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House of Representatives

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

(Continued)

RADIATION EXPOSURE COMPENSATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses in accordance with the Radiation Exposure Compensation Act, $2,000,000.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, established by title X of the Civil Rights Act of 1964, $7,199,000 and, in addition, up to $1,000,000 of

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the detection, investigation, and prosecution of individuals involved in organized crime drug trafficking not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $316,792,000, of which $50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed 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.

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; including purchase for police-type use of not to exceed 1,648 passenger motor vehicles, of which 1,523 will be for replacement only, without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance, and operation of aircraft; and 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, $2,357,015,000; of which not to exceed $50,000,000 for automated data processing and telecommunications and technical investigative equipment and not to exceed $1,000,000 for undercover operations shall remain available until September 30, 2001; of which not less than $292,473,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security; of which not to exceed $14,000,000 shall remain available until expended; of which not to exceed $10,000,000 is authorized to be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, and drug investigations; and of which not less than $59,429,000 shall be for the costs of conversion to narrowband communications, and for the operations and maintenance of legacy Land Mobile Radio systems: *Provided*, That such amount shall be transferred to and administered by the Department of Justice Wireless Management Office: *Provided further*, That not to exceed $45,000 shall be available for official reception and representation expenses: *Provided further*, That no funds in this Act may be used to provide ballistics imaging equipment 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 that grant or subsidy to the Federal Government.

In addition, $752,853,000 for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund, as authorized by the Violent Crime Control and Law Enforcement Act of 1994, as amended, and the Antiterrorism and Effective Death Penalty Act of 1996.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; $1,287,000, 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; expenses for conducting drug 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; purchase of not to exceed 1,358 passenger motor vehicles, of which 1,079 will be for replacement only, for police-type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft; $932,000,000, of which not to exceed $1,800,000 for research shall remain available until expended, and of which not to exceed $4,000,000 for purchase of evidence and payments for information, not to exceed $10,000,000 for contracting for automated data processing and telecommunications equipment, and not to exceed $2,000,000 for laboratory equipment, $4,000,000 for technical equipment, and $2,000,000 for aircraft replacement retrofit and parts, shall remain available until September 30, 2001; of which not to exceed $50,000 shall be available for official reception and representation expenses; and of which not less than $20,733,000 shall be for the costs of conversion to narrowband communications and for the operations and maintenance of legacy Land Mobile Radio systems: *Provided*, That such amount shall be transferred to and administered by the Department of Justice Wireless Management Office.

In addition, $344,250,000, 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 (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; $8,000,000, to remain available until expended.

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IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, as follows:

ENFORCEMENT AND BORDER AFFAIRS

For salaries and expenses for the Border Patrol program, the detention and deportation program, the intelligence program, the investigations program, and the inspections program, including not to exceed $50,000 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; purchase for police-type use (not to exceed 3,075 passenger motor vehicles, of which 2,266 are for replacement only), without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; research related to immigration enforcement; for protecting and maintaining the integrity of the borders of the United States including, without limitation, equipping, maintaining, and making improvements to the infrastructure; and for the care and housing of Federal detainees held in the joint Immigration and Naturalization Service and United States Marshals Service's Buffalo Detention Facility, $1,130,030,000; of which not to exceed $10,000,000 shall be available for costs associated with the training program for basic officer training, and $5,000,000 is for payments or advances arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to immigration; of which not to exceed $5,000,000 is to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens; and of which not less than $18,510,000 shall be for the costs of conversion to narrowband communications and for the operations and maintenance of legacy Land Mobile Radio systems: *Provided,* That such amount shall be transferred to and administered by the Department of Justice Wireless Management Office: *Provided further,* That none of the funds available to the Immigration and Naturalization Service shall be available to pay any employee overtime pay in an amount in excess of $30,000 during the calendar year beginning January 1, 2000: *Provided further,* That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further,* That none of the funds provided in this or any other Act shall be used for the continued operation of the San Clemente and Temecula checkpoints unless the checkpoints are open and traffic is being checked on a continuous 24-hour basis.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 18, line 18, after the dollar amount, insert the following: ''increased by $3,700,000)''.

Page 24, line 14, after the dollar amount, insert the following: ''(reduced by $3,700,000)''.

Mr. ROGERS. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. A point of order is reserved.

The gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank both the gentleman from Kentucky (Mr. ROGERS) and the gentleman from New York (Mr. SERRANO), the ranking member, for I know what is their continuing interest in the immigration and naturalization services.

I indicated that I had two amendments. I would like to speak to the amendment dealing with the border patrol.

All of us suffered through the tragedy of the Resendez-Ramirez case in which it was tragically found that he had the opportunity to pass through the border patrol a number of times and was not detected at that time.

The amendment that I am offering will add $3.7 million to the Enforcement and Border Affairs Account, monies coming out of the Federal Bureaus of Prisons Building and Construction Fund, which had $558 million, $147 million above fiscal year 1999.

This amendment would increase the starting salary level of border patrol agents from GS–5 to GS–7 level. I have just learned that the U.S. Border Patrol agents are also not up to staff.

As this subcommittee well knows, as this body well knows, the 1996 immigration law authorized a total of 5,000 additional border patrol agents to be added at a rate of 1,000 per fiscal year from 1997 to 2001.

INS did not request any additional agents in its proposed budget for FY 2000. This is greatly due to the lucrative job market that finds great difficulty in the recruitment and the ability to employ these individuals.

The concern is, of course, that in not being able to compete in this market, Mr. Chairman, the fact that the DEA, the FBI, and other law enforcement agencies, even local law enforcement agencies, have a higher salary than the starting GS–5 border patrol agent, which starts in at a level of $22,000 a year.

Therefore, after speaking with budget analysis, we have offered an additional $3.7 million to increase the starting salary from GS–5 level to GS–7, which will be slightly over $30,000.

We keep hearing about not being able to hire. We know the frustration of so many of our Members. We heard the pain of the tragedy of Resendez-Ramirez. Now we are facing an opportunity to do something, along with the Senate, which is also looking to do the same thing, to give the INS the opportunity to reach in a larger pool by increasing the salary to help these individuals be more competitive in being able to support their families.

I ask my colleagues to support this. I believe we have from the CBO a statement regarding the compliance with the CBO.

Mr. Chairman, let me say that this has little impact on the outlay and, as well, has little impact on the budget authorizations. So I would ask that we recognize the difficulty that the INS has had.

I am not here as an apologizer for the INS. I am simply here to say that we have heard so much about not being able to recruit INS officers, border patrol officers, and there is a great need on the northern border and on the southern border.

We heard testimony in our committee there is a great need for increasing these numbers. We must get the ability to the INS to provide higher salaries to be able to compete in today's market.

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

POINT OF ORDER

Mr. ROGERS. Mr. Chairman, I make a point of order against the amendment because it would increase the level of budget outlays in the bill in violation of clause 2(f) of rule XXI. That rule states that it shall be in order to consider en bloc amendments proposing only to transfer appropriations among objects in the bill without increasing the levels of budget authority or outlays in the bill.

This amendment would increase the level of outlays in the bill because it comes from the INS Salaries and Expenses Account. The BA is $3.7 million. It is an 80 percent outlay, which means the first year outlay is $3 million.

The object being decreased is the Prisons Buildings and Facilities Fund, which outlays at the same figure, 10 percent; and there are no outlays in the first year.

So the net increase in outlays by this amendment is $3 million, in violation I think of the rule.

Mr. Chairman, I would ask for a ruling.

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The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would simply say to the gentleman from Kentucky, I appreciate the response of the gentleman, I appreciate his interest in the INS, that I noted that there had been several amendments made in order by the majority that had points of order and were waived.

Mr. Chairman, in this instance, I am speaking particularly to the gentleman from Kentucky, he may not have heard testimony, but he knows that I did come to his committee. We had testimony in the Subcommittee on Immigration and Claims on which I serve as the ranking member begging us for the ability to provide more border patrol agents. The gentleman from Kentucky in his good graces with the gentleman from New York (Mr. SERRANO) and others have provided resources, but they have not been able to be utilized by the INS because those salaries are keeping them from competing with other law enforcement agencies, even local law enforcement agencies at higher salaries. I would just offer for the good of

our borders to provide for well-trained border patrol agents, this movement would give us the ability to have those with college degrees, associate degrees and above, and give us the ability to provide the numbers of people we need at the northern border.

I would ask, Mr. Chairman, in this instance that we have, because of the crucial nature, because of the tragedy of the Resendez-Ramirez case, that in looking at the outlays that we have the ability to waive the point of order, and I would ask that that occur.

Mr. ROGERS. Mr. Chairman, in response let me say the problem is that this puts us over our allocation. It is not a question of whether I want to do it or not, it is a question of whether or not it is legal. The gentlewoman's amendment simply puts us over our allocation. Under the rules, we simply cannot do that.

The CHAIRMAN. Do any further Members wish to be heard on the point? If not, the Chair is prepared to rule.

To be considered en bloc pursuant to clause 2(f) of rule XXI, an amendment must not propose to increase the levels of budget authority or outlays in the bill. Because the amendment offered by the gentlewoman from Texas proposes a net increase in the level of outlays in the bill, as argued by the chairman of the Subcommittee on Appropriations, it may not avail itself of clause 2(f) to address portions of the bill not yet read. The amendment is therefore not in order at this point in the reading. The point of order is sustained.

The Clerk will read.

The Clerk read as follows:

CITIZENSHIP AND BENEFITS, IMMIGRATION SUPPORT AND PROGRAM DIRECTION

For all programs of the Immigration and Naturalization Service not included under the heading ''Enforcement and Border Affairs'', $535,011,000, of which not to exceed $400,000 for research shall remain available until expended: *Provided*, That not to exceed $5,000 shall be available for official reception and representation expenses: *Provided further*, That the Attorney General may transfer any funds appropriated under this heading and the heading ''Enforcement and Border Affairs'' between said appropriations notwithstanding any percentage transfer limitations imposed under this appropriation Act and may direct such fees as are collected by the Immigration and Naturalization Service to the activities funded under this heading and the heading ''Enforcement and Border Affairs'' for performance of the functions for which the fees legally may be expended: *Provided further*, That not to exceed 38 permanent positions and 38 full-time equivalent workyears and $3,909,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: *Provided further*, That the latter two aforementioned offices shall not be augmented by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis, or any other type of formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis: *Provided further*, That the number of positions filled through non-career appointment at the Immigration and Naturalization Service, for which funding is provided in this Act or is otherwise made available to the Immigration and Naturalization Service, shall not exceed 4 permanent positions and 4 full-time equivalent workyears: *Provided further*, That none of the funds available to the Immigration and Naturalization Service shall be used to pay an employee overtime pay in an amount in excess of $30,000 during the calendar year beginning January 1, 2000: *Provided further*, That funds may be used, without limitation, for equipping, maintaining, and making improvements to the infrastructure and the purchase of vehicles for police type use within the limits of the Enforcement and Border Affairs appropriation: *Provided further*, That, notwithstanding any other provision of law, during fiscal year 2000, the Attorney General is authorized and directed to impose disciplinary action, including termination of employment, pursuant to policies and procedures applicable to employees of the Federal Bureau of Investigation, for any employee of the Immigration and Naturalization Service who violates policies and procedures set forth by the Department of Justice relative to the granting of citizenship or who willfully deceives the Congress or department leadership on any matter.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 19, line 24, after the dollar amount, insert the following: ''(increased by $15,600,000)''.

Page 24, line 14, after the dollar amount, insert the following: ''(reduced by $15,600,000)''.

