to improve the academic achievement of all its students.

At the request of Mr. Nickles, the names of the Senators from Tennessee (Mr. Frist) and the Senator from Utah (Mr. Bennett) were added as cosponsors of S. 1272, a bill to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia, and for other purposes.

At the request of Mr. Cochran, the name of the Senator from Hawaii (Mr. Akaka) was added as a cosponsor of S. 1293, a bill to establish a Congressional Recognition for Excellence in Arts Education Board.

At the request of Mr. Conrad, the name of the Senator from South Dakota (Mr. Daschle) was added as a cosponsor of Senate Concurrent Resolution 9, a concurrent resolution calling for a United States effort to end restrictions on the freedoms and human rights of the people in the occupied area of Cyprus.

At the request of Ms. Snowe, the names of the Senators from Michigan (Mr. Abraham) and the Senator from Connecticut (Mr. Dodd) were added as cosponsors of Senate Concurrent Resolution 9, a concurrent resolution expressing the sense of Congress regarding the guaranteed coverage of chiropractic services under the Medicare+Choice program.

At the request of Mr. Specter, the name of the Senator from Virginia (Mr. Robb) was added as a cosponsor of Senate Concurrent Resolution 34, a concurrent resolution relating to the observance of “In Memory” Day.

At the request of Mr. Reed, the names of the Senators from Texas (Mrs. Hutchison), the Senator from Kansas (Mr. Roberts), the Senator from Nebraska (Mr. Hagel), the Senator from Virginia (Mr. Byrd), and the Senator from West Virginia (Mr. Byrd) were added as cosponsors of Senate Resolution 95, a resolution designating August 16, 1999, as “National Airborne Day.”

At the request of Mr. Reed, the name of the Senator from New York (Mr. Schumer) was added as a cosponsor of Senate Resolution 99, a resolution designating November 20, 1999, as “National Survivors for Prevention of Suicide Day.”

At the request of Mr. Reed, the name of the Senator from Alabama (Mr. Sessions) was added as a cosponsor of Senate Resolution 118, a resolution designating December 12, 1999, as “National Children’s Memorial Day.”

At the request of Mr. Cochran, the name of the Senator from Hawaii (Mr. Akaka) was added as a cosponsor of Senate Resolution 128, a resolution designating March 2000, as “Arts Education Month.”

Senators resolution 164—congratulating the Black Bears of the University of Maine for Winning the 1999 NCAA Hockey Championship

Ms. Snowe (for herself and Ms. Collins) submitted the following resolution; which was referred to the Committee on the Judiciary.

S. Res. 164

Resolved, that the Senate congratulates the Black Bears of the University of Maine on their victory in the 1999 NCAA Hockey Championship, and that the Senate recognizes the outstanding performance of the Black Bears throughout the season.

Whereas the Black Bears of the University of Maine defeated the University of New Hampshire by a score of 3 to 2 in overtime in the NCAA Championship game on April 3, 1999, to win the 1999 NCAA hockey championship;

Whereas the Black Bears finished the season with an impressive record of 31-6-4, losing only 1 game at home;

Whereas the Maine Black Bears have brought pride and honor to the State of Maine for the second time this decade;

Whereas the Maine Black Bears have thus brought the NCAA hockey championship home to Maine for the 2d time this decade;

Whereas the Maine Black Bears coaching staff and players displayed outstanding dedication, teamwork, and sportsmanship throughout the season to achieve collegiate hockey’s highest honor; and

Whereas the Maine Black Bears have brought pride and honor to the State of Maine: Now, therefore, be it

Resolved, That the Senate congratulates the Black Bears of the University of Maine for winning the 1999 NCAA hockey championship.

2. The Secretary of the Senate shall transmit a copy of this resolution to the president of the University of Maine.

Ms. Snowe. Mr. President, I rise today to congratulate the University of Maine Black Bear hockey team—winner of the National Collegiate Athletic Association Division I hockey championship for the second time this decade.
Mr. President, collegiate athletics have been an important part of the educational experience for generations. As an adjunct to academics, collegiate sports at their best teach the values of teamwork, the virtues of good sportsmanship, the lessons of disappointment, and the joys of personal as well as collective achievement.

Collegiate sports also bring communities together, often, entire states together. In Maine, there are few places charged with the level of excitement and comraderie you’ll find in Oroko’s Alfond Arena, where the action is close, the play intense, and the pride palpable.

But you don’t need to be at the Alfond to feel the excitement. All Over Maine, families gather to watch their team and cheer “Go Blue!” — from Fort Kent to Calais to Cumberland to Kittery.

And this year especially, the Black Bears gave us a lot to cheer about. With a 31-6-4 record, the 1998-1999 Maine Black Bears hockey team clearly played to win — and achieved that goal with remarkable regularity. And with the team coming at home, the Black Bears at Alfond were almost as sure a thing as snow in January.

In the playoffs—which included three New England Teams — the Black Bears continued to thrill all of Maine, rewarding audiences with college hockey as it was meant to be played.

Maine’s players never gave in and they never gave up. Unyielding in their play, believing in themselves to the very end, Maine clinched the championship in a hard-fought, well-played overtime game against a superb University of New Hampshire team. And at that moment, Mainers near and far — even those who didn’t attend my alma mater — were reunited with each other in the spirit of fellowship and victory.

So it is an honor for me to commend each and every member of the Black Bear team — not only for their tremendous commitment to personal excellence, but also to the success of the entire team.

In particular, seniors Steve Kariya, Marcus Gustafsson, Jason Vitorino, Bobby Stewart, and David Cullen thrilled us with their outstanding play and their remarkable leadership. And Maine’s goalie, junior Alfie Michaud, deserves special mention for stopping an astounding: 46 shots — a feat that rightfully brought him the honor of being named the tournament’s most valuable player.

Finally, I applaud the Black Bear coaching staff for a job well done. You can’t win without the fundamentals, and Maine’s coaches certainly had this team ready to go from the ice out to the ice against their opponents. But perhaps most importantly, they took young men who were talented in their own right and made them into something even far more formidable — a singular, unstoppable force that would not be denied in its quest to become the very best.

Mr. President, there is something about excellence, especially at the highest levels of competition, that elevates all those who come in contact with it. And the magic of a sport like hockey is that, even if you have never strapped on a skate, never taken a slapshot, never iced a puck, never scored a hat trick, you’re amazed by the passion of those who do. You’re inspired by the athleticism and artistry. And you come to believe that perhaps we all have the potential for greatness, if only we are willing to work hard enough and care deeply enough to pursue our dreams.

The 1999 Maine Black Bears hockey team had the kind of year that dreams are made of. Today, by virtue of posting a win in the last game of the last NCAA Tournament of the century, Maine is truly the final word in college hockey.

On behalf of the people of Maine, I commend the players, staff, and administration at the University of Maine hockey program for a season to remember. All of Maine is proud, and we look forward to many more seasons of excitement in the new millennium.

Ms. COLLINS. Mr. President, I rise today to join Senator Snowe in offering a resolution congratulating the University of Maine Ice Hockey team, who, as many of my colleagues know, won the 1999 NCAA Division I Hockey Championship earlier this year.

Like all who watched the thrilling championship game on April 3, I was on the edge of my seat when Marcus Gustafsson scored the game-winning goal to give the Black Bears a heart-stopping 3-2 overtime victory over the University of New Hampshire Wildcats. This incredible victory gave the Black Bears their second national championship in seven years — and nearly gave me a heart attack. I must say, had the game not been as close as it was, I would have been able to relax a bit more that night. But as any sports fan would have been able to relax a bit more that night. But as any sports fan knows, a close game — particularly a game that is won in overtime — is all the more rewarding, and much more befitting as the crowning achievement of a national championship.

In Maine, where we take our sports seriously despite not having any major league sports teams, the Black Bears are a tremendous source of pride. As anyone traveling on the Maine Turnpike can tell you, signs that once welcomed the “Bears” now welcome you to the home of the NCAA Hockey Champions. This year the Black Bears once again earned our admiration with an impressive record of 31 wins, 6 losses, and 4 ties. Also, they repeatedly wowed the faithful Maine fans by winning all but one game on their home ice — the beloved Alfond Arena.

Throughout the season, the players and coaching staff all showed tremendous dedication and heart, and their ability to work together as a team was second to none. They advanced boldly through the NCAA tournament, beating Boston College in overtime at the "Frozen Four," and ultimately earned the right to play in the championship game against the University of New Hampshire Wildcats — a team that had beaten the Black Bears twice earlier in the season. Not to be denied, the Black Bears persevered and beat the Wildcats with it mattered the most.

True to form for any national championship team, the Black Bears have a tremendous amount of talent. Four Maine men were selected in this year’s National Hockey League Draft, and I suspect that several of their teammates will eventually join them in playing professional hockey. What made this team great, however, was its strong determination, its ability to work together, and its perseverance. It is these qualities that produce championships, and they are qualities that will continue to serve these fine young men very well — both on and off the ice. Since winning the championship, the Black Bears have enjoyed a substantial amount of much-deserved recognition. I applaud all those who were on hand to welcome the victorious team home, and I was also pleased to speak at an awards dinner in the team’s honor. Soon, Maine’s players and coaches will be honored by the President at the White House. Therefore, I believe it is altogether fitting and proper that the Senate add its voice, and recognize the Black Bears’ accomplishments, by adopting the resolution that I so proudly offer with Senator Snowe.

Senator TOTTEN and Senator HATCHELL (for himself, Mr. LEAHY, Mr. SHELBY, Mr. SESSIONS, Mr. GRASSLEY, Mr. BIDEN, Mr. KENNEDY, Mr. KOHL, Mr. DE WINE, Mr. FEINGOLD, and Mr. FITZGERALD) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 165

Whereas Frank M. Johnson, Jr. was appointed a United States District Judge in Alabama by President Eisenhower in 1955;

Whereas Judge Johnson was elevated to the United States Court of Appeals for the Eleventh Circuit by President Carter in 1979;

Whereas in a time when men of lesser fortune would have avoided direct confrontation of the highly unpopular issues of school desegregation and voting rights for African-Americans, Judge Johnson stood firm in upholding the Constitution and the law;

Whereas Judge Johnson, in the wake of President Johnson’s signing of the Montgomery, Alabama law that had mandated that Rosa Parks sit in the back of a
city bus, because he believed that "separate, but equal" was inherently unequal;

Whereas Judge Johnson upheld the constitutionality of federal laws granting African-American citizens the right to vote in Alabama elections, because he believed in the concept of "one man, one vote";

Whereas despite tremendous pressure from Governor George Wallace, Judge Johnson allowed the voting rights march from Selma to Montgomery to proceed, thus stirring the national conscience to enact the Voting Rights Act of 1965;

Whereas today, around a courthouse that bears Frank Johnson's name in Montgomery, Alabama there are integrated schools, buses and lunch counters, and representative democracy flourishes in Alabama with African-American state, county, and municipal officials who won their offices in fair elections with the votes of African-American and white citizens;

Whereas in part because of Judge Johnson's upholding of the law, attitudes that were once intolerant and extreme have disappeared;

Whereas the members of the Senate extend our deepest sympathies to Judge Johnson's family and the thousands of friends that he had across the country;

Whereas Judge Johnson passed away at his home in Montgomery, Alabama on July 23, 1999;

Whereas the American people will always remember Judge Frank M. Johnson, Jr. for exemplifying unwavering moral courage in the advancement of the whole American ideal that "all men are created equal" and deserve "equal protection of the laws" and for upholding the law. Now, therefore, be it

Resolved, That the Senate:

(1) congratulates the people of Indonesia on carrying out the first free, fair and transparent national elections in forty-four years;

(2) supports the aspirations of the Indonesian people in pursuing a transition to genuine democracy;

(3) calls upon all Indonesian leaders, political party members, military personnel, and the general public to accept the outcome of the elections, and to uphold that outcome pending the selection of the new President by the Majelis Permusanwaran Rakyat (MPR) later this year;

(4) calls upon the present ruling Golkar party to work closely with any successor government in assuring a smooth transition to a new government; and

(5) urges the Government of Canada to extend the moratorium on oil and gas exploration on Georges Bank.

Whereas Indonesia's military has indicated that it will abide by the results of the election; Now, therefore, be it

Resolved, That the Senate:

(1) commends the Georges Bank Review Panel on the recent report recommending an extension of the moratorium on oil and gas exploration on Georges Bank;

(2) commends the Government of Canada for extending the moratorium on oil and gas activity on Georges Bank through 1999, and

(3) urges the Government of Canada to extend the moratorium until the year 2012.

Ms. COLLINS, Mr. President, I rise today to submit a resolution condemning the Georges Bank review panel on the recent extension of the moratorium on oil and gas exploration on Georges Bank and urging our Canadian neighbors to adopt a longer-term moratorium that would match that adopted by the United States.

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(3) urges the Government of Canada to extend the moratorium until the year 2012.
In 1988, with the adoption of the Canada-Nova Scotia Accord Acts, Canada placed a moratorium on petroleum activities on Georges Bank until January 1, 2000. In preparation for the expiration of that moratorium, a three-person review panel held an extensive public comment period, commissioned studies, and thoroughly explored the pros and cons of allowing oil and gas activity on the Canadian portion of Georges Bank. Last month, at the conclusion of its review, the panel recommended that the moratorium be continued, but it did not specify a date.

I certainly respect the fact that Canada is entitled to make its own mineral management decisions. Nevertheless, given the joint jurisdiction that the United States and Canada have over Georges Bank, I believe it is appropriate for this body to convey its concern and support for the unique ecosystem and fisheries of Georges Bank. An accident involving a petroleum spill on either side of the line could have a devastating impact on fisheries well up and down the coast from Nova Scotia and New Brunswick to the coast of New England.

The severe weather in and the vast expanse of Georges Bank far from shore would greatly complicate any effort to clean up any spill that could occur. Indeed, even if a spill never occurred, the lubricants used in drilling could well have a toxic impact on Georges Bank’s delicate fishery. Fishermen from Canada and the United States are subject to strict regulations governing fishing on Georges Bank. These regulations are designed to allow fish stocks to recover after years of overfishing. They have involved considerable sacrifices for the fishermen who depend on Georges Bank to make a living. But the sacrifices are paying off, and the fish stocks are recovering. It would be a shame to set back or to reverse completely those hard-won recovery efforts with even the risk of a major oil spill.

The resolution I am submitting today encourages the Government of Canada to accept the recommendations of its review panel. It also goes further by asking our neighbor to the north to extend its drilling moratorium until the year 2012 to match the American moratorium. In that way, both Canada and Americans may be assured that Georges Bank will remain in its hard-won recovery efforts with even the risk of a major oil spill.

ABRAHAM AMENDMENT NO. 1355
(Ordered to lie on the table.)
Mr. ABRAHAM submitted an amendment intended to be proposed by him to the bill, S. 1429, supra; as follows:

* * *

ABRAHAM AND OTHERS AMENDMENT NO. 1354
(Ordered to lie on the table.)
Mr. ABRAHAM (for himself, Mr. FITZGERALD, Mr. MOYNIHAN, and Mr. SCHUMER) submitted an amendment intended to be proposed by them to the bill (S. 1429) to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2000, as follows:

At the end of title XI, insert the following:

SEC. 45. NO FEDERAL INCOME TAX ON AMOUNTS RECEIVED BY HOLOCAUST VICTIMS OR THEIR HEIRS.

(a) In General.—For purposes of the Internal Revenue Code of 1986, gross income shall not include any amount received by an individual (or any heir of the individual)—

(1) from the Swiss Humanitarian Fund established by the Government of Switzerland or from any similar fund established by any foreign country,

(2) as a result of the settlement of the action entitled ’’In Re Holocaust Victims’’ Asset Litigation’’, (E.D. NY), C.A. No. 94-4819, or as a result of any similar action.

(b) Effective Date.—This section shall apply to any amount received before, on, or after the date of the enactment of this Act.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

LEVIN (AND DEWINE) AMENDMENT NO. 1356
(Ordered to lie on the table.)
Mr. LEVIN (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by them to the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes; as follows:

On page 10, line 23, strike ‘’River’’ and insert ‘’River, of which $70,000,000 shall be available for grants under the Great Lakes Fish and Wildlife Restoration Program, and of which $114,290,000 shall be available for general administration’’.

GORTON AMENDMENT NO. 1357
Mr. GORTON proposed an amendment to the bill, H.R. 2466, supra; as follows:

Strike all after the enacting clause and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal...
For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performing other functions, of the Bureau of Land Management, including the general administration of the Bureau, and as authorized by law, in the management of lands and their resources pursuant to Public Law 96-96 (16 U.S.C. 3150), of which not to exceed $1,000,000 shall be available for the destruction of healthy, unmanaged vegetation, and for preventing or combating forest fires in Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and for acquisition of lands or interests therein including existing roads, and for the purpose of rehabilitation of damaged property, such amounts as may be collected under Public Law 94-579, as amended, and Public Law 93-153, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses: Provided further, That not to exceed $5,025,000 shall be available for the renovation or construction of fire-fighting facilities; that 25 percent of the advances so made shall be available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That notwithstanding section 113(f) of such Act, the Bureau determines the cooperator is not to exceed $10,000: Provided, That notwithstanding 42 U.S.C. 501, the Bureau may, at the discretion of the Secretary, for the purpose of rehabilitation of damaged property, such amounts as may be collected under Public Law 94-579, as amended, and Public Law 93-153, to remain available until expended: Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the improved Oregon and California Railroad grants, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and for acquisition of lands or interests therein including existing roads, and for the purpose of rehabilitation of damaged property, such amounts as may be collected under Public Law 94-579, as amended, and Public Law 93-153, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses: Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

For expenses necessary for the Fire Protection and the Forestry Ecosystems Health and Recovery Fund (REVOLVING FUND, SPECIAL ACCOUNT) to be available under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976, (43 U.S.C. 1730c), and such amounts as may be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 26, 1957 (50 Stat. 876).

For expenses necessary for the Forestry Ecosystems Health and Recovery Fund to be available under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976, (43 U.S.C. 1730c), and such amounts as may be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 26, 1957 (50 Stat. 876).

For expenses necessary for the Complex Environmental Responsibility, Compensation, and Liability Act, as amended (42 U.S.C. 9901 et seq.), to be available until expended, there is hereby appropriated such amounts as may be collected under Public Law 94-579, as amended, and Public Law 93-153, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses: Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

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For expenses necessary for the Complex Environmental Responsibility, Compensation, and Liability Act, as amended (42 U.S.C. 9901 et seq.), to be available until expended, there is hereby appropriated such amounts as may be collected under Public Law 94-579, as amended, and Public Law 93-153, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses: Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.
provided further, That of the amounts made available under this Act, Public Law 105±277, and Public Law 105±83 for rhinoceros, and other authorities, as provided in (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1531±1543), as amended, $21,400,000, to be derived from the Cooperative Endangered Species Conservation Fund, and to remain available until expended.

NATIONAL PARK SERVICE

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $10,000,000.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531±1543), as amended, funded further, That the solicitation and contract shall contain the clauses “availability of funds” found at 48 C.F.R. 52.223±18.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460±4±81), including administrative expenses, and for acquisition of lands or waters, and interests therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $55,244,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531±1543), as amended, $21,400,000, to be derived from the Cooperative Endangered Species Conservation Fund, and to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of April 22, 1980 (16 U.S.C. 669f±669o±5), $20,000,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101±233, as amended, $15,000,000, to remain available until expended.

WILDLIFE CONSERVATION AND APPRECIATION FUND

For necessary expenses of the Wildlife Conservation and Appreciation Fund, $800,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 70 passenger motor vehicles, of which 61 are for replacement only (including 36 for police use), 25 public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses; and, for the costs of such review services associated with historic preservation tax certification, and such funds shall be available until expended without further appropriation for the costs of such review services.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104±333), $42,412,000, to be derived from the Historic Preservation Fund, to remain available until expended.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $221,089,000, to remain available until expended.

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For the purchase or lease of land or interests in such land or interests therein; $40,434,000, to remain available until expended: Provided, That notwithstanding any other provision of law, the Service may accept donated aircraft as replacements for existing aircraft: Provided further, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of the Denali National Park and Preserve, unless the Secretary determines that the Service cooperates with the owners and users of such lands and interests in their development.

For the construction of visitor facilities at Brooks Camp at Katmai National Park.
and Preserve may be issued which includes the full scope of the project: Provided further, That the solicitation and the contract shall contain the clause “availability of funds” found at 30 U.S.C. 1721(b) and (d): Provided, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not not in accordance with 38 U.S.C. 401–10x, as amended.

LAND AND WATER CONSERVATION FUND (RESCISION)

The contract authority provided for fiscal year 2000 by 16 U.S.C. 460–10x is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, the United States, its territories and possessions, and States, and for any other purposes as authorized by law and to publish and disseminate data; $813,243,000, of which $72,334,000 shall be available only for cooperation with States or municipalities for water resources investigations; and of which $16,400,000 shall remain available until expended, for underground injection control only, and shall not be considered to be Federal employment.

ADMINISTRATIVE PROVISIONS

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only: $185,658,000, to be derived from reclamation fees.

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only: $185,658,000, to be derived from reclamation fees.

For expenses necessary to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase for more than 10 passenger motor vehicles for replacement only: $185,658,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: of which up to $7,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States and tribes to reclaim abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: Provided, That the grants to minimum program States will be $1,500,000 per State in fiscal year 2000: Provided further, That none of the funds herein provided up to $18,000,000 may be used to support any program established by section 410 of Public Law 95–87, as amended, of which no more than 25 percent shall be...
used for emergency reclamation projects in any one State and funds for federally administered emergency reclamation projects under this proviso shall not exceed $11,000,000. Provided further, That not more than $54,010,000 in fiscal year 2000, and such amounts in excess of that prior year unobligated funds appropriated for the emergency reclamation projects under this proviso shall not exceed $44,160,000 within the total amount set aside for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with the operation and maintenance of Bureau of Indian Affairs funded facilities. 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 any such unobligated balances not so transferred shall expire on September 30, 2002.

CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 97-483, $426,884,000, to remain available until expended. Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Indian Affairs from funds made available to the State of New Mexico for the purpose of implementing provisions of the Indian Self-Determination and Education Assistance Act of 1975, as amended, not to exceed $115,229,000 shall be available to the Bureau of Indian Affairs for contract support costs as authorized by Public Law 100-297, as amended, the Secretary shall negotiate and determine a schedule of payments to be made available to the Bureau of Indian Affairs for contract support costs as authorized by Public Law 100-297, as amended, the Secretary shall follow the requirements contained in 43 CFR part 12 as the regulatory requirements concerning delegation of Bureau-funded schools. That any such unobligated balances not so transferred shall expire on September 30, 2002.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations. The Bureau of Indian Affairs for the Indian Guaranteed Loan Program (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program Account) shall be available for fair rentals of exhibits, and purchase of not to exceed 229 passenger motor vehicles, of which not to exceed 187 shall be for replacement only.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office operations or pooled overhead general administration (except fair rentals of exhibits) shall be available for tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the Indian Self-Determination and Education Assistance Act or the Tribal Self-Governance Act of 1994 (Public Law 103-413).

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States, and other organizations.

The Secretary shall consider whether the Indian tribe or tribal organization would be defi

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States, and other organizations.
For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, for expenses authorized by law (46 U.S.C. 1616(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of government activities established or used by such government, shall be available for construction and support of government activities, for construction and support of government activities to the extent authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law; (Public Law 94-241; 90 Stat. 272); and (2) $4,249,000 shall be available for salaries and expenses of the Office of Insular Affairs:

Provided, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code:

Provided further, That the Secretary of the Interior may be authorized by the Congress to transfer: (1) $63,076,000 shall be available until expended, of which not to exceed $8,500 may be for official visits to the territory; (2) $20,545,000, to remain available until expended, as authorized by Public Law 99-239 and Public Law 99-658.

DEPARTMENT MANAGEMENT SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, $62,203,000, of which not to exceed $8,500 may be for official visits to the territory, for the Secretary of the Interior, $26,614,000, for the Solicitor General, $36,784,000, for the Office of Inspector General, $26,614,000, for Office of Special Trustee for American Indians, $73,836,000, to remain available until expended:

Provided, That funds for trust management improvements may be transferred to the Bureau of Indian Affairs and Departmental Management:

Provided further, That funds made available to Tribes and Tribal organizations through contracts, cooperative agreements, compacts, and grants, shall be available for expenditure or transfer to the Close Up Foundation:

Provided further, That the Secretary may develop a reservation-specific account, to be known as the "Indian Land Consolidation Pilot Fund.

INDIAN LAND CONSOLIDATION PILOT

For implementation of a pilot program for consolidation of fractional interests in Indian lands by direct expenditure or cooperative agreement, $5,000,000 to remain available until expended: Provided, That the Secretary may enter into a cooperative agreement, which shall not be subject to Public Law 93-638, as amended, with a tribe having jurisdiction over the pilot reservation to implement the program to acquire fractional interests on behalf of such tribe: Provided further, That the Secretary may develop a reservation-wide system for establishing the fair market value of various types of improve-ments to govern the amounts offered for ac quisition of fractional interests: Provided further, That acquisitions shall be limited to 5 percent of the amount recommended by the Secretary: Provided further, That funds shall be available for acquisition of fractional interests in trust or restricted lands, at the consent of the owner and at a fair market value, and the Secretary shall hold in trust for such tribe all interests ac quired pursuant to this pilot program: Provided further, That all proceeds from any lease, resource sale contract, right-of-way or other transaction derived from the fractional interest shall be credited to this appropriation, and remain available until expended, until the purchase price paid by the Sec retary under this appropriation has been recovered from such proceeds: Provided further, That, once the purchase price has been recovered, all subsequent proceeds shall be managed by the Secretary for the benefit of the applicable tribe or paid directly to the tribe.

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101-380), and Public Law 101-337, $4,621,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: Provided, That notwithstanding any other provision of law, existing aircraft being acquired, such funds as are expended, with proceeds derived or trade-in value used to offset the purchase price for the replace ment aircraft: Provided further, That no pro visions contained in any Act shall apply to the "Departmental Management", "Office of the Solicitor", and "Office of Inspector General": Provided further, That funds shall be made available for replacement aircraft (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available for any appropriation under this heading: Provided further, That funds designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 1101 et seq.) shall be implemented by a supplemental appropriation which must be requested as promptly as possible.
SEC. 102. The Secretary may authorize the expenditure or transfer of any non-year appropriation in this title, in addition to the amounts included in the budget programs of the Secretary, for suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Interior, for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquake, volcanic, or other space of the main and south Interior System, allowing each unit to develop guidelines that are consistent with provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program for any national park. Section 113. notwithstanding any other provi-
sion of law, in fiscal year 2000 and thereafter, the Secretary shall be deemed to create an exigency of public importance, in accordance with 5 U.S.C. 603(d)(2). Annual leave so restored and remaining unused upon the transfer of a Helium Program employee to a position of the executive branch outside of the Helium Program shall be liquidated by payment to the employee of a lump sum from the Helium Fund for such leave.

SEC. 114. notwithstanding any other provi-sion of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

SEC. 115. notwithstanding any other provi-sion of law, in fiscal year 2000 and thereafter, the Secretary is authorized to permit persons, firms or organizations engaged in commercial, cultural, educational, or recreational activities (as defined in section 62a of title 40, United States Code) not currently occupying such space to use court-yards, auditoriums, meeting rooms, and other space of the main and south Interior building complex, Washington, D.C., the maintenance, operation, and protection of which have been delegated to the Secretary by the Administrator of General Services pursuant to the Federal Property and Administra-tive Services Act of 1949, and to as-sess reasonable charges in respect to such procedures as the Secretary deems appropriate for such uses. Charges may be for

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, whereon the work is to be performed, or towards the purpose of training and reimbursing other Federal agencies for expenses incurred in connection with the purchase, construction, or conversion of equipment for use in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided, Further, That for emergency re-habilitation of burned-over lands, no funds shall be made available under this authority until funds appropriated to "Wildland Fire Management" shall have been obligated or expended further: Provided, further, that all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 253(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation as promptly as possible: Provided further, That such replenishment funds shall be used to im-prove, on a pro rata basis, accounts from which such amounts were originally appropriated.

SEC. 104. Appropriations made in this title shall be available for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902 and D.C. Code 4-204).

SEC. 105. Appropriations made in this title shall be used for maintenance, operation, and protection of lands within the North Aleutian Basin planning area.

SEC. 106. Appropriations made in this title shall be used for maintenance, operation, and protection of lands within the Mid-Atlantic and South Atlantic planning area.

SEC. 107. No funds provided in this title may be expended for the purchase of reprints, publication of reports, or expenditures for any period to be carried forward beyond three years from the date of the report that caused the expenditure otherwise appropriate for such uses. Charges may be for

SEC. 108. No funds provided in this title may be used by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing, and related activities, on lands within the North Aleutian Basin planning area.

SEC. 109. No funds provided in this title may be used by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing, and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 110. No funds provided in this title may be used by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing, and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the Final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997-2002.

SEC. 111. Advance payments made under this title to Indian tribes, tribal organizations, or consortia and not used by the end of the fiscal year, may be expended by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing, and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 112. employees of Helium Operations, Bureau of Land Management, entitled to severance pay under 5 U.S.C. 5595, may apply for, and the Secretary of the Interior may pay, the total amount of the severance pay to the employee in a lump sum. Employees paid severance pay in a lump sum and subsequently reemployed by the Federal Government shall be subject to the repayment provisions of 5 U.S.C. 5956(i)(2) and (3), except that any repayment shall be made to the Helium Fund.

(b) Helium Operations employees who elect to continue health benefits after separation under 5 U.S.C. 5955(e)(1), are required to pay additional employee contribution under 5 U.S.C. 603(d)(1)(A). The Helium Fund shall pay for 18 months the remaining portion of required contribution.

(c) The Secretary of the Interior may pro-vide for training to assist Helium Operations employees in the transition to other Federal or private sector jobs during the facility shut-down and disposition process and for up to 12 months following separation from Fed-eral employment, including retraining and relocation incentives on the same terms and conditions as authorized for employees of the Department of Defense in section 348 of the National Defense Authorization Act for Fiscal Year 1995.

(d) For purposes of the annual leave reserve and other related provisions of 5 U.S.C. 5955(e)(1), the cessation of helium production and sales, and other related Helium Program activities shall be deemed to create an exigency of public importance, in accordance with 5 U.S.C. 603(d)(2). Annual leave so restored and remaining unused upon the transfer of a Helium Program employee to a position of the executive branch outside of the Helium Program shall be liquidated by payment to the employee of a lump sum from the Helium Fund for such leave.

(e) Benefits under this section shall be paid from the Helium Fund in accordance with section 4(c)(4) of the Helium Privatization Act of 1996. Funds may be made available to the Helium Program employees who are or will be separated before October 1, 2002 because of the cessation of helium production and sales and other related activities. Such benefits, including retraining and relocation incent-ives, may be paid for retraining commencing on or before September 30, 2002.

(f) This section shall remain in effect through fiscal year 2002.
the space, utilities, maintenance, repair, and other services. Charges for such space and services may be at rates equivalent to the prevailing commercial rate for comparable space and services. Notwithstanding any provision of law, the Secretary may transfer funds, including fees and charges, for expenditure or transfer for Indian trust management activities pursuant to the Trust Management Improvement Project High Priority List.

**Section 120. All properties administered by the National Park Service at Fort Baker, Golden Gate National Recreation Area, and leases, concessions, permits and other agreements associated with those properties, shall be exempt from all taxes and special assessments imposed by the State of California and its political subdivisions, including the County of Marin and the City of Sausalito. Such areas of Fort Baker shall remain under the jurisdiction of exclusive federal jurisdiction.

**Section 121. Notwithstanding any provision of law, the Secretary of the Interior is authorized to redistribute Tribal Priority Allocation funds to Tribes and Tribally designated organizations for the purpose of establishing Midway Atoll as a national memorial to the Battle of Midway.

**Considerations.** In studying the establishment of Midway Atoll as a national memorial to the Battle of Midway under paragraph (1), the Secretary shall address the following:

(A) The appropriate federal agency to manage and operate such a memorial, and whether and under what conditions, to lease or otherwise allow the use of the facilities on Sand Island for purposes other than a wildlife refuge or a national memorial.

(B) Whether designation as a national memorial would conflict with current management of Midway Atoll for refuge and wildlife and whether, and under what circumstances, the needs and requirements of the wildlife refuge should take precedence over the needs and requirements of a national memorial on Midway Atoll.

(C) Whether, and under what conditions, to permit the use of the facilities on Sand Island for purposes other than a wildlife refuge or a national memorial.

(D) Whether to impose conditions on public access to Midway Atoll as a national memorial.

**Section 122.** Notwithstanding any other provision of law, the Secretary shall, acting through the Director of the National Park Service and in consultation with the Secretary of the Interior, Department of the Interior, and the United States Fish and Wildlife Service, establish Midway Atoll as a national memorial to the Battle of Midway.

**Section 123.** Midway Atoll should be protected and maintained in a manner consistent with the importance of the facility to the defense of the United States, and to inspire future generations of Americans with the heroism and sacrifice of the United States Navy, consisting of 29 ships and other vessels, during the battle. Midway Atoll was the site of the Battle of Midway during the war, where the Imperial Japane Navy never again took the offensive against the United States or the allied forces. The battle, which occurred on June 4, 1942, was a turning point in the war in the Pacific.

**Section 124.** Where any Federal lands included within the boundary of Lake Roosevelt National Recreation Area are transferred to the Foundation, the Secretary of the Interior shall, acting through the Director of the National Park Service, in consultation with the Secretary of the Interior, Department of the Interior, and the United States Fish and Wildlife Service, establish Midway Atoll as a national memorial to the Battle of Midway.

**Section 125.** Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, to Tribes or their designees, in accordance with standards established by the Secretary or their designee.
and providing technical and financial assistance. For ne-
cessary expenses of the Forest Service, not otherwise provided for, for manage-
ment, protection, improvement, and utilization of the National Forest System, and for adminis-
tration expenses associated with the management of funds provided under the headings “Forest and Rangeland Research”, “Wildland Fire Manage-
tment”, “Reconstruction and Construction”, and “Land Acquisition”, $1,239,051,000, to re-
main available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l-5(a)).

WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire suppression on National Forests, System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for management of development of the emergency Na-
tional Forest System lands and water, $560,980,000, to remain available until expended:

Provided, That such funds are available for advances from other appropri-
ations accounts previously transferred for such purposes: Provided further, That notwithstanding any other provision of law, up to $4,000,000 of funds appropriated under this appropriation may be used for Fire Science Research in support of the Joint Fire Science Program: Provided further, That such funds are available for advances from other appro-
priations accounts previously transferred for such purposes: Provided further, That such funds are available for advances from other appropri-
priations accounts previously transferred for such purposes: Provided further, That notwithstanding any other provision of law, up to $4,000,000 of funds appropriated under this appropriation may be used for Fire Science Research in support of the Joint Fire Science Program:

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Colorado National Forests, California, as authorized by law, $3,069,000, to be derived from forest receipts:

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended:

RANGE BETTERMENT FUND

For necessary expenses of range rehabilita-
tion, protection, and improvement; 50 per-
cent of the moneys received prior to the close of the current fiscal year, as fees for grazing domestic live-
stock on lands in National Forests in the six-
teen Western States, pursuant to section 44136±44137), are hereby withdrawn from all funds on entry, appropriated for the use under the public land laws, and from location, entry and patent under the mining laws, and from disposition under all mineral and geothermal leasing laws.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For gifts, donations and bequests for Forest and Rangeland Research, $401(b)(1) of Public Law 94-579, as amended, to remain available until expended:

STATE AND PRIVATE FORESTRY

For necessary expenses of operating with and providing technical and financial assist-
ance to States, territories, possessions, and others, and for forest health management, cooperative forestry, and education and land conservation activities, $190,793,000, to re-
main available until expended, as authorized by law.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Serv-
vice, not otherwise provided for, for manage-
ment, protection, improvement, and utiliza-
tion of the National Forest System, and for admin-
istration expenses associated with the management of funds provided under the headings “Forest and Rangeland Research”, “Wildland Fire Manage-
tment”, “Reconstruction and Construction”, and “Land Acquisition”, $1,239,051,000, to re-
main available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l-5(a)).

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Colorado National Forests, California, as authorized by law, $3,069,000, to be derived from forest receipts:

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended:

RANGE BETTERMENT FUND

For necessary expenses of range rehabilita-
tion, protection, and improvement; 50 per-
cent of the moneys received prior to the close of the current fiscal year, as fees for grazing domestic live-
stock on lands in National Forests in the six-
teen Western States, pursuant to section 44136±44137), are hereby withdrawn from all funds on entry, appropriated for the use under the public land laws, and from location, entry and patent under the mining laws, and from disposition under all mineral and geothermal leasing laws.

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STATE AND PRIVATE FORESTRY

For necessary expenses of operating with and providing technical and financial assist-
ance to States, territories, possessions, and others, and for forest health management, cooperative forestry, and education and land conservation activities, $190,793,000, to re-
main available until expended, as authorized by law.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Serv-
vice, not otherwise provided for, for manage-
ment, protection, improvement, and utiliza-
tion of the National Forest System, and for admin-
istration expenses associated with the management of funds provided under the headings “Forest and Rangeland Research”, “Wildland Fire Manage-
tment”, “Reconstruction and Construction”, and “Land Acquisition”, $1,239,051,000, to re-
main available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l-5(a)).
Pursuant to sections 405(b) and 410(b) of Public Law 101-593, of the funds available to the Forest Service, up to $2,250,000 may be advanced in a lump sum as Federal financial assistance, for administrative expenses or projects on or benefiting the National Fish and Wildlife Foundation, without regard to when the Foundation incurs expenses, for administrative expenses or projects on or benefiting the National Fish and Wildlife Foundation. Provided, That of the Federal funds made available to the Foundation, no more than $400,000 shall be available for Federal financial assistance, for administrative expenses or projects on or benefiting the National Fish and Wildlife Foundation. Provided further, That the Foundation shall obtain, by the end of the period of Federal financial assistance, at least one-for-one basis funds made available by the Forest Service: Provided further, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: Provided further, That hereafter, the National Forest Foundation may hold Federal funds made available but not immediately disbursed and may use any interest or other investment income earned (before, on, or after the date of enactment of this Act) to carry out the purposes of Public Law 101-593: Provided further, That such investments may be made only in interest-bearing obligations of the United States guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98-241, up to $2,650,000 of the funds available to the Forest Service shall be available for matching funds to the National Fish and Wildlife Foundation, as authorized by 16 U.S.C. 1603-1616, to carry out in a lump sum as Federal financial assistance, without regard to when expenses are incurred, for projects on or benefiting National Forest System lands or related to Forest Service programs: Provided, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds advanced by the Forest Service: Provided further, That the Foundation may transfer Federal funds to non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: Provided further, That funds advanced by the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Notwithstanding any other provision of law, 80 percent of the funds appropriated to the Forest Service in the "National Forest System" and "Reconstruction and Construction" accounts and planned to be allocated to activities under the "jobs in the woods" program for projects on National Forest land in the State of Washington shall be granted directly to the Washington State Department of Fish and Wildlife for accomplishment of planned projects. Twenty percent of the funds advanced by the Forest Service for planning and administering projects. Project selection and prioritization shall be accomplished by the Forest Service in consultation with the State of Washington as the Forest Service deems appropriate.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to sections 314(c)(1) and (2), as amendments to Public Law 102-599 and 101(c) of Public Law 104-134, the direct grants modification by any 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.

The Forest Service shall fund overhead, national commitments, indirect expenditures, and any other category for use of funds which are expended at any units, that are not directly related to the accomplishment of Forest Service programs: notwithstanding any other provision of law except that these direct grants may be used for lobbying purposes.

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 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.

The Forest Service shall fund overhead, national commitments, indirect expenditures, and any other category for use of funds which are expended at any units, that are not directly related to the accomplishment of Forest Service programs: notwithstanding any other provision of law except that these direct grants may be used for lobbying purposes.

The Forest Service shall fund overhead, national commitments, indirect expenditures, and any other category for use of funds which are expended at any units, that are not directly related to the accomplishment of Forest Service programs: notwithstanding any other provision of law except that these direct grants may be used for lobbying purposes.

The Forest Service shall fund overhead, national commitments, indirect expenditures, and any other category for use of funds which are expended at any units, that are not directly related to the accomplishment of Forest Service programs: notwithstanding any other provision of law except that these direct grants may be used for lobbying purposes.
negotiations and similar non-litigation related matters: Provided, That no more than $500,000 is transferred; Provided further, That future budget justifications for both the Forest Service and the Department of Agriculture clearly display the sums previously transferred and request future funding levels.

Any appropriations or funds available to the Forest Service may be used for necessary expenses in the event of law enforcement emergencies as necessary to protect natural resources and employee safety.

Of any funds available to Region 10 of the Forest Service, exclusive of funds for timber sales management or road reconstruction/construction, shall be used in fiscal year 2000 to support implementation of the recent amendments to the Pacific Salmon Treaty with Canada which require fisheries enhancements on the Tongass National Forest.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(DEFERRAL)

Of the funds made available under this heading for obligation in prior years, $156,000,000 shall be available to the Department of Energy through the Federal Energy Research Center in Oregon, $390,975,000, to remain available until expended, of which $28,000,000 shall be derived by transfer from unobligated balances in the Biomass Energy Development account: Provided, That $126,000,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99-509 (15 U.S.C. 4507): Provided further, That the Secretary of Energy hereafter may transfer to the SPR Petroleum Account such funds as may be necessary to carry out drawdown and sale operations of the Petroleum Reserve initiated under section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241) from any funds available to the Department of Energy from prior appropriations Acts. All funds transferred pursuant to this Act must be replenished as promptly as possible from oil sale revenues pursuant to Federal law.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $70,500,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, operation, and operation of aircraft; purchase, repair, and cleaning of uniforms; and reimbursements to the General Services Administration for security guard services.

From appropriations under this Act, transfers of sums may be made to other agencies of the Government for the performance of work for which the funds are not otherwise available.

None of the funds made available to the Department of Energy under this Act shall be used for price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

The Secretary may accept fees for processing, reviewing, and certifying petitions to establish or modify the boundaries of critical areas in Insular areas where the Secretary determines that such fees are necessary to meet the expenses of the program.

ALTERNATIVE FUELS PRODUCTION

(INCLUDING TRANSFER OF FUNDS)

Moneys received as investment income on the principal amount in the Great Plains Project Trust at the Norwest Bank of North Dakota, in such sums as are earned as of October 1, 1999, shall be deposited in this account and immediately transferred to the general fund of the Treasury.

NAVAL PETROLEUM AND OIL SHALE RESERVES

The requirements of 10 U.S.C. 7430b(2)(B) shall not apply to fiscal year 2000: Provided, That, notwithstanding any other provision of law, obligations made from prior years of Department of Energy funds for oil or gas in the Great Plains Gasification Plant and settlement payments shall be immediately transferred to the general fund of the Treasury.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $2,135,561,000, together with payments required to be made under section 42 of 2 U.S.C. 238b(b) for services furnished by the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts or grants, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That $12,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: Provided further, That $384,442,000 for contract medical care shall remain available for obligation until September 30, 2001: Provided further, That of the funds provided, up to $17,000,000 shall be used to carry out the program under section 108 of the Indian Health Care Improvement Act: Provided further, That funds provided in this Act may be used for one-year contracts and grants, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be used for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (excluding provisions authorizing grants to Indian tribes or tribal organizations for contract or grant support costs associated with contracts, grants, self-governance compacts or
annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, prior to or during fiscal year 2000.  

INDIAN HEALTH FACILITIES  
For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel of plans, operations, locations, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchase of office furniture; and for provision of any domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2653), as amended, the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles I and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $189,252,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used for land for which to construct, improve, or enlarge health or related facilities.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE  
Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of real property; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private quarters under 5 U.S.C. 5376; payment in advance of subsequent adjustment, and other expenses necessary to carry out such Acts and titles I and III of such Act and thereafter, without fiscal year limitation: Provided further, That none of the funds made available by title I or title III of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated in a subsequent fiscal year, under title I, or a self-governance agreement under title III of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used as a final rule, published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, to the eligibility of the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the proposed final rule, and such request has been included in an appropriations Act and enacted into law: Provided further, That none of the funds made available in this Act to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriate appropriations Act set forth in this Act; Provided further, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment, and other expenses necessary to carry out such Acts and titles I and III of such Act and thereafter, without fiscal year limitation: Provided further, That none of the funds appropriated for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: Provided further, That the appropriation structure for the Indian Health Service may not be altered without the approval of the House and Senate Committees on Appropriations.

OTHER RELATED AGENCIES  
OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION  
SALARIES AND EXPENSES  
For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93-531, $8,000,000, to remain available until expended: Provided, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be available to the Indian Health Service authorized by the Department of Housing and Urban Development to administer the Indian Sanitation Facilities Act (42 U.S.C. 5376-121 (the Indian Sanitation Facilities Act) and Public Law 93-638, as amended: Provided further, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: Provided further, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title III of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated in a subsequent fiscal year, under title I, or a self-governance agreement under title III of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used as a final rule, published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, to the eligibility of the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the proposed final rule, and such request has been included in an appropriations Act and enacted into law: Provided further, That none of the funds made available in this Act to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriate appropriations Act set forth in this Act; Provided further, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment, and other expenses necessary to carry out such Acts and titles I and III of such Act and thereafter, without fiscal year limitation: Provided further, That none of the funds appropriated for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: Provided further, That the appropriation structure for the Indian Health Service may not be altered without the approval of the House and Senate Committees on Appropriations.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK  
For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, by contract or otherwise, $4,400,000, to remain available until expended.

REPAIR AND RESTORATION OF BUILDINGS  
For necessary expenses of repair and restoration of buildings owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by the Act of August 22, 1949 (63 Stat. 629), including not to exceed $10,000 for services as authorized by 5 U.S.C. 3109, $35,000,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or restoration of buildings of the Smithsonian Institution shall not use Federal funds in excess of the amount specified in Public Law 101-185 for the construction of the National Museum of the American Indian.

NATIONAL GALLERY OF ART  
SALARIES AND EXPENSES  
For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art, including administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 53), as amended by the public resolution of April 13, 1939 (Public Resolution No. 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109, payment in advance when authorized by the treasurer of the Gal- lery, chambers and library staff, and art associations or societies whose publications or services are available to members
only, or to members at a price lower than to the general public, purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees of the law (40 U.S.C. 5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, protection systems, and exterior repair or renovation of buildings, grounds, and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper. 

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as necessary, $11,000,000, to remain available until expended; Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.


OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $14,000,000.

CONSTRUCTION

For necessary expenses for capital repair and rehabilitation of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $20,000,000, to remain available until expended.


SALARIES AND EXPENSES

For expenses necessarily incurred in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $6,644,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $97,550,000, shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in such amount as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under sections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $10,150,000, to remain available until expended, of which $10,150,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in such amount as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under sections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

For carrying out subtitle C of the Museum and Library Services Act of 1996, as amended, $23,905,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant for any activity or the publication or distribution of any literature that in any way tends to promote, directly or indirectly, any purpose for which the national military forces were organized and are maintained, or the sale, lease, or right to access to minerals owned by private individuals.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 304), $1,078,000. Provided, That beginning in fiscal year 1998 and thereafter, the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

FOR neccessary expenses as authorized by Public Law 99-190 (20 U.S.C. 956a), as amended, $7,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation and its successors established under the provisions of (Public Law 89-665, as amended), $2,906,000. Provided, That none of these funds shall be available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $200,000,000. The Trust is authorized to request recommendations to the Secretary of the Treasury pursuant to section 104(d)(3) of the Act, in an amount not to exceed $200,000,000.

T I T L E I I I — G E N E R A L P R O V I S I O N S

Sec. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

Sec. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior for the Secretary of Agriculture for the leasing of oil and natural gas by noncompetitive bidding on publicly owned lands within the boundaries of the Smithsonian National Museum, as provided. That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

Sec. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

Sec. 304. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided by law.

Sec. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

Sec. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are mailed to the Committees on Appropriations and are approved by such Committees.

Sec. 307. (a) COMPLIANCE WITH BUY AMERICAN ACT: None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the
funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a±10c; popularly known as the "Buy American Act").

(b) The provisions of this section shall be implemented and enforced by the Secretary of the Interior and the Secretary of the Treasury. The Secretary of the Interior shall file with the House and Senate Committees on Appropriations or the Appropriations Committees of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the provisions of this subsection and the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

(c) The Chairperson of the National Endowment for the Arts shall ensure that provisions regarding the use of American-made equipment and products.

(d) The National Endowment for the Arts shall ensure that provisions regarding the use of American-made equipment and products.

SEC. 314. Notwithstanding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103-138, 103-332, 104-134, 104-208, 105-83, and 105-277 for payments to tribes and tribal organizations for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau, and the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 1999 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 315. None of the funds made available in this Act shall be used to demolish the bridge between J ersey City, New Jersey, and Ellis Island; or to prevent pedestrian use of such a bridge. None of the funds made available in this Act shall be used to demolish any structure which is a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordi-
(b) In this section:
(1) The term “underserved population” means a population of individuals who have historically been outside the purview of arts and humanities programming, regardless of how this is recognized, such as a high incidence of income below the poverty line or geographic isolation.
(2) The term “poverty line” means the poverty line as determined by the Office of Management and Budget, and revised annually in accordance with section 673(k) of the Community Services Block Grant Act (42 U.S.C. 9902). It is applicable to a family of the size involved.
(c) In providing services and awarding financial assistance, the Secretary shall take into consideration the unique characteristics of the population served by the Arts, without regard to the State in which the amounts were derived, to repair or reconstruct roads, bridges, and trails on public lands.
(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—
(1) the Chairperson shall establish a grant program for regional arts organizations;
(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (3); and
(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act.
(e) The Chairperson may enter into contracts, grants, or other agreements, with States, local governmental units, or any private organization or institution, to implement projects that are of national importance.
(f) Provided, That the Secretary may accept gifts and donations pursuant to the Act of October 20, 1976 (7 U.S.C. 2806) and, if required by the terms of any such gift or donation, shall make payments from such gift or donation to the Secretary, if the Secretary determines that the determination of how much western red cedar is eligible for sale to various markets is necessary to the conditions for which such funds were awarded.}

SEC. 329. For fiscal year 2000, the Secretary of Agriculture, with respect to lands within the National Forest System, and the Secretary of the Interior, with respect to lands managed by the Bureau of Land Management, shall use the best available scientific and commercial data in amending or revising resource management plans for, or offering sales, leases, and other authorities which may be available to the Secretary including, but not limited to, the Secretary of Agriculture, the Forest Service, and the Bureau of Land Management.

SEC. 330. The Secretary of Agriculture and the Secretary of the Interior—
(a) prepare the report required of them by section 323 of the Fiscal Year 1996 Interior and Related Agencies Appropriations Act (Public Law 104-5); and
(b) make the report available for public comment for a period of not less than 120 days; and
(c) include the information contained in the report and a detailed response or responses to any such public comment in any final environmental impact statement associated with the report.

SEC. 331. Section 7 of the Service Contract Act (SCA), 41 U.S.C. section 356 is amended by inserting, after the following paragraph:
“(8) any concession contract with Federal land management agencies, the principal
purpose of which is the provision of recreational services to the general public, including hiking, bird watching, educational programs, and sightseeing. The provision of these services shall not affect the applicability of the Davis-Bacon Act, 40 U.S.C. section 3171 et seq., to construction contracts associated with the Forest Service.

SEC. 332. TIMBER AND SPECIAL FOREST PRODUCTS. (a) DEFINITION OF SPECIAL FOREST PRODUCTS.— 'Special forest products' means all products, other than timber harvested under this Act, which are produced by growing trees, vegetation, or other forms of life, such as mushrooms and fungi that grows on National Forest System lands, excluding trees, animals, insects, or fish except as provided in regulations issued under this section by the Secretary of Agriculture.

(b) MARKET VALUE FOR SPECIAL FOREST PRODUCTS.—The Secretary of Agriculture shall establish appraisal methods and bidding procedures to ensure that the amounts collected for special forest products are not less than fair market value.

(c) FEES.—(1) IN GENERAL.—(A) The Secretary of Agriculture shall charge and collect from persons who harvest special forest products all costs to the Department of Agriculture associated with the granting, modifying, or monitoring the authorization for harvest of the special forest products, including the costs of any environmental or other analysis.

(2) SECURITY.—(A) In the case of fees collected pursuant to subsection (c), the costs for which the fees are authorized a period of 180 days to provide to the other a completed appraisal, a 45-day period of good faith bargaining and negotiation, or an additional 9 contracts in Region One.

(b) ADMINISTRATION.—The Secretary of Agriculture shall establish a method of identifying persons who are exempt from paying user fees under paragraph (1). This method may include valid form of identification including a driver's license or passport.)


SEC. 334. The authority to enter into stewardship and end result contracts provided to the Forest Service by subsection (b) of Section 101 of Division A of Public Law 105-83 is hereby expanded to authorize the Forest Service to enter into an additional 9 contracts in Region One.

SEC. 335. LOCAL EXEMPTIONS FROM FOREST SERVICE DEMOGRAPHIC FEES.—Section 6906 of Title 31, United States Code, is amended by—(1) inserting “in General.—” before “necessary”; and

(2) by adding at the end the following: (b) LOCAL EXEMPTIONS FROM DEMOGRAPHIC FEES.—(1) IN GENERAL.—Each unit of general local government that lies in whole or in part within the White Mountain National Forest and persons residing within the public lands within the public lands that local government shall be exempt during that fiscal year from any requirement to pay a demonstration program fee (parking permit or passport) imposed by the Secretary of Agriculture for access to the Forest.

(b) ADMINISTRATION.—The Secretary of Agriculture shall establish a method of identifying persons who are exempt from paying user fees under paragraph (1). This method may include valid form of identification including a driver's license or passport. (c) SELECTION OF APPRAISERS.—Once the landowner and Forest Service both shall instruct their appraiser to comply with the Uniform Appraisal Standards for Federal Land Acquisitions (Interagency Land Acquisition Conference 1992) and Public Law 92-646 as amended. Both appraisers shall possess qualifications consistent with state regulatory requirements that meet the intent of Title XI, Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

(d) PERIOD TO COMPLETE APPRAISALS.—The landowner and Forest Service each shall be allowed a period of 180 days to provide to the other a completed appraisal, a 45-day period of good faith bargaining and negotiation, or an additional 9 contracts in Region One.

(e) BARGAINING PERIOD.—The landowner and Forest Service each shall be allowed a period of 45 days following this period of good faith bargaining and negotiation to agree within this period on the proper purchase price to be paid by the United States for the land or interest in land described in the purchase option, the conditions to which such purchase is subject, and the time for expiration of the purchase option. The processing of application shall commence with each party submitting its appraisal and a copy of this legislation, and the Forest Service, shall forward the appraisal, to the arbitration panel within 10 days following the receipt of the Forest Service of the request for arbitration. The arbitration panel shall make a written advisory decision on value within 45 days of receipt of both appraisals. This advisory decision shall be forwarded to the Secretary of Agriculture. The Secretary of Agriculture shall instruct its appraiser to comply with the Uniform Appraisal Standards for Federal Land Acquisitions (Interagency Land Acquisition Conference 1992) and to the Secretary that if the land or interest in land at issue is to be purchased by the United States pay a sum certain for the land or interest in land. This sum certain shall fall within the value range established by the two appraisals. Costs of employing the arbitration panel shall be divided equally by the landowner, unless the arbitration panel recommends either the landowner or the Forest Service bear the entire cost of employing the arbitration panel. The arbitration panel shall not make such a recommendation unless the panel finds that one of the appraisals submitted fails to conform to the Uniform Appraisal Standards for Federal Land Acquisitions (Interagency Land Acquisition Conference 1992). In no event, shall the cost of employing the arbitration panel exceed $10,000.

(f) ARBITRATION PANEL.—The arbitration panel shall consist of one appraiser and two lawyers who have substantial experience with the purchase of land or interest in land by the United States. The Secretary is directed to ask the Federal Center...
for Dispute Resolution at the American Arbitration Association to develop lists of no less than ten appraisers and twenty lawyers who possess substantial experience working with third-party land purchases to serve as third-party neutrals in the event arbitration is requested by a landowner. Selection of the arbitration panel shall be made by mutual agreement of the Forest Service and landowner. If mutual agreement cannot be reached on one or more panel members, selection of the remaining panel members shall be made once each party has been allowed the opportunity to strike up to 25 percent of the third-party neutrals named on either list. Of the funds available to the Forest Service, up to $15,000 shall be available to the Federal Center for Dispute Resolution to cover the initial cost of establishing this program. Once established, costs of administering the program shall be borne by the Forest Service, but shall not exceed $5,000 a year.

(h) Qualifications of Third-Party Neutrals.—Each appraiser selected by the Federal Dispute Resolution Center, in addition to possessing substantial experience working with federal land purchases, shall possess qualifications consistent with the regulatory requirements that meet the intent of Title XI, Financial Institutions Reform, Recovery & Enforcement Act of 1989. Each party may select the Federal Dispute Resolution Center, in addition to possessing substantial experience working with federal land purchases, shall be an active member in good standing of the bar of one of the 50 states or the District of Columbia.

(i) Decision Required by the Secretary of Agriculture.—Upon receipt of a recommendation by an arbitration panel appointed under subsection (g), the Secretary of Agriculture shall notify the landowner and the CRGNSA of the day the recommendation was received. The Secretary shall make a determination to adopt or reject the arbitration panel’s advisory decision and notify the landowner and the CRGNSA of this determination within 45 days of receipt of the advisory decision.

(j) Admissibility.—Neither the fact that arbitration pursuant to this act has occurred nor the recommendation of the arbitration panel shall be admissible in any court or administrative proceeding.

(k) Effective Date.—This act shall expire on October 1, 2002.

SEC. 339. A project undertaken by the Forest Service under the Recreation Fee Demonstration Program as authorized by Section 315 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1996, as amended, shall not result in—

(1) displacement of the holder of an authorization to provide commercial recreation services on Federal lands. Prior to initiating any project, the Secretary shall consult with potentially affected holders to determine what impacts the project may have on the holders. Any modifications to the authorization shall be made within the terms and conditions of the authorization and authorities of the impacted agency.

(2) the return of a commercial recreation service to the Secretary for operation when such service has been provided in the past by a private sector provider, except when—

(A) the private sector provider fails to bid on such opportunities,

(B) the provate sector provider terminates its relationship with the agency, or,

(C) the agency revokes the permit for non-compliance with the terms and conditions of the authorization.

In such cases, the agency may use the Recreation Fee Demonstration Program to provide for operations until a subsequent operator can be found through the offering of a new prospectus. This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2000.”

(Ordred to lie on the table.)

Mr. REED (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by them to the bill, H.R. 2466, supra; as follows:

On page 49, line 17, strike “$86,000,000” and insert “$91,000,000.”

(On page 32, between lines 20 and 21, insert the following:)

SEC. 3. (a) The total discretionary amount made available by this Act is reduced by $5,000,000. Provided, That the reduction pursuant to this subsection shall be made by reducing by a uniform percentage the amount made available for travel, supplies, and printing expenses to the agencies funded by this Act.

(b) Not later than 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a listing, by account, of the amounts of the reductions made pursuant to subsection (a).

GORTON AMENDMENT NO. 1359

Mr. GORTON proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 79, line 19 of the bill, strike ‘‘under this Act or previous appropriations Acts.’’ and insert in lieu thereof the following: ‘‘under this or any other Act.’’

MURRAY (AND OTHERS) AMENDMENT NO. 1360

Mrs. MURRAY (for herself, Mr. DURBIN, and Mr. KERRY) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 122, strike lines 1 through 15.

REID (AND OTHERS) AMENDMENT NO. 1361

Mr. REID (for himself, Mr. CRAIG, and Mr. BRYAN) proposed an amendment to amendment no. 1360 proposed by Mrs. MURRAY to the bill, H.R. 2466, supra; as follows:

In lieu of the language proposed to be stricken, insert:

SEC. 341. MILLSITE OPINION.

(a) Prohibition on Millsite Limitations.—Notwithstanding the opinion dated October 7, 1997, by the Solicitor of the Department of the Interior concerning millsites under the general mining law (referred to in this section as the ‘‘opinion’’), in accordance with the millsite provisions of the Bureau of Land Management’s Manual Sec. 3864.1.B (dated 1993), the Bureau of Land Management Handbook for Mineral Examiners H-3800-1, page III-1 (dated 1989), and section 2811.33 of the Forest Service Manual (dated 1990), the Department of the Interior and the Department of Agriculture shall not, for any fiscal year, limit the number or acreage of millsites based on the ratio between the number or acreage of millsites and the number or acreage of associated lode or placer claims with respect to any patent application grandfathered pursuant to Section 312 of this Interior Appropriations Act of 2000; any operation or property for which a plan of operations has been previously approved; any operation or property for which a plan of operations has been submitted to the Bureau of Land Management or Forest Service prior to October 1, 2000, or any subsequent amendment or modification to such approved or submitted plans.

(b) Ratification.—Nothing in this Act shall be construed as an explicit or tacit ad,op,ation, ratification, endorsement or approval of the opinion.

LIEBERMAN AMENDMENTS NOs. 1362–1364

(Ordred to lie on the table.)

Mr. LIEBERMAN submitted three amendments intended to be proposed by him to the bill, H.R. 2466, supra; as follows:

AMENDMENT NO. 1362

On page 18, line 16, strike ‘‘$84,525,000’’ and insert ‘‘$86,025,000.’’

On page 18, line 19, before the period, insert the following: ‘‘, and of which not less than $2,500,000 shall be used to acquire the Weir Farm National Historic Site in Connecticut.’’

On page 77, line 16, strike ‘‘$390,975,000’’ and insert ‘‘$389,475,000.’’

On page 77, line 19, before the colon, insert the following: ‘‘, and of which not more than $30,796,000 shall be used for exploration and production supporting research.’’

AMENDMENT NO. 1363

On page 17, line 10, strike ‘‘$42,412,000’’ and insert ‘‘$43,712,000.’’

On page 17, line 14, before the period, insert the following: ‘‘, and of which not less than $2,000,000 shall be used for the preservation of the Mark Twain House in Connecticut.’’

On page 63, line 1, strike ‘‘$1,239,051,000’’ and insert ‘‘$1,237,551,000.’’

On page 63, line 6, before the period, insert the following: ‘‘Provided, That, of the amounts made available under this heading, not more than $227,400,000 may be used for timber sales management.’’

AMENDMENT NO. 1364

On page 18, line 16, strike ‘‘$84,525,000’’ and insert ‘‘$86,025,000.’’

On page 18, line 19, before the period, insert the following: ‘‘, and of which not less than $2,000,000 shall be used to purchase 668 acres of land in Connecticut, known as ‘Trout Brook Valley’, from the Aspetuck Land Trust’’.

On page 63, line 1, strike ‘‘$1,239,051,000’’ and insert ‘‘$1,237,551,000.’’

On page 63, line 6, before the period, insert the following: ‘‘Provided, That, of the amounts made available under this heading, not more than $227,400,000 may be used for timber sales management.’’

TAXPAYER REFUND ACT OF 1999

ABRAHAM (AND WYDEN) AMENDMENT NO. 1365

(Ordred to lie on the table.)

Mr. ABRAHAM (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by them to the bill, S. 1429, supra; as follows:

On page 371, between lines 16 and 17, insert: SEC. 4. EXPANSION OF DEDUCTION FOR COMPUTER DONATIONS TO SCHOOLS.—Section 170(e)(6)(B)(ii) (defining
qualified elementary or secondary educational contribution) is amended—

(a) by inserting "2 years" and inserting "3 years," and
(b) by inserting for the taxpayer's own use after "constructed by the taxpayer".

(b) REAUTHORIZED COMPUTERS ELIGIBLE FOR DONATION.—

(1) IN GENERAL.—Section 170(e)(6)(B)(iii) (defining qualified elementary or secondary educational contribution) is amended by inserting "the person from whom the donor reacquired the property," after "the donor.

(2) CONFORMING AMENDMENT.—Section 170(e)(6)(B)(iii) is amended by inserting or reacquired after "acquired".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after the date of the enactment of this Act.

SEC. 2. CREDIT FOR COMPUTER DONATIONS TO SCHOOLS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business related credits), as amended by this Act, is amended by adding at the end the following:

"SEC. 45E. CREDIT FOR COMPUTER DONATIONS TO SCHOOLS.

(a) General Rule.—For purposes of section 38, the school computer donation credit determined under this section is equal to the qualified elementary or secondary educational contributions made by the taxpayer during the taxable year.

(b) Qualified Elementary or Secondary Educational Contribution.—For purposes of this section, the term 'qualified elementary or secondary educational contribution' has the meaning given such term by section 170(e)(6)(B), except that such term shall include the contribution of a computer (as defined in section 168(f)(2)(B)(i)) only if computer software (as defined in section 197(e)(3)(B)) that serves as a computer operating system has been lawfully installed in such computer.

(c) Increased Percentage for Contributions to Schools in Empowerment Zones, Enterprise Communities, and Indian Reservations.—In the case of a qualified elementary or secondary educational contribution, the amount of the credit under section 170(e)(6)(B) is increased by 15 percent for contributions made in an empowerment zone, an enterprise community, or an Indian reservation.

(d) Certain Rules Made Applicable.—For purposes of this section, rules similar to the rules applicable under section 165(c) shall apply.

(e) Termination.—This section shall not apply to taxable years beginning on or after the date which is 3 years after the date of the enactment of the New Millennium Classroom Fund Act.

(f) Current Year Business Credit Calculation.—Section 38(b) (relating to current year business credit), as amended by this Act, is amended by striking "plus" at the end of paragraph (12), by striking the period at the end of paragraph (13) and inserting ", plus", and by adding at the end the following:

"(14) the school computer donation credit determined under section 45E(a)."

(c) Disallowance of Deduction by Amount Limitation.—Section 29E (relating to certain expenses for which credits are allowable) is amended by adding at the end the following:

"(d) Credit for School Computer Donations.—No deduction shall be allowed for that portion of the qualified elementary or secondary educational contributions (as defined in section 45E(b)) made during the taxable year that is equal to the amount of credit determined for the taxable year under section 45E(a). In the case of a corporation which is a member of a controlled group of corporations (within the meaning of section 52(a) or a trade or business which is treated as being under common control with other trades or businesses (within the meaning of section 52(b)), this subsection shall be applied under rules prescribed by the Secretary similar to the rules applicable under subsections (a) and (b) of section 52.

(d) Limitation on Carryback.—Subsection (d) of section 39 (relating to carryback and carryforward of unused credits) is amended by adding at the end the following:

"(9) no carryback of school computer donation credit before effective date.—No amount of unused business credit available under section 45E may be carried back to a taxable year beginning on or before the date of the enactment of this paragraph.

(e) Clerical Amendment.—The table of sections for subpart D of part IV of subchapter A of chapter 1, as amended by this Act, is amended by inserting after the item relating to see section 52:

"Sec. 45E. Credit for computer donations to schools."

(f) Effective Date.—The amendments made by this section shall apply to contributions made in taxable years beginning after the date of the enactment of this Act.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

GRAHAM (AND OTHERS) AMENDMENT NO. 1366

(Ordered to lie on the table.)

Mr. GRAHAM (for himself, Mr. ENZI, Mr. BRYAN, Mr. REID, Mr. VONNOVICH, Mr. GRAMS, and Mr. LUGAR) submitted an amendment intended to be proposed by them to the bill, H.R. 2466, supra, as follows:

At the appropriate place, insert the following:

"SEC. 4. PROHIBITION ON CLASS III GAMING PROCEDURES.

No funds made available under this Act may be expended to implement the final rule published on April 12, 1999, at 64 Fed. Reg. 17535.

ABRAHAM AMENDMENT NO. 1367

(Ordered to lie on the table.)

Mr. ABRAHAM submitted an amendment intended to be proposed by him to the bill, H.R. 2466, supra, as follows:

On page 17, line 25, after "the Colon" insert "(a)"

On page 18, line 19, strike "and"

On page 20, line 5, strike "by".

On page 20, line 6, strike "".

On page 20, line 7, strike "by".

REID AMENDMENT NO. 1369

Mr. SESSIONS (for Mr. REID) proposed an amendment to the bill, S. 305, supra, as follows:

On page 7, line 9, strike "by".