Mr. ROGERS. Mr. Chairman, I reserve a point of order.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, this amendment deals specifically with all of the angst and anger that I have heard from my colleagues in terms of their complaints with respect to the INS. It has to do with adding some 200 adjudicators to assist the INS in processing the many applications that come in, legitimate applications that come in, with respect to individuals seeking to secure visas and other forms of naturalization applications.

This amendment will add 200 adjudicators and additional clerical support staff to be brought on board to augment the completion of naturalization applications. This is additional money on top of the 200 adjudicators that the INS has already requested.

Inasmuch as the gentleman from Kentucky has reserved a point of order, let me offer to give an illustration of the various tragedies that come about because of the overload in the INS offices and the tragedies that our Members face in trying to help resolve these. I say they are tragedies because they wind up ending in nonresolution. Take the case of Azmi Attia from Israel. He has been living in the United States, in Houston, for several years, he is a legal permanent resident, a college graduate, is employed with the Exxon Corporation, and applied for U.S. citizenship in early 1997. He desperately wanted to become a citizen so that he could receive a passport to travel back home to Israel to visit his dying mother. Due to the backlog, he was not granted citizenship in time before his mother died. Since then, he has suffered from severe depression and is coping every day with not becoming a citizen in time to go to be with his dying mother. This problem must be corrected and we must do it in Congress. The additional $15.6 million will do just that.

I had asked earlier for the gentleman from Kentucky to waive the point of order. I would imagine the arguments are the same. And so I would offer this, Mr. Chairman. This is an important issue. I would hope the gentleman from Kentucky would view this as an important issue and on his time I would like to enter into a colloquy because I would like to withdraw this amendment because this is important to me. It is important to the colleagues who have called my office begging for relief. It is important for those people who have seen their mother die or not been able to be with their sister who was dying of cancer, that we be able to utilize the system in a way that will move these cases forward. I would like to see some effort in conference to provide some additional adjudicators because we have looked everywhere to offset and there is always something because the authorizers and the appropriators obviously look at issues in a way that sometimes matches and sometimes does not.

This is an important issue. I would certainly appreciate the opportunity to work with the ranking member and, of course, the chairman on trying to relieve this heavy burden that so many of our colleagues are facing.

POINT OF ORDER

The CHAIRMAN. Does the gentleman have a point of order?

Mr. ROGERS. I do, Mr. Chairman.

The amendment touches text not yet read for amendment and it results in an increase in outlays and does not warrant protection under clause 2(f) of rule XXI.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I would be happy to, but I do not think the Chair will let me.

The CHAIRMAN. The Chair will once again recognize the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Let me just say, Mr. Chairman, I have withdrawn the amendment. What I was saying is that this is a crucial issue, that so many of our colleagues have indicated——

The CHAIRMAN. The gentlewoman will suspend.

The Chair understood that the gentlewoman wanted to be recognized to withdraw her amendment.

Ms. JACKSON-LEE of Texas. Yes, I would like to withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

As I indicated, this past amendment is an amendment that so many of my colleagues have indicated they have a problem with the backlog and that this amendment was requiring 200 adjudicators. I had asked for a waiver of the point of order, which we did not get, and so I was interested in inquiring of the chairman and I would like to inquire of the ranking member, in helping to work with us on the question of possible review of additional adjudicators to assist in this backlog. This is something that we have heard from the Members, this is something we have heard from from the INS, and it is a difficult problem.

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Kentucky.

Mr. ROGERS. I appreciate the gentlewoman's bringing this matter to the body's attention. The fact is that last year, the current year, we provided $172 million for the purposes of trying to reduce that backlog of naturalization, which in most cases is now 2 years. The wait for an individual to be naturalized is 2 years. That is incredibly long. But we provided the big money this current year and we provided $124 million in this bill, which was the amount the administration requested for this purpose, and they assured us they would be able to reduce the backlog with this sum of money.

Now, the gentlewoman knows that I am not happy with the Immigration and Naturalization Service. This is another reason why I think we need to think anew about how we handle all of the matters now dealt with by the INS. But for the moment in this bill, we have provided every penny that was requested of us for the purposes of reducing the backlog.

Ms. JACKSON-LEE of Texas. Reclaiming my time, let me just simply say that I hope that we can work through this issue. The INS has indicated that the backlog is because they do not have the number of adjudicators that they need.

Mr. ROGERS. If the gentlewoman will yield on that, that is not their story to me. If they are requesting more money or if they say this is not enough money, that is news to me because this is the amount they asked of us.

Ms. JACKSON-LEE of Texas. The gentleman has already said that the INS has difficulty knowing with one hand what the other hand is doing. What I do know is that we who are in the districts working with these individuals, seeing people not be able to visit their dying relatives are suffering.

Mr. Chairman, I yield to the gentleman from New York (Mr. SERRANO) on the importance of at least getting our caseloads out of our office to help these people who are suffering and cannot get to visit their dying relatives.

Mr. SERRANO. Mr. Chairman, I thank the gentlewoman very much, first of all. This is not the first time the gentlewoman has brought this subject up. This is one subject that the gentlewoman discusses with me often. As I was just saying to a staff member, if we can do something about this, then maybe on Monday, Tuesday, Wednesday, Thursday and Friday mornings, there will not be that line of 200 people around the block at my district office, people that we welcome but people that certainly are coming there to find out why the backlog exists somewhere else and not in my office.

I join the gentlewoman and I surely would join anyone else in trying to solve this problem and deal with it the proper way.

Ms. JACKSON-LEE of Texas. I thank the ranking member.

Mr. Chairman, I know the gentleman from Kentucky's angst, if you will, with the INS. I know all the work the gentleman from New York has done. If we can work together as we move this bill toward conference, I would greatly appreciate it. I think it would release a lot of us from the horrible pressures of the caseload that we have of such tragedies, of people not being able to have their cases adjudicated who are doing it legally. That is what we want to support, legal immigration.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

VIOLENT CRIME REDUCTION PROGRAMS

In addition, $1,267,225,000, for such purposes, to remain available until expended, to be derived from the Violent Crime Reduction Trust Fund: *Provided*, That the Attorney General may use the transfer authority provided under the heading ''Citizenship and Benefits, Immigration Support and Program Direction'' to provide funds to any program of the Immigration and Naturalization Service that heretofore has been funded by the Violent Crime Reduction Trust Fund.

CONSTRUCTION

For planning, construction, renovation, equipping, and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, $90,000,000, to remain available until expended: *Provided*, That no funds shall be available for the site acquisition, design, or construction of any Border Patrol checkpoint in the Tucson sector.

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 602 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $3,082,004,000: *Provided*, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that 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, on behalf of the FPS, furnish health services to individuals committed to the custody of the FPS: *Provided further*, That not to exceed $6,000 shall be available for official reception and representation expenses: *Provided further*, That not to exceed $90,000,000 shall remain available for necessary operations until September 30, 2001: *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 grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980, as amended, for the care and security in the United States of Cuban and Haitian entrants: *Provided further*, That, notwithstanding section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d)), FPS 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, $22,524,000, 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, $558,791,000, to remain available until expended, of which not to exceed $14,074,000 shall be available to construct areas for inmate work programs: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation: *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'', Federal Prison System, upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in compliance with 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, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of 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 $2,490,000 of the funds of the corporation shall be available for its 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 the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation,

payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Missing Children's Assistance Act, as amended, including salaries and expenses in connection therewith, and with the Victims of Crime Act of 1984, as amended, $143,436,000, to remain available until expended, as authorized by section 1001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

In addition, for grants, cooperative agreements, and other assistance authorized by sections 819, 821, and 822 of the Antiterrorism and Effective Death Penalty Act of 1996, $74,000,000, to remain available until expended.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended (''the 1994 Act''), $1,629,500,000 to remain available until expended; of which $523,000,000 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 well as a ''State'', for the purposes set forth in paragraphs (A), (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728 and for establishing crime prevention programs involving cooperation between community residents and law enforcement personnel in order to control, detect, or investigate crime or the prosecution of criminals: *Provided*, That no funds provided under this heading may be used as matching funds for any other Federal grant program: *Provided further*, That $40,000,000 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 defray the costs of indemnification insurance for law enforcement officers: *Provided further*, That $20,000,000 shall be available to carry out section 102(2) of H.R. 728; of which $420,000,000 shall be for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act, as amended; and of which $686,500,000 shall be for Violent Offender Incarceration and Truth in Sentencing Incentive Grants pursuant to subtitle A of title II of the 1994 Act, of which $165,000,000 shall be available for payments to States for incarceration of criminal aliens, and of which $25,000,000 shall be available for the Cooperative Agreement Program.

AMENDMENT OFFERED BY MR. SCOTT

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

The Clerk read as follows:

Amendment offered by Mr. SCOTT:

In title I, in the item relating to ''OFFICE OF JUSTICE PROGRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE'', after the first dollar amount (relating to the aggregate amount), insert the following: ''(reduced by $87,300,000)''.

In title I, in the item relating to ''OFFICE OF JUSTICE PROGRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE'', after the third dollar amount (relating to Boys and Girls Clubs), insert the following: ''(increased by $50,000,000)''.

In title I, in the item relating to ''OFFICE OF JUSTICE PROGRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE'', after the sixth dollar amount (relating to violent offender incarceration and trust in sentencing incentive grants), insert the following: ''(reduced by $137,300,000)''.

In title I, in the item relating to ''OFFICE OF JUSTICE PROGRAMS—VIOLENT CRIME REDUCTION PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE'', after the first dollar amount (relating to the aggregate amount), insert the following: ''(increased by $87,300,000)''.

In title I, in the item relating to ''OFFICE OF JUSTICE PROGRAMS—VIOLENT CRIME REDUCTION PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE'', after the fifteenth dollar amount (relating to grants for residential substance abuse treatment for State prisoners), insert the following: ''(increased by $37,300,000)''.

In title I, in the item relating to ''OFFICE OF JUSTICE PROGRAMS—VIOLENT CRIME REDUCTION PROGRAMS, STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE'', after the eighteenth dollar amount (relating to drug courts), insert the following: ''(increased by $50,000,000)''.

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

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

There was no objection.

Mr. SCOTT. Mr. Chairman, this amendment would transfer approximately one-half, that is $137 million, of the truth-in-sentencing prison grant funds to crime prevention and drug treatment programs.

□ 1700

Mr. Chairman, the fact is that the truth in sentencing funds, which only about half of the States even qualify for, can only be spent for prison construction. At this point some States have already overbuilt their prison space, and my own State of Virginia is trying to lease out space to other States in the Federal Government of about 3,200 excess prison beds. There is no reason for us to provide funds to build prison beds that States do not need.

Furthermore, Mr. Chairman, States are already spending tens of billions of dollars on prison construction, so the entire fund of $300 million spread out among the few States that actually qualify cannot possibly make any measurable difference in the number of prison beds built, much less have an overall effect on the crime rate. But if that money is targeted to crime prevention and treatment programs, we can make a significant difference on crime.

Mr. Chairman, this truth-in-sentencing policy is a poor policy to begin with. The so-called truth is actually only half truth in sentencing because the half truth is that those who are subjected to the truth in sentencing cannot get out early. The whole truth is that others cannot be held longer either. Virginia changed to 1½ to 10 year sentence where the average served was 2½ years to a sentence where everyone served 5 years. They doubled the average time served. The low-risk prisoners cannot get out early, but the high-risk prisoners that could not make parole and could have been held for 10 years cannot be held longer either.

Mr. Chairman, another problem with the truth in sentencing is the absence of parole eligibility, eliminates a major incentive the prisoners have to qualify for education and job training programs. They lose their incentive, they do not have to tell the parole board anything, and so they are more likely to come out as dumb, as untrained, as they went in. Education and job training are two of the major components in crime reduction, of recidivism. It is such poor policy, Mr. Chairman, that 23 States did not even ask for money in last year's budget, and so we have a situation where the money could be spent much better.