On page 8, line 23, strike "shall" after "the".

On page 8, line 24, strike "by".

On page 9, line 1, strike "".

On page 9, line 2, strike "by".

On page 9, line 3, strike "".

On page 10, line 14, strike "".

McCain Amendment No. 1368

Mr. SESSIONS (for Mr. MCCAIN) proposed an amendment to the bill (S. 305) to reform unfair and anticompetitive practices in the professional boxing industry; as follows:

On page 5, line 2, before "and" insert "(a) in general;--"

On page 9, between lines 17 and 18, insert the following:

(b) Effective Date.—The amendments made by subsection (a) apply to contracts executed after the date of enactment of this Act.

On page 9, line 25, strike "by".

On page 10, beginning in line 3, strike "that sanctions professional boxing matches on an interstate basis".

On page 11, line 2, strike "within 14 days".

On page 11, line 4, insert "within 5 business days before".

On page 11, line 8, strike "post a copy, within the 14-day period," and insert "immediately post a copy;"

On page 11, line 14, strike "Commissions," and insert "Commissions if the organization does not have an address for the boxer or does not have an Internet website or home page;"

On page 12, line 20, strike "alternative;--"

On line 12, line 23, strike "may" and insert "shall;--"

On line 15, line 1, strike "by;--"

On line 18, line 11, after "(9b);" insert "(x);--"

On line 18, line 15, strike "the violations occur" and insert "a violation occurs;"

On line 18, beginning in line 17, strike ""

On line 19, between lines 19 and 20, insert the following:

(3) by inserting in "section 9" in paragraph (3), as redesignated, and inserting "section 9(a);":

On line 20, line 19, strike "and;--"

On line 20, line 19, strike "within the 14-day period;--"

On line 20, line 19, strike "".

On line 21, between lines 15 and 16, insert the following:

"(e) Enforcement Against Federal Trade Commission, State Attorneys General, etc.—Nothing in this Act authorizes the enforcement of—"

On line 22, strike "any provision of this Act against the Federal Trade Commission, the United States Attorney General, the chief legal officer of any State for failing or failing to act in an official capacity;"

On line 23, strike "section of this Act against a State or political subdivision of a State, or an agency or instrumentality thereof; or"

On line 24, strike "section 15 against a boxer acting in his capacity as a boxer;"

On line 25, strike "amended—" and insert "amended;--"

On line 26, strike "by".

On line 27, strike "by--".

McCain Amendment No. 1368

Mr. SESSIONS (for Mr. MCCAIN) proposed an amendment to the bill (S. 305) to reform unfair and anticompetitive practices in the professional boxing industry; as follows:

On page 7, line 9, strike "by".

On page 8, line 23, strike "shall" after "the".

On page 8, line 24, strike "by".

On page 9, line 1, strike "".

On page 9, line 2, strike "by".

On page 9, line 3, strike "".

On page 10, beginning in line 3, strike "that sanctions professional boxing matches on an interstate basis".

On page 11, line 2, strike "within 14 days".

On page 11, line 4, insert "within 5 business days before".

On page 11, line 8, strike "post a copy, within the 14-day period," and insert "immediately post a copy;"

On page 11, line 14, strike "Commissions," and insert "Commissions if the organization does not have an address for the boxer or does not have an Internet website or home page;"

On page 12, line 20, strike "alternative;--"

On line 12, line 23, strike "may" and insert "shall;--"

On line 15, line 1, strike "by;--"

On line 18, line 11, after "(9b);" insert "(x);--"

On line 18, line 15, strike "the violations occur" and insert "a violation occurs;"

On line 18, beginning in line 17, strike ""
broadcaster has a contract is competing.

"(a) CONTRACT REQUIREMENTS.—Any contract between a boxer and a broadcaster for the broadcast of a boxing match in which that boxer is competing shall—

"(1) include mutual obligations between the parties; and

"(2) specify either—

"(A) the number of bouts to be broadcast; or

"(B) the duration of the contract.

"(b) PROHIBITIONS.—A broadcaster may not—

"(1) require a boxer to employ a relative or associate of the broadcaster in any capacity as a condition of entering into a contract with the broadcaster;

"(2) have a direct or indirect financial interest in the boxer's manager or management company; or

"(3) make a payment, or provide other consideration, (other than of a de minimus amount or value) to a sanctioning organization in connection with any boxer with whom the broadcaster has a contract, or any boxer with whom is broadcaster has a contract is competing.

"(c) NOTIFICATION OF REDUCTION IN AGREED AMOUNT.ÐIf a broadcaster has a contract with a boxer to broadcast a match in which that boxer is competing and the broadcaster reduces the amount it agreed to pay the boxer under that contract (whether unilaterally or by mutual agreement), the broadcaster shall notify, in writing within 48 hours after the reduction, the supervising State commission for that match of the reduction.

"(d) ENFORCEMENT.—

"(1) CONTRACT.—A provision in a contract between a broadcaster and a boxer that violates subsection (a) is contrary to public policy and unenforceable at law.

"(2) PROHIBITIONS; NOTIFICATION.—For enforcement of subsections (b) and (c), see section 10.

(b) BROADCASTER DEFINED.—Section 2 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6304) is amended by adding at the end thereof the following:

"(13) BROADCASTER.—The term 'broadcaster' means any person who is a licensee as that term is defined in section 3(24) of the Communications Act of 1934 (47 U.S.C. 153(24))."

MOYNIHAN AMENDMENT NO. 1370

Mr. SESSIONS (for Mr. MOYNIHAN) proposed an amendment to the bill, S. 305, supra, as follows:

On page 20, after line 13, add the following:

(d) STANDARDIZED PHYSICAL EXAMINATIONS.—Section 3(1) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6304(3)) is amended by inserting after "examination" the following: "., based on guidelines endorsed by the American Medical Association, including a circulatory-respiratory check and a neurological examination."

(e) CAT SCANS.—Section 6(b)(2) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6304) is amended by inserting before the period the following: "and, with respect to such renewal, present proof from a physician that such boxer has taken a computerized axial tomography (CAT) scan within the 30-day period preceding that date on which the renewal application is submitted and that no brain damage from boxing has been detected."

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

DURBIN AMENDMENT NO. 1371

(Ordained to lie on the table.) Mr. DURBIN submitted an amendment intended to be proposed by him to the bill, H.R. 2466, supra; as follows:

At the end of the bill add the following:

SEC. 3. SHAWNEE NATIONAL FOREST, ILLINOIS.

None of the funds made available under this Act may be used to—

(1) develop a resource management plan for the Shawnee National Forest, Illinois; or

(2) make a sale of timber for commodity purposes produced on land in the Shawnee National Forest from which the expected cost of making the timber available for sale is greater than the expected revenue to the United States from the sale.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry, be allowed to meet during the session of the Senate on Tuesday, July 27, 1999.

The purpose of this meeting will be to discuss consolidation and anti-trust issues in agricultural business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be granted permission to meet during the session of the Senate on Tuesday, July 27, 1999, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:30 p.m.

The purpose of this hearing is to receive testimony on S. 439, a bill to amend the National Forest & Public Land of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada, S. 719, a bill to provide for the orderly disposal of certain Federal land in the State of Nevada and for the acquisition of environmentally sensitive land in the State, and for other purposes; S. 930, a bill to provide for the sale of certain public land in the Bannock Valley, Nevada, to the Clark County, Nevada, Department of Aviation, S. 1030, a bill to provide that the conveyance by the Bureau of Land Management of the surface estate to certain land in the State of Wyoming in exchange for certain private land will not result in the removal of the land from operation of the mining laws; S. 1288, a bill to provide incentives for collaborative forest restoration projects on National Forest System and other public lands in New Mexico, and for other purposes; and S. 1374, a bill to authorize the development and maintenance of a multi-agency campus project in the town of Jackson, Wyoming.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

BETH KENNETT AND TRADE MISSION TO IRELAND

• Mr. LEAHY. Mr. President, one of the real treasures of my State of Vermont are the people who live and
Even now, we are proud to have been bartered for a house and land from the Lord. The old house was a small, five-story, red barn with its cupola printed in the record.

Mr. CHAFEE. Mr. President. I rise today to praise and commend the dedication and commitment of Very Reverend Abdalrahman Gabriel Doumato who, for the past fifty years, has led the parish of Saint Ephraim's Syrian Orthodox Church in Rhode Island. Approximately 300 friends, family members, clergymen, elected officials, and parishioners will gather on Sunday, August 1st, to honor Father Doumato on this milestone. A native of Syria, we in his adopted state of Rhode Island have benefitted from and been enriched by Father Doumato's selfless service, devotion, compassion and wisdom—attributes which have characterized his work there. He is a compassionate individual who cares profoundly for his community. He is a deeply peaceful and religious man who possesses boundless hope and optimism. He has consistently and successfully worked for the betterment of his community and has always served with faith and devotion. Indeed, he is a man of integrity, flawless character, unquestionable commitment, and one who has earned a sterling reputation as a pillar of his community.

Although Saint Ephraim's has only been in existence for 86 years, the Syrian Orthodox Church has its roots in the original Christian Church of Jerusalem. The death of the Prophet, Saint Peter, who personally anointed his successor before his journey to Rome, founded the Church in Antioch. The current supreme leader, His Holiness Mor Ignatius Zakka I, Patriarch of Antioch and all the East, is the 122nd direct successor of Saint Peter. The Church claims a wealth of theological, liturgical, and musical traditions. Indeed, to this day the liturgy is conducted in Aramaic, the language of Jesus.
spoken by Jesus Christ, and was the lingua franca in the Near East.

Mr. President, Father Doumato has enjoyed an interesting and fulfilling career in the ministry of his church. Like many of us, his life has been filled with hardships and challenges. Unlike many of us, however, he has enjoyed some truly unique and rich experiences. He was born in 1918 and raised in the shadow of the Cathedral Church of the Virgin Mary in the city of Homs, Syria. He was educated in Homs, first in his Church's school and later by Jesuit Brothers. His interest in theology and his Church was an early and important part of his life. His father, the late Gabriel Doumato, who immigrated to Rhode Island in 1937, was an active supporter of the Church and served its community in many capacities.

Upon completing his education, Father Doumato taught in the Church's schools in Syria. At the beginning of World War II, he entered the French-run National Police Academy and graduated with honors in 1939. For the next ten years, he served as a member of the National Police Force. Throughout this period, he dedicated himself to serving the Church as a deacon and was constantly urged by His Holiness Patriarch Ephraim, the Church’s supreme leader, to join the ministry. In 1949, he resigned his commission and entered the Seminary of the Syrian Orthodox Church in Syria.

Father Doumato was ordained into the priesthood in August 1950 by His Holiness Patriarch Ephraim and immediately assigned to the Church in Central Falls, Rhode Island. Because of visa delays however, he was unable to attend to this position for two years. In the meantime, he remained in Homs and served as personal secretary to His Holiness, the Church's supreme leader.

Accompanied by his wife, Victoria, and their four young children, Father Doumato arrived in Rhode Island in August 1952 to lead his new congregation. Ever since his arrival, Father Doumato has been a shining example to his family and his flock.

The Doumatos are a sizable and considerable clan in Rhode Island—the extended family numbers over 150 persons. We cannot imagine that there has been a single elected official in the Blackstone Valley area, or across the State, that has not come into contact with a member of the family. Indeed, Father Doumato's children, nephews and nieces have been industrious citizens and have served our country in numerous positions of distinction, including as officers in the Armed Forces, diplomats, university educators, U.S. Senate aides and senior advisors, engineers, and leaders in law, the arts, medicine, commerce and industry. He and his family have richly contributed to the betterment of our community in Rhode Island.

Mr. President, in closing, I would also like to wish Reverend Doumato and his wife, Victoria, a happy and healthy 57th Anniversary, which they will celebrate later this year.

May his children and grandchildren—along with his parishioners—continue to benefit from his wisdom.

In the second letter, I join Mr. Bonnette's praise of Channel One's airing of $25 million worth of pro bone anti-drug public service announcements over the last ten years as part of its news broadcasts to school-aged children.

I am pleased to join Mr. Bonnette in congratulating Channel One on its efforts. I ask that these letters be printed in the Record.

The letters follow.

U.S. Senate, Washington, D.C., July 14, 1999


Dear Mr. Chairman:

I respectfully request that the attached letter from Richard Bonnette, President and CEO of the Partnership for a Drug-Free America be made a part of the record for the Committee's July 13, 1999 hearing on Drug-Free Schools.

Mr. Bonnette writes in praise of the excellent public service of the Channel One Network in educating our nation's youth about the dangers of drugs and to join Mr. Bonnette's praise of the Channel One Network.

Over the past ten years, Channel One has aired more than $25 million worth of anti-drug public service announcements as part of its news broadcasts to school-aged children. The efforts of the Channel One Network demonstrate good corporate citizenship. When we in Congress call upon the media and entertainment industries to act responsibly for the benefit of our children, this is part of what we are talking about.

Mr. Bonnette's letter refers to a study conducted between 1995-1997 by the Partnership for a Drug-Free America. The study found significant evidence that students in Channel One schools had significantly more negative attitudes about drugs, and were much more aware of the risks of drugs than students in non-Channel One schools. I am pleased to here add my praise of their efforts.

Sincerely,

Sam Brownback,
U.S. Senator.

PARTNERSHIP FOR A DRUG-FREE AMERICA,

Mr. Kevin McAliley,
President and CEO, Channel One Network,
New York, NY.

Dear Mr. McAliley:

I am writing to thank Channel One for its unceasing dedication and steadfast commitment to educating the young people of this country about the dangers of drug use. Channel One has supported the Partnership's mission by extensively covering the drug issue through its programming and by airing more than $25 million worth of anti-drug public service announcements—pro bone—since our inception in 1990. The incontrovertible fact is that because of Channel One, millions of teens are keeping away from drugs.

For the past ten years, Channel One has been instrumental in supporting Partnership for a Drug-Free America's mission by changing millions of young people's attitudes about drugs. This is not speculation—it is fact. The Partnership conducted the Partnership Attitude Tracking Study, 1997, and compared Channel One students' attitudes towards drug use versus those of students from non-Channel One schools. The study reveals conclusive evidence that Channel One students had significantly more negative attitudes about drugs and were much more
aware of the risks of drugs than students in non-Channel One schools. By utilizing your
Web site, Channel One has also been able to expand its reach beyond the Channel One
school audience to encourage national youth involvement in this issue.
Please accept our thanks and congratula-
tions for Channel One’s important work.
Channel One and concern America’s children is admirable and your support of
the Partnership has been vital in rein-
forcing anti-drug messages to teens.
Sincerely,
RICHARD D. BONNETTE

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDI-
CIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

On July 22, 1999, the Senate passed S. 1217. The text of the bill follows:
S. 1217

Be it enacted by the Senate and House of Rep
resentatives of the United States of America in Cong
ress assembled, That the following sums are appro
priated, out of any money in the Treasury not otherwise appropriated, for the
Departments of Commerce, Justice, and State, the Judiciary, and related agencies
programs for the fiscal year ending Sep
ember 30, 2000, and for other purposes,

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administr
ation of the Department of Justice, $82,485,000,
of which not to exceed $3,317,000 is for the Fac
ilities Program 2000, to remain available until
expended; That not to exceed 43 permanent positions and 44 full-time
permanent positions and 44 full-time equivalent
workyears and $8,136,000 shall be expended for
the Department Leadership Office Program exclusive of augmentation that occurred in
these offices in fiscal year 1999:
Provided further, That not to exceed 41 per
manent positions and 48 full-time equivalent
workyears and $8,811,000 shall be expended for
the Offices of Legislative Affairs and Public Affairs: Provided further, That the lat
ter two aforementioned offices may utilize non-reimbursable details of career employees
within the caps described in the afores
mentioned proviso.

JOINT AUTOMATED BOOKING SYSTEM

For expenses necessary for the nationwide deployment of a Joint Automated Booking System, $5,000,000, to remain available until expended.

NARROWBAND COMMUNICATIONS

For the costs of conversion to narrowband communication mandated by section 812 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 903(d)(1)), $20,000,000, to remain available until expended: Provided, That such funds may be transferred to any Department of
Justice organization upon approval by the
Attorney General: Provided further, That any transfer pursuant to the previous proviso
shall be treated as a reprogramming under section 605 of this Act and shall not be avail
able for obligation or expenditure except in compliance with the procedures set forth in that section.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Attorney General, $27,000,000, to remain available until expended, to reimburse any Department of Justice organization for (1) the costs incurred in reestablishing the opera

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforce
ment of antitrust and kindred laws, $112,318,000. Provided, That, notwithstanding section 3302(b) of title 31, United States Code, not to exceed $12,318,000 of offsetting collections derived from fees collected in fis
cal year 2000 for premerger notification fil
ings under section 7 of the Clayton Act and the Hart-Scott-Rodino Improvements Act of 1976 (15 U.S.C. 18a) shall be retained and used for necessary exp
enses in this appropriation, and shall re
main available until expended: Provided
further, That the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fis
cal year 2000, so as to reduce the fiscal year 2000 appropriation from the General Fund estimated at not more than $90.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including intergov
ernmental and cooperative agreements, $589,478,000, of which not to exceed $2,500,000 shall be available until September 30, 2000, for (1) training personnel in debt collection, (2) locating debtors and their property, (3) paying the net costs of selling property, and (4) for expenses incurred in support of the United States Government: Provided, That the total amount appropriated, not to exceed $8,000 shall be available for automated litigation support contracts shall remain available until expended; Provided further, That not to exceed $1,000,000 shall be available for automated litigation support contracts shall remain available until expended; Provided further, That not to exceed $2,000,000 shall be available for automated litigation support contracts shall remain available until expended; Provided further, That not to exceed $500,000 shall be available for automation of the National Advocacy Center shall remain available until expended: Provided further, That not to exceed $1,000,000 shall remain available until expended for the expansion of existing Vi
olent Crime Task Forces in United States At
torneys Offices into demonstration projects, including inter-governmental, inter-local, cooperative, and task-force agreements, however denominated, and contracts with State and local prosecutorial and law en
forcement agencies engaged in the investiga
tion and prosecution of offenders; Pro
vided further, That, in addition to reimbursa
ble full-time equivalent workyears available to the Offices of the United States At
torneys not to exceed 15 judicial districts and 9,921 full-time equivalent workyears shall be supported from the funds appropriated in this Act or made available during fiscal year 2000 under any other Act for the United States Attorneys, of which 2,171 positions and 2,171 full-time equivalents shall be dedi
ced to civil or criminal defensive litigation: Provided further, That not to exceed 15 positions shall be available to support or establish task forces to enforce Federal laws related to pre
venting the possession by criminals of fire
arms (as defined in section 921(a) of title 18,
United States Code), of which $5,000,000 shall be for a taskforce in each of the paired loca
tions of Philadelphia, Pennsylvania, and Camden, New Jersey; Las Cruces, New Mex
ico, and Albuquerque, New Mexico; Savan
nah, Georgia, and Charleston, South Caro
lina; Baltimore, Maryland, and Prince George’s County, Maryland; and Denver, Col
orado, and Salt Lake City, Utah; and of which $1,000,000 shall be for the task force co
ordinated by the Office of the United States
Attorney for the Eastern District of Wis
consin, and $1,000,000 shall be for the task forces coordinated by the Office of the
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United States Attorney for the Western District of New York and task forces coordinated by the Office of the United States Attorney for the Northern District of New York.

In addition, $500,000,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustees Program, as authorized by 28 U.S.C. § 586(a), $112,775,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, $312,775,000 of offsetting collections derived from fees collected pursuant to 28 U.S.C. § 586(a)(b) shall be retained and used for necessary expenses in this appropriation and remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be returned to the collecting agency: Provided, That the Trust Fund shall be available until fiscal year 2000, as so to result in a final fiscal year 2000 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. § 3109, $1,175,000.

SALARIES AND EXPENSES, UNITED STATES MARSHALS SERVICE

For necessary expenses of the United States Marshals Service; including the acquisition, construction, renovation, and maintenance of vehicles, and the purchase of passenger motor vehicles for police-type use, without regard to the general purchase price limitation for the current fiscal year, $402,253,000, as authorized by 28 U.S.C. § 561(i); of which not to exceed $6,000 shall be available for official reception and representation expenses; and of which not to exceed $60,000,000 for expenses of support, and training for an automated prisoner information system: Provided, That none of the amount made available under this heading may be used to contract with any individual to perform duties of an officer or employee of the United States Marshals Service on a temporary or intermittent basis, except for prisoner ground transport, service of process, and evictions: Provided further, That none of the amount made available under this heading may be used for the service of process on any person by an officer or employee of the United States Marshals Service or any other United States law enforcement agency: Provided further, That none of the amount made available under this heading may be used for the service of process pursuant to a request made by a judge of the United States (as defined in section 451 of title 28, United States Code) and approved by the Attorney General.

In addition, $138,000,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

CONSTRUCTION

For planning, constructing, renovating, equipping, maintaining United States Marshals Service prisoner-holding space in United States courthouses and federal buildings, including the renovation and expansion of prisoner holding areas, development of=s, sallyports, $9,632,000, to remain available until expended.

JUSTICE PRISONER AND ALIEN TRANSPORTATION SYSTEM FUND, UNITED STATES MARSHALS SERVICE

Beginning in fiscal year 2000 and thereafter, payment shall be made from the Justice Prisoner and Alien Transportation System Fund for the payment of necessary expenses related to the scheduling and transportation of justice prisoners and illegal and criminal aliens in the custody of the United States Marshals Service, as authorized in 38 U.S.C. § 4013, including, without limitation, the acquisition, lease, and maintenance of aircraft and support facilities; Provided, That the Fund shall be reimbursed or credited for amounts made available to the Department of Justice, other Federal agencies, and other sources at rates that will recover the expenses of Fund operations, including without limitation, accrual of annual leave and depreciation of plant and equipment of the Fund: Provided further, That proceeds from the disposal of Fund aircraft shall be credited to the Fund: Provided further, That amounts in the Fund shall be available without fiscal year limitation, and may be used for operating equipment, in the event leases thereon mature in excess of 5 years: Provided further, That with respect to the transportation of Federal, State, local and territorial prisoners and detainees, the lease or rent of the United States Marshals Service Air Transport System shall be considered use of public aircraft pursuant to 49 U.S.C. section 40102(a)(37). For the funds for capitalization costs of the Fund, $9,000,000.

FEDERAL PRISONER DETENTION

For expenses, related to United States prisoners in the custody of the United States Marshals Service in 18 U.S.C. § 4013, but not including expenses otherwise provided for in appropriations available to the Attorney General, $500,000,000, as authorized by 28 U.S.C. § 561(i), to remain available until expended.

FEES AND FEES OF WITNESSES

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, and for per diems in lieu of subsistence and transportation expenses; and of which not to exceed $6,000 shall be available for official representation and expenses of witnesses: Provided, That none of the amount made available under this heading may be used to contract with any individual to perform duties of an officer or employee of the United States Marshals Service on a temporary or intermittent basis, except for prisoner ground transport, service of process, and evictions: Provided further, That none of the amount made available under this heading may be used for the service of process on any person by an officer or employee of the United States Marshals Service or any other United States law enforcement agency while engaged in cooperative activities: Provided further, That none of the amount made available hereunder may be used for the purchase or rental of aircraft by the Federal Bureau of Investigation for detection, investigations established therein, $20,000,000.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses for the Community Relations Service, established by title X of the Civil Rights Act of 1964, $7,199,000.

ASSETS FOR FELEITURE FUND

For expenses authorized by 28 U.S.C. § 524(c)(1)(A)(i), (B), (F), and (G), as amended, $23,000,000, to be derived from the Department of Justice Assets Forfeiture Fund.

RADIATION EXPOSURE COMPENSATION TRUST FUND

PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST FUND

For payments to the Radiation Exposure Compensation Trust Fund, $20,300,000.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of offenses and individuals involved in organized crime drug trafficking not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursing from this appropriation: Provided further, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.

HIGH INTENSITY INTERSTATE GANG ACTIVITY AREAS PROGRAM

For expenses necessary to establish and implement the High Intensity Interstate Gang Activity Areas Program (including grants, contracts, intergovernmental agreements, and other assistance) pursuant to section 205 of S. 254 as passed by the Senate on May 20, 1999, and consistent with the funding proportions established thereunder, $20,000,000.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States; acquisition, construction, maintenance, and operation of aircraft; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be made available for the Federal Bureau of Investigation, for the fiscal year 2000, not to exceed $1,000,000 for undercover operations remaining available until expended: Provided further, That any amounts obligated from appropriations under this heading may be used for the purchase or rental of aircraft by the Federal Bureau of Investigation, for detection, investigations established therein, $20,000,000.

For expenses necessary for the detection, investigation, and prosecution of offenses and individuals involved in organized crime drug trafficking not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursing from this appropriation: Provided further, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.

For expenses necessary to establish and implement the High Intensity Interstate Gang Activity Areas Program (including grants, contracts, intergovernmental agreements, and other assistance) pursuant to section 205 of S. 254 as passed by the Senate on May 20, 1999, and consistent with the funding proportions established thereunder, $20,000,000.

Provided, That none of the amount made available to the Federal Bureau of Investigation for detection, investigations, and prosecution of offenses against the United States; acquisition, construction, maintenance, and operation of aircraft; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be made available for the Federal Bureau of Investigation, for the fiscal year 2000, not to exceed $1,000,000 for undercover operations remaining available until expended: Provided further, That any amounts obligated from appropriations under this heading may be used for the purchase or rental of aircraft by the Federal Bureau of Investigation, for detection, investigations established therein, $20,000,000.

Provided further, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.

Provided, That none of the amount made available to the Federal Bureau of Investigation for detection, investigations, and prosecution of offenses against the United States; acquisition, construction, maintenance, and operation of aircraft; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be made available for the Federal Bureau of Investigation, for the fiscal year 2000, not to exceed $1,000,000 for undercover operations remaining available until expended: Provided further, That any amounts obligated from appropriations under this heading may be used for the purchase or rental of aircraft by the Federal Bureau of Investigation, for detection, investigations established therein, $20,000,000.

Provided further, That any unobligated balances remaining available at the end of the fiscal year shall revert to the Attorney General for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures described in section 605 of this Act.
to any State or local authority which has obtained similar equipment through a Federal grant or subsidy unless the State or local authority agrees to return that equipment or to repay the grant or subsidy to the Federal Government.

In addition, $280,501,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

**CONSTRUCTION**

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law, for conducting education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; acquisition and extension of federally-owned buildings; and preliminary planning and design of projects; $10,367,000, to remain available until expended.

**DRUG ENFORCEMENT ADMINISTRATION**

**SALARIES AND EXPENSES**

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General for research, not to exceed $1,000,000 for meteorological equipment and research for conducting education and training programs; conversion and extension of federally-owned buildings; and preliminary planning and design of projects; $10,367,000, to remain available until expended.

**VIOLENT CRIME REDUCTION PROGRAMS**

In addition, $973,000,000, for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

**CONSTRUCTION**

For planning, construction, renovation, and acquisition of facilities and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, $338,964,000, to remain available until expended.

**FEDERAL PRISON SYSTEM**

**SALARIES AND EXPENSES**

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 708, of which 662 are for replacement only) and hire of law enforcement personnel and motor vehicles, and for the provision of technical assistance and advice to Federal, State, and local law enforcement agencies, to determine the amount to be paid for, or reimbursed for, foreign governments, $3,116,774,000: Provided, That the Attorney General may transfer to the Health Resources and Services Administration such sums determined necessary for direct expenditures that by Administration for medical relief for inmates of Federal penal and correctional institutions; Provided further, That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who are not otherwise paid. Provided further, That the Commissioner shall have the authority to provide a language proficiency bonus, as a recruitment incentive, to graduates of the Border Patrol Academy from funds otherwise provided for language training: Provided further, That the Commissioner shall fully coordinate and link all Immigration and Naturalization Service databases with those of the J ustice Department and other Federal law enforcement agencies, to determine the amount to be paid for, or reimbursed for, foreign governments, $3,116,774,000: Provided further, That not to exceed $50,000,000 for the activation of new facilities shall remain available until September 30, 2000: Provided further, That, of the amounts provided for Contract Confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for contracts, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1996, for the Federal Prison System (FPS) to enter into contracts and other agreements with private entities for periods of not to exceed 3 years and 7 additional option years for the confinement of Federal prisoners.

In addition, $46,509,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

**BUILDINGS AND FACILITIES**

For planning, acquisition of sites and construction of new facilities; leasing the Oklahoma City Airport Trust Facility; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $549,791,000, to remain available until expended, of which not to exceed $14,074,000 shall be available to construct areas for inmate work programs; and 3,116,774,000: Provided further, That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts and other agreements with private entities for periods of not to exceed 3 years and 7 additional option years for the confinement of Federal prisoners.

In addition, $46,509,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

For expenses necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, $338,964,000, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

**CONSTRUCTION**

For planning, construction, renovation, and acquisition of facilities and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, $338,964,000, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

**VIOLENT CRIME REDUCTION PROGRAMS**

In addition, $973,000,000, for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

**CONSTRUCTION**

For planning, construction, renovation, and acquisition of facilities and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, $338,964,000, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

**FEDERAL PRISON SYSTEM**

**SALARIES AND EXPENSES**

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 708, of which 662 are for replacement only) and hire of law enforcement personnel and motor vehicles, and for the provision of technical assistance and advice to Federal, State, and local law enforcement agencies, to determine the amount to be paid for, or reimbursed for, foreign governments, $3,116,774,000: Provided, That the Attorney General may transfer to the Health Resources and Services Administration such sums determined necessary for direct expenditures that by Administration for medical relief for inmates of Federal penal and correctional institutions; Provided further, That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who are not otherwise paid. Provided further, That the Commissioner shall have the authority to provide a language proficiency bonus, as a recruitment incentive, to graduates of the Border Patrol Academy from funds otherwise provided for language training: Provided further, That the Commissioner shall fully coordinate and link all Immigration and Naturalization Service databases with those of the J ustice Department and other Federal law enforcement agencies, to determine the amount to be paid for, or reimbursed for, foreign governments, $3,116,774,000: Provided further, That not to exceed $50,000,000 for the activation of new facilities shall remain available until September 30, 2000: Provided further, That, of the amounts provided for Contract Confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for contracts, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1996, for the Federal Prison System (FPS) to enter into contracts and other agreements with private entities for periods of not to exceed 3 years and 7 additional option years for the confinement of Federal prisoners.

In addition, $46,509,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

**BUILDINGS AND FACILITIES**

For planning, acquisition of sites and construction of new facilities; leasing the Oklahoma City Airport Trust Facility; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $549,791,000, to remain available until expended, of which not to exceed $14,074,000 shall be available to construct areas for inmate work programs; and 3,116,774,000: Provided further, That the Director of the Federal Prison System (FPS), where necessary, may enter into contracts and other agreements with private entities for periods of not to exceed 3 years and 7 additional option years for the confinement of Federal prisoners.

In addition, $46,509,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

**CONSTRUCTION**

For planning, construction, renovation, and acquisition of facilities and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, $338,964,000, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.

**VIOLENT CRIME REDUCTION PROGRAMS**

In addition, $973,000,000, for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund.
Provided further, That not to exceed 10 percent of the funds appropriated to "Buildings and Facilities" in this Act or any other Act may be transferred to "Salaries and Expenses", Federalwide System of Travel, upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in compliance with the provisions set forth in section 605 of this Act.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, payments, and commitments of funds as are necessary in carrying out the provisions set forth in title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase of (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $3,429,000 of the funds of the corporation shall be available for administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with generally accepted accounting principles prescribed by the Federal Government. That none of these funds made available shall be used to carry out the provisions of chapter A of subpart 2 of part E of title I of said Act, for discretionary grants under the Antiterrorism and Effective Death Penalty Act of 1996, for the Support of the Local Law Enforcement Assistance Programs: Provided, That of the total amount appropriated, not to exceed $1,000,000 shall be available to the TeamMates of Nebraska project.

VIOLENT CRIME REDUCTION PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance (including amounts for administrative costs for management and administration, which amounts shall be transferred to and merged with the "Justice Assistance" account) authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322), as amended, ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1984 ("the 1984 Act"); and the Victims of Child Abuse Act of 1990, as amended, ("the 1990 Act"), $1,407,450,000, to remain available until expended, which shall be derived from the Violent Crime Control Fund, of which $400,000,000 shall be for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995, except that for purposes of this Act, the Commonwealth of Puerto Rico shall be considered a "unit of local government", as such term is defined under this Act, funds provided under this heading may be used as matching funds for any other Federal grant program: Provided further, That $50,000,000 of this amount shall be for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement: Provided further, That funds may also be used to pay the costs of training law enforcement officers: Provided further, That $20,000,000 shall be available to carry out section 102(2) of H.R. 728: Provided further, That funds may be used for the Police Corps training program, as authorized by sections 20301-20313 of the 1994 Act; of which $260,000,000 shall be available for the purpose of establishing a unified national criminal identification technology for criminal justice, law enforcement and administrative personnel when authorized by section 102(a)(2) of the 1994 Act and for establishing crime prevention programs in schools and community centers, of which $500,000 is available for a new truck safety initiative in the State of New Mexico, of which $100,000 shall be used to reward a tip leading to the arrest of a South Dakota, to upgrade the 911 emergency telephone system, of which $40,000,000 is for grants to upgrade criminal records, as authorized by sections 40295 of the 1994 Act; of which $5,000,000 shall be for training programs to assist probation, parole, and other correctional professionals who work with released sex offenders, as authorized by section 40152(c) of the 1994 Act, and for local demonstration projects; of which $75,000,000 shall be for the Tribal Courts Initiative; of which $10,000,000 shall be for Tribal State and local forum initiatives; of which $40,000,000 shall be for Drug Court initiatives; of which $20,000,000 shall be for Correctional Workforce Training, as authorized by section 200113 of the 1994 Act, of which $10,000,000,000 shall be used exclusively for violence against women, and $1,500,000 shall be for Law Enforcement Family Support Programs, as authorized by section 101(a)(17) of the 1968 Act; of which $2,000,000 shall be for Juvenile Accountability Incentive Block Grants, except that such funds shall be subject to the same terms and conditions as set forth in the provisions of section 101(a)(17) of the 1968 Act which $34,000,000 shall be for Grants to Combat Violence Against Women, as authorized by section 101(a)(18) of the 1968 Act, including $23,000,000 which shall be exclusively for use in strengthening civil legal assistance programs for victims of domestic violence, and $10,000,000 which shall be used exclusively for violence on college campuses: Provided further, That, of these funds, $5,200,000 shall be provided to the National Institute of Justice for research and evaluation of violence in communities, and shall be available in fiscal year 1997.
part E of title I of the 1968 Act may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions and for drug testing of institutionalized persons as provided further, that if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, that unit of local government shall achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service.

COMMUNITY ORIENTED POLICING SERVICES

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 104-220) (referred to under this heading as the "1994 Act"), including administrative costs, $325,000,000 to remain available until expended, for the Public Safety Officers Benefit Fund, and $900,000 shall be available for a grant to King County, Washington, to establish and publicize a program under that section.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the juvenile justice and delinquency prevention Act of 1984, as amended, $550,000 shall be available for the Lincoln Academy, for expenses authorized by part B of title II of the Act, as amended, that are not otherwise appropriated for programs to be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 20 percent by any such transfer.

SEC. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of $45,000 for fiscal year 2000 and thereafter in that section.

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for programs authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, as authorized by section 104 of that Act (42 U.S.C. 3796e).
(2) shall have final authority over all grants, cooperative agreements, and contracts made, or entered into, for the Office of Justice Programs and the component organizations, respectively.

Sec. 109. (a)(1) Notwithstanding any other provision of law, for fiscal year 2000, the Attorney General may obligate any funds appropriated pursuant to the Counterterrorism programs, projects, or activities of the Department of Justice to purchase, lease, or use equipment or any other property, or to acquire interim services, without regard to any otherwise applicable Federal acquisition rule, if the Attorney General determines that such action is necessary to respond to the ongoing and specific threat of terrorism.

(b) There is an exigent need for the equipment, related items, or services in order to support an ongoing counterterrorism, national security, or computer-criminal investigation or prosecution.

(c) The equipment, related items, or services required are not available within the Department of Justice.

(d) Adequacy to that Federal acquisition rule would—

(i) delay the timely acquisition of the equipment, related items, or services; and

(ii) adversely affect an ongoing counterterrorism, national security, or computer-criminal investigation or prosecution.

Sec. 113. Section 1979 of the Revised Statutes (42 U.S.C. 1979) is amended—

(a) by striking “The Attorney General” and inserting the following: “(a) IN GENERAL.—The Attorney General shall—”

(b) by adding at the end the following: “(b) HEALTH CARE ITEMS AND SERVICES.—(1) In the absence of a reasonable belief of probable cause, as prohibited by the Principles of Federal Prosecution, U.S. Attorney’s Manual section 203(b)(2)(B) of the Immigration and Nationality Act, the Attorney General shall establish by plain rule that it shall be punishable conduct for any Department of Justice employee, in the absence of a reasonable belief of probable cause, as prohibited by the Principles of Federal Prosecution, U.S. Attorney’s Manual section 9-27,200 et seq.;”

(c) by inserting the following new subsections after subsection (6):”

(3) The Attorney General, in consultation with the Attorney General, may make available such grants, cooperative agreements, and contracts for each account shall be made in accordance with the chart on fiscal year 2000 general budgetary resource requirements, conditions, or restrictions for procurements by the head of a department, agency or the Federal Government.

Sec. 117. Section 113 of the Department of Justice Appropriations Act, 1999 (section 101(b) of division A of Public Law 105-277), as amended by section 117 of the Emergency Supplemental Appropriations Act, 1999 (Public Law 106-31), is further amended by striking the first comma and inserting “for fiscal year 2000 and hereafter.”

Sec. 118. No funds provided in this Act may be used by the Office of Justice Programs to support a grant to pay for local law enforcement overtime in extraordinary, emergency situations unless the Appropriations Committees of both Houses of Congress are notified in accordance with the procedures contained in section 605 of this Act.

Sec. 119. Hereafter, notwithstanding any other provision of law, the Attorney General shall—

(a) grant a national interest waiver under section 203(b)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(B)) on behalf of an alien physician to whom a petition for preference classification has been filed under section 203(b)(2)(A) of such Act (8 U.S.C. 1158(b)(2)(A)) if the alien physician—

(1) is a health care provider or other professional who performs services which are in an area designated by the Secretary of Health and Human Services as having a shortage of health care professionals or at a health care facility under the jurisdiction of the Department of Veterans Affairs; and

(b) the Attorney General shall—

(i) by deleting clause (ii); and

(ii) by renumbering clause (iii) as (ii); and

(iii) by renumbering clause (iv) as (iii).
SEC. 122. (a) In this section:
(1) The term ‘hate crime’ has the meaning given the term in section 280003(a) of the Violent Crime Control and Law Enforcement Act of 1994 (28 U.S.C. 994 note).
(2) The term ‘older individual’ means an individual who is age 65 or older.
(b) The Attorney General shall conduct a study to—
(1) whether an older individual is more likely than the average individual to be the target of a crime;
(2) the extent of crimes committed against older individuals; and
(3) the extent to which crimes committed against older individuals are hate crimes.
(c) Not later than March 31, 2000, the Attorney General shall submit to Congress a report containing the results of the study.
SEC. 123. (a) In implementing the Institutional Hearing Program and the Institutional Removal Program of the Immigration and Naturalization Service, the Attorney General shall give priority to—
(1) those aliens serving a prison sentence for a serious violent felony, as defined in section 3559(c)(2)(F) of title 18, United States Code; and
(2) those aliens arrested by the Border Patrol and subsequently incarcerated for drug violations.
(b) Not later than March 31, 2000, the Attorney General shall submit to Congress a report describing the steps taken to carry out subsection (a).
SEC. 124. Notwithstanding any other provision of law, $190,000 of funds granted to the City of Camden, New Jersey, in 1996 as a part of a Federal local law enforcement block grant may be retained by Camden and spent for the purposes permitted by the grant through the end of fiscal year 2000.
This title may be cited as the ‘Department of Commerce Appropriations Act, 2000’.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

Office of the United States Trade Representative

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative and the employment of experts and consultants as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, $45,700,000, to remain available until expended:

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including the hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, $45,700,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, not to exceed 44 U.S.C. 3702 and 3703; full medical coverage for dependents of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and personal services, not to exceed $2,500,000 for special representation expenses abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in connection with the international trade activities of the Department of Commerce, not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use and not to exceed $30,000 per vehicle; obtain insurance on official motor vehicles; and rent time lines and tele-exhibit equipment, $290,696,000, to remain available until expended, of which $3,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: Provided, That the $311,344,000 provided for in direct obligations of which $308,344,000 is appropriated from the General Fund, $3,000,000 is derived from fee collections, $68,729,000 shall be for the Trade Development Program, that shall be for Market Access and Compliance, $31,420,000 shall be for the Import Administration, $169,398,000 shall be for the United States International Trade Commission, $14,449,000 shall be for Executive Direction and Administration, and $4,790,000 shall be for carryover restoration: Provided further, That the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall not apply in carrying out activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purposes of this appropriation the regulations of the Institute of International Education, the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent families of employees stationed overseas; employment of Americans and aliens by contract for services; rental of temporary demountable exhibition structures for use abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1969, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special representation expenses for purchase without regard to any price limitation otherwise established by law, $55,931,000 to remain available until expended, of which $1,000,000 shall remain available until expended:

DEPARTMENT OF COMMERCE

MINORITY BUSINESS DEVELOPMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of the Minority Business Development Agency, $27,627,000.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of the Economic and Statistical Analysis programs of the Department of Commerce, $203,379,000 to be made available until expended.

MINORITY BUSINESS DEVELOPMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of the Minority Business Development Agency, $27,627,000.

ECONOMIC DEVELOPMENT ASSISTANCE

PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, and for trade adjustment assistance, $203,379,000 to be made available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $24,937,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works and Economic Development Act of 1965, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of the Minority Business Development Agency, $27,627,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE

SALARIES AND EXPENSES

For necessary expenses for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $156,944,000.

PERIODIC CENSUSES AND PROGRAMS

For expenses necessary to conduct the decennial census, $2,799,545,000 to remain available until expended: Provided, That, notwithstanding any other provision of law, NTIA fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $11,009,000, to remain available until expended: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services to remain available until expended: Provided further, That, notwithstanding any other provision of law, NTIA shall not authorize spectrum use or provide...
any spectrum functions pursuant to the NTIA Organization Act, 47 U.S.C. 902-903, to any Federal entity without reimbursement as required by NTIA for such spectrum management costs, and Federal entities with holding payment of such cost shall not use spectrum: Provided further, That the Secretary of Commerce is authorized to retain and use collections assessed and transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunication research, engineering, and technical activities by reason of its obligation to assist Federal agencies with telecommunication sciences of the NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from the Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by sections 391 and 392 of the Communications Act of 1934, as amended, $30,000,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed $1,000,000 shall be available for program administration and other support activities as authorized by section 391: Provided further, That of the funds appropriated herein, not to exceed 5 percent of the funds appropriated herein shall be available for telecommunications research activities for projects for which applications have been submitted and approved during any fiscal year: Provided further, That notwithstanding the provisions of section 391 of the Communications Act of 1934, as amended, unexpended balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year: Provided further, That notwithstanding the provisions of any other provision of law, the Pan-Pacific Education and Communication Experiments by Satellite (PEACESAT) Program, as authorized by the Under Secretary for Technology/OFFICE OF TELECOMMUNICATIONS FACILITIES, Planning and Construction funds.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communication Act of 1934, as amended, $18,102,000, to remain available until expended as authorized by section 391 of the Act: Provided, That not to exceed $3,000,000 shall be made available for program administration and other support activities as authorized by section 391: Provided further, That, of the funds appropriated herein, not to exceed 5 percent of the funds appropriated herein shall be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: Provided further, That notwithstanding the provisions of section 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of capital assets, including alterations and modifications of capital assets for the provision of educational, cultural, health care, public information, public safety, or other social services: Provided further, That notwithstanding any other provision of law, no entity that receives telecommunication services at preferential rates under section 254(h) of the Act (47 U.S.C. 254(h)) or receives assistance under the national information sharing systems grant program of the Department of Justice under part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796f) may use funds under a grant under this heading to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be.

PATENT AND TRADEMARK OFFICE

SALES AND EXPENSES

For necessary expenses of the Patent and Trademark Office for planning and construction of capital assets, including alterations and modifications of capital assets for the provision of educational, cultural, health care, public information, public safety, or other social services: Provided, That, of the amounts provided, $5,000,000 each is made available for the restoration, and from available funds, $1,000,000 shall be made available for essential fish habitat activities, and $250,000 shall be made available for a bull trout habitat conservation plan, of which $12,520,000 shall be for restoration of facilities of the National Marine Fisheries Service and $806,000 shall be used for the Narragansett Bay cooperative study conducted by the National Marine Fisheries Service in Management in cooperation with the Federal Government, of which $390,000 shall be used by the National Ocean Service to upgrade an existing cyber infrastructure for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That in addition, $64,426,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": Provided further, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed 30 percent of the amounts provided: Provided further, That the Secretary of Commerce shall calculate the sum herein appropriated from the General Fund shall be reduced as such offsetting collections are received during fiscal year 2000, so as to result in a final fiscal year 2000 appropriation from the General Fund estimated at $0: Provided further, That, during the fiscal year of $1,500,000 of the amount made available under this heading to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

SALES AND EXPENSES

For necessary expenses for the Under Secretary for Technology/OFFICE OF TELECOMMUNICATIONS FACILITIES, Planning and Construction funds.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, $109,106,000, to remain available until expended.

IN ADDITION, FOR NECESSARY EXPENSES OF THE ADVANCED TECHNOLOGY PROGRAM OF THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY, $265,500,000, TO REMAIN AVAILABLE UNTIL EXPENDED, OF WHICH NOT TO EXCEED $73,000,000 MAY BE TRANSFERRED TO THE "WORKING CAPITAL FUND".

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for necessary facilities in connection therewith, notwithstanding 31 U.S.C. 3302: Provided further, That no general administrative charge contained in this Act shall be applied against assigned activities shall be limited to five percent of the funds provided for that activity: Provided further, That of the amount made available under this heading for the National Marine Fisheries Services Pacific Salmon Treaty Program, $5,000,000 is appropriated for a Southern Boundary and Transboundary Rivers Restoration Fund, subject to express authorization: Provided further, That the Secretary may proceed as he deems necessary to have the National Oceanic and Atmospheric Administration occupy and operate its research facilities which are located at Lafayette, Louisiana.

PROCUREMENT, ACQUISITION AND CONSTRUCTION (INCLUDING TRANSFERS OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $670,578,000, to remain available until expended: Provided, That unexpended balances in the amount made available in this Act for activities included in this Act for programs entitled "Operations, Research, and Facilities" account for activities funded under this heading may be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations pursuant to the Marine Protection, Research, and Sanctuaries Act, 33 U.S.C. 300: Provided, That of the amounts made available as a direct payment to the States of California, Oregon, Washington, and $10,000,000 is made available as a direct payment to the State of Alaska: Provided further, That, of the amounts provided, $6,000,000 shall be made available to Pacific States (as defined by the Secretary of Commerce) through the Department of Commerce, which...
shall allocate the funds to tribes in California and Oregon, and to tribes in Washington after consultation with the Washington State Salmon Recovery Funding Board. That the Secretary ensure the aforementioned $6,000,000 be used for restoration of Pacific Salmonid populations listed under the Endangered Species Act; that the funds transferred to Washington shall be used only for grants for planning (not to exceed 10 percent of grant), physical design, and completion of restoration and habitat projects; and, that each tribe receiving a grant in Washington State derived from the aforementioned $6,000,000 provide a report on the specific use and effectiveness of project grants that are restoring listed Pacific Salmonid populations, which report shall be made public and shall be provided to the Committees on Appropriations in the United States Senate and the United States House of Representatives.

FISHERIES PROMOTION FUND (RESCISSION)

Provided further, That $15,000,000 is made available to the State of Washington as a direct payment for implementation of the June 3, 1999 Agreement of the United States and Canada on the Pacific Salmonid Treaty. The Secretary of State, Treasury, and Commerce, working with the participating States and the Government of Canada Concerning Pacific Salmon, 1985 (hereafter referred to as the "Pacific Salmon Treaty") and the foreign fishing observer program authorized by the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(a)(1)(A)) is hereby amended—

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to section 308(b)(2)(A) of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a) and any appropriations made for the purpose of providing capital shall be used to carry out the provisions of title IV of the Coastal Zone Management Act (16 U.S.C. 1452 et seq.), for all Federal agencies for which such centralized administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 403 of Public Law 103-356. Providing for the improvement and implementation of Department financial management, ADP, and other support systems: Provided further, That such funds shall be paid in such amounts from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of plant and equipment, amortization of automated data processing (ADP) software and systems (either acquired or developed), and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary; that such funds may also provide services on a competitive basis: Provided further, That an amount not to exceed 4 percent of the total annual income to such fund may be retained for a fiscal year 2000 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment, and for the improvement and implementation of Department financial management, ADP, and other support systems: Provided further, That such funds shall remain available until expended.

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tuna Convention Act of 1975, as amended (Public Law 96-339), the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Public Law 100-62), and the American Fisheries Promotion Act (Public Law 96-561), to be derived from the fees imposed under the foreign fishing observer program authorized by these Acts, not to exceed $189,000, to remain available until expended.

FISHING AND PHOTOGRAMMETRIC SURVEYING AND MAPPING PROGRAM

The Secretary of Commerce may make contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.), provided that funds may be used to provide a comprehensive surveying program, including the cost of modifying such surveys, for the purpose of providing capital shall be used to carry out the provisions of the General Administration

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of Commerce, including for travel and subsistence of officers and employees, $34,046,000.
in the anticipated growth of the international travel and tourism market in the 21st century; and
(a) Long-term marketing effort should be supported to promote increased travel to the United States for the benefit of every sector of the economy.
(b) Sense of the Senate.—It is the sense of the Senate that the European Union should act accordingly to its predecessors by entering into negotiations with the United States for a mutual recognition agreement to harmonize its noise standards with those of the United States.

II. THE EUROPEAN COUNCIL NOISE RULE AFFECTING HUSHKITCHEN AIRCRAFT

The European Council (EC) Regulation No. 925/1999 will result in a loss of jobs in the United States and may cost the United States aviation industry in excess of $2,000,000,000.

III. UNDERSTANDING INTERGOVERNMENTAL RELATIONSHIPS

Understanding the nature of the relationship between the United States and the European Union is critical to maintaining United States aviation interests. The Department of Commerce and related agencies are working to address this issue.

IV. DEFENDER SERVICES

For necessary expenses for the operation of the Federal Civilian Women's Correctional Facility, to be expended as authorized by the Appropriations Act, 2000, not to exceed $15,000,000, to be reimbursed by the United States National Theft and Crime Compensation Trust Fund.

V. FEDERAL JUDICIAL CENTER

For necessary expenses for the operation of the Federal Civilian Women's Correctional Facility, to be expended as authorized by the Appropriations Act, 2000, not to exceed $15,000,000, to be reimbursed by the United States National Theft and Crime Compensation Trust Fund.
For the salaries and expenses necessary to carry out the provisions of chapter 28 of title 28, United States Code, $9,743,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

General Provisions—The Judiciary

Sec. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3101.

Sec. 302. Notwithstanding any other provisions of law, any appropriation made available for the current fiscal year for the judiciary in this Act may be transferred between such appropriations, but not excepted to the Courts of Appeals, District Courts, and Other Judicial Services, Defender Services, and `Courts of Appeals, District Courts, and Other Judicial Services, Fees of J urors and Commissioners'., shall be increased by more than 20 percent by any transfers: Provided, That any transfer pursuant to this section shall be treated as transfers of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Sec. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: Provided, That such available fund, in excess of $12,000,000, shall be made available, at such time and in such manner as the Director of the Administrative Office of the United States Courts shall determine, and shall be available only for the official reception and representation expenses of the Judicial Conference.

Sec. 304. Pursuant to section 140 of Public Law 97-92, justice and judges of the United States are authorized during fiscal year 2000, to receive a salary adjustment in accordance with 28 U.S.C. 462: Provided, That $9,611,000 is appropriated for salary adjustments pursuant to this section and such funds shall be transferred to and merged with appropriations in title III of this Act.

Sec. 305. Notwithstanding any other provision of law, any of the funds available from the Federal Employees Group Life Insurance and the Federal Group Disability Insurance Fund, and any other money available from the semicolon at the end thereof: Provided, That of any provision of law, pay on behalf of justices and judges of the United States is necessary for the performance of their duties during good behavior, aged 65 or over, any increases in the cost of Federal Employees' Group Life Insurance imposed after April 24, 1999, including any other expenses generated by such payments, as authorized by the Judicial Conference of the United States.

Sec. 307. Place of Holding Court at Central Islip, New York. The second paragraph of section 112(c) of title 28, United States Code, is amended to read `Court for the Eastern District of New York shall be held in the New York Federal Building, Hauppauge, Hempstead (including the village of Uniondale), and Central Islip.'.

Sec. 308. West Virginia Clerk Consolida tion. Appropriations made available pursuant to section 136(d) of title 28, United States Code, Congress hereby approves the consolidation of the Office of the Bankruptcy Judge for the Northern District of West Virginia into the Clerk of Court in the Southern District of West Virginia.

Sec. 309. Senior Judge Chambers in Pacific. The Clerk of the Court of Appeals is directed to vacate sufficient space in the Federal Building in Provo, Utah as soon as practicable to provide space for a senior judge's chambers in that building. The General Services Administration is directed to provide interim space for a senior judge's chambers in Provo, Utah and to complete a permanent senior judge's chambers in the Federal building located in that city as soon as practicable.

Sec. 310. Appropriations in General Section 309(d)(4) of title 18, United States Code, is amended by adding after the word `require' the following: ``, except that the amount of the fees shall not be considered a contribution to the Consolidated Court of Appeals under section 306A(d)(4) of title 18, United States Code'.

(b) Effective Date.—This section shall apply to all disclosures made under section 306A(d) of title 18, United States Code, related to any criminal trial or appeal involving a sentence of death where a capital case had proceeded to trial or been conducted on or after April 19, 1995.

This title may be cited as `The Judiciary Appropriations Act, 2000.'
For necessary expenses of the Department of State, $583,496,000, to remain available until expended for extraordinary protective services in accordance with section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)), of which not to exceed $1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions as authorized by the Mutual Educational and Cultural Exchange Act of 1961 and 1956 (22 U.S.C. 4314 and 3 U.S.C. 208).

For expenses for representation allowances, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Public Law 93-206, $5,850,000, to remain available until expended.

For representation allowances as authorized by section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4065), $5,850,000.

For expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL COMMISSIONS

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $19,551,000.

For detailed plan preparation and construction of authorized projects, $5,939,000, to remain available until expended, as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)).

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, $15,540,000.

For necessary expenses for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103-182, $5,733,000, of which not to exceed $9,000 shall be available for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, $15,540,000.

For the cost of direct loans, $599,000, as authorized by the Mutual Educational and Cultural Exchange Act of 1961 and 1956 (22 U.S.C. 4314 and 3 U.S.C. 208), to remain available until expended. Provided, That none of the funds appropriated or otherwise made available by this Act for payment of arrearages may be obligated or expended for payment of arrearages contingent upon United Nations reform; Provided further, That the funds provided under this heading (other than funds provided to pay arrearages) shall be disbursed in the manner described in the following table:

<table>
<thead>
<tr>
<th>Mission</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>UN Disarmament Observer Force</td>
<td>58,900,000</td>
</tr>
<tr>
<td>UN Interim Force in Lebanon</td>
<td>34,000,000</td>
</tr>
<tr>
<td>UN Iraq/Kuwait Observer Mission</td>
<td>4,500,000</td>
</tr>
<tr>
<td>UN Mission in Bosnia and Herzegovina/UN Mission of Observers in Prevlokja</td>
<td>50,000,000</td>
</tr>
<tr>
<td>UN Force in Cyprus</td>
<td>6,500,000</td>
</tr>
<tr>
<td>UN Observer Mission in Georgia</td>
<td>5,500,000</td>
</tr>
<tr>
<td>UN Observer Mission of Observers to the South Ossetia-Levi Incident</td>
<td>7,000,000</td>
</tr>
<tr>
<td>UN Observer Mission in Sierra Leone</td>
<td>8,500,000</td>
</tr>
<tr>
<td>UN Mission to the former Yugoslavia</td>
<td>15,525,000</td>
</tr>
<tr>
<td>UN Observer Mission to East Timor</td>
<td>3,500,000</td>
</tr>
</tbody>
</table>

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

For expenses, not otherwise provided for, to meet obligations of membership in international multilateral organizations, pursuant to treaties, ratified by the Senate, or specific Acts of Congress, as follows:

For expenses, not otherwise provided for, $19,551,000.
more than $2,350,000 may be obligated and expended: Provided, further, that no tuna may be imported in any year from any High Contracting Party to the Convention establishing the Commission for the publication of the fisheries report compiled by the Convention which is utilized by that Party.

OTHER

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 3502-3505), and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2000, to remain available until expended: Provided, That none of the funds appropriated within herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by S.U.C. 5376; or for purposes which are not in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-Profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program, as authorized by section 214 of the Foreign Relations Authorization Act, fiscal years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2000, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960 (22 U.S.C. 2054-2057), by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $12,500,000: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by S.U.C. 5376.

RELATED AGENCIES

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses of the Broadcasting Board of Governors, as authorized by the United States Information and Educational Exchange Act of 1948, as amended, the United States International Broadcasting Act of 1994, as amended, and Reorganization Plan No. 2 of 1977, as amended, and the Foreign Affairs Reform and Restructuring Act of 1993, as amended, for carrying out international communication activities, $362,365,000, of which not to exceed $16,000 may be used for official receptions within the United States as authorized by section 804(3) of such Act of 1948 (22 U.S.C. 1747(3)), not to exceed $35,000 may be used for representation abroad as authorized by section 302 of such Act of 1948 (22 U.S.C. 1756) and the Foreign Service Act of 1980 (22 U.S.C. 4085), and not to exceed $39,000 may be used for official representation and expense purposes of Radio Free Europe/Radio Liberty and in addition notwithstanding any other provision of law, not to exceed $2,000,000 in receipts from advertising and revenue from business ventures with foreign entities, in receipt of official, public cooperative international organizations, and not to exceed $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

BROADCASTING TO CUBA

For expenses not to exceed $12,500,000: Provided, That none of the funds appropriated therein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by S.U.C. 5376; or for purposes which are not in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-Profit Organizations), including the restrictions on compensation for personal services.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for personal services, temporary recruitment, and personal services payments authorized by law, during fiscal year 2000, to remain available until expended, as authorized by subchapter 97a of such Act of 1948 (22 U.S.C. 1477a(b)).

SEC. 402. Not to exceed 10 percent of any appropriation made available for the current fiscal year for the Department of State, for necessary expenses of the Department of State and the Broadcasting Board of Governors, as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Year 2000, to remain available until expended, as authorized by subchapter 97a of such Act of 1948.

SEC. 403. Not to exceed 10 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors, to remain available until expended, as authorized by subchapter 97a of such Act of 1948.

SEC. 404. Not to exceed 10 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors, as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Year 2000, to remain available until expended, as authorized by subchapter 97a of such Act of 1948.

SEC. 405. Not to exceed 10 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors, as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Year 2000, to remain available until expended, as authorized by subchapter 97a of such Act of 1948.

SEC. 406. None of the funds appropriated or otherwise made available by this Act or any other Act for fiscal year 2000 or any fiscal year thereafter may be obligated or expended for purposes which are not to exceed $1,000,000 in receipts from advertising and revenue from business ventures with foreign entities, in receipt of official, public cooperative international organizations, and not to exceed $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

SEC. 407. For the purposes of registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, the Secretary of State shall, upon request of the citizen, record the place of birth as Israel.

SEC. 408. None of the funds appropriated or otherwise made available by this Act or any other Act for the current fiscal year for the Broadcasting Board of Governors, as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Year 2000, to remain available until expended, as authorized by subchapter 97a of such Act of 1948.
is to be guaranteed, not to exceed $1,000,000,000.

In addition, for administrative expenses to carry out the guaranteed loan program, not to exceed $3,055,000, which shall be transferred to and merged with the appropriation for Operations and Training.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefor shall be credited to the appropriation and shall remain available until expended.

CENSUS MONITORING BOARD

For necessary expenses of the Census Monitoring Board, as authorized by section 210 of Public Law 105-119, $4,000,000, to remain available until expended.

COMMISSION FOR THE PRESERVATION OF AMERICA’S HERITAGE ABROAD

For expenses for the Commission for the Preservation of America’s Heritage Abroad, $480,000, as authorized by section 1303 of Public Law 100-443.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,900,000. Provided, That not to exceed $500,000 may be used to employ temporary assistance: Provided further, That none of the funds appropriated in this paragraph shall be used for the hire of 4-full time individuals under Schedule C of the Excepted Service exclusive of 1 special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson who is permitted 125 billable days.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by sections 94-304, $1,580,000, to remain available until expended as authorized by section 3 of Public Law 99-7.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission, as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 623-634), the Taft-Hartley Act, with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses: Provided further, That not to exceed $2,000 shall be available for official reception and representation expenses.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by the law, including allowances therefor, as authorized by 5 U.S.C. 501-02; not to exceed $600,000 for land and structure; not to exceed $500,000 for improvement and care of grounds and repair to buildings; not to exceed $4,000 for official reception and representation expenses; purchase (not to exceed 16) and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $232,000,000, of which not to exceed $300,000 shall remain available until September 30, 2001, for research and policy studies: Provided, That any offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, as amended, and shall remain available until expended: Provided further, That any offsetting collections received in excess of $185,754,000 in fiscal year 2000 shall remain available until expended, but shall not be available for obligation until October 1, 2000.

Notwithstanding any other provision of law, the Federal Communications Commission is authorized to operate, maintain, and repair its headquarters building, and may negotiate with the lessor or place orders for items necessary to maintain the facilities: Provided, That not to exceed $2,000,000 shall be available for official reception and representation expenses.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission, as authorized by section 501(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and uniforms or allowances therefor, as authorized by 5 U.S.C. 3109, $14,150,000. Provided, That not to exceed $2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, of which not to exceed $1,300,000 may be used to conduct administrative proceedings; services as authorized by 5 U.S.C. 501-02; not to exceed $2,000 for official reception and representation expenses: Provided further, That not to exceed $2,000 shall remain available until expended: Provided further, That none of the funds made available to the Federal Trade Commission shall be used for the payment of travel expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102-242, 105 Stat. 2282-2296).

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, $300,000,000, of which not to exceed $289,000,000 is for basic field programs and required independent audits; $2,100,000 is for the Office of Inspector General; of which such amounts as may be necessary may be used to conduct additional audits of recipients; and $8,900,000 is for management and administration.

None of the funds appropriated in this Act shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of sections 501, 502, 503 of Public Law 105-119 (111 Stat. 2510), and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 of the law to 1997 and 1998 shall be deemed to refer instead to 1999 and 2000, respectively.

Marine Mammal Commission

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title III of Public Law 92-522, as amended, $1,300,000.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by section 5(a) of the Securities Act of 1934 (15 U.S.C. 77d(a)), as amended; not to exceed $149,000,000 for the purchase of passenger motor vehicles; and not to exceed $12,400,000 for the payment of travel expenses of Commission staff and foreign invitees in attendance at such meetings and conferences, not to exceed $19,000,000 for administrative expenses: Provided further, That the sum herein appropriated is to be guaranteed, not to exceed $1,000,000,000, as amended (29 U.S.C. 206(d) and 623-634), the Taft-Hartley Act, with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses: Provided further, That not to exceed $2,000 shall be available for official reception and representation expenses.
DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b) of the Small Business Act, as amended, $77,700,000, to remain available until expended: Provided, That such costs, including administrative expenses, not exceeding $2,500,000, shall be credited to this account as offsets for collections; Provided further, That fees and charges authorized by sections 6(b)(4) of the Securities Act of 1933 (15 U.S.C. 77b(4)) and 31(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78ee(d)) shall be credited to this account as offsets for collections; Provided further, That the Commission shall conduct a study on the effects of electronic communications networks and extended trading hours on securities markets, including effects on market volatility, market liquidity, and best execution practices.

SMALL BUSINESS ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration, as authorized by Public Law 103-463, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $246,300,000: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: Provided further, That, notwithstanding 31 U.S.C. 302, revenues received from all such activities may be transferred to the SBA to be available for carrying out these purposes without further appropriations: Provided further, That $87,000,000 shall be available to fund grants for performance in fiscal year 2000 or fiscal year 2001 as authorized by section 21 of the Small Business Act, as amended: Provided further, That $1,800,000 shall be available to carry out the Small Business Administration's Small Business Annual Report Program, drug-free workplace demonstration program under section 27 of the Small Business Act (15 U.S.C. 636(r)): Provided further, That $23,300,000 shall be available to fund grants for Microloans Technical Assistance as authorized by section 7(m) of the Small Business Act.

OFFICE OF INSPECTOR GENERAL


BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, $4,000,000, to be available until expended; and for the cost of guaranteeing or insurance of direct loans, $164,386,000, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102-572 (106 Stat. 2636)): Provided, That $6,850,000, to remain available until expended: Provided, That not to exceed $2,500 shall be available for official reception and representation expenses.

STATE JUSTICE INSTITUTE SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102-572 (106 Stat. 2636)), $6,850,000, to remain available until expended: Provided, That not to exceed $2,500 shall be available for official reception and representation expenses.

TITLE VI—GENERAL PROVISIONS

Sec. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

Sec. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided in this Act.

Sec. 603. The expenditure of any appropriation under this Act for any consulting service through a consulting contract, pursuant to 5 U.S.C. 3109, shall be subject to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

Sec. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of such provision to circumstances other than those as to which it is held invalid shall not be affected thereby.

Sec. 605. (a) None of the funds provided under this Act or the application of such provisions to any person or circumstances shall be held invalid, the remainder of the Act and the application of such provisions to circumstances other than those as to which it is held invalid shall not be affected thereby.

Sec. 606. (a) None of the funds provided under this Act or the application of such provisions to any person or circumstances shall be held invalid, the remainder of the Act and the application of such provisions to circumstances other than those as to which it is held invalid shall not be affected thereby.

Sec. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act shall be American-made. (b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice stating the statement made in subsection (a) by the Congress.

Sec. 608. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

Sec. 609. (a) None of the funds appropriated or otherwise made available by this Act shall be available for any contract or subcontract made with any entity which, by virtue of a contract or subcontract made with said entity under any appropriations Act, 1999, or any other law, agrees to purchase under this Act or any other law, any product sold in or shipped to the United States in violation of the Buy American Act, as amended.

Sec. 610. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

Sec. 611. None of the funds made available in this Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.
SEC. 610. Notwithstanding any other provision of law, not more than 20 percent of the amount allocated to any account or subaccount from an appropriation made by this Act for obligation in the preceding fiscal year, or in the current fiscal year may be obligated during the last two months of the fiscal year.

SEC. 612. Any funds made available in this Act shall be used to provide the following amenities or personal comforts in the Federal prison system—

(1) the viewing except for prisoners who are segregated from the general prison population for their own safety;

(2) the viewing of R, X, and NC-17 rated movies, through whatever medium presented;

(3) any instruction (live or through broadcasts) or training equipment for boxing, wrestling, or any other martial art, or any bodybuilding or weightlifting equipment of any sort;

(4) possession of in-cell coffee pots, hot plates or heating elements; or

(5) the use or possession of any electric or electronic musical instrument.

SEC. 614. Of the funds appropriated under this Act the Secretary of Labor may reserve for personnel actions taken in response to funding reductions included in this Act, all or any part of such appropriated funds to the extent of the outstanding balance of such license or permit proceeds of sale of such license or permit, to the extent of the outstanding balance of such license or permit.