The Conference on Juvenile Justice has just begun, and we can make a commitment to reduce crime by passing this amendment. This amendment would increase funding for building and running boys and girls clubs, in public housing and in sites for at-risk youth by $50 million. Boys and girls clubs have been shown through study and research to be cost-effective ways of reducing crime for at-risk youth.

The amendment also provides for an additional $37 million for residential drug treatment for prisoners before they are released and approximately $90 million for drug courts. Both prison drug treatment and drug courts have been shown to significantly reduce crime at a lower cost than just simply jailing drug addicts.

So this amendment would not only reduce crime, it will reduce the amount of money that we spend. So let us show our commitment to reducing crime in this country by passing this amendment.

Mr. ROGERS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Virginia (Mr. SCOTT).

Either the gentleman's amendment is not drafted properly or he intends to cut the local law enforcement block grant by 50 million, and that is a program that is critical to our State and local law enforcements' fight to reduce crime. The amendment cuts the funds available for the Local Law Enforcement Block Grant, State prison grants, and the State Criminal Alien Assistance Program (SCAAP), by 20 percent; and the Committee has received numerous letters by our colleagues' governors, their State prosecutors, their State prison officials, supporting the Local Law Enforcement Block Grant that it refers to be cut here, and the Truth-in-Sentencing grants and SCAAP, which this amendment cuts.

Convicted felons, Mr. Chairman, serve only 38 percent of their sentences on average. Truth-in-Sentencing grants, which this would cut, which require violent offenders to serve 85 percent of their sentences, are a vital and sensible response to the problem that we face.

While there may be several reasons for the recent drop in violent crime, the fact remains, prison works. The simple fact is that prisons incapacitate offenders. Incarceration, unlike probation or parole, makes it impossible for offenders to victimize the public as long as they are locked up. Historic figures show that after incarceration rates have increased crime rates have moderated, and I would submit to my colleagues that is exactly the case we face today as America right now is enjoying the lowest violent crime rate in recordkeeping history.

On the other hand, imprisonment is actually used less frequently than are alternative sanctions. On any given day, seven offenders are on the street for every three who are behind bars. In 1991, 45 percent of State prisoners were on probation or parole at the time they committed their last crime. Together these parole and probation violators committed 90,639 violent crimes while under supervision in the community. That is 13,100 murders, 12,900 rapes, 19,300 assaults, and 39,500 committed by people on parole or probation. In 1992, over 40 percent of persons on death row were on probation, parole, or pretrial release at the time they committed the murder for which they are now on death row.

The lack of prison space is a national problem. When we passed the legislation in 1995, only 12 States were Truth-in-Sentencing States. By the end of 1998, 27 States and the District of Columbia required violent offenders to serve at least 85 percent of their prison sentences. Another 13 States have adopted Truth-in-Sentencing laws requiring violent offenders to serve a substantial portion of their sentence before being eligible for release.

The need for additional prison capacity remains. While some States may have excess prison capacity, other States are a long way from reducing their overcrowding problem, and I suspect the gentleman from Florida (Mr. MCCOLLUM), the chairman of the Subcommittee on Crime who I am sure will speak momentarily, will elucidate on these points.

I would urge my colleagues to oppose this amendment. This amendment, although it has a worthy goal of increasing funding for certain programs, unfortunately would cut the programs that are working in bringing down violent and other crimes in the country, and I would urge the rejection of this amendment.

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

Mr. Chairman, I rise to oppose this amendment, and I do so with all due respect to the gentleman who offered it who is a good friend and has served on this committee with me and the Subcommittee on Crime for quite some time and is the ranking member. I know he has offered this same proposal now, I think, 4 years in a row; and he genuinely does not believe in the purpose or the usefulness of these grants that are going out under the truth in sentencing, but I must say that it has been remarkable in my judgment, and I think the judgment of most who have looked at this, how successful these truth-in-sentencing grants have been.

As the gentleman from Kentucky (Mr. Rogers) has indicated, we now have seen a dramatic increase in the number of States that have adopted the 85 percent rule over where they were just a few years ago when we started this incentive grant program to help States build the prison spaces they need in order to be able to house violent repeat offenders. At one time I think there were only 6 or 7 states when we started this program that had the 85 percent rule requiring one to serve at least that percentage of their sentence then.

In just about every State they are going through the revolving doors. We now have about 40 States that are engaged in activities to increase the sentencing at least towards the goal of 85 percent of receiving some money under this program. I believe I am correct in saying that 31 or 32 States that have actually achieved the objective and are now requiring their violent repeat felons to serve at least 85 percent of their sentences, and this is a major factor in the reduction in the rate of violent crime in this country the last couple of years. Very clearly that is the case.

We certainly do not want to jeopardize that; we do not want to reverse that.

Now we have far too many crimes every year being committed in this country. I think we used to have about 165 back in 1960, 165 violent crimes for every 100,000 people in our population. That went up to 680 or so a few years ago, and now it is down to the lowly amount of 611 violent crimes for every 100,000 people in our population, way too high; but this is the right direction it is trending, and the truth-in-sentencing grant program to the States to help them build prison beds in return for requiring this longer sentence to be served is an integral and important reason why that is so.

Now I am all for boys and girls clubs, and I am all for drug treatment and for drug courts. This legislation provides $40 million up from $20 million in fiscal year 1998 for boys and girls clubs. It provides $63 million for the drug treatment programs, the same level as last year. It provides $40 million for drug courts, up from $30 million in the last fiscal year. And so while the causes that the gentleman from Virginia (Mr. SCOTT) advocates that the money be placed towards in lieu of the truth-in-sentencing grants are all causes which everyone in this Congress supports, they are not underfunded.

We need to find balance in this program, and we need to have a common sense approach to this, and no one is arguing that incarceration alone is the answer. Community-based prevention programs such as prison drug testing and meaningful work opportunities for inmates are just a few of the additional efforts that need to be done.

But this amendment, as I said earlier, has been offered four times in a row, four different occasions for an appropriations bill. Fortunately, it has been defeated each time, and I would urge my colleagues to defeat it again this time. We need to continue this successful truth-in-sentencing program, not interrupt it; and I urge a no vote on this amendment.

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

Mr. MCCOLLUM. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I hold here in my hand a copy of a letter from 34 of our Nation's Governors who are urging us not to cut this program, and I would submit that for the RECORD, if the gentleman would like.

JULY 20, 1999.

Hon. C.W. BILL YOUNG, CHAIRMAN,
Committee on Appropriations, U.S. House of Representatives, Washington, DC.

Hon. HAROLD ROGERS, CHAIRMAN,
Appropriations Subcommittee on Commerce, Justice, State and the Judiciary, U.S. House of Representatives, Washington, DC.

Hon. DAVID R. OBEY,
Committee on Appropriations, U.S. House of Representatives, Washington, DC.

Hon. JOSÉ SERRANO,
Appropriations Subcommittee on Commerce, Justice, State and the Judiciary, U.S. House of Representatives, Washington, DC.

DEAR GENTLEMEN: We are writing to ask you to restore funding for FY 2000 for the Violent Offender Incarceration/Truth-in-Sentencing (VOI/TIS) Prison Construction Grant Program at the FY 1999 level without offsets, set-asides or earmarks.

Relying on the incentives in VOI/TIS, most of our states have adopted longer sentences for violent crimes and instituted other changes to ensure that the actual time served by violent offenders is consistent with their sentences. We all have projects in various stages of planning and implementation, which depend upon VOI/TIS being funded through FY 2000.

These funds are vital to states' efforts to get violent offenders off our nation's streets and to keep them off longer. We believe the reduction in violent crime rates that has occurred in the last few years is partly because repeat violent offenders are being taken off and kept off the streets in record numbers—due in no small part to the impact of the VOI/TIS State Prison Construction Grant Program.

However, the number of violent offenders coming into our prisons, combined with those being held for longer period of time, continue to make our violent offender prison populations rise. These offenders are also more costly to house and manage securely. Reliable statistical projections by prudent state planners—as well as the U.S. Department of Justice—indicate it will be well into the next decade before population figures for violent offenders level out. The job of getting the maximum feasible number of violent offenders off the streets for longer periods of time has not been finished.

We appreciate the leadership you have demonstrated in establishing and funding the VOI/TIS program and for the many other ways in which your committees have supported state and local efforts to fight crime. However, we are deeply concerned about the elimination of VOI/TIS funding and urge you to restore VOI/TIS funds at the FY 1999 level for FY 2000.

Your consideration is deeply appreciated.

Sincrely,

(Signed by 34 State Governors.)

Mr. MCCOLLUM. Mr. Chairman, I would like for the gentleman to do that.

I think that speaks worlds of testimony. The governors like it, it is a great program, and we should continue doing it. We must continue doing it for the safety of our kids on the street.

So I urge a ''no'' vote on the Scott amendment.

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

Mr. Chairman, I rise in support of this amendment. The chairman of our subcommittee has very strongly told us over and over again, and I believe him, that our subcommittee has played a major role through some of its actions in reducing crime; and I, as a new member to the committee and as ranking member, I continue to work with him to make sure that that happens, and I have no doubt that his statements are correct, that this subcommittee has played a role.

But I think what we have to look at here is that the amendment offered by the gentleman from Virginia (Mr. SCOTT), one glance at it, it supports that whole notion that some of us share that the best way to fight crime is to prevent it and that the best way to prevent crime is to supply dollars and create programs that in fact benefit people, especially young people, so that they will not be in a life of crime, and any time, and my colleagues have to understand this, at any time to some of us colleagues speak about spending dollars on building prisons, which is in many cases or in most instances what this ends up being.

Well, we feel that too much money in this country is already being spent on building prisons. We spend more money on building prisons than we spend in many instances on education. So I think that the amendment offered by the gentleman from Virginia (Mr. SCOTT) is one that we should pay special attention to, especially when he divvies up the money in what I think is a wonderful and a direct way, prison drug treatment, the drug court program, boys and girls clubs. When we do this together, we are in fact being very supportive of the work that governors and other people are doing throughout the States. But the fact of life is, as he points out, that in so many cases there are problems. Twenty-three States did not receive any funds in FY 1999. There is no excuse for that, and something is wrong. He does not want that money to go to waste, and he knows how best to use it.

And so I would hope that people would look at this amendment for what it is. It is an amendment that in fact fights crime. It is an amendment that in fact speaks to exactly what some of my colleagues have been speaking about and that we are all so proud of that is happening in this country, and I think that rather than just react to it automatically, the way we always do, we should look at it for what it is worth, and it is worth a lot and we should be supportive of it.

□ 1715

Mr. WATT of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Scott amendment and want to applaud my colleague for bringing this amendment forward again this year.

Mr. Chairman, for those who have voted against the amendment in the past, they may have done it because they thought they needed more prisons. But understand that the crime rate in most States is down and the need for more prison space is down, so that even for those people who supported this program from which the funds would be transferred in the past, who thought they had a rational basis for it, in many communities jail construction and prison construction has just become an employment program now.

Mr. Chairman, let me assure Members that the places to which the money is being transferred under this amendment would employ people also. So we are down to a choice between whether we build some more prisons, which are not needed, even if you think being harder on crime is important and has played an effective role in reducing crime. Once that effective role is played, then you eliminate the need for the money to have additional prison space, because during the time when the crime rate was on the incline, going up, we built a lot of prison beds and prison space in this country, and now that the crime rate is going down, we have got more than we really need. So we cannot even justify it, even if you claim to prefer to be hard on crime.

In fact, it would be better if you did not support these prevention programs to which the gentleman from Virginia (Mr. SCOTT) is proposing to transfer the money. It would actually be better to just void the program out and put the money in debt reduction than it would be to continue to spend the money on a program serving no useful purpose.

But that is not what I am advocating. I am advocating transferring the funds, as the gentleman from Virginia (Mr. SCOTT) has proposed in his amendment.

Now, why am I doing that? First of all, the gentleman is transferring $50 million of the funds to the Boys and Girls Programs. Why do we want to do that? Because what we understand is that the period of time from the time that kids get out of school to the time that these working parents who have to work to sustain this economic boom that we are having, unemployment is down and jobs are up so more people are working, the time that most of the crime occurs among young people in this country is the period between the end of school and the time that their parents come home.

When is the most effective time and the most need for the Boys and Girls Club? What purpose do they serve? They fill this time void between the end of school and the time that their parents come home with constructive, important activities that are very positive, and that is why this program is so successful and so much needed.

It transfers $37.3 million to the prison drug treatment program. Now, why does the gentleman do that? Because, again, this is an effective program. What we have been doing is putting people in jail because of drug use or drug sales. They go in the jail with a drug habit, and they serve their time and they come right back out, still addicted to drugs, with no drug treatment while they were in prison. We had a captive audience of people who were addicted, and we did nothing about it during that period of time.

One of the most cost effective things we could do is to treat people while we have them as a captive audience.

The CHAIRMAN. The time of the gentleman from North Carolina (Mr. WATT) has expired.

(By unanimous consent, Mr. WATT of North Carolina was allowed to proceed for 1 additional minute.)

Mr. WATT of North Carolina. Mr. Chairman, I will wrap-up. I just want to address this third thing that we are doing with the money under the Scott amendment. The gentleman is transferring $50 million to the Drug Court Program.

Now, I can tell you, because I have a Drug Court in my Congressional District, I have several Drug Courts in my Congressional District, and what they are doing is they are intervening with people who come in to the court system for drug offenses and they are being proactive with them. They are identifying the problems they have of addiction. They are getting them into treatment programs. They are making sure that when somebody comes into that drug program, the Drug Court, they are not processed through the system without having their problem dealt with. So what you see is this reduced recidivism, which, again, has contributed to the reduction in crime and the reduced need for prison space.

This is just a wonderful, good amendment, and we all ought to be supportive of it. I urge my colleagues to support this wonderful amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

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

Mr. ROGERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 273, further proceedings on the amendment offered by the gentleman from Virginia (Mr. SCOTT) will be postponed.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent to consider an amendment at the desk.

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

There was no objection.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 24, line 14, after the dollar figure insert ''(reduced by $2,000,000)''.

Page 34, line 8, after the dollar figure insert ''(increased by $2,000,000)''.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I will not take the 5 minutes. I simply want to acknowledge the importance of programs that will help our youth. They are important in my district, they are important across the Nation. This $2 million will help enhance substance abuse programs for our young people, which we know is devastating. Our young people are out abusing alcohol, they are abusing drugs.

If we are going to invest in the future of our young people, this $2 million will help spread an additional opportunity for inner cities, rural communities and all throughout the Nation to provide programs for our young people.

Mr. Chairman, I rise to offer an amendment to this Appropriation bill that will increase some of the funding for juvenile justice programs within the Department of Justice. Specifically, my amendment adds $2 million to the Demonstration Project grants that are designed to reduce drug use among our youth. Currently, these project grants are funded at $10 million.

Although $10 million is a considerable amount for these programs, I feel that this issue is so important that we should add an additional $2 million. The offset for this funding increase would come from the Federal Prison funding for Buildings and Facilities.

The Administration requested additional funds for the juvenile justice programs administered by the Justice Department, but the funding remained the same from FY 1999. This amendment increases the funding to the level that was requested by the Administration.

We must increase the amount of funding for programs that reduce drug use among our young people because drug use has increased dramatically in this decade. Since 1992, marijuana use has doubled, going from 3.4 percent to 7.1 percent in 1996.

The use of other drugs has also increased. There has been a rise in heroine use among young people who are smoking and sniffing that substance. This rise has occurred specifically in small metropolitan areas. In 1995 21.6 percent of heroine users were 12 to 17 years old and 40.2 percent were 18 to 25 years old.

Clearly, this increase in drug use needs to be addressed in any method that has proven to work. The Demonstration Projects provide local communities the opportunity to apply for funding for local programs that have been proven to work.

The correlation of drug use and the increase in juvenile crime cannot be overstated. programs that work to reduce drug use among juveniles will also work indirectly to reduce youth crime.

As we have witnessed in the past several months, juvenile crime is an important issue for many of us. All of us are eager to find solutions that work to stem the tide of youth violence. Many of us are equally concerned about the increase of youth drug use, and these concerns are interrelated.

The $2 million offset for this funding is coming from the Building and facilities funding for the Federal Prison system. This small amount for building more jails to house young people and others who are convicted of drug offenses should be put to use preventing these crimes.

This offset has been scored by the Congressional Budget Office and will have no impact on the funding on this bill. I ask My Colleagues to support this amendment. The money we spend on improving prison facilities can be put to use to prevent the need for more federal prisons.

None of us wants to see another generation of young people damaged by drug abuse. Many of us remember how devastating drugs were in previous generations and this is something we can do to prevent a similar tragedy.

The young people in this country deserve to have hope for their future and this amendment restores some of that hope. Programs that are proven to work on the local level to combat drug use should receive as much support as possible by the federal government. I urge your support.

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, we have no objection to this amendment. In fact, this program was one that was begun by this subcommittee some time back, and this would augment that program. I want to thank the gentlewoman for offering the amendment.

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from New York.

Mr. SERRANO. Mr. Chairman, any time you have the chairman agreeing, and mathematically he has the votes, you are in good shape, so I will just sit down.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I thank the chairman and the ranking member.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

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 1968, as amended (''the 1968 Act''); and the Victims of Child Abuse Act of 1990, as amended (''the 1990 Act''), $1,193,450,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund; of which $552,000,000 shall be for grants, contracts, cooperative agreements, and other assistance authorized by part E of title I of the 1968 Act, for State and Local Narcotics Control and Justice Assistance Improvements, notwithstanding the provisions of section 511 of said Act, as authorized by section 1001 of title I of said Act, as amended by Public Law 102–534 (106 Stat. 3524), of which $47,000,000 shall be available 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 Edward Byrne Memorial State and Local Law Enforcement Assistance Programs; of which $9,000,000 shall be for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1990 Act; of which $2,000,000 shall be for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1990 Act; of which $206,750,000 shall be for Grants to Combat Violence Against Women, to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(18) of the 1968 Act, including $28,000,000 which shall be used exclusively for the purpose of strengthening civil legal assistance programs for victims of domestic violence: *Provided*, That, of these funds, $5,200,000 shall be provided to the National Institute of Justice for research and evaluation of violence against women, $1,196,000 shall be provided to the Office of the United States Attorney for the District of Columbia for domestic violence programs in D.C. Superior Court, and $10,000,000 shall be available to the Office of Juvenile Justice and Delinquency Prevention for the Safe Start Program, to be administered as authorized by part C of the Juvenile Justice and Delinquency Act of 1974, as amended; of which $34,000,000 shall be for Grants to Encourage Arrest Policies to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(19) of the 1968 Act; of which $25,000,000 shall be for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants, as authorized by section 40295 of the 1994 Act; of which $5,000,000 shall be for training programs to assist probation and parole officers who work with released sex offenders, as authorized by section 40152(c) of the 1994 Act, and for local demonstration projects; of which $1,000,000 shall be for grants for televised testimony, as authorized by section 1001(a)(7) of the 1968 Act; of which $63,000,000 shall be for grants for residential substance abuse treatment for State prisoners, as authorized by section 1001(a)(17) of the 1968 Act; of which $900,000 shall be for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(c) of the 1994 Act; of which $1,300,000 shall be for Motor Vehicle Theft Prevention Programs, as authorized by section 220002(h) of the 1994 Act; of which $40,000,000 shall be for Drug Courts, as authorized by title V of the 1994 Act; of which $1,500,000 shall be for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act; of which $2,000,000 shall be for public awareness programs addressing marketing scams aimed at senior citizens, as authorized by section 250005(3) of the 1994 Act; and of which $250,000,000 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 under this heading for this program

in Public Law 105–119, but all references in such provisions to 1998 shall be deemed to refer instead to 2000: *Provided further*, That funds made available in fiscal year 2000 under subpart 1 of 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 initiatives: *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, the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service.

AMENDMENT NO. 6 OFFERED BY MR. COOK

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. COOK:

Page 28, line 11, after the dollar amount, insert the following: ''(increased by $2,500,000)''.

Page 29, line 5, after the dollar amount, insert the following: ''(increased by $2,500,000)''.

Page 32, line 18, after the dollar amount, insert the following: ''(increased by $2,500,000)''.

Page 32, line 23, after the dollar amount, insert the following: ''(increased by $2,500,000)''.

Page 32, line 25, after the dollar amount, insert the following: ''(increased by $2,500,000)''.

Page 43, line 1, after the dollar amount, insert the following: ''(reduced by $11,972,000)''.

Page 43, line 5, after the dollar amount, insert the following: ''(reduced by $11,972,000)''.

Page 43, line 6, after the dollar amount, insert the following: ''(reduced by $11,972,000)''.

Page 43, line 12, after the dollar amount, insert the following: ''(reduced by $11,972,000)''.

Mr. ROGERS. Mr. Chairman, I reserve a point of order.

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

Mr. COOK. Mr. Chairman, I would first like to commend the gentleman from Kentucky (Chairman ROGERS), the entire committee and their staff for the good bill that they have brought before us, but I believe my amendment will make this an even better bill by cutting nearly $12 million in unnecessary administrative costs from the International Trade Administration.

To give Americans the tax cuts they deserve and protect Social Security and Medicare, we have to continue to cut spending when appropriate. When taxpayers are forced to live within their budgets, bureaucrats must do the same. Groups such as Citizens Against Government Waste and the National Taxpayers Union both have listed the International Trade Administration program as one that needs to be reformed, and both groups are endorsing this amendment.

The American taxpayers should not be called on to pay more for corporate welfare programs such as this. In a capitalist country, taxpayers should not be forced to fund trade shows and advertising for corporations like Daimler-Chrysler and Archer-Daniels-Midland, who can afford to do it themselves. That is the role for the private sector.

Although I would have liked to have made deeper cuts in the ITA funding, this amendment only forces it to live within its 1999 budget, as there are many other programs forced to do in this bill.

The amendment increases funds for two critical programs, a $2.5 million increase for the Violence Against Women programs and $2.5 million for the Bulletproof Vest Grant Program for local police officers. Both are deserving. The Violence Against Women program provides resources for law enforcement issues specifically targeted at protecting women and children. The increase in the Bulletproof Vest Grants Program, combined with the existing matching requirements, will mean approximately 18,000 additional vests to protect officers on the street.

A vote for this amendment will cut nearly $12 million from what I think is corporate welfare and protect the American taxpayer from over bureaucratization at the Commerce Department. A vote for this amendment will reduce the deficit by $6 million. A vote for this amendment will protect America's police officers and ensure that Violence Against Women programs are adequately funded. I urge my colleagues to support this amendment.

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

Mr. ROGERS. Mr. Chairman, I reserve my point of order.

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

Mr. Chairman, I know that the gentleman from Utah is well intended, but the gentleman knows not what he does here with his amendment.