SEC. 618. Section 309(j)(8) of the Communications Act of 1934 is amended by adding the following:—

"(D) an employee who has previously retired from the Federal prison system—"

SEC. 620. (a) Definitions.—For the purposes of this section—

(1) the term ‘agency’ means the Federal Communications Commission;

(2) the term ‘employee’ means an employee as defined in section 4510 of title 5, United States Code, or any other obligation, or (c) an act by the Commission relating to or rising from such a license or permit, (b) an interest of the Commission relating to or rising from such a license or permit issued by the Commission under this subsection or a payment made to or a transfer of funds from an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity employs a public safety officer (as defined in subsection 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from employment."

SEC. 615. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Act.

(b) Subsection (a)(1) of section 616 of that Act is amended—

(1) by striking “and” after “Gonzales”; and

(2) by inserting before the semicolon at the end of the following, ‘‘, ¦ Jean-Yvon Tousaint, and Jimmy Lalanne’’.

(c) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2000.

SEC. 616. None of the funds appropriated pursuant to this Act or otherwise made available in this Act shall be treated as a reprogramming of any sort.

SEC. 631. None of the funds appropriated or otherwise made available by this Act may be used to pay to house any individual, other than an attorney, attending a Federal law enforcement hearing in a privately owned or operated place of lodging.

SEC. 642. The authority to obligate or expend such funds that any commercially published information or any use of funds to carry out this section or any other type of Government benefit; and

SEC. 650. (a) Any costs incurred by a department or agency in the merit or in the budgetary authority to obligate or expend such funds for which employees prohibited by section 616 of the Appropriations Act, 1997, to obligate or expend such funds that any

(b) Subsection (a)(1) of section 616 of that Act is amended—

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(2) by inserting before the semicolon at the end of the following, ‘‘, ¦ Jean-Yvon Tousaint, and Jimmy Lalanne’’.

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SEC. 650. (a) Any costs incurred by a department or agency in the merit or in the budgetary authority to obligate or expend such funds for which employees prohibited by section 616 of the Appropriations Act, 1997, to obligate or expend such funds that any
(E) shall not be taken into account in determining the amount of any severance pay to which the employee may be entitled under section 5596 of title 5, United States Code, based on that separation.

(d) ADDITIONAL AGENCY CONTRIBUTIONS TO THE RETIREMENT FUND.—

(1) IN GENERAL.—In addition to any other payments which it is required to make under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, the agency shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund an amount equal to the final base pay of each employee who is covered under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, to whom a voluntary separation incentive has been paid under this Act.

(2) DEFINITION.—For the purpose of paragraph (1), the term “final basic pay”, with respect to a Federal employee, means the total amount of basic pay which would be payable for a year of service by such employee, computed using the employee’s final rate of basic pay, and last payable on other than a full-time basis, with appropriate adjustment therefor.

(e) EFFECT OF SUBSEQUENT EMPLOYMENT WITH THE GOVERNMENT.—(1) An individual who has received a voluntary separation incentive payment from the agency under this section and who, during the period of 5 years after the date of the separation on which the payment was based, is reemployed by the Federal Government as a Federal employee, or who is employed by a Federal agency, or who holds a position with the Government of the United States, or who works for any agency of the United States Government through a personal services contract, within 5 years after the date of the separation on which the payment was based shall be required to pay, prior to the individual’s first day of employment, the amount of the lump sum incentive payment to the agency.

(2) If the employment under paragraph (1) is with an entity in the legislative branch, the head of such entity may waive the payment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(3) If the employment under paragraph (1) is with an entity in the executive branch, the head of such entity may waive the payment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(4) If the employment under paragraph (1) is with the Postal Service, or the Postal Rate Commission, the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(f) INTENDED EFFECT ON AGENCY EMPLOYMENT LEVELS.—

In general.—Voluntary separations under this section are not intended to necessarily reduce the total number of full-time equivalent positions in the Federal Communications Commission. The agency may redeploy the positions or leave the positions vacant by voluntary separations under this section to make other positions available to more critical locations or more critical occupations.

(2) ENFORCEMENT.—The president, through the Office of Management and Budget, shall monitor the agencies and take any actions necessary to ensure that the requirements of this subsection are met.

(g) REGULATIONS.—The Office of Personnel Management may prescribe such regulations as may be necessary to implement this section.

(h) EFFECTIVE DATE.—This section shall take effect on the date of enactment. (Department of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, 1999 is included in Public Law 105-277, section 101(b)).

SEC. 621. The Secretary of Commerce (hereinafter referred to as the Department of Commerce) is hereby authorized and directed to create an “Interagency Task Force on Indian Arts and Crafts Enforcement” to be composed of representatives of the following: the Department of Commerce, the Department of the Interior, the Department of Justice, the Department of Treasury, the Postal Rate Commission, and representatives of other agencies and departments in the discretion of the Secretary to devise and implement a coordinated enforcement response to prevent or discourage the distribution of any product or goods sold in or shipped to the United States that is not in compliance with the Indian Arts and Crafts Act of 1990, as amended.

SEC. 622. (a) FINDINGS.—The Senate makes the following findings:

(1) When telephone area codes were first introduced in 1947, 80 area codes covered all of North America. There are now more than 215 area codes, and an additional 70 area codes may be required in the next 2 years.

(2) The current locational numbers to telecommunications carriers is woefully inefficient, leading to the exhaustion of a telephone area code long before all the necessary PDFs are actually in use.

(3) The proliferation of new telephone area codes causes economic dislocation for businesses and unnecessary cost, confusion, and inconvenience for households.

(4) Principles and approaches exist that would increase the efficiency with which telecommunication carriers use telephone numbering resources.

(5) The May 27, 1999, rulemaking proceedings of the Federal Communications Commission relating to numbering resource optimization seeks to address the growing problem of the exhaustion of telephone area codes.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the Federal Communications Commission shall release its report and order on numbering resource optimization not later than December 31, 1999.

(2) such report and order should minimize any disruptions and costs to consumers and businesses as a result of the implementation of such report and order; and

(3) such report and order should apply not only to large metropolitan areas but to all areas of the United States that are facing the problem of exhaustion of telephone numbers.

SEC. 623. PROHIBITION ON REQUIREMENT FOR USE OF ACCOUNTING METHOD NOT CONFORMING TO GENERALLY ACCEPTED ACCOUNTING PRINCIPLES. No part of any appropriations contained in this Act shall be used by the Federal Communications Commission to require any person subject to jurisdiction under the Communications Act of 1934, as amended (47 U.S.C. 151 et seq.) to utilize for any purpose the accounting method of accounting that does not conform to Generally Accepted Accounting Principles established by the Financial Accounting Standards Board.

SEC. 624. (a) The following:

(i) Amounts provided by grants under paragraphs (1) and (2) of section 625 shall not be used to establish or maintain any interest-bearing accounts prior to the disbursement of such funds for program purposes, and any interest earned may be retained for program purposes without further appropriation by Congress;

(ii) the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund to be held by the Pacific Salmon Commission and administered jointly by the Pacific Salmon Commission and the Commissioner for the State of Alaska with Canada according to a trust agreement to be entered into by the United States and Canada for the purposes of research, habitat restoration, and fish enhancement to promote abundance-based, conservation-oriented fishing regimes.

(iii) Recipients of funds from the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund, which for the purposes of this subparagraph shall include interest earned pursuant to subparagraph (i), shall keep separate accounts and such records as may be reasonably necessary to disclose the use of the funds as well as facilitate effective audit.

(c) The President shall submit a request for funds to implement this section as part
Iran has been designated as a state sponsor of terrorism by the Secretary of State and continues to be among the most active supporters of terrorism in the world.

The Government of Iran continues to maintain a repressive political regime in which civil liberties of the people of Iran are denied.

Religious minorities in Iran have been persecuted solely because of their faith, and the Government of Iran has detained 33 members of Iran's Jewish community without charge.

Recent student-led protests in Iran were repressed by force, with possibly five students losing their lives and hundreds more being imprisoned.

The Government of Iran is pursuing an aggressive ballistic missile program with foreign assistance and is seeking to develop weapons of mass destruction which threaten United States allies and interests.

The Government of Iran has been responsible for crimes of domestic violence and sexual assault against disabled persons, and a clear example of the policies of the Government of Iran is a deplorable violation of due process.

The President should condemn in the strongest possible terms the failure of the Government of Iran to implement genuine political reforms and protect the civil liberties of the people of Iran, which failure was most recently demonstrated in the violent repression of student-led protests in Tehran and other cities by the Government of Iran.

The President should support democratic opposition groups in Iran more aggressively.

The detention of 33 members of the Iranian Jewish community by the Government of Iran is a deplorable violation of due process and a clear example of the policies of the Government of Iran to persecute religious minorities.

The decision of the President to waive provisions of the Iran and Libya Sanctions Act of 1996 intended to impede development of the energy sector in Iran was regrettable and should be reversed as long as Iran continues to threaten United States interests and the Middle East, and as long as the United States continues to have a strong national security interest in preventing the development of a nuclear weapon-capable Iran.

By the President's action, the Administration is taking a risk in the energy sector in Iran and in the Middle East peace process that was not intended, and which will continue to work for the destruction of Israel, and have killed United States citizens.

A United States district court ruled in March 1998 that Iran should pay $247,000,000 to the family of Alisa Flatow, a United States citizen killed in a bomb attack orchestrated by the Palestinian Islamic Jihad in Gaza in April 1995.

The recent student-led protests in Iran were repressed by force, with possibly five students losing their lives and hundreds more being imprisoned.

The Government of Iran is pursuing an aggressive ballistic missile program with foreign assistance and is seeking to develop weapons of mass destruction which threaten United States allies and interests.

The Government of Iran has been responsible for crimes of domestic violence and sexual assault against disabled persons, and a clear example of the policies of the Government of Iran is a deplorable violation of due process.
TITLE VIII—CHILDREN WHO WITNESS DOMESTIC VIOLENCE PROTECTION ACT

SEC. 801. SHORT TITLE. This title may be cited as the "Children Who Witness Domestic Violence Protection Act."

SEC. 802. FINDINGS. Congress finds the following:

(1) Witnessing domestic violence has a devastating impact on children, placing the children at risk for anxiety, depression, and, potentially, suicide. Many children who witness domestic violence exhibit more aggressive, antisocial, fearful, and inhibited behaviors.

(2) Children exposed to domestic violence have a high risk of experiencing learning difficulties and school failure. Research finds that children in domestic violence shelters exhibit significantly lower verbal and quantitative skills when compared to a national sample of children.

(3) Domestic violence is strongly correlated with child abuse. Studies have found that between 50 and 70 percent of men who abuse their female partners also abuse their children. In homes in which domestic violence occurs, children are physically abused and neglected at a rate 15 times higher than the national average.

(4) Men who witnessed parental abuse during their childhood have a higher risk of becoming physically aggressive in dating and marital relationships.

(5) Exposure to domestic violence is a strong predictor of violent delinquent behavior among adolescents. It is estimated that between 20 percent and 40 percent of chronically violent adolescents have witnessed extreme parental conflict.

(6) Women have an increased risk of experiencing separation after separation from an abusive partner. Children also have an increased risk of suffering harm during separation.

(7) Child visitation disputes are more frequent when families have histories of domestic violence, and the need for supervised visitation centers far exceeds the number of available programs providing those centers, because courts therefore—

(A) order unsupervised visitation and endanger parents and children; or

(B) prohibit visitation altogether.

(8) Recent studies have demonstrated that up to 50 percent of children who appear before juvenile courts in matters involving allegations of neglect have been exposed to domestic violence in their homes.

SEC. 803. DEFINITIONS. In this title:

(1) DOMESTIC VIOLENCE.—The term "domestic violence" or threat of violence, not including an act of self defense, committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim, by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, or by a person who is cohabiting or has cohabited with the victim under the domestic or family violence laws of the jurisdiction of the victim, or by any other person against the safety of a child's home as a result of the victimization of the child's parent or a person with whom the child has a close relationship.

(2) TRIBAL GOVERNMENT.—The term "tribal government" means the government of any tribe within the meaning of section 3 of the Indian tribal self-determination and education assistance act of 1975 (25 U.S.C. 460q-1).

(3) STATE.—The term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(4) WITNESS DOMESTIC VIOLENCE.—(A) IN GENERAL.—The term "witness domestic violence" means to witness:

(i) an act of domestic violence that constitutes actual or attempted physical assault; or

(ii) a threat or other action that places the victim in fear of domestic violence.

(B) WITNESS DOMESTIC VIOLENCE.—(i) In subparagraph (A), the term "witness" means to—

(A) observe an act, threat, or action described in subparagraph (A), or the aftermath of that act, threat, or action; or

(B) be within earshot of an act, threat, or action described in subparagraph (A), or the aftermath of that act, threat, or action.

SEC. 804. NEEDS OF CHILDREN WHO WITNESS DOMESTIC VIOLENCE. (a) IN GENERAL.—The Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) is amended by adding at the end the following:

"SEC. 319. MULTISYSTEM INTERVENTIONS FOR CHILDREN WHO WITNESS DOMESTIC VIOLENCE.

(a) GRANTS AUTHORIZED.—

(1) AUTHORITY.—The Secretary, acting through the Director of Community Services, in the Administration for Children and Families, is authorized to award grants to eligible entities to encourage the use of domestic violence intervention models using multисystem partnerships to address the needs of children who witness domestic violence.

(2) TERM AND AMOUNT.—Each grant awarded under this section shall be awarded for a term of 3 years and in an amount of not more than $500,000 for each such year.

(3) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall—

(A) be a nonprofit private organization;

(B) demonstrate a demonstrated expertise in the area of domestic violence and the impact of domestic violence on children;

(C) enter into a memorandum of understanding regarding the intervention program that—

(i) is entered into with the State or tribal domestic violence coalition and entities carrying out domestic violence programs that provide shelter or related assistance in the locality in which the intervention program will be operated; and

(ii) includes collaboration in the area of domestic violence intervention models with other coalitions and entities that carry out domestic violence programs; and

(D) have approval or dangerous working relationship.

(6) include policies and protocols for maintaining the confidentiality of the battered parent and child.

(7) provide community outreach and training to enhance the capacity of professionals who work with children to appropriately identify and respond to the needs of children who witness domestic violence;

(8) include procedures for documenting interventions used for each child and family; and

(9) include plans to perform a systematic outcome evaluation to evaluate the effectiveness of the interventions.

(b) APPLICATION.—To be eligible to receive a grant under this section, an entity shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(c) TECHNICAL ASSISTANCE.—Not later than 60 days after the date of enactment of this section, the Secretary shall identify successful programs providing multисystem and mental health interventions to address the needs of children who witness domestic violence. Not later than 60 days before the Secretary solicits applications for grants under this section, the Secretary shall enter into an agreement with 1 or more entities carrying out the identified programs to provide technical assistance to the applicants and recipients of the grants.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $5,000,000 for each fiscal years 2000 through 2002.

(2) AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.

(3) DEFINITIONS.—In this section, the terms 'domestic violence' and 'witness domestic violence' shall have the meanings given in the terms in section 803 of the Children Who Witness Domestic Violence Protection Act."

(b) ADMINISTRATION.—

(1) The Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) is amended by adding at the end the following:

"SEC. 4124. GRANTS TO COMBAT THE IMPACT OF EXPERIENCING OR WITNESSING DOMESTIC VIOLENCE ON ELEMENTARY AND SECONDARY SCHOOL CHILDREN. (a) AMENDMENT.—Subpart 2 of part D of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7131 et seq.) is amended by adding at the end the following:

"SEC. 412A. GRANTS TO COMBAT THE IMPACT OF EXPERIENCING OR WITNESSING DOMESTIC VIOLENCE ON ELEMENTARY AND SECONDARY SCHOOL CHILDREN.

(a) GRANTS AUTHORIZED.—
Training materials, and evaluations developing domestic violence coalitions and community-based mental health, substance abuse, and victim services. Paragraph (1) are experts on domestic violence.

To provide training to school administrators, faculty, and staff, with respect to issues concerning children experiencing or witnessing domestic violence and the impact of the violence described in this subparagraph on children;

(2) To provide support services for students and school personnel for the purpose of developing and strengthening effective prevention and intervention strategies with respect to issues concerning children experiencing domestic violence in dating relationships and witnessing domestic violence, and the impact of the violence described in this subparagraph on children;

(3) To award grants and contracts under this section on a competitive basis.

Policy dissemination.—The Secretary shall disseminate to elementary schools and secondary schools that work with experts described in paragraph (1), to enable the recipients of a grant under this section.

Contents.—Each application submitted under paragraph (1) shall—

(i) address the need for funds provided under this paragraph and the plan for implementation of any of the uses described in subsection (b);

(ii) describe how the domestic violence experts described in subsection (a)(2) shall work in consultation and collaboration with the elementary school or secondary school;

(iii) provide measurable goals and expected results from the use of the funds provided under the grant or contract.

Definitions.—In this section, the terms 'domestic violence' and 'witness domestic violence' have the meanings given in section 803 of the Children Who Witness Domestic Violence Protection Act.

Appropriations.—Section 4004 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7104) is amended by adding at the end the following:

(1) IN GENERAL.—To be eligible to receive a grant under this section, a State, Indian tribal government, or unit of local government shall submit an application to the Attorney General and the Secretary at such time and in such manner as the Attorney General and the Secretary shall prescribe.

(2) CONTENTS.—Each application submitted under paragraph (1) shall contain information that—

(i) describes the specific activities that will be undertaken to achieve 1 or more of the purposes described in subsection (c);

(ii) lists the child welfare service agencies and domestic violence service agencies in the jurisdiction of the applicant that will be responsible for carrying out the specific activities described in subparagraph (A), which may include assisting as subcontractors.
(e) Priority.—In awarding grants under this section, the Attorney General and the Secretary shall give priority to applicants who demonstrate that entities that carry out domestic violence programs will be substantially involved in carrying out the specific activities described in subsection (d)(2)(A), and to applicants who demonstrate a commitment to educate the staff of child welfare service agencies about—
(1) the impact of domestic violence on children;
(2) the special risks of child abuse and neglect;
(3) appropriate services and interventions for prevention of services to the child and adult victims of domestic violence.

(f) Reporting, Evaluation, and Dissemination.—
(1) Evaluation and Reporting.—Each grantee shall annually submit to the Attorney General and the Secretary a report, which shall include—
(A) an evaluation of the effectiveness of activities funded with a grant awarded under this section; and
(B) such additional information as the Attorney General and the Secretary may require.

(2) Dissemination.—Not later than 6 months after the expiration of the 3-year period beginning on the initial date on which grants are awarded under this section, the Attorney General and the Secretary shall distribute to each State child welfare service agency, domestic violence coalition, State domestic violence coalition, and to Congress, a summary of information on—
(A) the activities funded with grants under this section; and
(B) any related initiatives undertaken by the Attorney General or the Secretary to promote attention by the staff of child welfare and community-based domestic violence programs to domestic violence and the impact of domestic violence on children and adult victims of domestic violence.

(g) Technical Assistance.—
(1) Identification of Successful Programs.—Not later than 90 days after the date of enactment of this section, the Secretary shall identify successful programs providing training to child welfare and domestic violence programs to address the needs of children and adult victims of domestic violence.

(2) Agreement.—Not later than 60 days before the Secretary solicits applications for grants under this section, the Secretary shall enter into agreements with the entities carrying out the training programs identified under paragraph (1) to provide technical assistance to the applicants and recipients of the grants.

(3) Funding.—The Secretary may use not more than 5 percent of the amount appropriated for a fiscal year under subsection (h) to provide technical assistance pursuant to the agreement under paragraph (2).

(3) Authorization of Appropriations.—
(1) in General.—There is authorized to be appropriated to carry out this section for each fiscal year $20,000,000 for each of fiscal years 2000 through 2002.

(4) Availability.—Amounts made available under paragraph (1) shall remain available until expended.

SEC. 808. Safe Havens for Children. (a) Grants Authorized.—The Attorney General may award grants to States (including State courts) and Indian tribal governments in order to enable them to enter into contracts and cooperative agreements with public or private nonprofit entities (including tribal organizations and nonprofit organizations operating within the boundaries of an Indian reservation) to establish and operate supervised visitation centers for purposes of facilitating supervised visitation and visitation exchange of children by and between parents. Not less than 50 percent of the total amount awarded to a State or Indian tribal government under this section shall be used to establish and operate supervised visitation centers. The remaining amount may be used to enter into contracts and cooperative agreements with private nonprofit entities, and the Attorney General, in consultation with the Secretary of Health and Human Services, shall identify successful programs providing high quality service to victims of domestic violence, are in place for the operation of supervised visitation; and
(3) the process by which children or abused partners are protected during visitations, temporary custody transfers, and other activities for which the supervised visitation centers are established under this section;
(4) safety and security problems occurring during the reporting period during supervised visitations or at visitation centers including the number of parental abduction cases classified as serious or nonserious;
(5) the number of parental abduction cases in a judicial district using supervised visitation services, both as identified in criminal proceedings and in civil proceedings; and
(6) program standards for operating supervised visitation centers established throughout the United States.

(b) Authorization of Appropriations.—
(1) in General.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under subsection (d) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $20,000,000 for each of fiscal years 2000 through 2002.

(2) Availability.—Amounts made available under paragraph (1) shall remain available until expended.

(3) Distribution.—Not less than 95 percent of the total amount made available to carry out this section for each fiscal year shall be used to award grants, contracts, or cooperative agreements.

(c) Allocation for Indian Tribes.—
(A) in General.—Subject to subparagraph (B), not less than 5 percent of the total amount made available to carry out this section for each fiscal year shall be available for grants to, or contracts or cooperative agreements with, tribal organizations and nonprofit organizations operating within the boundaries of an Indian tribe.

(4) priority.—In awarding grants under this section, the Attorney General shall give priority to States that, in making a custody determination—
(A) consider domestic violence; and
(B) require findings on the record.

(e) Annual Report.—Not later than 120 days after the last day of each fiscal year, the Attorney General shall submit to Congress a report that includes information concerning—
(A) the number of individuals served and the total number of individuals turned away from services (categorized by State), the number of individuals from underserved populations who are served or who are not served because of the number turned away from services, and the factors that necessitate the supervised visitation or visitation exchange, such as domestic violence, child abuse, sexual assault, neglect, or other physical abuse, or any combination of such factors;
(B) the number of supervised visitations or visitation exchanges ordered during custody determinations under a separation or divorce decree or order, protection order, temporary custody transfer, and other activities for which the supervised visitation centers are established under this section;
(C) the safety and security problems occurring during the reporting period during supervised visitations or at visitation centers including the number of parental abduction cases classified as serious or nonserious;
(D) the process by which children or abused partners are protected during visitations, temporary custody transfers, and other activities for which the supervised visitation centers are established under this section;
(E) the extent to which the proposed supervised visitation center will serve an underserved population (as defined in section 2003 of title II of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796g-2));
(F) with respect to an applicant for a contract or cooperative agreement, the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral, and to Congress, a summary of information on—
(A) the activities funded with grants under this section; and
(B) any related initiatives undertaken by the Attorney General or the Secretary to promote attention by the staff of child welfare and community-based domestic violence programs to domestic violence and the impact of domestic violence on children and adult victims of domestic violence.

(g) Technical Assistance.—
(1) Identification of Successful Programs.—Not later than 90 days after the date of enactment of this section, the Secretary shall identify successful programs providing training to child welfare and domestic violence programs to address the needs of children and adult victims of domestic violence.

(2) Agreement.—Not later than 60 days before the Secretary solicits applications for grants under this section, the Secretary shall enter into agreements with the entities carrying out the training programs identified under paragraph (1) to provide technical assistance to the applicants and recipients of the grants.

(3) Funding.—The Secretary may use not more than 5 percent of the amount appropriated for a fiscal year under subsection (h) to provide technical assistance pursuant to the agreement under paragraph (2).

(3) Authorization of Appropriations.—
(1) in General.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2000 through 2002.

(2) Availability.—Amounts made available under paragraph (1) shall remain available until expended.

(3) Distribution.—Not less than 95 percent of the total amount made available to carry out this section for each fiscal year shall be used to award grants, contracts, or cooperative agreements.

(c) Allocation for Indian Tribes.—
(A) in General.—Subject to subparagraph (B), not less than 5 percent of the total amount made available to carry out this section for each fiscal year shall be available for grants to, or contracts or cooperative agreements with, tribal organizations and nonprofit organizations operating within the boundaries of an Indian tribe.

(4) Priority.—In awarding grants under this section, the Attorney General shall give priority to States that, in making a custody determination—
(A) consider domestic violence; and
(B) require findings on the record.

(e) Annual Report.—Not later than 120 days after the last day of each fiscal year, the Attorney General shall submit to Congress a report that includes information concerning—
(A) the number of individuals served and the total number of individuals turned away from services (categorized by State), the number of individuals from underserved populations who are served or who are not served because of the number turned away from services, and the factors that necessitate the supervised visitation or visitation exchange, such as domestic violence, child abuse, sexual assault, neglect, or other physical abuse, or any combination of such factors;
(B) the number of supervised visitations or visitation exchanges ordered during custody determinations under a separation or divorce decree or order, protection order, temporary custody transfer, and other activities for which the supervised visitation centers are established under this section;
(C) the process by which children or abused partners are protected during visitations, temporary custody transfers, and other activities for which the supervised visitation centers are established under this section;
(D) the extent to which the proposed supervised visitation center will serve an underserved population (as defined in section 2003 of title II of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796g-2));
(F) with respect to an applicant for a contract or cooperative agreement, the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral, and to Congress, a summary of information on—
(A) the activities funded with grants under this section; and
(B) any related initiatives undertaken by the Attorney General or the Secretary to promote attention by the staff of child welfare and community-based domestic violence programs to domestic violence and the impact of domestic violence on children and adult victims of domestic violence.

(g) Technical Assistance.—
(1) Identification of Successful Programs.—Not later than 90 days after the date of enactment of this section, the Secretary shall identify successful programs providing training to child welfare and domestic violence programs to address the needs of children and adult victims of domestic violence.

(2) Agreement.—Not later than 60 days before the Secretary solicits applications for grants under this section, the Secretary shall enter into agreements with the entities carrying out the training programs identified under paragraph (1) to provide technical assistance to the applicants and recipients of the grants.

(3) Funding.—The Secretary may use not more than 5 percent of the amount appropriated for a fiscal year under subsection (h) to provide technical assistance pursuant to the agreement under paragraph (2).

(h) Authorization of Appropriations.—
(1) in General.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2000 through 2002.

(2) Availability.—Amounts made available under paragraph (1) shall remain available until expended.

SEC. 808. Law Enforcement Officer Training. (a) Grants Authorized.—The Attorney General shall award grants to nonprofit domestic violence programs, shelters, or organizations in collaboration with local police departments, for purposes of training local police officers in child development and issues related to witnessing domestic violence so they may appropriately—
(A) apply child development principles to their work in domestic violence cases; and
(B) recognize the needs of children who witness domestic violence;
(C) meet children's immediate needs at the scene of domestic violence;
(D) call for immediate therapeutic attention to be provided to the child by an advocate, medical professional, law enforcement, collaborating domestic violence program, shelter, or organization; and
(E) refer children for followup services; and
(2) to establish a collaborative working relationship between law enforcement officials and local domestic violence programs, shelters, and organizations.

(c) APPLICATION.—(1) To be eligible to be awarded a grant under this section for any fiscal year, a local domestic violence program, shelter, or organization, in collaboration with the local law enforcement department, shall submit an application to the Attorney General at such time and in such manner as the Attorney General shall prescribe.

(1) IN GENERAL.—There is authorized to be appropriated from the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $3,000,000 for each of fiscal years 2000 through 2002.

(b) AUTHORIZATION OF APPROPRIATIONS.—Amounts made available under paragraph (1) shall remain available until expended.

SEC. 809. REAUTHORIZATION OF CRISIS NURSERY PROGRAMS.—
(1) IN GENERAL.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 31003(c) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $3,000,000 for each of fiscal years 2000 through 2002.

(c) APPLICATION.—(1) IN GENERAL.—Each application submitted under paragraph (1) shall—
   (A) describe the need for amounts provided under the grant and the plan for implementation of the use described in subsection (c);
   (B) describe the manner in which the local domestic violence program, shelter, or organization shall work in collaboration with the local law enforcement department to provide services;
   (C) provide measurable goals and expected results from the use of amounts provided under the grant.

(d)(1) AUTHORIZATION OF APPROPRIATIONS.—
   (A) describe the need for amounts provided under the grant;
   (B) describe the manner in which the local domestic violence program, shelter, or organization shall work in collaboration with the local law enforcement department to provide services;
   (C) provide measurable goals and expected results from the use of amounts provided under the grant.

(e) IN GENERAL.—There is authorized to be appropriated from the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $3,000,000 for each of fiscal years 2000 through 2002.

(f) IN GENERAL.—There is authorized to be appropriated from the Violent Crime Reduction Trust Fund established under section 31003(c) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $3,000,000 for each of fiscal years 2000 through 2002.

(g) IN GENERAL.—There is authorized to be appropriated from the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) to carry out this section $3,000,000 for each of fiscal years 2000 through 2002.

SEC. 902. SHORT TITLE. Title this bill may be captioned as the “Hate Crimes Prevention Act of 1999”.

SEC. 903. DEFINITION OF HATE CRIME. In this bill, the term “hate crime” has the same meaning as in section 245001 of the Uniformed Code of Military Justice. For the purposes of this title, a “hate crime” is any act committed against a person or that results in injury to a person because of the actual or perceived race, color, sex, religion, national origin, gender, sexual orientation, or disability of the victim, or because of the actual or perceived race, color, sex, religion, national origin, gender, sexual orientation, or disability of the victim, or because of any characteristic of the victim that is related to race, color, sex, religion, national origin, gender, sexual orientation, or disability.
necessary to increase the number of personnel to prevent and respond to alleged violations of section 245 of title 18, United States Code (as amended by this title).

SEC. 908. SEVERABILITY. If any provision of this title, an amendment made by this title, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this title, the amendments made by this title, and the application of the provisions of such law to persons or circumstances shall not be affected thereby.

SEC. 909. HATE CRIMES. (a) DECLARATIONS.—Congress hereby declares that—

(1) further efforts must be taken at all levels of government to respond to the staggering brutality of hate crimes that have riveted public attention and shocked the Nation;

(2) hate crimes are prompted by bias and are committed to send a message of hate to targeted communities, usually defined on the basis of immutable traits;

(3) the prominent characteristic of a hate crime is that it devastates not just the actual victim and the victim’s family and friends, but frequently savages the community sharing the traits that caused the victim to be selected;

(4) all efforts undertaken by the Federal Government to combat hate crimes must respect the privacy that States and local officials have traditionally been accorded in the criminal prosecution of acts constituting hate crimes; and

(5) an overall broad reaction by the Federal Government to this serious problem might ultimately increase the accountability of State and local officials in responding to hate crimes and transgress the constitutional limitations on the powers vested in Congress under the Constitution.

(b) STUDIES.—

(1) COLLECTION OF DATA.—

(A) DEFINITION OF HATE CRIME.—In this paragraph, the term “hate crime” means—

(i) a crime described in subsection (b)(1) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note); and

(ii) a crime that manifests evidence of prejudice based on gender or age.

(B) COLLECTION FROM CROSS-SECTION OF STATES.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the National Governors’ Association, shall select 10 jurisdictions with laws classifying certain types of crimes as hate crimes and 10 jurisdictions without such laws from which to collect data described in subparagraph (C) over a 12-month period.

(C) DATA TO BE COLLECTED.—The data to be collected are—

(i) the number of hate crimes that are reported and investigated;

(ii) the percentage of hate crimes that are prosecuted and the percentage that result in conviction;

(iii) the length of the sentences imposed for crimes classified as hate crimes within a jurisdiction, compared with the length of sentences for similar crimes committed in jurisdictions with no hate crime laws; and

(iv) references to and descriptions of the laws under which the offenders were punished.

(D) COSTS.—Participating jurisdictions shall be reimbursed for the reasonable and necessary costs of compiling data under this paragraph.

(2) STUDY OF TRENDS.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States and the General Accounting Office shall complete a study that analyzes the data collected under paragraph (1) and under the Hate Crime Statistics Act of 1990 to determine the extent of hate crime activity throughout the country and the success of State and local officials in combating that activity.

(B) IDENTIFICATION OF TRENDS.—In the study conducted under subparagraph (A), the Comptroller General of the United States and the General Accounting Office shall identify any trends in the commission of hate crimes as follows—

(i) geographic region;

(ii) type of crime committed; and

(iii) the number of hate crimes that are prosecuted and the number for which convictions are obtained.

(c) MODEL STATUTE.—

(1) IN GENERAL.—To encourage the identification and prosecution of hate crimes throughout the country, the Attorney General shall, through the National Conference of Commissioners on Uniform State Laws of the American Law Institute or another appropriate forum, and in consultation with the States, develop a model statute to carry out the goals described in subsection (a) and to criminalize acts classified as hate crimes.

(2) REQUIREMENTS.—In developing the model statute, the Attorney General shall—

(A) include in the model statute crimes that manifest evidence of prejudice; and

(B) prepare an analysis of all reasons why any crime classified as prejudice based on any traits of a victim should or should not be included.

(d) SUPPORT FOR CRIMINAL INVESTIGATIONS AND PROSECUTIONS BY STATE AND LOCAL LAW ENFORCEMENT OFFICIALS.—

(1) IN GENERAL.—At the request of a law enforcement official of a State or a political subdivision of a State, the Attorney General, acting through the Director of the Federal Bureau of Investigation, shall provide technical, forensic, prosecutorial, or any other form of assistance in the criminal investigation or prosecution of crimes that—

(i) constitutes a crime of violence (as defined in section 16 of title 18, United States Code); and

(ii) constitutes a felony under the laws of the State; and

(iii) is motivated by prejudice based on the victim’s race, ethnicity, or religion or is a violation of the State’s hate crime law.

(2) GRANTS.—

(A) IN GENERAL.—There is established a grant program within the Department of Justice to assist State and local officials in the investigation and prosecution of hate crimes.

(B) ELIGIBILITY.—A State or political subdivision of a State applying for assistance under this paragraph shall—

(i) describe the purposes for which the grant is needed; and

(ii) certify that the State or political subdivision lacks the resources necessary to investigate or prosecute the hate crime.

(3) DETERMINATION.—A grant under this paragraph shall be approved or disapproved by the Attorney General not later than 24 hours after the application is submitted.

(D) GRANT AMOUNT.—A grant under this paragraph shall not exceed $100,000 for any single case.