I probably have one of the highest conservative cut-and-slash ratings in Congress and try to look at every program as any taxpayer would who is out there working hard to pay the bill for government, but taking $12 million from the United States Foreign Commercial Service Office could be a disaster.

Right now, in fact if you pick up the newspapers of the past few weeks, you will look at a staggering trade deficit in this country. It should be of concern to everyone who is worred about job growth and economic opportunity for the future. That Trade Deficit means that we are importing many goods and selling less goods in the international market.

Now, who helps our small business people compete in this international arena? It is the Foreign Commercial Service. In fact, Mr. Chairman, we should be increasing the expenditure in this program more than probably any other program in this budget because it helps medium and small businesses compete in the international arena.

If we ever needed to create good paying jobs, particularly in the manufacturing sector, which is going down and down being replaced with more service and low-paying and part-time jobs. We should be supporting increases, rather than decreases, in this area.

This is not any type of corporate wefare. The big corporations do well on their own. I have been involved in international trade. The IBMs and the big corporations around the world, they do fairly well. This program is not for them. This service is for the medium and small businesses across our country that have a tough time getting in to the international markets.

This proposed cut would force us to close offices, and in emerging markets where there is great economic opportunity. In the former Eastern Block, we do not even have full-time people. In Slovakia, one area of particular interest to me, we have one part-time person to help our U.S. business interests in the entire country of Slovakia coming from Vienna on a part-time basis in a new potential great market. Here we can create jobs and economic opportunity, not only for our citizens, but for the people who want the same things for the people in their country.

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My colleagues, I have been there, I have talked to these folks, I have seen what we are doing. It is not enough. These countries do not want our foreign aid, they do not want our assistance in doing business—not a handout. They would like to conduct honest, open business. And when we provide this little bit of assistance with our foreign commercial officers who have meager resources, probably with the personal a third of even our AID and giveaway programs, something is indeed wrong. We have a chance to correct it.

So we would be making a terrible mistake to accept this particular amendment. I could bore the House detailing the many hardships that this cut would force. Most distructively we would have to close 31 posts overseas. We should be providing more assistance to small U.S. business in these emerging markets and giving our small and medium businesses an opportunity to compete in these potential markets.

While I know this amendment sounds well-intended, but it would be the worst disaster that we could impose upon the small- and medium-sized business people in this country that are struggling to enter into these markets and who are the greatest creators of jobs and opportunity for this Nation.

POINT OF ORDER

Mr. ROGERS. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ROGERS. Mr. Chairman, I make a point of order against the amendment because it provides an appropriation for an unauthorized program and, therefore, violates clause 2 of rule XXI, which states, in pertinent part: ''An appropriation may not be in order as an

amendment for an expenditure not previously authorized by law.''

Mr. Chairman, the authorization for the COPS program on page 32 of the bill provides $268 million, which is the amount in the bill. This amendment would add $2.5 million over and above the authorized level and exceeds the authorization, so it does violate clause 2 of rule XXI.

The CHAIRMAN. Does the gentleman from Utah wish to be heard on the point of order?

Mr. COOK. I would, Mr. Chairman.

The parliamentarian has ruled that within the 1997 budget agreement, this does fit within it. I would point out that the Congressional Budget Office has scored this as reducing the budget authority to the 2000 bill by $6 million and reducing outlays by $7 million. I think it all fits within, and we have had the indication from the parliamentarian that there is not a problem with it in that regard.

The CHAIRMAN. Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The question is not budget levels, but rather, authorization levels. A proponent of an item of appropriation carries the burden of persuasion on the question of whether it is supported by an authorization in law.

Having reviewed the amendment and entertained the argument on the point of order, the Chair is unable to conclude that the item of appropriation in question is authorized in law. Instead, it is apparent that the amendment causes the pending appropriation to exceed the level authorized in law.

The Chair is, therefore, constrained to sustain the point of order under clause 2(a) of rule XXI.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the last word.

I would like to engage the gentleman from Kentucky (Mr. ROGERS), the chairman of the subcommittee, in a colloquy, if I might.

The United Nations has a very valued State Department employee that has worked over there for a long time named Linda Shenwick, and Ms. Shenwick has brought to the attention of a number of Members of Congress waste, fraud, and abuse at the United Nations. As a result of her giving this information to Congress, she has not only been chastised, she has been removed from her position by the State Department and Madeleine Albright. We have written to Madeleine Albright about this and have not received a response. We have also written to the Inspector General of the State Department, and they have said that they do not feel that they are inclined to want to investigate this.

I would just like to say that we have had a number of whistleblowers before my committee, Mr. Chairman, and we have found that there are real repressive actions being taken against these whistleblowers to try to keep them from talking to the Congress of the United States about waste, fraud, and abuse in various agencies of government.

So I would like to just ask if there is anything that could be done in the Shenwick case to let the State Department know that this kind of action is not going to be tolerated by moving people out of their positions, by threatening them with their jobs so that they will not talk to Congress. I think it turns the entire situation on its head. We ought to be encouraging people to tell us where there is waste, fraud, and abuse; and they should not have to worry about losing their jobs if they do.

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

Mr. BURTON of Indiana. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, the gentleman has made a point of this, and we have read only the press accounts, some of the press accounts of this matter. It is certainly not a very good way to lobby for funds for an agency to treat the Congress in that fashion, if, in fact, that occurred. Certainly, we will keep all of these facts in mind as we finally come to a conclusion later this year on the adequate funding level for the State Department.

Mr. BURTON of Indiana. Mr. Chairman, reclaiming my time, if I might just ask the gentleman, if we find, and I think that the gentleman will find after his investigation into this and his staff, that she is being chastised because she gave Congress this information, will the gentleman try to let the State Department know in some way, maybe through the appropriations process, that this is something that is not going to be tolerated by the Congress?

Mr. ROGERS. Mr. Chairman, if the gentleman will yield again, we do not have the investigative forces that would allow us the luxury of being able to delve into this matter in the way it should be. Perhaps another committee of the Congress would have more resources with which to deal with that, and I would like to know the conclusions of that committee that does it.

Mr. BURTON of Indiana. Mr. Chairman, reclaiming my time, my committee will be looking into it, and I will give the gentleman that information. But we are convinced that this kind of repressive action is being taken by State, and I hope that when the gentleman does the final appropriation in conference that the gentleman will let the State Department know that this kind of action will not be tolerated.

Mr. ROGERS. Mr. Chairman, we will be very interested to know the conclusions of the investigation.

Mr. BURTON of Indiana. I thank the gentleman.

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

On this item that the gentleman from Indiana (Mr. BURTON) was just discussing, we have serious concerns about having congressional input or involvement at this point. As we understand it, this item is in the Office of the Special Counsel which was established by Congress. This issue is being looked at by that office, and without speaking much on this, it just seems to us totally improper at this point to commit in any way to any kind of congressional involvement when the fact is that this is being looked at legally, and testimony has been taken, it is my understanding, from both sides. I think that the proper way and the prudent way to go—I am not a lawyer, but I would assume that the prudent way to go is to wait for the special counsel to come back with a proper ruling that speaks to this issue.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

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

Mr. BURTON of Indiana. Mr. Chairman, this is not an isolated case. We had four whistleblowers before my committee just recently, all of whom have either been threatened or chastised for talking to Congress about problems that have occurred in their agencies.

Ms. Shenwick's case is the latest in a series of those, and we want to be able to encourage people to tell where there is waste, fraud, and abuse in government. If whistleblowers are not protected, if they are not allowed to tell us if they know they are going to be threatened with their jobs, then they will not come forward.

I would like to be able to assure anybody in this government who believes that there is wrongdoing occurring or waste in their department occurring, that they will be able to come to us, whether they are Democrat, Republican, or Independent, and know that they will not be impugned.

Mr. SERRANO. Mr. Chairman, reclaiming my time, I understand that and I respect the gentleman's comments, but that is precisely the reason why Congress established an independent, nonpartisan Office of Special Counsel. I think that one of the things we have to decide around here is if we are going to take their work seriously. I would hope that, while the gentleman and his committee, sir, have the right to look at this, that we allow for this Special Counsel to first tell us not only about this case, but in general what is going on so that we can all take action together. I am sure that the gentleman will not be alone if this is not as it should be.

Mr. BURTON of Indiana. Mr. Chairman, if the gentleman will yield further, the case that we are talking about, I have no problem with the special counsel looking at this and making a judgment. But during that period of time, the lady in question is out of her job without any income, and she has a family. So the case could drag on for a long period of time, and she is suffering severe penalties because of that.

So it seems to me that there ought to be some way to protect these people

while an investigation is taking place so that they do not feel their job is in peril because they are telling Congress where there is waste, fraud, and abuse.

Mr. SERRANO. Mr. Chairman, again reclaiming my time, I appreciate the gentleman's comments, but I still feel that the gentleman perhaps may be questioning the kind of job that the Special Counsel's office is doing, and that is a totally different item. But I think if we are going to have any kind of order in these issues, we should just wait for them to come back and give us the information necessary, and I hope that the gentleman takes that into consideration when he takes further steps.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement ''Weed and Seed'' program activities, $33,500,000, to remain available until expended, for intergovernmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies engaged in the investigation and prosecution of violent crimes and drug offenses in ''Weed and Seed'' designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the ''Weed and Seed'' program strategy: *Provided,* That funds designated by Congress through language for other Department of Justice appropriation accounts for ''Weed and Seed'' program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: *Provided further,* That the Attorney General may direct the use of other Department of Justice funds and personnel in support of ''Weed and Seed'' program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

COMMUNITY ORIENTED POLICING SERVICES

For activities authorized by Title I of the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103–322 (''the 1994 Act'') (including administrative costs), $268,000,000, to remain available until expended, including $45,000,000 which shall be derived from the Violent Crime Reduction Trust Fund, of which $150,000,000 is for Public Safety and Community Policing Grants pursuant to title I of the 1994 Act to be used to combat violence in schools; and of which $118,000,000 is for innovative community policing programs, of which $25,000,000 shall be used for the Matching Grant Program for Law Enforcement Armor Vests pursuant to section 2501 of part Y of the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''), as amended, $17,500,000 shall be used to combat violence in schools, $60,000,000 shall be used for grants, as authorized by section 102(e) of the Crime Identification Technology Act of 1998, and section 4(b) of the National Child Protection Act of 1993, as amended and $15,500,000 shall be used for a law enforcement technology program: *Provided,* That of the unobligated balances available in this program, $140,000,000 shall be used for innovative policing programs, of which $35,000,000 shall be used for policing initiatives to combat methamphetamine production and trafficking and to enhance policing initiatives in drug ''hot spots'', $54,500,000 shall be used for a law enforcement technology program, $25,000,000 shall be used for Police Corps education, training, and service as set forth in sections 200101–200113 of the 1994 Act, and $25,500,000 shall be expended for program management and administration.

AMENDMENT NO. 11 OFFERED BY MR. MALONEY OF CONNECTICUT

Mr. MALONEY of Connecticut. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. MALONEY of Connecticut:

In title I, in the item relating to ''DEPARTMENT OF JUSTICE—OFFICE OF JUSTICE PROGRAMS—COMMUNITY ORIENTED POLICING SERVICES''—

(1) after the third dollar amount, insert ''(increased by $500,000)''; and

(2) after the fourth and eighth dollar amounts, insert ''(reduced by $500,000)''.

Mr. MALONEY of Connecticut. Mr. Chairman, I would like to start by thanking the gentleman from Kentucky (Mr. ROGERS) and the gentleman from New York (Mr. SERRANO) for this opportunity to offer this amendment.

In a year when we have seen very tragic events in a number of schools in our Nation, we have today the opportunity to build on the success of the relatively new Cops in Schools Program by approving an amendment to fund a clearinghouse administered by the Office of Community-Oriented Policing Services, COPS, to facilitate information-sharing between communities nationwide on existing school resource officer training programs and models of how to establish such a program locally.

As many of my colleagues know, school resource officers are especially designated and trained law enforcement officers who are placed in schools to act as mediators, educators, and violence prevention and role models for students. Last year, we passed legislation to enable localities to hire school resource officers and form partnerships between law enforcement and education officials. This initiative was later expanded to become the Cops in Schools Grant Program under the COPS program of the Department of Justice. SROs represent a proactive approach to youth violence focusing on the prevention of juvenile crime rather than a reactive approach.

Localities interested in establishing their own programs, however, may not know how to get started, and even more importantly, may not know how to thoroughly train SROs. My amendment would provide these communities with the information they need to bridge that information gap. The success of SRO programs depends most critically upon proper training of SROs and a community's access to information about training programs. A clearinghouse would provide an efficient, centralized way of offering communities this important information. A clearing house on SRO programs and training models will provide communities looking to address juvenile violence through community placing techniques a critically useful tool for establishing their own partnerships between law enforcement officials and educators.

One final word. There has been some discussion, and I believe some misinformation about the funding in regard to this amendment. The amendment would transfer funds between the COPS general technologies initiative and the COPS hiring program. The amendment does not affect the funding for the law enforcement armored vest program of which I was a cosponsor of that legislation last year, or the innovative policing program. On page 33, we will note that there is $15,500,000 reserved for the enforcement technology program, and further on that page at line 15, there is a note that there is an unobligated balance of an additional $54,500,000 for the law enforcement technology program.

In working this amendment with the Department of Justice, they assure me that number one, they support the amendment; and number two, that the $500,000 requested would not have an impact on the technology program.

Finally, I understand that the gentleman from Kentucky (Mr. ROGERS) is supportive of helping me in this endeavor, and I am certainly willing to withdraw my amendment if the Chairman is willing to engage in a colloquy on the SRO clearinghouse.

Mr. Chairman, if I could inquire of the gentleman from Kentucky, would the gentleman agree that the national clearinghouse would provide an efficient centralized way of offering communities this very important information?

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

Mr. MALONEY of Connecticut. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I want to thank the gentleman for his efforts on this issue. I will work with the gentleman and the ranking member of the subcommittee to maintain this $500,000 for the School Resource Officers Clearinghouse in conference.

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

Mr. MALONEY of Connecticut. I yield to the gentleman from New York.

Mr. SERRANO. Mr. Chairman, I want to agree with the gentleman from Kentucky (Chairman ROGERS). I want to do everything in my power to ensure that the funding for the clearinghouse is in the final bill. We will work with the gentleman to make that happen.

Mr. MALONEY of Connecticut. Reclaiming my time, Mr. Chairman, I thank the gentlemen very much, the chairman and the ranking member.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. BLAGOJEVICH

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

The Clerk read as follows:

Amendment offered by Mr. BLAGOJEVICH:

Page 33, line 11, after the dollar amount, insert the following: ''(increased by $7,500,000)''.

Mr. BLAGOJEVICH. Mr. Chairman, this amendment earmarks an additional $7.5 million in unobligated balances available in the Community Oriented Policing Services, known as the COPS program. This money goes into the COPS account to expand community prosecution programs across our Nation.

As these dollars are unobligated, this amendment does not take away funding from other law enforcement priorities within the bill, and there are no budget cap implications.

As many of my colleagues know, community prosecution programs provide a holistic approach to fighting crime neighborhood by neighborhood, community by community. They represent the next step in community-based crime prevention programs.

Just as police officers are assigned to a beat under community policing programs, community prosecutors work with neighborhood residents and police on the beat to identify and preempt crime. Community prosecutors are assigned full-time to locations such as police stations, and work together with police on the beat and community leaders to develop innovative approaches to crime.

By being involved in the community and utilizing their legal skills, community prosecutors are playing a role in reducing crime rates. Under community prosecution, crime victims, especially vulnerable populations such as the elderly and children, have a locally-based prosecutor who they know. They establish bonds of trust, and as a result, both victims and witnesses of crimes are more likely to come forward in the effort to interdict crime and prosecute crime, and they do so by working in conjunction with law enforcement.

Not surprisingly, and as a consequence of programs like this, community prosecution programs have been successful in over 40 communities across our Nation in towns as small as Rosebud, Montana, and in cities as large as Los Angeles, California, and Chicago, Illinois.

They are strongly supported by groups like the National District Attorneys Association, and I have a letter here from the president of that association, Steward van Mevern. Mr. Chairman, this letter urges us to increase funding for community prosecution programs. The problem, however, is despite the success of programs like this, they continue to struggle for resources.

Last year, with the chairman's help, we were able to establish a $5 million community prosecution grant program. Unfortunately, no funding is provided in this bill for the program, even though funding was requested.

Hundreds of communities across our Nation have applied for the grant funding provided in fiscal year 1999, but there was not nearly enough funding to meet their needs. This situation will not improve without adoption of this amendment today. This amendment will provide a sheltered funding source to continue community prosecution programs and sustain and develop existing ones.

This year I hope we can work together to build upon the success of community prosecution programs and meet the needs of our communities.

With that, I thank the chairman for his tireless efforts on behalf of fighting crime in general, and this effort in particular. Let me also thank our ranking member, the gentleman from New York (Mr. SERRANO) for his wonderful efforts and his world vision on these issues.

Let me also thank staff members Sally Chadbourne and Jennifer Miller for their assistance. Let me also thank Pat Schlueter in general for the efforts she has done on behalf of these issues. In closing, I thank my own staff, Deanne Benos and Michael Axelrod, who also worked on this.

Mr. ROGERS. Will the gentleman yield?

Mr. BLAGOJEVICH. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I appreciate the gentleman's comments. His amendment would maintain the program in fiscal year 2000, and I certainly have no objection to the amendment.

Mr. BLAGOJEVICH. Mr. Chairman, God bless the gentleman, and I thank him.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. BLAGOJEVICH).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, including salaries and expenses in connection therewith to be transferred and merged with the appropriations for Justice Assistance, $267,597,000, to remain available until expended: Provided, That these funds shall be available for obligation and expenditure upon enactment of reauthorization legislation for the Juvenile Justice and Delinquency Prevention Act of 1974 (title XIII of H.R. 1501 or comparable legislation).

In addition, for grants, contracts, cooperative agreements, and other assistance, $10,000,000 to remain available until expended, for developing, testing, and demonstrating programs designed to reduce drug use among juveniles.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended, $7,000,000, to remain available until expended, as authorized by section 214B of the Act.

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for payments authorized by part L of 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 6093 of Public Law 100–690 (102 Stat. 4339–4340).

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $45,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses in accordance with distributions, procedures, and regulations established by the Attorney General.

SEC. 102. Authorities contained in the Department of Justice Appropriation Authorization Act, Fiscal Year 1980 (Public Law 96–132; 93 Stat. 1040 (1979)), as amended, shall remain in effect until the termination date of this Act or until the effective date of a Department of Justice Appropriation Authorization Act, whichever is earlier.

SEC. 103. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

AMENDMENT OFFERED BY MS. DEGETTE

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

The Clerk read as follows:

Amendment offered by Ms. DEGETTE:

In title I, in the item relating to ''GENERAL PROVISIONS—DEPARTMENT OF JUSTICE'', strike section 103.

Ms. DEGETTE. Mr. Chairman, the amendment I am offering today is very straightforward. It simply strikes section 103 from Title I, General Provisions, Department of Justice.

In effect, what this amendment does is strike the language in the bill which prohibits the use of Federal funds for abortion services for women in Federal prison.

Unlike most other American women who are denied Federal coverage for abortion services, women in prison have no money, nor do they have access to outside financial help, and they earn extremely low wages in prison jobs. In fact, inmates in Federal prisons are completely dependent upon the Bureau of Prisons for all of their needs, including food, shelter, clothing, and all aspects of their medical care.

These women are not able to work at remunerative jobs that would enable them to pay for medical services, including abortion services. In fact, last year inmates working on the general pay scale earned from 12 cents to 40 cents per hour, or roughly $5 to $16 per week.

The average cost of an early outpatient abortion ranges from $200 to $400. Abortions after the 13th week cost $400 to $700, and abortions after the 16th week go up $100 more per week, ending at about $1,200 to $1,500 in the 24th week.

Even if a woman in the Federal prison system earned the maximum wage on the general pay scale and worked for 40 hours a week, she would not have enough money to pay for an abortion in the first trimester if she so chose.

After that, the cost of an abortion rises dramatically, and even if she saved her entire salary, she could not afford such an abortion.

If Congress denies women in Federal prison coverage of abortion services, it is effectively shutting down the only avenue these women have to pursue their constitutional rights. Let me remind my colleagues that for the last 25 years in this country, women in America do have a constitutional right to abortion.

In 1976, the U.S. Supreme Court confirmed that deliberate indifference to the serious medical needs of prisoners constitutes an unnecessary and wanton infliction of pain proscribed by the eighth amendment of the Constitution.

With the absence of funding by the very institution prisoners depend on for health services, women prisoners are in fact coerced to carry unwanted pregnancies to term. The anti-choice movement in Congress denies coverage for abortion services to women in the military, women who work for the government, poor women, and women insured by the Federal Employees Health Benefit Plans.

I disagree with all of these restrictions. I think they are wrong. But when Congress denies coverage for women who are incarcerated, then Congress is, in effect, denying these women their constitutional right to choose. That is barbaric and that is coercive.

Let me just talk a minute about the kind of women who are entering prison. Most are victims of physical and sexual abuse. Two-thirds are incarcerated for non-violent drug offenses. Many of them are HIV-infected or have full-blown AIDS. Congress thinks that it is in the Nation's best interests to force motherhood on them?

I, of course, support the right of women in prison to bring their pregnancies to term, but that is not what this is about. It is about forcing women who do not want to bring their pregnancies to term to have a child. It is downright cruel and foolish to force women in Federal prisons to bear a child in prison when that child is going to be taken from them at birth or shortly thereafter. It is cruel to force a woman who does not have the emotional will to go through her pregnancy with limited prenatal care, isolated from her family and friends, and knowing that the child will be taken from her at birth.

What will happen to these children, these unwanted children who are born to prisoners? Will they be raised by relatives who do not care about them? Will they be sent to an agency? What will happen to them? This is one of the most cruel things I think that Congress can do to women who are incarcerated.

In 1993, Congress did the right thing when it overturned this barbaric policy. I urge my colleagues to do the same today, and support the DeGette amendment. Let us stop these rollbacks on women's reproductive freedom.

Mr. ROGERS. Mr. Chairman, I rise in opposition.

Mr. Chairman, the provision in the bill that this amendment seeks to strike, Mr. Chairman, does one thing only. It prohibits Federal tax dollars from paying for abortions for Federal prison inmates, except in the case of rape or the life of the mother.

This is a longstanding provision, one that has been carried in 10 of the last 11 Commerce-Justice-State and Judiciary appropriation bills. The House has consistently rejected this amendment, this very amendment to last year's appropriations bill by a vote of 148 to 271; in fiscal year 1998, by 155 to 264; 2 years ago by a voice vote; and 3 years ago, by a vote of 146 to 281. It has been consistent, the House has, in rejecting this amendment.

Time and again Congress has debated this issue of whether Federal tax dollars should pay for an abortion. The answer has been no. I urge a no vote again.

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

Mr. Chairman, I rise in strong support of the DeGette amendment, which would strike language banning the use of Federal funds for abortion services for women in Federal prisons.