(e) REPORT.—Not later than December 31, 2001, the Attorney General, in consultation with the National Governors’ Association, shall submit to Congress a report describing the applications made for grants under this paragraph, the award of such grants, and the effectiveness of the grant funds awarded.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $5,000,000 for each of fiscal years 2000 and 2001.

§249. Interstate travel to commit hate crime

“(a) IN GENERAL.—A person, whether or not acting under color of law, who—

“(1) travels across a State line or enters or leaves Indian country with force or threat of force, to willfully injure, intimidate, or interfere with, or by force or threat of force attempt to injure, intimidate, or interfere with, any person because of the person’s race, color, religion, or national origin; and

“(2) by force or threat of force, willfully injures, intimidates, or interferes with, or by force or threat of force attempts to willfully injure, intimidate, or interfere with any person because of the person’s race, color, religion, or national origin;

“(b) PENALTIES.—A person described in subsection (a) who is subject to a penalty under this subsection—

“(1) shall be fined under this title, imprisoned not more than 1 year, or both;

“(2) if bodily injury results or if the violation includes the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title, or imprisoned not more than 10 years, or both; or

“(3) if death results or if the violation includes kidnapping or an attempt to kidnap, shall be punished by death.

“(c) IN GENERAL.—At the request of a law enforcement official of a State or a political subdivision of a State, the Attorney General, acting through the Director of the Federal Bureau of Investigation, shall provide technical, forensic, prosecutorial, or any other form of assistance in the criminal investigation or prosecution of hate crimes.

“(d) GRANTS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2000 and 2001.

THE MILITARY RESERVISTS SMALL BUSINESS RELIEF ACT OF 1999

Mr. SESSIONS. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 166, S. 918.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 918) to authorize the Small Business Administration to provide financial and business development assistance to military reservists’ small businesses, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Small Business, with an amendment.
to strike all after the enacting clause and inserting in lieu thereof the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Military Reservists Small Business Relief Act of 1999.

**SEC. 2. REPAYMENT DEFERRAL FOR ACTIVE DUTY RESERVISTS.**

Section 7 of the Small Business Act (15 U.S.C. 636) is amended by adding at the end the following:

"(n) REPAYMENT DEFERRED FOR ACTIVE DUTY RESERVISTS.

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE RESERVIST.—The term 'eligible reservist' means a member of a reserve component of the Armed Forces ordered to active duty during a period of military conflict.

(B) ESSENTIAL EMPLOYEE.—The term 'essential employee' means an individual who is employed by a small business concern and whose managerial or technical expertise is critical to the successful day-to-day operations of that small business concern.

(C) PERIOD OF MILITARY CONFLICT.—The term 'period of military conflict' means—

(i) a period of declared war by Congress;

(ii) a period of national emergency declared by the President; or

(iii) a period of a contingency operation, as defined in section 101(a) of title 10, United States Code.

(D) QUALIFIED BORROWER.—The term 'qualified borrower' means—

(i) an individual who is an eligible reservist and whose direct loan under subsection (a) or (b) before being ordered to active duty; or

(ii) a small business concern that received a direct loan under subsection (a) or (b) before an eligible reservist, who is an essential employee, was ordered to active duty.

(2) DEFERRAL OF DIRECT LOANS.—

(A) IN GENERAL.—The Administration shall, upon written request, defer repayment of principal and interest due on a direct loan made under subsection (a) or (b), if such loan was incurred by a qualified borrower.

(B) PERIOD OF DEFERRAL.—The period of deferral for repayment under this paragraph shall begin on the date on which the eligible reservist is ordered to active duty and shall terminate on the date that is 180 days after the date such eligible reservist is discharged or released from active duty.

(C) INTEREST RATE REDUCTION DURING DEFERRAL.—Notwithstanding any other provision of law, during the period of deferral described in subparagraph (B), the Administration may, at its discretion and in the interest rate on any loan qualifying for a deferral under this paragraph.

(3) DEFERRAL OF LOAN GUARANTEES AND OTHER FINANCINGS.—The Administration shall—

(A) encourage intermediaries participating in the program under subsection (m) to defer repayment of a loan made with proceeds made available under such program, if such loan was incurred by a small business concern that is eligible to apply for assistance under subsection (b)(3);

(B) not later than 30 days after the date of enactment of this subsection, establish guidelines to—

(i) encourage lenders and other intermediaries to defer repayment of, or provide other relief relating to, loan guarantees under subsection (a) and financings under subsection 504 of the Small Business Investment Act of 1958 that were incurred by small business concerns that are eligible to apply for assistance under subsection (b)(3), and loan guarantees provided under any program under which the intermediary provides relief to a small business concern under this paragraph; and

(ii) implement a program to provide for the deferral of, or other relief to any intermediary providing relief to a small business borrower under this paragraph.

**SEC. 3. DISASTER LOAN ASSISTANCE FOR MILITARY RESERVISTS' SMALL BUSINESSES.**

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting after the undesignated paragraph that begins with "Provided, T no loan", the following:

"(3)(A) In this subsection:

(i) the term 'essential employee' means an individual who is employed by a small business concern and whose managerial or technical expertise is critical to the successful day-to-day operations of that small business concern;

(ii) the term 'period of military conflict' has the meaning given the term in subsection (n)(1); and

(iii) the term 'substantial economic injury' means an economic harm to a business concern that results in the inability of the business concern—

(I) to meet its obligations as they mature; or

(II) to pay its ordinary and necessary operating expenses; or

(III) to market, produce, or provide a product or service ordinarily marketed, produced, or provided by the business concern.

(B) The Administration may make such disaster loans (either directly or in cooperation with banks or other lending institutions through agreements to participate in an immediate or deferred basis) to a small business concern that has suffered or that is likely to suffer substantial economic injury as the result of an essential employee of such small business concern being ordered to active duty during a period of military conflict.

(C) A small business concern described in subparagraph (B) shall be eligible to apply for assistance under this paragraph during the period beginning on the date on which the essential employee is ordered to active duty and ending on the date that is 90 days after the date on which such essential employee is discharged or released from active duty.

(D) Any loan or guarantee extended pursuant to this paragraph shall be made at the same interest rate as economic injury loans under paragraph (2).

(E) No loan may be made under this paragraph, either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis, if the total amount outstanding and committed to the borrower under this subpart is greater than $1,500,000 unless such applicant constitutes a major source of employment in its surrounding area, as determined by the Administration, in which case the Administration, in its discretion, may waive the $1,500,000 limitation.

(F) For purposes of assistance under this paragraph, no declaration of a disaster area shall be required.

**SEC. 4. BUSINESS DEVELOPMENT AND MANAGEMENT ASSISTANCE FOR MILITARY RESERVISTS' SMALL BUSINESSES.**

(a) IN GENERAL.—Section 8 of the Small Business Act (15 U.S.C. 637) is amended by adding at the end the following:

"(3)(A) MANAGERIAL ASSISTANCE FOR SMALL BUSINESSES AFFECTED BY MILITARY OPERATIONS.—The Administration shall utilize, as appropriate, its entrepreneurial development and management assistance programs, including programs involving State or private sector partners, to provide business counseling and training to any small business concern adversely affected by the presence of the Armed Forces of the United States in support of a period of military conflict (as defined in section 7(n)(1)).

(b) ENHANCED PUBLICITY DURING OPERATION ALLIED FORCE.—For the duration of Operation Allied Force and for 120 days thereafter, the Administration shall enhance its publicity of the availability of such assistance pursuant to the amendments made by this Act, including information regarding the appropriate local office at which affected small businesses may seek such assistance.

**SEC. 5. GUIDELINES.**

Not later than 30 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue guidelines as the Administrator determines to be necessary to carry out this Act and the amendments made by this Act.

**SEC. 6. EFFECTIVE DATES.**

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) DISASTER LOANS.—The amendments made by section 3 shall apply to economic injury suffered or likely to be suffered as the result of a period of military conflict occurring or ending on or after March 24, 1999.

Mr. KERRY. Mr. President, after weeks of difficult decisions, decisions which have in too many respects divided us by party, we have today an easy vote—a vote on which we can all agree. We can support reservists and small business by voting for S. 918, the Military Reservists Small Business Relief Act of 1999. When I introduced this bill on April 29th, it had 31 cosponsors. It now has the endorsement of 52 Senators—31 Democrats and 21 Republicans.

A majority of the Senate—Senators from Maine to Utah, Michigan to North Carolina—have said that the men and women who serve as reservists need and deserve help maintaining their businesses while they are serving on active duty. That is an important statement about our commitment to the reservists who serve our country.

Today, more than 4,700 reservists are serving on active duty around the world. Where are they? In Haiti, Iraq, Bosnia, and Kosovo. And where are their businesses and jobs? Pick any state—Massachusetts, Arizona, Georgia, Ohio, Michigan.

When these men and women are called into action, they often have little notice, and their families face financial and emotional hardships. With half of America's military forces serving in reserve and National Guard units—a total of 1.4 million Americans—the Pentagon has acknowledged that extensive missions now require quicker call-ups. As a veteran of the Vietnam War and Ranking Member of the Small Business Committee, I know how disruptive active service can be for reservists who are suddenly called away from their families and work to serve our country.

What does a small business with few financial or personal reserves do without the owner, manager or employee who is essential to the daily operation and success of the small business? If you're in a rural area or small town, it will be hard to find a replacement. And if your family steps in, often they don't have the experience or time to run the business. A Commander from Danvers, Massachusetts, owns two area convenience stores said the tight job market only exacerbates the difficulty of finding a replacement, and that training someone well enough to 'leave the
business in [their] hands would be near impossible." We need to help these men and women, their families and communities, bridge the gap between when the troops leave and when they return.

The Military Reservists Small Business Relief Act offers two forms of assistance to reservists and their small businesses. First, it authorizes the SBA to defer loan repayments and to reduce interest rates on any of its direct loans, including disaster loans. The bill also makes provisions for hardship cases, such as those forced to sell their businesses or to take personal leave, during periods of military service. These provisions are designed to help reservists maintain their businesses and their ability to support their families during periods of military service.

Second, the bill establishes a low-interest economic injury loan program to be administered by the SBA through its disaster loan program. This loan would be available to any small business when the departure of a military reservist causes substantial economic injury. Under the bill, such harm includes three general cases: inability to make loan payments; inability to pay ordinary and necessary operating expenses; or inability to market, produce or provide a service or product that it ordinarily provides. Under this provision, an eligible small business may apply for an economic injury loan from the date that the company's military reservist is ordered to active duty until 90 days after release from active duty.

Third, the bill directs the SBA to develop policies that encourage and facilitate ways for SBA lenders to defer or reduce loan repayments. For example, a microlender could defer its loan payments for a military reservist for a limited period. The bill also makes provisions for hardship cases, such as those forced to sell their businesses or to take personal leave, during periods of military service. These provisions are designed to help reservists maintain their businesses and their ability to support their families during periods of military service.

When I introduced this bill, I talked about a small-business owner from New England, a physician and Lieutenant Commander in the Navy Reserve. He was called up for Operation Desert Storm as a flight surgeon in January 1991. For ten years, he had been a solo practitioner. After six months of service, he had to file bankruptcy. That bankruptcy affected not only him and his wife, but also his two employees and their families. After one year on duty, he returned home to face civilian life with a business that was only one of many. We must never let that happen again.

The Military Reservists Small Business Relief Act is timely because it can help those 6,500 reservists who have been serving in Kosovo since as far back as March. Even those who have already come home and are struggling to keep their businesses afloat. However, it is also important for future reservists because it can offer them relief if they serve any future contingency operations such as military conflicts or national emergencies.

For example, in 1993, the National Guard in Missouri was deployed for two months to help with the devastating flood of the Missouri and Mississippi Rivers that left 14 miles of Missouri river-front land under water. While on active duty, two reservists, one with a successful hair salon in a suburb of St. Louis and another with a painting business in Rolla, lost many of their clients they eventuallly had to close their small businesses. One of them resigned from the National Guard after that experience because he felt it had taken too big a toll on his life. At a time when America so badly needs more of our citizens to give of themselves, to sign up as military reservists, to make a sacrifice, we must pass this bill to make sure that service will not mean financial ruin. We must pass this legislation to take a stand for our reservists.

In closing, I want to thank and acknowledge Jan Behon of Pittsburgh, Pennsylvania, and Dr. Harold V. Nelson of Louisville, Kentucky, who volunteer for SERRR, the Self-Employed Recalled Reservists and Retirees Committee, for their support, years of sacrifices and experience that they lent to this bill.

I also want to thank the National Guard Association of the United States for backing this legislation and ask that the Association's letter of support be included in the Record.

Mr. Sessions. Mr. President, I ask unanimous consent that my colleagues, particularly the 51 cosponsors of my bill, for their support of this important legislation.

Mr. Sessions. Mr. President, I ask unanimous consent that the Committee substitute amendment be referred to the full bill, amended, read the third time, and passed, and the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the Record.
The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment was agreed to. The bill (S. 918), as amended, was read the third time, and passed.

PRESEVATION OF ROUTE 66 CULTURAL RESOURCES

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 66, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows: A bill (H.R. 66) to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of Interior to provide assistance.

There being no objection, the Senate proceeded to consider the bill.

Mr. SESSIONS. Mr. President, I am so very pleased that the Senate has passed H.R. 66. It is a historic step in preserving one of America's cultural treasures—Route 66. I have long championed preservation of Route 66, the “Mother Road,” which changed and shaped America in the twentieth century.

This body had already passed my legislation earlier this year, S. 292, the Route 66 Corridor Preservation Act. Congresswoman HEATHER WILSON of Albuquerque, New Mexico, reintroduced a companion bill (H.R. 66) in the House of Representatives, and after a few amendments, we have finally got legislation which will preserve the unique cultural resources along the famous Route and authorize the Interior Secretary to provide assistance through the Park Service. I have been working for this day for nine years.

This legislation almost became law at the end of the 105th Congress, but failed to pass in the House of Representatives due to last minute political wrangling. However, no one has ever questioned the merit of this legislation.

I introduced the “Route 66 Study Act of 1990,” which directed the National Park Service to determine the best ways to preserve, commemorate, and interpret Route 66. As a result of that study, I introduced legislation last Congress authorizing the National Park Service to join with Federal, State, and private efforts to preserve aspects of historic Route 66, the Nation’s most important thoroughfare for East-West migration in the twentieth century.

H.R. 66 authorizes a funding level over 10 years and stresses that we want the Federal Government to support grassroots efforts to preserve aspects of this historic highway. The Secretary of the Interior can now support State, local, tribal, and private organizations’ efforts to preserve these resources.

Designated in 1926, the 2,200-mile Route 66 stretched from Chicago to Santa Monica, CA. It rolled through eight American States and three time zones. In New Mexico, it went through the communities of Tucumcari, Santa Rosa, Albuquerque, Grants, and Gallup.

New Mexico added to the aura of Route 66, giving new generations of Americans their first experience of our colorful culture and heritage. Route 66 allowed generations of vacationers to travel to previously remote areas and experience the natural beauty and cultures of the Southwest and Far West.

While mobility of Americans has increased, few have forgotten the impact of this two-lane roadway of our youth. The “Grapes of Wrath” illustrates how a depressed era needed a “Mother Road” to escape the dust bowl and start new lives in the West. The western U.S. was later opened to tourism, and many people learned the beauties of this entire country, Midwest to West. And I think a few folks covered that New Mexico really is the Land of Enchantment.

The bill is designed to assist private efforts to preserve structures and other cultural resources of the historic Route 66 corridor. As we reach the turn of the century, we have recognized this historic landmark, and the impact it had on this Nation in this century.

I thank my colleagues for once again recognizing the importance of this legislation. I also want to thank the many New Mexicans and the National Historic Route 66 Federation for their support and help in this effort. Finally we will have a law recognizing the twentieth century equivalent to the Santa Fe Trail.

MUHAMMAD ALI BOXING REFORM ACT

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 161, S. 305.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 305) to reform unfair and uncompetitive practices in the professional boxing industry.

There being no objection, the Senate proceeded to consider the bill which has been reported from the Committee on Commerce, Science, and Transportation, with amendments; as follows:

The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.

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 “Muhammad Ali Boxing Reform Act.”

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Professional boxing differs from other major industries in that it operates without any private sector association, league, or centralized industry organization to establish uniform and appropriate business practices and ethical standards. This has led to repeated occurrences of disreputable and coercive business practices in the boxing industry, to the detriment of professional boxers nationwide.

(2) Professional boxers are vulnerable to exploitative business practices engaged in by certain promoters and sanctioning bodies which dominate the sport. Boxers do not have an established representative group to advocate for their interests and rights in the industry.

(3) State officials are the proper regulators of professional boxing events, and must protect the welfare of professional boxers and the public interest by closely supervising boxing activity in their jurisdiction.

(4) Promoters who engage in illegal, coercive, or unethical business practices can take advantage of the lack of equitable business standards in the sport by holding boxing events in states with weaker regulatory oversight.

(5) The sanctioning organizations which have proliferated in the boxing industry have not established credible and objective criteria to rate professional boxers, and operate with virtually no industry or public oversight. Their ratings are susceptible to manipulation, have deprived boxers of fair opportunities for advancement, and have undermined public confidence in the integrity of the sport.

(6) Open competition in the professional boxing industry has been significantly interfered with by restrictive and anti-competitive business practices engaged in by promoters and sanctioning bodies, to the detriment of the athletes and the ticket-buying public.

(7) Common practices of promoters and sanctioning organizations, such as the points of interstate trade in the United States.

(8) The Congress seeks to improve the integrity and ensure fair practices of the professional boxing industry on a nationwide basis, it deems it appropriate to name this reform in honor of Muhammad Ali, whose career achievements and personal contributions to the sport, and positive impact on our society, are unsurpassed in the history of boxing.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to protect the rights of and welfare of professional boxers and prevent exploitative, oppressive, and unethical business practices...

(2) to assist State boxing commissions in their efforts to provide more effective public oversight of the sport; and
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(3) to promoting honorable competition in professional boxing and enhance the overall integrity of the industry.

SEC. 4. PROTECTING BOXERS FROM EXPLOITATION.


(1) striking paragraph 15 as amended and inserting after section 14 the following:

"SEC. 15. PROTECTION FROM EXPLOITATION.

(A) CONTRACT REQUIREMENTS.—

(1) In general.—Any contract between a boxer and a promoter or manager shall—

(A) include mutual obligations between the parties;

(B) specify a minimum number of professional boxing matches per year for the boxer; and

(C) set forth a specific period of time during which the contract will be in effect, including any provision for extension of that period due to the boxer's temporary inability to compete because of an injury or other cause.

(2) 1-YEAR LIMIT ON COERCIVE PROMOTIONAL RIGHTS.—

(A) The period of time for which promotional rights to promote a boxer may be granted under a contract between the boxer and a promoter, or between promoters with respect to a boxer, may not be greater than 12 months unless the boxers are required to grant such rights, or a boxer's promoter is required to grant such rights with respect to a boxer, as a condition precedent to the boxer's participation in a professional boxing match against another boxer who is under contract to the promoter.

(B) A promoter exercising promotional rights with respect to such boxer during the 12-month period beginning on the day after the last day of the promotional right period described in subparagraph (A) may not secure such promotional rights from the boxer's opponents as a condition of participating in a professional boxing match against the boxer during that period, and any contract to the contrary—

(i) shall be considered to be in restraint of trade and contrary to public policy; and

(ii) unenforceable.

(C) Nothing in this paragraph shall be construed as pre-empting any State law concerning interference with contracts.

(3) PROMOTIONAL RIGHTS UNDER MANDATORY BOUT CONTRACTS.—Neither a promoter nor a sanctioning organization may require a boxer, in a contract arising from a professional boxing match that is a mandatory bout under the rules of the sanctioning organization, to grant promotional rights to any promoter for a future professional boxing match.

(b) EMPLOYMENT AS CONDITION OF PROMOTION, ETC.—No person who is a licensee, manager, matchmaker, or promoter may require a boxer to employ, retain, or provide compensation to any individual or business enterprise (whether operating in corporate form or not) recommended or designated by that person as a condition of—

(1) such person's working with the boxer as a licensee, manager, matchmaker, or promoter;

(2) such person's arranging for the boxer to participate in a professional boxing match; or

(3) such person's boxers participation in a professional boxing match.

(c) ENFORCEMENT.—

(1) PROMOTION AGREEMENT.—A provision in a contract between a promoter and a boxer, or between promoters with respect to a boxer, that violates subsection (a) is contrary to public policy and unenforceable at law.

(2) EMPLOYMENT AGREEMENT.—In any action brought against a boxer to recover money (whether as damages or as money owed) for acting as a licensee, manager, matchmaker, or promoter for the boxer, the court, arbitrator, or administrative body before which the claim is brought may deny recovery in whole or in part under the contract as contrary to public policy if the employment, retention, or compensation is that the subject of the action was obtained in violation of subsection (b).

(d) CONFLICTS OF INTEREST.—Section 9 of such Act (15 U.S.C. 6303) is amended by—

(1) striking "no member" and inserting "(a) REGULATORY PERSONNEL.—No member; and"

(2) adding at the end thereof the following:

(1) FIREWALL BETWEEN PROMOTERS AND MANAGERS.—

(a) In general.—It is unlawful for—

(1) a promoter to have a direct or indirect financial interest in the management of a boxer; or

(2) a manager to—

(i) have a direct or indirect financial interest in the promotion of a boxer; or

(ii) to be employed by or receive compensation from a promoter except for amounts received as consideration under the manager's contract with the boxer.

(b) EXCEPTION FOR SELF-PROMOTION AND MANAGEMENT.—Paragraph (1) does not prohibit a boxer from acting as his own promoter or manager.

SEC. 5. SANCTIONING ORGANIZATION INTEGRITY.

REFORMS.

(a) OBJECTIVE CRITERIA.—A sanctioning organization may not set forth a specific period of time during which a candidate or professional boxer may be excluded from rating if the exclusion is based on—

(i) the candidate's or boxer's record, including any response to any specific questions submitted by the candidate or boxer;

(ii) a candidate's or boxer's employment with a promoter, manager, or manager's accountants; and

(iii) excluding a candidate or boxer from rating for its record, including any response to any specific questions submitted by the candidate or boxer; or

(b) APPEALS PROCESS.—A sanctioning organization shall—

(1) provide to the candidate or boxer a written explanation of the candidate's or boxer's exclusion from rating;

(2) permit the candidate or boxer to appeal its exclusion from rating to the candidate's or boxer's licensed manager or management company; or

(3) a candidate's or boxer's promoter is required to grant such rights with respect to a boxer, as a condition precedent to the boxer's participation in a professional boxing match.

(c) NOTIFICATION OF CHANGE IN RATING.—If a sanctioning organization changes its rating of a candidate or boxer during the 12-month period beginning on the day after the last day of the promotional right period described in subparagraph (A) may not set forth a specific period of time during which a candidate or professional boxer may be excluded from rating if the exclusion is based on—

(i) the candidate's or boxer's record, including any response to any specific questions submitted by the candidate or boxer;

(ii) a candidate's or boxer's employment with a promoter, manager, or manager's accountants; and

(iii) excluding a candidate or boxer from rating for its record, including any response to any specific questions submitted by the candidate or boxer; or

(b) APPEALS PROCESS.—A sanctioning organization shall—

(1) provide to the candidate or boxer a written explanation of the candidate's or boxer's exclusion from rating;

(2) permit the candidate or boxer to appeal its exclusion from rating to the candidate's or boxer's licensed manager or management company; or

(3) a candidate's or boxer's promoter is required to grant such rights with respect to a boxer, as a condition precedent to the boxer's participation in a professional boxing match.

SEC. 16. SANCTIONING ORGANIZATIONS.

(a) OBJECTIVE CRITERIA.—A sanctioning organization may not set forth a specific period of time during which a candidate or professional boxer may be excluded from rating if the exclusion is based on—

(i) the candidate's or boxer's record, including any response to any specific questions submitted by the candidate or boxer;

(ii) a candidate's or boxer's employment with a promoter, manager, or manager's accountants; and

(iii) excluding a candidate or boxer from rating for its record, including any response to any specific questions submitted by the candidate or boxer; or

(b) APPEALS PROCESS.—A sanctioning organization shall—

(1) provide to the candidate or boxer a written explanation of the candidate's or boxer's exclusion from rating;

(2) permit the candidate or boxer to appeal its exclusion from rating to the candidate's or boxer's licensed manager or management company; or

(3) a candidate's or boxer's promoter is required to grant such rights with respect to a boxer, as a condition precedent to the boxer's participation in a professional boxing match.
(12) SANCTIONING ORGANIZATION.—The term ‘sanctioning organization’ means an organization that ranks boxers or sanctions professional boxing matches in the United States.

(a) between boxers who are residents of different States; or

(b) that are advertised, otherwise promoted (including closed circuit television) in interstate commerce.

SEC. 6. PUBLIC INTEREST DISCLOSURES TO STATE BOXING COMMISSIONS.

(a) In General.—The Professional Boxing Safety Act of 1996 (15 U.S.C. 6301 et seq.), as amended by section 5 of this Act, is amended by—

(1) redesignating section 17, as redesignated by section 5 of this Act, as section 18; and

(2) by inserting after section 16 the following:

“SEC. 17. REQUIRED DISCLOSURES TO STATE BOXING COMMISSIONS.

(a) SANCTIONING ORGANIZATIONS.—Before sanctioning or authorizing a professional boxing match in a State, a sanctioning organization shall provide to the boxing commission of, or responsible for sanctioning matches in, that State a written statement of—

(1) all charges, fees, and costs the organization will assess any boxer participating in that match;

(2) all payments, benefits, complimentary benefits, and fees the organization will receive for its affiliation with the event, from the promoter, host of the event, and all other sources; and

(3) such additional information as the commission may require.

A sanctioning organization that receives compensation from an event应当 refrain from exercising its authority or jurisdiction over, or withholding its sanction of, a professional boxing match in any State shall provide the information required by paragraphs (2) and (3) to the boxing commission of that State.

(b) PROMOTERS.—Before a professional boxing match organized, promoted, or produced by a promoter is held in a State, the promoter shall provide a statement in writing to the boxing commission of, or responsible for sanctioning matches in, that State—

(1) a copy of any agreement in writing to which the promoter is a party with any boxer participating in the match;

(2) a statement in writing made under penalty of perjury that there are no other agreements, written or oral, between the promoter and the boxer with respect to that match; and

(3) a statement in writing of—

(A) all fees, charges, and expenses that will be assessed by or through the promoter on the boxer pertaining to the event, including any portion of the boxer’s purse that the promoter will receive, and training expenses;

and

(B) all payments, gift, or benefits the promoter is providing to any sanctioning organization affiliated with the event; and

(c) any reduction in the amount or percentage of a boxer’s purse after—

(1) a previous agreement concerning the amount or percentage of that purse has been reached between the promoter and the boxer; or

(2) a purse bid held for the event.

(c) JUDGES.—Before participating in a professional boxing match as a judge in any State, an individual shall provide to the boxing commission of, or responsible for regulating matches in, that State a statement in writing of all payments, including reimbursement for expenses, and any other benefits that individual will receive from any source for judging that match.

“(1) SANCTIONING ORGANIZATION.—The term ‘sanctioning organization’ means an organization that ranks boxers or sanctions professional boxing matches in the United States.

“(A) between boxers who are residents of different States; or

“(B) that are advertised, otherwise promoted (including closed circuit television) in interstate commerce.”.

SEC. 7. ENFORCEMENT.

Section 10 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6309) is amended by—

(1) inserting a comma and “other than section 9(b), 15, 16, or 17,” after “this Act” in subsection (b)(1);

(2) redesignating paragraphs (2) and (3) of subsection (b) as paragraphs (3) and (4), respectively, and inserting after paragraph (1) the following:

“(2) VIOLATION OF ANTI-EXPLOITATION, SANCTIONING ORGANIZATION, OR DISCLOSURE PROVISIONS.—Any person who knowingly violates any provision of this Act shall, upon conviction, be imprisoned for not more than 1 year or fined not more than—

“(A) $100,000; and

“(B) if the violations occur in connection with a professional boxing match the gross revenues for which exceed $2,000,000, such additional amount as the court finds appropriate, or both.”;

and

(3) adding at the end thereof the following:

“(c) ACTION BY STATES.—Whenever the chief law enforcement officer of any State has reason to believe that a person or organization is engaging in practices which violate any requirement of this Act, the State, as parens patriae, may bring a civil action on behalf of its residents in an appropriate district court of the United States—

(1) to enjoin the holding of any professional boxing match which the practice involves;

(2) to enforce compliance with this Act; and

(3) to obtain the fines provided under subsection (b) or appropriate restitution; or

(4) to obtain such other relief as the court may deem appropriate.

“(d) PRIVATE RIGHT OF ACTION.—Any boxer who suffers economic injury as a result of a violation of any provision of this Act may bring an action in the appropriate Federal or State court and recover the damages suffered, court costs, and reasonable attorneys fees and expenses.

SEC. 8. PROFESSIONAL BOXING SAFETY ACT AMENDMENTS.

(a) DEFINITIONS.—Section 2 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6303), as amended by section 5(c) of this Act, is amended by adding at the end thereof the following:

“(12) SUSPENSION.—The term ‘suspension’ includes within its meaning the revocation of a boxing license.”.

(b) RENEWAL PERIOD FOR IDENTIFICATION CARDS.—Section 6(b)(2) of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6305(b)(2)) is amended by striking “2 years” and inserting “4 years.”

(c) STATE BOXING COMMISSION PROCEDURES.—Section 7(a)(2) of such Act (15 U.S.C. 6306(a)(2)) is amended—

(1) by striking “or” in subparagraph (C); and

(2) by striking “documents” at the end of subparagraph (D) and inserting “documents; or”;

and

(3) adding at the end thereof the following:

“(E) unsportsmanlike conduct or other inappropriate behavior inconsistent with generally accepted methods of competition in a professional boxing match.”

Mr. SESSIONS. Mr. President, I ask unanimous consent that the committee amendments be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Committee amendments were agreed to.

AMENDMENT NO. 138

(Purpose: To incorporate a number of changes suggested by the Attorney General, and for other purposes)

Mr. SESSIONS. Mr. President, Senator McCain has an amendment at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama (Mr. SESSIONS), for Mr. McCain, proposes an amendment numbered 138.

The amendment is as follows:

On page 9, line 25, strike “by”.

On page 10, beginning in line 3, strike “that sanctions professional boxing matches on an interstate basis”.

On page 11, line 2, strike “within 14 days”.

On page 11, line 4, insert “within 5 business days” before “mail”.

On page 11, line 8, strike “post a copy, within the 14-day period,” and insert “immediately post a copy”.

On page 11, line 14, strike “Commissions,” and insert “Commissions if the organization does not have an address for the boxer or does not have an Internet website or homepage.”

On page 12, line 20, strike “ALTERNATIVE.— In lieu of” and insert “POSTING.—In addition to”.

On page 12, line 23, strike “may” and insert “shall”.

On page 15, line 1, strike “by”.

On page 18, line 11, after “(9b),” insert “(9c).”

On page 18, line 15, strike “the violations occur” and insert “a violation occurs”.

On page 18, beginning in line 17, strike “such additional amount as the court finds appropriate,” and insert “an additional amount which bears the same ratio to $300,000 as the amount of the gross revenues in excess of $2,000,000 bears to $2,000,000.”

On page 18, line 39, strike “and”.

On page 18, between lines 19 and 20, insert the following:

“(3) striking in “section 9” in paragraph (3), as redesignated, and inserting “section 9a”;

and

(4) adding at the end thereof the following:

“(d) ENSIGNMENT AGAINST FEDERAL, STATE, LOCAL, ETC.—Nothing in this Act authorizes the enforcement of—
"(1) any provision of this Act against the Federal Trade Commission, the United States Attorney General, the chief legal officer of any State for acting or failing to act in an official capacity;

"(2) subsection (d) of this section against a State or any agency or instrumentality thereof; or

"(3) section 15 against a boxer acting in his capacity as a boxer.

On page 20, line 5, strike ‘‘amended’’— and insert ‘‘amended by’’—.

On page 20, line 6, strike ‘‘by’’.

On page 20, line 7, strike ‘‘by’’.

Mr. SESSIONS. Mr. President, I ask unanimous consent the amendment be considered as read and agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1369) was agreed to.

AMENDMENT NO. 1369
(Purpose: To establish contract requirements for broadcasting)

Mr. SESSIONS. Mr. President, there is a second amendment at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama (Mr. Sessions), for Mr. Reid, proposes an amendment numbered 1369.

The amendment is as follows:

On page 18, line 11, strike ‘‘or 17’’ and insert ‘‘17 or 18’’.

On page 20, after line 13, insert the following:

Sec. 9. Requirements for contracts between boxers and broadcasting companies.

(a) In general.—The Professional Boxing Safety Act of 1996 (15 U.S.C. 6301 et seq.), as amended by section 6, is amended—

(1) by redesignating section 18, as redesignated by section 6 of this Act, as section 19, and

(2) by inserting after section 17 the following:

Section 18. Contracts between boxers and broadcasting companies.

(a) Contract requirements.—Any contract between a boxer and a broadcaster for the broadcast of a boxing match in which that boxer is competing shall—

(1) include mutual obligations between the parties; and

(2) specify either—

(A) the number of bouts to be broadcast; or

(B) the duration of the contract.

(b) Prohibitions.—A broadcaster may not—

(1) require a boxer to employ a relative or associate of the broadcaster in any capacity as a condition of entering into a contract with the broadcaster;

(2) have a direct or indirect financial interest in the boxer’s manager or management company; or

(3) make a payment, or provide other consideration (other than of a de minimus amount) for a sanctioning organization or any officer or employee of such an organization in connection with any boxer with whom the broadcaster has a contract, or against whom a boxer with whom the broadcaster has a contract is competing.

(c) Notification of reduction in agreed amount.—If a broadcaster has a contract with a boxer to broadcast a match in which that boxer is competing, and the broadcaster reduces the amount it agreed to pay the boxer under that contact (whether unilaterally or by mutual agreement), the broadcaster shall notify, in writing within 48 hours after the reduction, the supervising State commission for that match of the reduction.

(d) Enforcement.—

(1) Contract.—A provision in a contract between a broadcaster and a boxer that violates subsection (a) is contrary to public policy and unenforceable.

(2) Prohibitions; Notification.—For enforcement of subsections (b) and (c), see section 10.

(b) Broadcaster defined.—Section 2 of the Professional Boxing Safety Act of 1996 (15 U.S.C. 6301), as amended by section 8 of this Act, is amended by adding at the end thereof the following:

"(13) Broadcaster.—The term ‘broadcaster’ means any person who is a licensee as that term is defined in section 324 of the Communications Act of 1934 (47 U.S.C. 153(24))."

Mr. Sessions. Mr. President, I ask unanimous consent that the amendment be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1369) was agreed to.

AMENDMENT NO. 1370
(Purpose: To standardize the physical examinations that each boxer must take before each professional boxing match and to require that such boxer has taken a computerized axial tomography (CAT) scan within the 30-day period preceding that date on which the renewal application is submitted and that no brain damage from boxing has been detected.

Mr. MOYNIHAN. Mr. President, on January 3, 1999, Jerry Quarry, a perennial heavyweight boxing champion contender in the 1960’s and 1970’s, died of pneumonia brought on by an advanced state of dementia pugilistica. He was 53. The Professional Boxing Safety Act of 1996 was an excellent step toward making professional boxing safer for its participants. Nevertheless, it contains several gaps.

The amendment I proposed here today is aimed at protecting professional fighters by requiring more rigorous prefight physical examinations and by requiring a brain catscan before a boxer can renew his or her professional license.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the amendment be agreed to, that the bill be read a third time and passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1370) was agreed to.

The bill (S. 305), as amended, was read the third time and passed. (The bill will be printed in a future edition of the Record.)

ORDERS FOR WEDNESDAY, JULY 28, 1999

Mr. SESSIONS. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Wednesday, July 28. I further ask consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. SESSIONS. For the information of all Senators, the Senate will reconvene tomorrow morning at 9:30 a.m. In accordance with a previous order, the Senate will begin a cloture vote on the substitute amendment to the juvenile justice bill at 9:45 a.m. Following the vote, it is the intention of the majority leader to begin consideration of the reconciliation bill. By statute, the reconciliation bill is limited to 20 hours of debate, and therefore it is hoped that the Senate can make significant progress on that bill on Wednesday. It is expected that the Senate will complete action on that legislation on Thursday, or Friday, if necessary.

ADJOURNMENT UNTIL 9:30 A.M., TOMORROW

Mr. SESSIONS. If there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:33 p.m., adjourned until Wednesday, July 28, 1999 at 9:30 a.m.
NOMINATIONS

Executive nominations received by the Senate July 27, 1999:

DEPARTMENT OF COMMERCE

ANNE H. CHASSER, OF OHIO, TO BE AN ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS, VICE LAWRENCE J. GOFFNEY, JR., RESIGNED.

THE JUDICIARY

BRIAN THEADORE STEWART, OF UTAH, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF UTAH VICE J. THOMAS GREENE, RETIRED.

PETRESE B. TUCKER, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA VICE THOMAS N. O'NEILL, JR., RETIRED.

FEDERAL TRADE COMMISSION

THOMAS B. LEARY, OF THE DISTRICT OF COLUMBIA, TO BE A FEDERAL TRADE COMMISSIONER FOR THE TERM OF SEVEN YEARS FROM SEPTEMBER 26, 1998, VICE MARY L. AZCUENAGA, RESIGNED.
Mr. Speaker, I am pleased to introduce the Medicare Glaucoma Detection Act of 1999 today. Although it is not a disease that is always at the forefront of our attention, glaucoma is a significant cause of legal blindness in this country. An estimated 80,000 Americans are blind because of this disease. Alarmingly, at least two million individuals have glaucoma and estimates show that at least half of them are not aware of it.

Medical science has shown that glaucoma can be prevented or delayed through early diagnosis and treatment. Preliminary data indicates that early detection in many cases can lead to treatment through pharmaceutical intervention rather than through surgery. I see no reason that America’s seniors should risk losing their sight, and consequently their independence, from glaucoma if we can effectively identify and treat this disease early. Unfortunately, current Medicare coverage of glaucoma testing is inadequate. Current coverage is only available for those who show clearly identifiable symptoms of the disease. However, for many people, this could be too late.

The Medicare Glaucoma Detection Act will expand coverage of glaucoma testing to include all Medicare patients 65 and older, Medicare-eligible individuals aged 60 to 64 who have a family history of glaucoma and other high risk populations identified by the Secretary of Health and Human Services. Covered services will include a series of tests which must be performed in combination by an ophthalmologist in order to successfully detect the disease.

Preventive care, like early disease testing, has proven to be highly effective in reducing the seriousness of many diseases and in improving the recovery time and quality of life for those who suffer from them. It only makes sense that coverage of glaucoma testing should be expanded in light of the known value of preventive care. Therefore, I would encourage my colleagues to join me in supporting this bill.

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The following research memorandum was authored by Rebecca Brezenoff, a Research Fellow with the Washington-based Council on Hemispheric Affairs (COHA). This timely and pertinent article investigates the issues and delves into the history of naval operations on the island of Vieques:

Washington now finds itself looking for a lid to a little-known Puerto Rican Island of Vieques, the site of one of its more perplexing public relations nightmares. Recent tragic events resulting from the military's use of Vieques as an ordnance target practice on a heavily inhabited but relatively small island as a live-weapons storage and training facility present the Clinton Administration with a growing political liability.

The increasingly militant demonstrations now being staged in Puerto Rico against the Vieques facility and the unity of the Puerto Rican population on the issue suggest that the problem will not go away, but requires some hard decisions now.

The island-municipality, located just off Puerto Rico's southeastern coast, once again emerged into the national news following its latest fatal accident in April, when two Marine fighter jets on a night training run over Vieques dropped bombs near a village, killing a civilian security guard and injuring four other people. Certainly not the first serious incident to afflict the training facility, it is one that is likely to remain in the headlines as it prompts heated debate among citizen groups and government leaders, both here and in Puerto Rico. For decades, civilians on the island have suffered the effects of friendly fire. This time, a pitiful moment may be at hand for the Pentagon to review its options and have the wisdom to dismantle the base.

The Navy's primary argument in favor of Vieques' continued use has been the unparalleled importance of the live-ammunition training grounds for military readiness. The facility has been used by U.S. military personnel since 1941, when the Navy expropriated more than two-thirds of the 60-square-mile island for weapons storage and for ordnance training, involving bombings, shelling, and mock invasions.

Vieques' usefulness is indisputable. But the Navy is not the island's only tenant; a permanent community of 9,900 inhabitants occupies much of it. It would be disingenuous to argue that the naval presence is not detrimental to the lives and livelihoods of the local population. Far from it. This week, the Navy accidentally discharged depleted uranium and the electromagnetic frequencies of the powerful anti-drug trafficking radar pose no threat to human health or well-being, unlike the unexplained symptoms that often appear on the beaches of Vieques. With the integrity of the inquiry already called into question, Washington will face the difficult task of defending any decision that falls short of completely phasing out the facility.

The Navy's argument that it cannot allow itself to give any less consideration to Vieques than that of Puerto Rico, the firing of radio-jets during a training exercise. On an island of Vieques, the words and deeds are today viewed with mistrust. Assurances that the accidentally discharged depleted uranium and the electromagnetic frequencies of the powerful anti-drug trafficking radar pose no threat to human health have not been persuasive.

As I mentioned earlier, service for the Keohanes in the Federal Prison System is a family thing. Two of his older brothers each retired with 27 years of service. In fact, they are the only family in the Nation in which three brothers served as wardens in the Federal Bureau of Prisons, and the only one where two brothers have served as wardens of the same Federal institution at different times—and they accomplished that on two separate occasions.

Besides his family distinctions, Pat Keohane has received numerous honors and recognitions, including the 1994 Warden of the Year award from the North American Association for a Lifetime of Outstanding Service to Warden Pat W. Keohane of Springfield, Missouri.

HAPPY RETIREMENT TO PATRICK KEOHANE
HON. ROY BLUNT OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 27, 1999

Mr. BLUNT. Mr. Speaker, I rise today to note the passing of an era in the Federal Bureau of Prisons. Mr. Patrick Keohane will retire August 31 as warden of the Federal Medical Center in Springfield, Missouri. That will mark the end a period of over 30 years in which Wardens W. Keohane and his two brothers have served as wardens somewhere at a federal prison in the United States. It is reportedly the longest period of similar service of any family in federal prison history. The Keohane family association with the federal prison system goes back even further to Patrick's father Tom, who retired as a senior federa
The revenge killings also illustrate the need for peacekeeping of 3,000 more international police. Only 170, a small fraction of those committed, are yet serving in Kosovo. If the NATO allies allow Serbs to be murdered, are yet serving in Kosovo. If Serb civilians can be massacred at will in Kosovo, then NATO's propaganda is negated and the allies' war against Milosevic can be described as a naked power grab—an effort to steal a Serb province from its rightful owners.

To prove this was not NATO's war aim, the allies keeping the peace in Kosovo and the UN bureaucrats managing the province's rehabilitation must act quickly and decisively.

Although Hashim Thaci, the Kosovo Liberation Army's self-appointed prime minister, has said members of his provisional government strongly condemn this act, "the KLA must be encouraged to take a public role in locating the killers of the 34 Serbs. At the same time, the NATO countries must send to Kosovo the full complement of peacekeepers they promised. At present, only 60 percent of the 32,000 have arrived."

IN MEMORY OF WILLIAM WILSON STERRETT
HON. IRE SKELETON OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 27, 1999

Mr. SKELTON. Mr. Speaker, it has come to my attention that William Wilson Sterrett, of Independence, Missouri, passed away on June 20, 1999.

Born June 15, 1909, in Slater, Missouri, Mr. Sterrett was the son of the late Joseph B. and Elizabeth Galdwell Sterrett. He married Rachel W. Finch on December 19, 1936, in Washington, DC.

Mr. Sterrett was a 1926 graduate of Slater High School and a 1930 graduate of Missouri Valley College in Marshall. He attended the University of Missouri-Columbia for two years and graduated from George Washington University Law School in 1935. He served as Deputy Circuit Clerk of Saline County from 1932–1934. He passed the Bar in December 1935 and practiced law in Saline County for five years at Sterrett Legal Office. He was secretary to Congressman William Nelson in Washington, DC, from 1934–40. He was with the General Accounting Office in Washington, DC, for two years, the War Production Board for a year, and the Air Transport Command for two years. He returned to Slater in 1946 where he served as city attorney from 1946–1981.

Mr. Sterrett was active in the community. He served chairman of the Saline County Red Cross and on the Slater Public School board from 1948–52. He was a member, deacon, trustee, elder and Sunday school teacher at the Slater Presbyterian Church. He was president of the Saline County Bar Association from 1983–91 and vice president from 1991–93. He was a member of the Slater Rotary club where he was a past president and the club's first Paul Harris Fellow in 1995. He was a United States Army/Air Corps veteran of World War II and a member of the American Legion Post #76 in Slater. He was a Boy Scout Counselor since 1950 and received the Missouri Valley College Outstanding Alumnus Award in 1996. He served on the board of directors at the State Bank of Slater for 53 years.

Mr. Speaker, I know the Members of the House who join me in extending heartfelt condolences to his wife, Rachel; his two sons, Joseph and James; and his three grandchildren.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2000

SPEECH OF
HON. GEORGE R. NETHERCUTT, JR.
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 22, 1999

The House in Committee of the Whole on the State of the Union had under consideration the bill (H.R. 2561) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes;

Mr. NETHERCUTT. Mr. Chairman, in my previous statement in support of H.R. 2561, I addressed the much needed funds for KC-135 tanker aircraft that this bill provides. It is my hope that the Air Force will look at locating these reengined National Guard aircraft consistent with ongoing total force initiatives to maximize Guard and Active efficiencies through enhanced integration and commonality of equipment.

I am also supportive of the quality of life initiatives contained in this legislation. We have provided for significant increases in space parts, $453 million over the request, equipment repair, $279 million over the request, and real property maintenance, $854 million over the request. We also provided an additional $88 million for soldier support equipment, such as cold weather clothing and initial issue equipment. Spare parts, well-maintained facilities and quality equipment is as important to a soldier's morale as a pay raise, and this bill meets both requirements.

As Chairman of the Diabetes Caucus, I am pleased that the bill also supports a continuing project with the Joslin Diabetes Center, which serves to enhance the lives of military personnel and their dependents. The partnership with Joslin will reduce human suffering and health care costs for soldiers with diabetes for DOD personnel and VA beneficiaries, using strengths in the areas of research, detection, prevention and managed care protocols.

This legislation will meet critical modernization and quality of life needs and deserves the support of all members.

IN MEMORY OF THE LATE BETTY LOU STEVENSON
HON. EDWARD R. ROYCE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 27, 1999

Mr. ROYCE. Mr. Speaker, I would like to honor the memory of Betty Lou Stevenson by submitting the following article from the Fullerton Observer, honoring her "life of inspiration," for the Record.

"Service Above Self" best summarizes the extraordinary life of Betty Lou Stevenson. Over 300 community members attended her memorial at St. Andrews Episcopal Church in Fullerton on June 7, 1999 to honor her contributions to the city and the greater Orange County community.

Betty Lou was born in Portland, Oregon. Her father being a construction engineer, the family moved on average of once a year, meaning Betty Lou was perpetually the "new student" in school. She learned to "go with the flow" and be comfortable in almost any social situation. She graduated from the University of Oregon from 1937–40, where as President of her Chi Omega sorority and of the Heads of Houses she was listed in Who's Who in America Universities and Colleges (1939-40). Upon graduating from college, Betty Lou and her family moved to Fullerton. The town has never been the same.

Many of Betty Lou's accomplishments occurred while acting in the capacity of single parent to her two sons after her 19-year marriage ended in divorce. While holding down her full-time teaching positions, donating hours of volunteer time and being a single mother she somehow managed to attend night school classes at Whittier College ultimately earning her Master's degree.

Betty Lou Stevenson loved teaching. During her 35 years as a 7th grade math teacher a minimum of 5,000 students passed through her classes and achieved success. Irving Wright, Betty Lou's principal at Wilshire Jr. High, spoke for most of those who knew her when he stated that he admired her tremendously and considered her a wonderful lady.

In addition to teaching math at both Wilshire and Nicholas Jr. Highs, Betty Lou was a member of the yearly Christmas program. Her tireless devotion to her students, school and fellow staff, earned her recognition from the school board for "Distinguished Service to the Fullerton School District."

In 1972 Betty Lou became President of the Fullerton Elementary Teachers Association (FETA). The only year in the history of the Fullerton School District occurred the following year. A key factor in the resolution of the negotiations impasse was her participation and leadership.

Volunteering was an essential part of Betty Lou's life. She was a charter member and supporter of the Heritage House at the Fullerton Arboretum. On July 22, 1999, the Fullerton Arboretum opened its gates to the public as a docent, sharing her love of Victorian history with visitors. During the week
she often led tours through the House for school groups. Betty Lou loved working at the Heritage House because it reminded her of her happy childhood in Portland and the house still stands today in a historical neighborhood. Betty Lou also served as a docent for the Art Alliance at Cal State Fullerton, leading group, school, and school students through the art galleries.

Upon her retirement Betty Lou devoted even more time to her volunteer efforts. She kept a daily calendar by her telephone to keep track of all her activities. As her calendar showed, being involved in up to four separate volunteer activities a day was not unusual. At the time of her death, she was an active member in 9 major organizations, including the California Retired Teachers Association; PEO: Continuing Learning Experience at Cal State; Delta Kappa Gamma; charter member of AAWU. In all these groups Betty Lou served as President and held one or more key positions. She was not working as an officer to serve on the clean-up committee. In short, Betty Lou was a truly dedicated volunteer.

Betty Lou had many varied interests from her decorated egg collection featured in an exhibit at the library, to bridge, to reading and to writing about different hill tories. Betty Lou was stylish and hats were one of her trademarks. At St. Andrew’s church where she was a member for over 50 years, she was frequently referred to as the “hat lady.” She organized and worked in the parish Clothes Closet from its inception in 1996 distributing clothes to the homeless. Some of the essence of Betty Lou can be understood from her own words in 1998. Thararat Charconsonthichai, a graduate student who extensively inter viewed Betty Lou for “The Life Story of Elizabeth Louise Stevenson,” said, “ Optimism, or the belief that whatever happens will be good, is the essential theme she employed in explaining herself and her life to me.” Betty Lou put it this way: “I am an optimist even when I face troubles. I was dis appointed in my first marriage and was not working. That was difficult for me. But I never looked at the bad side. I am basically not a down person. Of course I have disappointments; we all have. But, I always look for something that helps. Nowadays it is not easy to live without an education, especially for women. Women should develop skills to help themselves—something as divorce happens.” Betty Lou’s career as a teacher and lifelong volunteer for groups with educational missions, underscored her commitment to seeing ideal realized.

At the memorial service, the eulogy was delivered by Father Mark Shier, Rector of St. Andrews. Most fittingly, at the conclusion to the eulogy, there arose a spontaneous ovation for the life of Betty Lou Stevenson—a life from which we can all gain inspiration. The ovation, in lieu of flowers, was in Betty Lou’s name be made to Fullerton Arboretum or CLE.

IN MEMORY OF THE LATE MRS. ERSI L. RUDMAN IN THE HOUSE OF REPRESENTATIVES Tuesday, July 27, 1999

Mr. WELLER. Mr. Speaker, I rise today to honor Mrs. Eris L. Rudman and the preserved prairie named in her memory located in Frankfort, Illinois.

Forty-five years ago, Mrs. Rudman made Frankfort, Illinois her home. She had just served our country in the Korean War as 1st Lieutenant in the U.S. Army Nursing Corps and received combat decoration while serving in an evacuation hospital. Upon arriving in Frankfort, Mrs. Rudman actively developed and maintained the village’s first park long before it was acquired as a park by the park district. She also indulged in gardening and the people of Frankfort can still appreciate her toils by strolling down Nebraska and Locust streets and gazing at the crab apple trees she and volunteers had planted years ago.

Her community spirit did not end with the environment. Mrs. Rudman served on the Frankfort Planning Commission for sixteen years. She also played an integral role in the publishing and editing of the Frankfort News, a weekly community newspaper, for twenty-three years. In 1984, Mrs. Rudman was named Frankfort’s first Citizen of the Year. She was also Grand Marshall of the Frankfort Fall Festival Parade in 1994. Sadly, Frankfort lost this civic minded patriot three years ago in 1996.

The Eris L. Rudman Prairie is nearly four acres of land located south of the Frankfort Public Library parking lot. It was recently planted with a variety of spring and fall blooming flowers. There are 3,100 plants in all which have been complimented with six different kinds of grasses.

Mr. Speaker, I believe it is fitting and appropriate to honor the life of Mrs. Eris L. Rudman, the years of her community building activity, and the prairie which bears her name.

HONORING STUART A. VANMEVEREN HON. BOB SCHAFFER OF COLORADO IN THE HOUSE OF REPRESENTATIVES Tuesday, July 27, 1999

Mr. SCHAFFER. Mr. Speaker, I rise today not only to extend congratulations to a national figure, but also to tell you how proud I am this honoree hails from, and lives in, my hometown of Fort Collins, Colorado. Mr. Stuart A. VanMeveren, the District Attorney who has served Larimer County for twenty-seven years, has been elected the new president of the National District Attorneys’ Association (NDAA).

This organization is the largest national professional organization specifically serving the needs of prosecutors in the United States. NDAA is truly a national organization which represents the interests of prosecutors not only from major metropolitan areas, but rural communities like those found in Larimer County. I have known Steve for fifteen years, but now I’m looking forward to working more closely with him as he directs the NDAA testifying before congressional committees, working with the U.S. Department of Justice, and other federal agencies on matters of public policy affecting the safety of America’s communities.

The National District Attorneys Association is going into its fiftieth year of service. I cannot think of a more qualified individual to lead NDAA into the twenty-first century. Steve VanMeveren truly embodies the mission statement of NDAA which is “To be the voice of America’s prosecutors and to support their efforts to protect the rights and safety of the people.”

TRIBUTE TO CAPTAIN ALEXANDER J. SABOL ON HIS RETIREMENT FROM THE UNITED STATES NAVAL RESERVE HON. ALAN B. MOLLIHAN OF WEST VIRGINIA IN THE HOUSE OF REPRESENTATIVES Tuesday, July 27, 1999

Mr. MOLLIHAN. Mr. Speaker, I rise today to honor Captain Alexander J. Sabol for his distinguished career and retirement from the United States Naval Reserve.

Captain Alexander J. Sabol was born in Stuebenville, OH, on December 14, 1952. He was raised in the steel town of Westminster, WV, and graduated from Weir Senior High School in 1970. In December 1974, he graduated from West Liberty State College, WV, with a bachelor of science degree in business administration with a specialty in marketing.

Captain Sabol served his first tour as a T-28B/C instructor pilot and ground safety officer from August 1976 to September 1978. In September 1984, he transferred to HM-12, NAS Norfolk, VA, as a pilot under instruction to qualify in the RH-53D, Sea Scallion helicopter to conduct missions in Airborne Mine Countermeasures. From April 1979 through February 1981, he served his first Fleet tour with HM-16, NAS Norfolk, VA, as communications officer and avionics/weapons officer. He then transferred to shore duty in February 1981 to HM-12, NAS Norfolk, VA, and served as a RH-53D instructor pilot, assisting operations officer, RH-53D NATOPS officer, RH-53D model manager, COMNAVAIRLANT RH-53D NATOPS evaluator, and assistant maintenance officer until October 1985. He also served in a temporary duty status as the HM class desk to the CO of OCEHTACWING ONE, NAS Norfolk, VA, from April 1984 until November 1984.

Captain Sabol joined the Naval Reserve and was selected for the Training and Administration of the Reserves Program in October 1985 where he was assigned to the Naval Air Reserve Norfolk, VA, as the HM program manager and the naval air coordinator for the establishment of HM-18. In September 1986, he was assigned to HM-18 as operations officer, security officer, and RH-53D NATOPS officer. He then transferred to COMHELWINGRES, NAS Norfolk Island, CA, as the first HM class desk, COMNAVAIRESFOR RH-53D NATOPS evaluator, and the Naval Air Reserve coordinator for the establishment of HM-19 from November 1987 to June 1989. He then was assigned as the officer-in-charge of HM-19, NAS Norfolk, VA, from June 1989 to July 1991. From July 1991 to December 1993, he served as the executive officer and later as the commanding officer of HM-19, NAS Alameda, CA. He then attended the Naval War College, Newport, RI, from December 1993 until March 1996. In December 1995, he received his master’s degree in national security and strategy and policy.

He then received orders to the staff of the Chief of Naval Operations, Director of Naval

IN THE HOUSE OF REPRESENTATIVES Tuesday, July 27, 1999
Reserves in the Pentagon, Washington, DC, from March 1987 to November 1996 serving as the Manpower Branch head and then late as the Director, Manpower, Personnel, Training, and Mobilization. In November 1996, he was assigned to the Office of the Assistant Secretary of Defense for Reserve Affairs in the Materiel and Facilities Deputate as the Director of Materiel.

Among his awards and decorations are the Meritorious Service Medal with one star, Navy Commendation Medal with one star, Navy Achievement Medal, navy Unit Commendation with one star, Meritorious Unit Commendation with two stars, Battle “E” ribbon with two “E”s, Navy Expeditionary Medal with one star, National Defense Service Medal, Sea Service Deployment Ribbon with one star, and Armed Forces Reserve Medal with Bronze Hour Glass. He was appointed to the rank of captain on 01 August 1996.

Captain Sabol resides in Centerville, VA, with his wife Anne, also of Weirton, WV, and their two children, Bryon (19) and Alexis (16).

BICENTENNIAL OF RAVENNA, OHIO

IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 27, 1999

Mr. SAWYER. Mr. Speaker, 1999 is a special year for Ravenna, Ohio. In 1799, on the cusp of a new century, Benjamin Tappan became the first settler of what is now Ravenna in Portage County. The bicentennial of that humble beginning is being celebrated and commemorated throughout the year.

In many ways, Benjamin Tappan demonstrated in one person the diverse talents that have been so instrumental in America’s growth. And, in much the same way, the story of Ravenna is the story of America.

Benjamin Tappan apprenticed as a copper-plate printer and engraver and studied portrait painting under Gilbert Stuart. He practiced law, served in the World War of 1812, and served in public life as a state senator, judge, canal commissioner, and U.S. Senator. He was, by all accounts, an independent thinker, an opponent of slavery, and a man of immense talents and principle. In short, an American archetype.

Just as Benjamin Tappan’s life was characteristic of the early settlers of the wilderness that was Ohio, Ravenna’s history is one of growth, adaptation, pride, and hard work.

In the 1820’s, Ravenna benefitted from construction of the Pennsylvania and Ohio Canal, popularly known as “The Cross Cut,” running from Akron to the Ohio River.

As technology and transportation changed, so did Ravenna. Beginning in the 1850’s, the railroads arrived, gradually supplanting the canals. In the years following the Civil War, assisted by the railroads, Ravenna emerged as a manufacturing center. From glassworks to coach houses, from woolen mills to cereal mills, and from foundries to rubber, Ravenna has made the tools that built America, the fabric that clothed America, the cereal that fed America, and the balloons that brightened America.

Today, access to both rail and highway transportation has helped Ravenna to attract and maintain industry, even as the region and the nation changed.

It could be said, Mr. Speaker, that there is nothing very special in any of this. Many towns, cities, and regions have changed as the nation and the economy have changed. But it is this apparent familiarity that makes Ravenna special—a community able to maintain its sense of self, its pride of achievement, celebrating its past while looking to the future. Like Benjamin Tappan, as American archetypal.

The calendar of events marking this bicentennial is remarkable for its breadth, variety, and sense of fun. Two hundred trees have been planted to mark Ravenna’s 200th birthday. There have been localizations of local history, workshops on making memory scrapbooks, a horse show, proclamations, and a golf outing. Still to come are a concert, a parade, fireworks, an art show, a raffle, trolley tours, and the 21st annual “Balloon-A-Fair,” a continuing celebration of Ravenna’s pride in its lighter-than-air heritage. In short, even as Ravenna celebrates, it cheerfully demonstrates the adage that “it’s great to visit the past, but you don’t have to live there to enjoy it.” The past and the future share a home in Ravenna, Ohio.

At 200, Ravenna has a full, rich heritage, and on the cusp of another new century, the promise of even better things to come.

IN RECOGNITION OF THE AMERICORPS YOUTH PRIDE PROGRAM

HON. PETER DEUTSCH
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 27, 1999

Mr. DEUTSCH. Mr. Speaker, I rise today to recognize the devoted men and women of the AmeriCorps Youth Pride Program. Youth Pride Program volunteers tutor and mentor 250 low-income youth to help ensure academic achievement in Florida City, Florida. It is both an honor and a privilege for me to pay tribute to such a noble effort.

In addition to helping these students with their academics, the Youth Pride Program provides after-school activities to approximately 350 students. With a 90% decrease in school suspensions and detentions among those served, the success rate of this after school program has been outstanding.

The Youth Pride Program is part of AmeriCorps, and has national network of hundreds of community service groups throughout the United States. When President Clinton created AmeriCorps, he spoke about the virtue of service to the community. Like many Americans, I strongly believe that volunteerism provides extensive benefits to volunteer, recipients, and the community at large.

Throughout our nation’s history, we have relied on the dedication and action of our citizens to tackle the biggest challenges. I am pleased to say that the AmeriCorps Youth Pride Program adds to this revered tradition. I wish to congratulate and extend every state and volunteer network of the Youth Pride Program on a job well done. This is truly an achievement of which the entire South Florida community can be proud.

COMMENDING ADAM JONES FOR HIS SERVICE AS A REPUBLICAN PAGE

HON. JOE KNOLENBERG
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 27, 1999

Mr. KNOLENBERG. Mr. Speaker, I rise today to commend Adam Jones on the completion of his service as a Republican page in the House of Representatives.

During his tenure in the nation’s capital, Adam proved himself to be a reliable and tireless worker. His work ethic and attention to detail helped ensure that the trains ran on time in the House of Representatives, and he will surely be missed by the individuals he worked closely with over the last year.

Adam is an outstanding young man and an excellent student. He has compiled a grade point average of 3.79 at Northville High School, where he has assumed numerous leadership positions. In addition, Adam has volunteered his time to work on several political campaigns in Oakland and Wayne Counties and has been active in his church.

I am honored that I had the opportunity to nominate Adam for the Republican page program. He capitalized on this wonderful opportunity to work and learn in our nation’s capital and enhanced his understanding of politics and the legislative process.

I have the utmost confidence that Adam will continue to achieve success in the endeavors he pursues, and I wish him the very best during his senior year at Northville High.

PERSONAL EXPLANATION

HON. CHARLES H. TAYLOR
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 27, 1999

Mr. TAYLOR of North Carolina. Mr. Speaker, due to an unforeseen airline delay enroute to Washington, I was not present to vote on rollcall vote No. 335. The Hoeffel amendment to H.R. 1074. Had I been present, I would have voted “no” on this amendment. I was also unable to vote on rollcall vote No. 336 on passage of H.R. 1074. Had I been present, I would have voted “aye” on this recorded vote.

CONGRATULATING PAT CAMPANILE’S STUDENTS AT SHADY LANE ELEMENTARY

HON. ROBERT E. ANDREWS
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 27, 1999

Mr. ANDREWS. Mr. Speaker, I rise today to commemorate a great day, on which 30 sixth grade students from the Shady Lane Elementary School reached all of the appropriate levels on their Terra Nova test. Ms. Pat Campanile’s sixth grade class is an outstanding group of young people. I wish the best of luck to the following group of sixth graders who shared this special day with me at the Shady Lane School: Courtney Callahan, Nicholas Battee, Jaimie Beeker, Destiny Bingham,
Brian Buck, John Childress, Robert Kilcourse, Kody McMichael, Marisa Peters, Matthew Raively, Deborah Robinson, Karen Sabater, Donald Smith, Richard Smith, Marcus Smith, Ayana Thomas, Jessica Welch, George Williams, and Nylan Wolcott.

PERSONAL EXPLANATION
HON. PATRICK J. KENNEDY
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 27, 1999

Mr. KENNEDY of Rhode Island. Mr. Speaker, last week I was not able to be present for rollcall votes 308–334. Had I been present, I would have voted the following way: 308—"yea"; 309—"yea"; 310—"yea"; 311—"yes"; 312—"yea"; 313—"yes"; 314—"no"; 315—"no"; 316—"yea"; 317—"yea"; 318—"yea"; 319—"yea"; 320—"no"; 321—"yea"; 322—"yea"; 323—"yea"; 324—"no"; 325—"yes"; 326—"yea"; 327—"yea"; 328—"yes"; 329—"yes"; 330—"no"; 331—"yes"; 332—"yes"; 333—"no"; 334—"yea.

RECOGNIZING BISHOP MACRAM MAX GASSIS
HON. FRANK R. WOLF
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 27, 1999

Mr. WOLF. Mr. Speaker, I am submitting for the RECORD an article from the recent Washington Watch by the Family Research Council about Bishop Macram Max Gassis, a Roman Catholic bishop from Sudan. Over the years, Bishop Macram has tirelessly fought for justice for his people—the people of Southern Sudan and the Nuba Mountains who have suffered and died in great numbers during the war that has plagued the country for the past fifteen years.

Over 2 million people have died in Sudan—more than in Rwanda, Kosovo, Somalia and Bosnia combined. They often feel they are forgotten by the world.

Bishop Macram reminds us that these men, women and children must not be forgotten. He reminds us of their brave spirit, their hope in the midst of suffering and their quest for justice. He reminds us of our responsibility to speak out, take action and do what we can to help the people of Sudan.

I have been privileged to know Bishop Macram over the years.

A GENTLE GIANT OF FAITH
(By Bill Saunders)

In Sudan, just south of Egypt, where the church traces its roots to Apostolic times, a radical Islamic government is waging war on its own citizens—torturing and murdering Christians. In this war, the government regularly bombs innocent civilians, destroys their food supplies, poisons their only sources of clean water, desecrates their churches, supports the taking of their children as slaves, and forces non-Arab, non-Muslim people into refugee camps where they must convert to Islam or starve.

For years, the world has done little to help. The U.N. has allowed the Sudanese government to dictate where it can provide relief (thus, the most needy people starve).

Until recently, the U.S. focused little diplomatic effort on the problem, despite Sudan’s strategic position as a bridge between black Africa and the Middle East, and despite the Sudanese government’s overt aim of exporting radical Islam throughout the world. Only recently, the House of Representatives passed a stinging resolution, finally and fairly condemning these practices by the Sudanese government. Senator Sam Brownback has introduced a similar resolution in the Senate but it remains to be seen whether the Senate will take substantive action.

In the midst of this man-made hell on earth, one man stands out as he fights for justice. That man is Catholic Bishop Macram Max Gassis. Born in Sudan of ethnically-mixed parents and educated in England, Italy, and the United States, the Bishop is an articulate modern-day prophet. The only Sudanese bishop born in the northern (Arab) part of the country, he is fluent in the Arabic language and understands those in the North who see all blacks as ‘slaves’ and all Christians as ‘infidels’.

Unlike so many others, he refuses to pretend the horror does not exist. He has spoken out before the European Parliament, the U.S. Congress, the United Nations Human Rights Commission. He travels regularly to the West, particularly to the United States, to expose the evil in his country. His witness has inspired many, from Senator Brownback to Congressman Frank Wolf. He, like St. Paul, has spoken the truth to kings and governors.

In Sudan, the people revere Bishop Gassis for his courage. The government, angry that he has called it to account, has branded him a criminal. Whenever he travels back to his country, he risks being captured and possibly executed.

Undaunted, he returns to his diocese because his people need him. His presence inspires them. Every time he returns, he struggles desperately needed supplies through enemy lines. In many areas, he is the only one providing assistance.

Despite his tribulations, the Bishop remains a gentle man, firmly committed to Christ. He has a special affection for children, particularly those children who were formerly enslaved, and is raising several hundred of them, orphaned by the raiders who abducted them. These children need education, food, clothing, and counseling, and he provides it. Because of this expression of Christian love, the children are joyful and, like Bishop Gassis, full of hope. Christianity, their ancestral heritage, is alive and growing. The church, through heroes like Bishop Gassis, refuses to be silenced. As he says, ‘though we in Sudan are being crucified, after every crucifixion, there comes a resurrection.’