Women in prison have engaged in criminal activity. That is a fact. But through our judicial system we certainly need to seek appropriate responses to illegal actions, and that is what we do. Women in prison are being punished for the crimes that they committed. They are doing their time.

However, this is a separate issue which we are addressing today. Today we discuss civil liberties and rights which are protected for all in America, and remain so, even when an individual is incarcerated. Abortion is a legal option for women in America. Since women in prison are completely dependent on the Federal Bureau of Prisons for all of their health care services, the ban on the use of Federal funds is a cruel policy that traps women by denying them all reproductive decision-making.

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The ban is unconstitutional because freedom of choice is a right that has been protected under our Constitution for 25 years. Furthermore, the great majority of women who enter our Federal prison system are impoverished and often isolated from family, friends, and resources.

We are dealing with very complex histories that often tragically include drug abuse, homelessness, physical and sexual abuse. To deny basic reproductive choice would only make worse the crisis faced by the women and the Federal prison system.

The ban on the use of Federal funds is a deliberate attack by the antichoice movement to ultimately derail all reproductive options. As we begin chipping away basic reproductive services for women, I ask my colleagues, what is next? Dental of OB/GYN examinations and mammograms for women inmates? Who is next? Women in the military, women who work for the government or all women who are ensured by the Federal Employees Health Benefits Plan. Limiting choice for incarcerated women puts other populations at great risk. This dangerous slippery slope erodes the right to choose little by little.

It is my undying belief that freedom of access must be unconditionally kept intact. Therefore, I strongly urge my colleagues to protect this constitutional right for women in America and vote ''yes'' on the DeGette amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the innate value of a baby is not diminished in any way simply because the child's mother happens to be an inmate. Children I believe are precious beyond words. The lives of their mothers, likewise, are of infinite value.

Forcing taxpayers to subsidize the killing of an incarcerated woman's child makes pro-life Americans accomplices—complicit with violence against children. I do urge a strong ''no'' on the DeGette amendment.

Mr. Chairman, I think we have got to face the truth. Abortion methods are violence against children, the death penalty for an innocent little child. Abortion methods dismember children. It is commonplace for the abortionist to literally cut a baby to pieces.

The previous speaker suggested that proscribing abortion funding might lead to the slippery slope of a denial of OB/GYN services or perhaps mammograms. That, frankly, is absurd. We are talking about something—abortion—that masquerades as somehow being health care when it actually is destructive. It kills babies.

I do think the suggestion of a slippery slope in this case is an insult to those of us who fight for and believe very strongly in the importance of mammograms and expanding OB/GYN services. Again, the DeGette amendment sanctions subside for killing. Nothing healing or curative about that.

Earlier in the debate I pointed out that abortion methods often dismember children. So let us focus on a moment on what abortion does. A high-powered suction machine, attached to a tube with a razor blade at the end is inserted into the womb, and the baby is literally hacked to pieces. That is the reality of a suction abortion. The suction device is some 20 to 30 times more powerful than a household vacuum cleaner. As the baby is cut up, the so-called ''contents of the uterus,'' the baby, are sucked into a bottle. That is outrageous and cruel. That is the killing of a baby. That is abortion.

Another method of abortion is saline abortions. Babies slaughtered in this way have saltwater injected into their amniotic sac. The baby swallows the

caustic salt. An unborn baby swallows the amniotic fluid daily to develop the organs of respiration. In abortion, saltwater goes into the infant's lungs, and the baby is poisoned. This is a death penalty, and it takes about 2 hours for the child to die—a very slow and agonizing death for the child to die from this type of abortion.

Of course the abortionist has all kinds of poisons at his or her disposal to destroy a baby. This is cruel and unusual punishment for a child who has committed no crime.

It is especially ironic, Mr. Chairman, at a time when ultrasound is like a window to the womb, and we know so much about a developing unborn child. We can watch a child suck his or her thumb. We can diagnose conditions and take corrective action. But, no, the DeGette amendment would say we have got to pay for a baby's destruction for a child who has done no wrong.

Mother Theresa at the National Prayer Breakfast a few years ago, with the President, the First Lady, the Vice President and his wife in attendance and many, diplomats and members of Congress told the gathering ''the greatest destroyer of peace today is abortion because it is a war against the child, a direct killing of an innocent child. Any country that accepts abortion is not teaching its people to love but to use violence. That is why it is the greatest destroyer of love and peace.''

Then she said and admonished the President and all the diplomats and the Members of Congress assembled, ''Please do not kill the baby.''

Mr. Chairman, the baby of an inmate is just as important as any other child on earth. Please don't kill the baby. Reject government funding of violence against children. I urge my colleagues to vote ''no'' on the DeGette amendment.

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

Mr. Chairman, I rise in support of the amendment that was offered by the gentlewoman from Colorado (Ms. DEGETTE). Actually what the amendment does, it would reinstate the right to choose for women who are in prison.

In 1976, the United States Supreme Court found that deliberate indifference to the serious medical needs of prisoners constitutes an unnecessary infliction of pain, a violation of the Eighth Amendment to the Constitution.

Most women are poor at their time of incarceration, and they do not earn any meaningful compensation from prison jobs. This ban closes off their access to receive such services and, therefore, denies them theirs rights under the Constitution.

There has been a 75 percent increase in the amount of women incarcerated in the Federal Bureau of Prison facilities over the last decade, twice the increase of men. I am disappointed to note that, but that is the case.

Most women in prison are young, have frequently been unemployed, and may have been victims of physical or sexual abuse. Additionally, the rate of AIDS or HIV infection is higher for women in prison than the rate of men. These women have the greatest need for full access to all health care options.

Abortion is a legal health care option for women, and it has been for 5 years. Because Federal prisoners are totally dependent on health care services provided by the Bureau of Prisons, the ban, in effect, prevents these women from seeking needed reproductive health care.

This ban on Federal funds for women in prison is a direct assault to the right to choose.

I urge my colleagues to join me in supporting the DeGette amendment.

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

Mr. Chairman, I rise in strong support of the DeGette amendment. My colleagues are not surprised to hear me say this, because it is well known that I am pro-choice. But it might surprise some of my colleagues that I think there are too many abortions in this country. I work hard to support policies that prevent unintended pregnancies and reduce the number of abortions in America.

I believe that our approach should not be to make abortion less accessible or more difficult, but less necessary. If we agree, pro-choice and pro-life, that our goals should be less abortion, then our focus must be on what we can do to further that goal.

Together, we should increase access to contraception, work harder to educate people about responsibility if we want to make abortion less necessary.

I will tell my colleagues what I do not believe. I do not believe that making abortion inaccessible is the answer. I do not believe that the way to end abortion is to make it so difficult or so dangerous that we endanger women.

The right to access an abortion is the law of the land. I oppose banning access to abortion in Federal prison facilities for incarcerated women who need them. The prohibition in the bill does not make it impossible for women in prison to obtain an abortion, it just makes it more expensive, more difficult, less private, more dangerous.

Imprisoned women with the money to pay for abortion can get transport to a facility outside the prison. So we are comfortable making it more difficult. We are comfortable making it more expensive. Mr. Chairman, that is wrong.

I will continue to work with my colleagues towards a day when abortion is truly rare. Let us work together to do that. But as we work together, I will vote to make abortion truly accessible.

I ask my colleagues to join me in supporting the motion to strike.

Mrs. MALONEY of New York. Mr. Chairman, I rise in support of the DeGette amendment.

Here we go again.

Today marks the 127th vote on choice since the beginning of the 104th Congress.

Each of these votes is documented in my choice report which can be found on my website.

Access to abortion has been restricted bill by bill, vote by vote, and procedure by procedure.

The DeGette amendment seeks to correct one of these attacks on American women.

Federal prisoners must rely on the Bureau of Prisons for all of their health care, so, if this ban passes, it would prevent these women from seeking needed reproductive health care.

Most women prisoners are victims of physical or sexual abuse.

Most women, if pregnant in prison, became pregnant from rape or abuse before they entered prison.

Most women prisoners are poor when they enter prison, and cannot rely on anyone for financial assistance.

These women already face limited prenatal care, isolation from family and friends, a bleak future, and the certain loss of custody of the infant.

The ban on abortion assistance for women in prison closes off their only opportunity to receive such care, it denies them their constitutional rights, but most importantly, it denies them their dignity.

Current law tragically ignores these women.

Perhaps more disturbing is that it also tragically ignores children born to women in prison. These children are taken from their mothers who cannot raise them in a stable family environment. What kind of life are we providing for them?

Six percent of incarcerated women are pregnant when they enter prison. Recent news accounts have described cases of pregnant inmates being shackled during long hours of labor and delivery.

It is unfair to rob women in prison of their basic fundamental right to choose abortion and also provide for unsafe deliveries and treatment while pregnant.

Mr. Chairman, let's not intensify an already difficult situation, I urge a ''yes'' vote on the DeGette amendment.

Mr. NADLER. Mr. Chairman, I rise to support the DeGette amendment to strike the ban on abortion funding for women in Federal prison. This ban is cruel, unnecessary, and unwarranted.

Mr. Chairman, a woman's sentence should not include forcing her to carry a pregnancy to term. Most women in prison are poor, have little or no access to outside financial help, and earn extremely low wages from prison jobs. Inmates in general work 40 hours a week and earn between 12 to 40 cents per hour. They totally depend on the health services they receive from their institutions. Most female prisoners are unable to finance their own abortions, and, therefore, are in effect denied their constitutional right to an abortion.

Many women prisoners are victims of physical or sexual abuse and are pregnant before entering prison. In addition, they will almost certainly be forced to give up their children at birth. Why should we add to their anguish by denying them access to reproductive services?

We ought to keep this debate in perspective. We are not talking about many women. Statistics show that in fiscal year 1997, of the approximately 8,000 women in Federal prison, only 16 had abortions, and there were only 75 births. So this is a small group of people, and

we should understand that as we continue this debate. The ban on abortions does not stop thousands of abortions from taking place; rather, it places an unconstitutional burden on a few women facing a difficult situation.

Mr. Chairman, a prison sentence must not include forcing a women to carry a child to term.

I know full well that the authors of this ban would take away the right to choose from all American women if they could, but since they are prevented from doing so by the Supreme Court (and the popular will of the American people who overwhelmingly support choice) they have instead targeted their restriction on women in prison—women in prison, who are perhaps the least likely to be able to object.

Well watch out America. After they have denied reproductive health services to all women in prison, all Federal employees, all women in the armed forces, and all women on public assistance, then will once again try to ban all abortions in the United States. And they won't stop there. We know that many anti-choice forces want to eliminate contraceptives as well. It is a slippery slope that denies the realities of today, punishes women, and threatens their health and safety. This radical agenda must be stopped now.

I urge my colleagues to support the DeGette amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Colorado (Ms. DEGETTE).

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

Ms. DEGETTE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 273, further proceedings on the amendment offered by the gentlewoman from Colorado (Ms. DEGETTE) will be postponed.

The Clerk will read.

The Clerk read as follows:

SEC. 104. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 105. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 104 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 106. Notwithstanding any other provision of law, not to exceed $10,000,000 of the funds made available in this Act may be used to establish and publicize a program under which publicly advertised, extraordinary rewards may be paid, which shall not be subject to spending limitations contained in sections 3059 and 3072 of title 18, United States Code: *Provided*, That any reward of $100,000 or more, up to a maximum of $2,000,000, may not be made without the personal approval of the President or the Attorney General and such approval may not be delegated.

SEC. 107. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act, including those derived from the Violent Crime Reduction Trust Fund, may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 108. Notwithstanding any other provision of law, for fiscal year 2000, the Assistant Attorney General for the Office of Justice Programs of the Department of Justice—

(1) may make grants, or enter into cooperative agreements and contracts, for the Office of Justice Programs and the component organizations of that Office; and

(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 of that Office.