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2000

SPEECH OF
HON. JACK KINGSTON
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, July 22, 1999

The House in Committee of the Whole on the State of the Union had under consideration the bill (H.R. 2562) making appropriations for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes:

Mr. KINGSTON. Mr. Chairman, the House Department of Defense Appropriations Bill for FY00 provides an extremely important allocation of resources in a serious effort to improve critical shortcomings affecting the readiness of our armed forces. This bill meets the budget authority and outlay limits set in the Committee’s 302(b) allocation, provides a critical $15.5 billion increase over appropriations in FY99, and provides $2.8 billion above the President’s request. This legislation goes a long way to address critical readiness, recruitment, retention, operational maintenance, and quality of life needs that are so important for our military. However, I am concerned about aspects of the legislation. Thus, if not cutting programmed funding for the initial production of the Air Force’s number one development priority, the F-22, Raptor.

We expect our military to remain the world’s best, head and shoulders above any potential aggressor. We demand that our armed forces reign supreme in personnel, training, professionalism, and equipment. We do not want parity with our enemies, we demand superiority. We do not want to win conflicts by attrition but by overwhelming our foes. A most critical aspect of our superiority is our ability to achieve and maintain air superiority in any conflict. Furthermore, today Americans have grown to expect to win conflicts with minimal or tolerable casualties.

A new wave of “air superiority” aircraft in the most advanced aircraft are the great enabler in any conflict whether to protect our Navy, or to allow the introduction and free maneuver of our ground forces. Air superiority is vital. Experience in modern warfare has continued to confirm the importance of the F-15 from its success in World War II to operations during Desert Storm and Operation Allied Force.

The F-22 aircraft is being produced to replace the F-15 fighter and to accomplish its mission. The F-15 currently represents 1960’s technology and the aging fleet will average 26 years old when the F-22 is scheduled to be operational. Today’s F-15’s have served our country well, but in the future our pilots will be at risk. Its capabilities today are at parity with the Russian SU-27, MIg-29 and by 2005 will be at a disadvantage facing the Russian SU-35 or the French Rafael, and the European Fighter 2000 aircraft that will be available on the world market. Additionally, the surface to air missile threat continues to advance world wide. Today the SA-10 and SA-12 missile availability pose a threat to the F-15. Proliferation of SA-10 and SA-12 capability has increased from four countries in 1985 to fourteen in 1995 and an estimated 22 by 2005. The F-22 will have the capability to counter the surface to air missile threat through stealth technology, supersonic capability that will significantly reduce missile engagement opportunity, maneuverability and unequaled pilot awareness.

The F-22 aircraft development costs, $19 billion has been invested to date, but the cost and advanced technology provide significant efficiencies and long term savings. The F-22 will reduce by half the number of maintenance personnel for each aircraft. It is expected to have 30 percent reduction in direct operations and sustainment costs per squadron per year and 30 percent reduction in direct operations and sustainment costs per aircraft. It is expected to have 30 percent reduction in direct operations and sustainment costs per aircraft. It is expected to have 30 percent reduction in direct operations and sustainment costs per aircraft.
Amendment to the Fiscal Year 2000 Defense Appropriations Bill Offered by Mr. Kingston

[In the “AIRCRAFT PROCUREMENT, AIR FORCE” account (beginning at page 29, line 11 of the committee report), increase the pending amount by $630,297,000, representing an increase of $1,852,075,000 in the F-22 aircraft program and a decrease of $1,221,778,000 in other programs.]

In the “AIRCRAFT PROCUREMENT, NAVY” account (beginning at page 25, line 3 of the committee report), reduce the pending amount by $367,897,000.

In the “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE” account (beginning at page 35, line 14 of the committee report), reduce the pending amount by $242,400,000.

And amend the committee report accordingly.

Detailed Amendments for the Committee Report

Change: Increase the following lines as specified

AIRCRAFT PROCUREMENT

F-22 aircraft

Total: $1,852,075,000

Offsets: Reduce the following lines as specified

Title III Procurement

Air Force Procurement (in thousands of dollars)

Combat Aircraft (Report page 173)

Tactical aircraft: $1,574,981.

F-22 Raptor: $277,094.

Total: $1,852,075.

Offsets: Reduce the following lines as specified

Title IV Procurement

Air Force (in thousands of dollars)

Modification of Inservice Aircraft:

H-1 Series: $16,650.

A-10: $5,000.

F-15: $598,328.

F-16: $496,000.

C-135: $337,800.

DARP: $124,800.

Air Force Procurement, Navy

Other Aircraft (Report page 148)

A-10: $100,000.

KC-135: $1,822,000.

Modification of Aircraft:

EA-6 Series: $66,000.

AH-1 W Series: $3,000.

H-1 Series: $10,000.

EP-3 Series: $17,000.

P-3 Series: $10,000.

Title IV, Research, Development, Test and Evaluation

RDT&E, Air Force (Rpt page 248)

Demonstration & Validation (in thousands of dollars)

Joint Strike Fighter: $100,000.

Engineer’s & Manufacturing Development (in thousands of dollars)

B-2 Advanced Technology Bomber: $124,400,000.

Why We Need the F-22

Preservation

Need F-22 to protect future and current surface-to-air missile (SA 10/12) threats. The F-15 cannot operate in this environment by itself.

21 countries expected to posses SA 10/12’s (advanced SAMs) by 2005.

237 of world’s 267 nations have surface to air missiles.

There will be a five fold increase in the number of countries with radar guided air to air missiles.

As many as 700 MIG-21’s may be upgraded between 1995 and 2000.

F-15 began service in early 1970’s (almost 25 years ago).

When F-22 becomes operational in F’Y 06, the F-15 will average 26 years old.

When JSF becomes operational in F’Y10, the F-16 will be 30-40 year old F-15’s put our pilots at risk.

Today the F-15 is just at parity with the SU-27 and MIG-29.

By 2005 the F-15 will be disadvantage to the SU-35 and the export versions of the Rafale and European Fighter 2000.

Air to air missiles are proliferating and becoming more capable.

Impact of Slippery Program

3 year delay in program, voids contracts, and kills program.

This is not a pause, it kills the production program.

Increase in costs breaks the contract price and the Congressional costs caps.

Increases Air Force costs by $6.5 billion.

Set back for Army’s number one priority the Comanche helicopter since they have some common systems.

$36 billion already invested to date.

Loss of Industrial base to support F-22 program.

Upgrading the F-15 would cost about $26 million per plane.

F-22

F-22 replaces the F-15 for all weather superiority and deep attack.

Increased capabilities: stealth, supercruise, maneuverability, avionics, weapons payload.

First look, first shot, first kill against multiple targets.

Flight tests have gone well.

Cost are controlled, costs are within funding caps set by Congress.

The F-22 will reduce by half the number of maintenance personnel for each aircraft.

F-22 will cost $500 million less to operate and support over 20 years than an F-15 squadron.

F-15 afterburner operations are limited to 5-7 minutes, F-22 can operate at supersonic for a significant period of time without afterburners.

20% lower combat turnaround time for the F-22 higher sorties rate.

Lower deployment requirements (14 C-17s to deploy F-15 vs. 4C-17s for F-22).

JSF

JSF leverages technologies from the F-22 (avionics, engines).

JSF is a multi-role air to ground fighter to complement (not replace) the air-to-air role of F-22.

JSF replaces the F-16 and A-10 and meets requirements for other military services.

Without the F-22, the requirements for JSF change and will delay JSF by several years.

For more information contact Cong. Kingston (5-6301) or Cong. Chambless (5-6533).

Point Paper on HAC-D to F-22 Procurement

Background—Why the USAF Needs the F-22

The 21st Century Force Structure

The Air Force’s modernization strategy is built upon a proper mix of “High” capability F-22s and “Low” cost Joint Strike Fighters (JSF) to achieve the dominant capability and operations tempo to support Joint Vision 2010s goal of full spectrum dominance.

F-22 is the high-capability force enabler designed to accomplish the most demanding missions of air superiority and attack of high-value, highly defended targets.

A combination of stealth, supercruise, integrated avionics, and larger internal air-to-air missiles.
The JSF is the low-cost majority of the force—balance of affordability and capability allows procurement of greater numbers to perform a variety of missions and sustain the required high tempo of modern warfare. The JSF will modernize the largest part of our fleet providing an affordable replacement for the F-16 and A-10. The JSF is dependent upon F-22 technologies and will complement the F-22 in the future as the F-16 complements the F-15 today.

The Need for the F-22

Joint Vision 2010 requires the Air Force to achieve Air Dominance—the ability to completely control adversary’s vertical battlespace.

The current air superiority fighter, the F-15, is at parity today with the SU-27 and MIG-29; by IOC for F-22 in 2005, the F-15 will be at a disadvantage with the fielding of the SU-35 and export versions of the Rafale and Typhoon, and the proliferation of advanced air-to-missiles such as the AA-11, AA-X-12, and MICA.

The development and proliferation of advanced surface-to-air missiles (SAMs) such as the SA-10 and SA-12 result in a sanctuary for the enemy because the F-15 will be unable to operate in this environment without a protracted, asset intensive, defense suppression campaign.

F-22’s attributes of stealth, supercruise, and integrated avionics will allow it to operate in the presence of the total threat—emerging threat aircraft, advanced SAMs, and advanced air-to-missiles.

Provides American forces the freedom from attack, freedom to maneuver and freedom to attack.

The Time is Now

The current Air Force fighter modernization program is an affordable and effective solution demanded by the increasing age of our current fighter force structure. By F-22 IOC in 2005, the average age of the F-15 will be 26 years old. By JSF IOC in 2010, the average age of the F-16 will be 24 years old. F-22 is an essential investment to achieve air dominance—the key enabler for 21st Century Combat Operations.

DISCUSSION—IMPACT OF THE HAC-D REDUCTION ON THE CURRENT F-22 PROGRAM

The proposed reduction of the F-22 funding has a net impact of terminating the current production program and increases total Air Force costs by $6.5 Billion (does not include costs for Service Life Extension of F-15 to accommodate 2 year slip to F-22 Initial Operational Capability).

Termination of the Current Production Program

The current F-22 production strategy to procure all 339 aircraft within the Congressional Cost cap of $39.8B Key elements of this strategy are: Fixed price options for the PRTV and Lot 1; Target Price Curve (TPC) for Lots 2-5; and Multi-year contracts for lots 5-12.

Impact: Termination of the Lot 1 buy voids the fixed price agreement for the PRTV/Lot 1 buy and contractually requires termination of the PRTV aircraft buy. This in turn breaks the TPC and results in a production cost increase over the Congressional cost caps. A new production strategy initiated in FY02 with an 8 aircraft buy (requires Advance Buy in FY01) and a new production profile (8, 10, 16, 24, 36) results in a production cost increase of $5.3B, which breaks the Congressionally mandated production cost cap of $39.8B.

Extension of the EMD Program by 15 Months

The cancellation of the PRTV aircraft drives the requirement to retrofit the EMD aircraft to a production configuration for dedicated initial operational test and evaluation, which would have been accomplished by the PRTVs.

An additional $500M is required for EMD to fund for Out-of-Production parts associated with these aircraft due to the lack of an active production program.

Impact: With the EMD stretchout and above considerations the total cost impact to the EMD program is $1.2B, which breaks Congressionally mandated EMD cost cap of $38.8B.

Delay to Initial Operating Capability (IOC)

F-22 IOC is currently scheduled for December 2005, the change to the production profile would delay IOC (stand up of the first F-22 squadron) to Dec 2007.

Delay in IOC would force the Air Force to execute an F-15 Service Life Extension Program (SLEP) on one Fighter Wing (72 aircraft).
Tuesday, July 27, 1999

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S9315-S9448

Measures Introduced: Nine bills and four resolutions were introduced, as follows: S. 1438-1446, and S. Res. 164-167.

Measures Reported: Reports were made as follows:

- S. 1076, to amend title 38, United States Code, to provide a cost-of-living adjustment in rates of compensation paid to veterans with service-connected disabilities, to enhance programs providing health care, education, and other benefits for veterans, to authorize major medical facility projects, to reform eligibility for burial in Arlington National Cemetery, with an amendment in the nature of a substitute. (S. Rept. No. 106-122)

Measures Passed:

- In Memory of Senior Judge Frank M. Johnson, Jr.: Senate agreed to S. Res. 165, in memory of Senior Judge Frank M. Johnson, Jr. of the United States Court of Appeals for the Eleventh Circuit.

- Small Business Financial Assistance: Senate passed S. 918, to authorize the Small Business Administration to provide financial and business development assistance to military reservists' small business, after agreeing to a committee amendment in the nature of a substitute.

- Route 66 Corridor Preservation: Senate passed H.R. 66, to preserve the cultural resources of the Route 66 corridor and to authorize the Secretary of the Interior to provide assistance, cleared for the President.

- Muhammad Ali Boxing Reform Act: Senate passed S. 305, to reform unfair and anticompetitive practices in the professional boxing industry, after agreeing to the following amendments proposed thereto:
  - Sessions (for Reid) Amendment No. 1369, to establish contract requirements for broadcasting.
  - Sessions (for Moynihan) Amendment No. 1370, to standardize the physical examinations that each boxer must take before each professional boxing match and to require a brain CAT scan every 2 years as a requirement for licensing a boxer.

- Department of the Interior Appropriations: Senate began consideration of H.R. 2466, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, taking action on the following amendments proposed thereto:
  - Adopted:
    - Gorton Amendment No. 1357, in the nature of a substitute.
  - Rejected:
    - Murray Amendment No. 1360, to strike certain provisions relating to millsite limitations. (By 55 yeas to 41 nays (Vote No. 223), Senate tabled the amendment.)

- Subsequently, the Reid Amendment No. 1361 (to Amendment No. 1360), to provide for a prohibition on millsite limitations, fell when Amendment No. 1360 (listed above) was tabled.

- Pending:
  - Gorton Amendment No. 1359, of a technical nature.

- A unanimous-consent agreement was reached providing for the consideration of the bill and amendments to be proposed thereto.

Nominations Received: Senate received the following nominations:

- Anne H. Chasser, of Ohio, to be an Assistant Commissioner of Patents and Trademarks.
- Brian Theodore Stewart, of Utah, to be United States District Judge for the District of Utah.
- Thomas B. Leary, of the District of Columbia, to be a Federal Trade Commissioner for the term of seven years from September 26, 1998.

Messages From the House:

Page S9376
Measures Referred:  Page S9376
Communications:  Pages S9376–78
Statements on Introduced Bills:  Pages S9378–94
Additional Cosponsors:  Pages S9394–95
Amendments Submitted:  Pages S9398–S9416
Authority for Committees:  Page S9416
Additional Statements:  Pages S9416–19
Text of S. 1217 as Previously Passed:  Pages S9419–41

Record Votes:  One record vote was taken today.  (Total—223)  Page S9369
Adjournment:  Senate convened at 9:30 a.m., and adjourned at 8:33 p.m., on Wednesday, July 28, 1999.  (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9447.)

Committee Meetings

AGRICULTURAL CONCENTRATION AND ANTI-TRUST
Committee on Agriculture, Nutrition, and Forestry:  Committee concluded hearings to examine anti-trust implications of consolidation and concentration in production agriculture and agribusiness, focusing on monopoly, monopsony, new technology, and the Cargill and Continental Grains mergers, after receiving testimony from Senator Dorgan; Joel I. Klein, Assistant Attorney General, Antitrust Division, Department of Justice; Michael V. Dunn, Under Secretary for Marketing and Regulatory Programs, James Baker, Administrator, Grain Inspection, Packers and Stockyards Administration, and Betsey Kuhn, Director, Food and Rural Economics Division, Economic Research Service, all of the Department of Agriculture; John Crabtree, Center for Rural Affairs, Walthill, Nebraska; William C. MacLeod, Collier, Shannon, Rill and Scott, Washington, D.C., on behalf of the Grocery Manufacturers of America; and Robert White, Kenton, Ohio, on behalf of the National Farmers Union.

INTERNET PRIVACY
Committee on Commerce, Science, and Transportation:  Subcommittee on Communications concluded hearings on privacy issues on the Internet, and S. 809, to require the Federal Trade Commission to prescribe regulations to protect the privacy of personal information collected from and about private individuals who are not covered by the Children's Online Privacy Protection Act of 1998 on the Internet, to provide greater individual control over the collection and use of that information, after receiving testimony from Robert Pitofsky, Chairman, Sheila F. Anthony, Commissioner, Orson Swindle, Commissioner, and Mozelle W. Thompson, Commissioner, all of the Federal Trade Commission; and Jill Lesser, America Online, Deirdre Mulligan, Center for Democracy and Technology, Marc Rotenberg, Electronic Privacy Information Center, and Christine Varney, Hogan and Hartson, on behalf of the Online Privacy Alliance, all of Washington, D.C.

LAND MANAGEMENT AND CONVEYANCE BILLS
Committee on Energy and Natural Resources:  Subcommittee on Forests and Public Land Management concluded hearings on S. 1288, to provide incentives for collaborative forest restoration projects on National Forest System and other public lands in New Mexico, S. 719, to provide for the orderly disposal of certain Federal land in the State of Nevada and for the acquisition of environmentally sensitive land in the State, S. 930, to provide for the sale of certain public land in the Ivanpah Valley, Nevada, to the Clark County, Nevada, Department of Aviation, S. 1374, to authorize the development and maintenance of a multiagency campus project in the town of Jackson, Wyoming, S. 1030, to provide that the conveyance by the Bureau of Land Management of the surface estate to certain land in the State of Wyoming in exchange for certain private land will not result in the removal of the land from operation of the mining laws, and S. 439, to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada, after receiving testimony from Senators Reid and Bryan; Representative Gibbons; John Reynolds, Regional Director, Pacific West Region, National Park Service, and Larry Finfer, assistant Director of Communications, Bureau of Land Management, both of the Department of the Interior; Ron Stewart, Deputy Chief, Programs and Legislation, Forest Service, Department of Agriculture; Nevada State Senator Dean Rhoads, Tuscarora, Nevada; Max Cordova, Los Siete, Truchas, New Mexico, on behalf of the Truchas Land Grant; Thomas R. Jervis, New Mexico Audubon Council, Los Alamos, New Mexico, on behalf of the Truchas Land Grant; Thomas R. Jervis, New Mexico Audubon Council, Los Alamos, New Mexico, on behalf of the Southwest Forest Alliance, the Southwest Center for Biological Diversity, and the National Audubon Society-New Mexico; Melissa Savage, Four Corners Institute, Santa Fe, New Mexico; Scott Anderson, Town Council, Jackson, Wyoming; and Randall H. Walker, Clark County Department of Aviation, Las Vegas, Nevada.
BUSINESS MEETING
Committee on Environment and Public Works: Committee began markup of S. 1090, to reauthorize and amend the Comprehensive Environmental Response, Liability, and Compensation Act of 1980, but did not complete action thereon, and will meet again on Tuesday, August 3.

BREAST/CERVICAL CANCER MEDICAL ASSISTANCE
Committee on Finance: Subcommittee on Health Care held hearings on S.662, to amend title XIX of the Social Security Act to provide medical assistance for certain women screened and found to have breast or cervical cancer under a federally funded screening program, receiving testimony from Senator Mikulski; Barbara D. Matula, North Carolina Medical Society Foundation, Raleigh; Marlene McCarthy, National Breast Cancer Coalition, Washington, D.C.; Carolyn Tapp, Women of Color Breast Cancer Survivors Support Project, Los Angeles, California; Barbara Flett, Women's Health Partnership of Suffolk County, Buffalo, New York; and Marilyn Almond, Providence, Rhode Island.

DEPARTMENT OF JUSTICE CRIMINAL DIVISION
Committee on the Judiciary: Subcommittee on Criminal Justice Oversight concluded oversight hearings on the responsibilities and activities of the Criminal Division of the Department of Justice, after receiving testimony from James K. Robinson, Assistant Attorney General, Criminal Division, Department of Justice.

CHILD CARE INNOVATIONS
Committee on Health, Education, Labor, and Pensions: Committee concluded hearings on innovations that are being made to help improve the quality and supply of child care, after receiving testimony from Carol Black, Lifetime Television, and Ellen Galinsky, Families and Work Institute, both of New York, New York; Yasmina S. Vinci, National Association of Child Care Resource and Referral Agencies, Washington, D.C.; Amanda O'Neill, Educare Colorado, Denver; Sue Russell, Child Care Services Association, Chapel Hill, North Carolina; Elaine Fersh, Parents United for Child Care, Boston, Massachusetts; Eva Marie Saint, Los Angeles, California; and Barrie Brigham, Burlington, Vermont.

House of Representatives

Chamber Action
Bills Introduced: 16 public bills, H.R. 2613–2628; 1 private bill, H.R. 2629; and 2 resolutions, H. Con. Res. 164, and H. Res. 264, were introduced.

Reports Filed: Reports were filed today as follows:
H.R. 2031, to provide for injunctive relief in Federal district court to enforce State laws relating to the interstate transportation of intoxicating liquor, amended (H. Rept. 106–265);
Conference report on H.R. 2465, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000 (H. Rept. 106–266);
H.R. 2368, to assist in the resettlement and relocation of the people of Bikini Atoll by amending the terms of the trust fund established during the United States administration of the Trust Territory of the Pacific Islands (H. Rept. 106–267);
H. Res. 262, waiving points of order against the conference report to accompany H.R. 2465, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000 (H. Rept. 106–268); and
Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Wilson to act as Speaker pro tempore for today.

Page H6427

Journal Vote: Agreed to the Speaker's approval of the Journal of Monday, July 26, by a yea and nay vote of 352 yeas to 53 nays with 1 voting “present”, Roll No. 337.

Pages H6433-34

Normal Trade Relations for China: The House failed to pass H.J. Res. 57, disapproving the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the People's Republic of China, by a yea and nay vote of 170 yeas to 260 nays with 1 voting “present”, Roll No. 338.

The joint resolution was considered pursuant to the unanimous consent agreement of July 22.


Pages H6509-50

Agreed to:

The Salmon amendment that increases renewable energy funding by $30 million; and

The Boehlert amendment that limits regulatory program funding until the Corps of Engineers submits studies and analyses 30 days prior to the final publication of the proposed replacement permits for the nationwide permit 26 under section 404 of the Clean Water Act, and not later than December 30, 1999 (agreed to by a recorded vote of 426 ayes with 1 voting “no”, Roll No. 340).

Pages H6509-50

Rejected:

The Visclosky amendment that sought to strike provisions requiring the Corps of Engineers to conduct studies and report to Congress prior to the implementation of proposed replacement permits for the nationwide permit 26 under section 404 of the Clean Water Act and specifies that results of a single-level appeal of jurisdictional determinations shall be considered final agency action (rejected by recorded vote of 183 ayes to 245 noes, Roll No. 341).

Pages H6527-29, H6548

Honorable George E. Brown, Jr. Funeral Committee: Pursuant to H. Res. 252, the Chair announced that the Speaker's appointment of Members to the Committee to attend the funeral of the late Honorable George E. Brown, Jr. of California will be printed in the Congressional Record.

Pages H6558-59

Meeting Hour—Thursday, July 29: Agreed that when the House adjourns today, it adjourn to meet at 10:00 a.m. on Thursday, July 29.

Page H6573

Senate Messages: Message received from the Senate appears on page H 6430.

Referrals: S. 296 was referred to the Committee on Science, and S. 1402 was referred to the Committee on Veterans' Affairs and the Committee on Armed Services.

Page H6580

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on pages H6583-84.

Quorum Calls—Votes: Four yea and nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H 6434, 6474-75, H 6508-09, H 6548, H 6548-49, and H 6549-50. There were no quorum calls.

Adjournment: The House met at 9:00 a.m. and adjourned at 12 midnight on July 27.
Committee Meetings

ENERGY POLICY AND CONSERVATION ACT AMENDMENTS
Committee on Commerce: Subcommittee on Energy and Power held a hearing on H.R. 623, to amend the Energy Policy and Conservation Act to eliminate certain regulation of plumbing supplies. Testimony was from Representative Knollenberg; and public witnesses.

SECURITIES TRANSACTION FEES—IMPACT OF MARKET VOLATILITY
Committee on Commerce: Subcommittee on Finance and Hazardous Materials held a hearing on the Impact of Market Volatility in Securities Transaction Fees. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

SCHOOL DISTRICT AND SCHOOL BUILDING LEVEL
Committee on Education and the Workforce: Held a hearing on Title I: What’s Happening at the School District and School Building Level. Testimony was heard from Reid Lyon, Child Development and Behavior Branch, National Institute of Child Health and Human Development, NIH, Department of Health and Human Services; and public witnesses.

OVERSIGHT—2000 YEAR CENSUS
Committee on Government Reform: Subcommittee on Census held a hearing on Oversight of the 2000 Census: Examining the Bureau’s Paid Advertising Campaign. Testimony was heard from Kenneth J. Prewitt, Director, Bureau of the Census, Department of Commerce; and public witnesses.

ADMINISTRATIVE LAW JUDGES PAY ADJUSTMENT; LIFE INSURANCE—FEDERAL EMPLOYEES
Committee on Government Reform: Subcommittee on Civil Service approved for full Committee action H.R. 915, to authorize a cost of living adjustment in the pay of administrative law judges.

The Subcommittee also held a hearing on Life Insurance: New Options for Federal Employees. Testimony was heard from William E. Flynn, III, Associate Director, Retirement and Insurance Services, OPM; and public witnesses.

MISCELLANEOUS MEASURES
Committee on the Judiciary: Ordered reported, amended, the following bills: H.R. 1752, Federal Courts Improvement Act of 1999; and H.R. 2112, Multi-district, Multiparty, Multiforum Trial Jurisdiction Act of 1999.

The Committee also began mark up of H.R. 1875, Interstate Class Action Jurisdiction Act of 1999.

Will continue August 3.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS
Committee on Rules: Granted, by voice vote, an open rule on H.R. 2606, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, providing one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule allows that the bill be open to amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized or legislative provisions or transfers of funds in a general appropriations bill). The rule provides that before consideration of any other amendment it shall be in order to consider the amendments printed in part A of the Rules Committee report which shall be considered only in the order printed in the report. The rule provides that the amendment printed in part B of the report may be offered only at the appropriate point in the reading of the bill. The rule provides that the amendments printed in the report may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. The rule waives points of order against the amendments printed in the report. The rule allows the chairman of the Committee of the Whole to accord priority in recognition to Members who have pre-printed their amendments in the Congresional Record. The rule further allows the chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit, with or without instructions. Testimony was heard from Representatives Callahan, Gilman, Smith of New Jersey, Campbell, Deal of Georgia, Greenwood, Pitts and Pelosi.
CONFERENCE REPORT ON MILITARY CONSTRUCTION, FAMILY HOUSING, AND BASE REALIGNMENT, FY 2000

Committee on Rules Granted, by voice vote, a rule waiving all points of order against the conference report on H.R. 2465, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000, and against its consideration. The rule provides that the conference report shall be considered as read.

DIGITAL DIVIDE: BRIDGING THE TECHNOLOGICAL GAP

Committee on Small Business: Subcommittee on Empowerment held a hearing to discuss the "The Digital Divide: Bridging The Technological Gap". Testimony was heard from Larry Irving, Assistant Secretary, Communications and Information, Department of Commerce; and public witnesses.

ENFORCEMENT OF REGULATIONS—NEEDLESS REGULATIONS

Committee on Small Business: Subcommittee on Government Programs and Oversight held a hearing on the burden that needless regulations and lack of common sense in enforcement of regulations place upon Small Businesses. Testimony was heard from Alan Hartman, Architect of the Capitol; Jay Gullo, Mayor, New Windsor, Maryland; and public witnesses.

NATURAL GAS AND HAZARDOUS LIQUID PIPELINE SAFETY PROGRAM

Committee on Transportation and Infrastructure Subcommittee on Economic Development, Public Buildings, Hazardous Materials and Pipeline Transportation held a hearing on reauthorization of the Natural Gas and Hazardous Liquid Pipeline Safety Program. Testimony was heard from Representative Metcalf; Kelley Coyner, Administrator, Research and Special Programs Administration, Department of Transportation; James E. Hall, Chairman, National Transportation Safety Board; and public witnesses.

TEA 21 ENVIRONMENTAL STREAMLINING PROVISIONS

Committee on Transportation and Infrastructure Subcommittee on Ground Transportation held a hearing on TEA 21 Environmental Streamlining Provisions. Testimony was heard from Eugene Conti, Jr., Assistant Secretary, Transportation Policy, Department of Transportation; Steven A. Herman, Assistant Administrator, Enforcement and Compliance Assurance, EPA; Michael L. Davis, Deputy Assistant Secretary, Army (Civil Works), Policy and Legislation, Corps of Engineers; and public witnesses.

Y2K

Permanent Select Committee on Intelligence Subcommittee on Technical and Tactical Intelligence met in executive session to hold a hearing on Y2K. Testimony was heard from departmental witnesses.

Joint Meetings

APPROPRIATIONS—MILITARY CONSTRUCTION

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2465, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000.

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 28, 1999

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold oversight hearings on the Monetary Policy Report to Congress pursuant to the Full Employment and Balanced Growth Act of 1978, 10 a.m., SH–216.

Committee on Energy and Natural Resources: business meeting to mark up S. 25, to provide Coastal Impact Assistance to State and local governments, to amend the Outer Continental Shelf Lands Act Amendments of 1978, the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people; S. 244, to authorize the construction of the Lewis and Clark Rural Water System and to authorize assistance to the Lewis and Clark Rural Water System, Inc., a nonprofit corporation, for the planning and construction of the water supply system; S. 1330, to give the city of Mesquite, Nevada, the right to purchase at fair market value certain parcels of public land in the city; and S. 1329, to direct the Secretary of the Interior to convey certain land to Nye County, Nevada, 10 a.m., SD–366.

Subcommittee on Water and Power, to hold hearings on S. 624, to authorize construction of the Fort Peck Reservation Rural Water System in the State of Montana; S. 1211, to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner; S. 1275, to authorize the Secretary of the Interior to produce and sell products and to sell publications relating to the Hoover Dam, and to deposit revenues generated from the sales into the Colorado River Dam fund; S. 1236, to extend the deadline under the Federal Power Act for commencement of the construction of the Arrowrock Dam Hydroelectric Project in the State
of Idaho; S. 1377, to amend the Central Utah Project Completion Act regarding the use of funds for water development for the Bonneville Unit; and S. 986, to direct the Secretary of the Interior to convey the Griffith Project to the Southern Nevada Water Authority, 2:30 p.m., SD–366.

Committee on Foreign Relations: business meeting to mark up proposed legislation to prevent the further proliferation of nuclear, chemical, and biological weapons; and to authorize appropriations for the provision of security assistance to certain foreign countries; S. 720, to promote the development of a government in the Federal Republic of Yugoslavia (Serbia and Montenegro) based on democratic principles and the rule of law, and that respects internationally recognized human rights, to assist the victims of Serbian oppression, to apply measures against the Federal Republic of Yugoslavia; S. Res. 166, a resolution relating to the recent elections in the Republic of Indonesia; S. Con. Res. 48, relating to the Asia-Pacific Economic Cooperation Forum; and pending nominations, 11 a.m., SD–419.

Subcommittee on International Economic Policy, Export and Trade Promotion, to hold hearings on the activities of the Agency for International Development and United States climate change policy, 2 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: business meeting to consider S. Con. Res. 28, urging the Congress and the President to increase funding for the Pell Grant Program and existing Campus-Based Aid Programs; S. 976, to amend title V of the Public Health Service Act to focus the authority of the Substance Abuse and Mental Health Services Administration on community-based services children and adolescents, to enhance flexibility and accountability, to establish programs for youth treatment, and to respond to crises, especially those related to children and violence; and S. 632, to provide assistance for poison prevention and to stabilize the funding of regional poison control centers, and pending nominations, 9:30 a.m., SD–430.

Committee on Indian Affairs: to hold hearings on S. 979, to amend the Indian Self-Determination and Education Assistance Act to provide for further self-governance by Indian tribes, 9:30 a.m., SR–485.

Committee on the Judiciary: to hold hearings on how to combat methamphetamine proliferation in America, 10 a.m., SD–628.

Committee on Rules and Administration: to hold oversight hearings on the operations of the Smithsonian Institution, 9:30 a.m., SR–301.

House

Committee on the Judiciary, oversight hearing on Competitive Issues in Electricity Deregulation, 10 a.m., 2141 Rayburn.

Subcommittee on Courts and Intellectual Property, oversight hearing on Internet Domain Names and Intellectual Property Rights, 10 a.m., 2237 Rayburn.

Committee on Resources, hearing on H.R. 2547, to provide for the conveyance of land interests to Chugach Alaska Corporation to fulfill the intent, purpose, and promise of the Alaska Native Claims Settlement Act, 11 a.m., 1324 Longworth.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, hearing on H.R. 316, Cruises-to-Nowhere Act of 1999, 10 a.m., 2167 Rayburn.
Next Meeting of the SENATE
9:30 a.m., Wednesday, July 28

Senate Chamber

Program for Wednesday: At 9:45 a.m., Senate will vote on the motion to close further debate on Amendment No. 1344 to H.R. 1501, Juvenile Justice; following which, Senate expects to begin consideration of S. 1429, Budget Reconciliation.

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Thursday, July 29

House Chamber

Program for Wednesday: The House is not in session.

Extensions of Remarks, as inserted in this issue

HOUSE
Andrews, Robert E., N.J., E1663
Blunt, Roy, Mo., E1660
Deutsch, Peter, Fla., E1663
Etheridge, Bob, N.C., E1659
Foley, Mark, Fla., E1659
Frank, Barney, Mass., E1660
Hall, Tony P., Ohio, E1659
Kennedy, Patrick J., R.I., E1664
Kingston, Jack, Ga., E1664
Knoaflenberg, J. Joe, Mich., E1663
Lazio, Rick, N.Y., E1659
Mollohan, Alan B., West Va., E1662
Nethercutt, George R., Jr., Wash., E1661
Royce, Edward R., Calif., E1661
Sawyer, Tom, Ohio, E1663
Schaffer, Bob, Colo., E1662
Skelton, Ike, Mo., E1661
Taylor, Charles H., N.C., E1663
Weller, Jerry, III., E1662
Wolf, Frank R., Va., E1664

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