SEC. 109. Sections 115 and 127 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999 (as contained in section 101(b) of division A of Public Law 105–277) shall apply to fiscal year 2000 and thereafter.

SEC. 110. Hereafter, for payments of judgments against the United States and compromise settlements of claims in suits against the United States arising from the Financial Institutions Reform, Recovery and Enforcement Act (FIRREA) and its implementation, such sums as may be necessary, to remain available until expended: *Provided*, That the foregoing authority is available solely for payment of judgments and compromise settlements: *Provided further*, That payment of litigation expenses is available under existing authority and will continue to be made available as set forth in the Memorandum of Understanding between the Federal Deposit Insurance Corporation and the Department of Justice, dated October 2, 1998.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the remainder of title I 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 Kentucky?

There was no objection.

The text of the bill from page 38, line 10 to page 40, line 24 is as follows:

SEC. 111. (a) For fiscal year 2000, whenever the Federal Bureau of Investigation (FBI) participates in a cooperative project with a foreign country on a cost-sharing basis, any funds received by the FBI from that foreign country to meet that country's share of the project may be credited to any appropriation or appropriations available to the FBI for the purposes served by the project and shall remain available for expenditure until the close of the fiscal year next following the date of such receipt, as determined by the Director of the FBI.

(b) Funds credited pursuant to subsection (a) shall be available for the following:

(1) payments to contractors and other suppliers (including the FBI and other participants acting as suppliers) for necessary articles and services;

(2) payments for—

(A) one or more participants (other than the FBI) to share with the FBI the cost of research and development, testing, and evaluation, or joint production (including follow-on support) of articles or services;

(B) the FBI and another participant concurrently to produce in the United States and the country of such other participant an article or service jointly developed in a cooperative project; or

(C) the FBI to procure articles or services from another participant in the cooperative project.

(c) The Director of the Federal Bureau of Investigation shall notify the Committees on Appropriations of the House of Representatives and the Senate of any such amounts collected and expended pursuant to this section.

SEC. 112. Section 507 of title 28, United States Code, is amended by adding a new subsection (c) as follows:

''(c) Notwithstanding the provisions of title 31, section 901, the Assistant Attorney General for Administration shall be the Chief Financial Officer of the Department of Justice.''.

SEC. 113. Funds made available in this or any other Act hereafter, for the United States Marshals Service may be used to acquire subsistence and medical care for persons in the custody of the United States Marshals Service at fair and reasonable prices. Without specific authorization from the Attorney General, the expenses incurred in the provision of such care shall not exceed the costs and expenses charged in the provision of similar health-care services paid pursuant to Medicare and Medicaid.

SEC. 114. Section 3024 of the Emergency Supplemental Appropriations Act, 1999 (Public Law 106–31) shall apply for fiscal year 2000.

SEC. 115. Effective 30 days after enactment of this Act, section 1930(a)(1) of title 28, United States Code, is amended in paragraph (1) by striking ''$130'' and inserting in lieu thereof ''$155''; section 589a of title 28, United States Code, is amended in subsection (b)(1) by striking ''23.08 percent'' and inserting in lieu thereof ''27.42 percent''; and section 406(b) of Public Law 101–162 (103 Stat. 1016), as amended (28 U.S.C. 1931 note), is further amended by striking ''30.76 percent'' and inserting in lieu thereof ''33.87 percent''.

This title may be cited as the ''Department of Justice Appropriations Act, 2000''.

The CHAIRMAN. Are there amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $25,205,000, of which $1,000,000 shall remain available until expended: *Provided*, That not to exceed $98,000 shall be available for official reception and representation expenses.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $44,495,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

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, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and aliens by contract for services; rental of space 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 foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $30,000 per vehicle; obtain insurance on official motor vehicles; and rent tie lines and teletype equipment, $298,236,000, 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 of the $300,236,000 provided for in direct obligations (of which $295,236,000 is appropriated from the General Fund, $3,000,000 is derived from fee collections, and $2,000,000 is derived from unobligated balances and deobligations from prior years), $49,609,000 shall be for Trade Development, $18,755,000 shall be for Market Access and Compliance, $32,473,000 shall be for the Import Administration, $186,693,000 shall be for the United States and Foreign Commercial Service, and $12,706,000 shall be for Executive Direction and Administration: *Provided further*, That the provisions of 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 apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of 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 members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; 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 1979, 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 requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $49,527,000, to remain available until expended, of which $1,877,000 shall be for inspections and other activities related to national security: *Provided*, That the provisions of 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 apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments: *Provided further*, That no funds may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China, unless, at least 15 days in advance, the Committees on Appropriations of the House of Representatives and the Senate and other appropriate Committees of the Congress are notified of such proposed action.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, Public Law 89–136, as amended, and for trade adjustment assistance, $364,379,000: *Provided*, That none of the funds appropriated or otherwise made available under this heading may be used directly or indirectly for attorneys' or consultants' fees in connection with securing grants and contracts made by the Economic Development Administration.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $24,000,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, 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

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $27,000,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $48,490,000, to remain available until September 30, 2001.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $136,147,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses to conduct the decennial census, $4,476,253,000 to remain available until expended: of which $20,240,000 is for Program Development and Management; of which $194,623,000 is for Data Content and Products; of which $3,449,952,000 is for Field Data Collection and Support Systems; of which $43,663,000 is for Address List Development; of which $477,379,000 is for Automated Data Processing and Telecommunications Support; of which $15,988,000 is for Testing and Evaluation; of which $71,416,000 is for activities related to Puerto Rico, the Virgin Islands and Pacific Areas; of which $199,492,000 is for Marketing, Communications and Partnerships activities; and of which $3,500,000 is for the Census Monitoring Board, as authorized by section 210 of Public Law 105–119: *Provided*, That the entire amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, $142,320,000, to remain available until expended.

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk read as follows:

Amendment offered by Mr. Coburn:

Page 47, line 8, after the dollar amount insert ''(reduced by $2,753,253,000)''.

Mr. COBURN. Mr. Chairman, what this amendment does is very straightforward. It eliminates that portion of the census which is not truly an emergency from this bill.

Our Founding Fathers wrote in that we would have a numerical count of the population of this country every 10 years. We have, in fact, known that we were going to be required to have a census count in the year 2000 in 1990. We knew it in 1980. We have known it since the country was founded.

The application of an emergency designation for something that is well-known to need to occur is inappropriate in this case.

Because I could not strike it purely as an emergency, my only option was to strike the amount. I want to give my colleagues the criteria for funding something as an emergency, and this is under the rules of the House.

□ 1815

''It is necessary, essential or vital.'' Well, it meets that. ''It is sudden, quickly coming into being and not building up over time.'' It definitely does not meet that. ''It is an urgent, pressing and compelling need requiring emergency action.'' It does not meet that. We have known that. ''It is unforeseen, unpredictable, and unanticipated.'' It does not meet that because we have known about this for a considerable amount of time. ''It is not permanent.'' Well, it meets that. This is a 1-year expenditure. But it does not qualify under these guidelines.

Describing the census as unforeseen, unpredictable and unanticipated is difficult given the fact we have a 10-year census every 10 years. If the census was not an emergency last year, how can it be an emergency this year? Last year, Congress provided $1.8 billion to begin preparing for the year 2000 census.

Now, we are going to hear, and the supporters of emergency spending will argue that we could not have anticipated the Supreme Court ruling requiring actual enumeration for the apportionment of seats in Congress but permitting the use of sampling for the distribution of Federal grants. With the

ruling, they argue that additional funds are needed to perform both sampling and enumeration. However, according to the Bureau of the Census permitting both enumeration and sampling will cost only $1.7 billion more than their original request. That is nowhere near the $4.5 billion in emergency funds provided by the House appropriation.

Mr. Chairman, the gentleman from Kentucky (Mr. ROGERS), has done a great job on this bill. With the exception of this designation, this is the best bill from this appropriations subcommittee that has come out since I have been a Member of Congress, and I want to say now that I appreciate very greatly the hard work the gentleman and his staff have done. But I cannot go home to Oklahoma and ask the people of my State to justify spending emergency funds off budget and potentially funds to come from the Social Security surplus for this count. We can and we must find the available funds within the existing government expenditures. That does not mean that efforts have not been made.

What are the short-term effects of calling this an emergency designation? Right now, if we say we have a true surplus that is going to occur in the year 2000 of $14 billion, $9.25 billion of that are available for the Congress to spend. If we allocate some of that back to the people who paid it in, a mere $4.5 billion out of a $1.8 trillion budget, what happens is we will have no money with which to fund the most important appropriation bills to come, that for our veterans and that for those that are most dependent upon us in our society.

If Congress hopes to address the shortfalls in Labor, Health and Human Services, and Education funding, or assist American farmers, which is a very real likelihood that is coming to us in the near future, we will either have to eliminate giving back some of the people some of their money, which I believe is entirely possible given where we are, or steal money from Social Security.

So that I would ask the Members of this body to support this amendment on two basic reasons: Number one, this is not an emergency. It does not meet the rules of the House under emergency. And, number two, it is more than likely going to come out of the Social Security fund, which every Member of this House has pledged and obligated themselves not to touch except for Social Security.

Mr. Chairman, with that I would make one final note that the other body did not declare funding for the census an emergency.

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

Mr. Chairman, this amendment, let us be plain about this now, if this amendment passes, there will be no census. Pure and simple. If that is what the body wants, vote for this amendment. I cannot put it any plainer than that; the amendment would strike $2,753,253,000, which would strike at the heart of conducting the decennial census, which we are obligated by the Constitution to do.

Now, why is this declared an emergency? Let us just lay it on the table. It is simple. The 1997 bipartisan budget agreement that the White House and the Congress, the House and Senate, agreed to, and most of us voted for, never anticipated a penny for the 2000 census. They should have. It was a bad mistake. Whoever was in the negotiations at that time should have known that in the year 2000 we would have this enormous expense, 1-year principally, of conducting the decennial census. This final figure, which is $6.5 billion, is two-and-a-half times the cost of the 1990 census. But the budget agreement anticipated not a penny, and no plans were made for it.

Now, what are we to do? The budget resolution we passed earlier this year for the fiscal year 2000 again ignored the needs for the decennial census money in the year 2000. While the caps imposed in 1997 for this year and for 5 years made adjustment for other extraordinary items, such as U.N. arrears, they either exempted some of these items or accommodated them. That was not the case for the census. They simply ignored it. Nothing was done.

Of course, everyone knows the census happens every 10 years. It is in the Constitution. Someone forgot to tell the White House and the Congress in 1997 that we would face this very moment, this year, in anticipating and finding the money to do the decennial census. It simply is not in the budget resolution. There is no way we could plan for it.

And in just 2 short years, Mr. Chairman, the cost of the census has exploded by over 60 percent and likely will grow even more. Just last year the administration said the cost would be $3.9 billion. When they sent their original budget this year, that had grown to $4.9 billion. And then the Supreme Court came along and said their plan was illegal.

And just 7 weeks ago, 7 weeks ago, after I had pleaded with them for 2 years to give us the estimated cost for us to anticipate, which they refused and refused and refused, hearing after hearing; then finally 7 weeks ago, they came in and said, okay, it is going to cost you $6.5 billion; 60 percent more than they told us 2 years before, two-and-a-half times the cost of the 1990 census. And 70 percent of that cost has to be funded this year in this bill.

So here we are on the eve of the 2000 census, spending caps that did not allow for a census at all, skyrocketing costs that this committee and the Congress could not have expected, and only 7 weeks ago they give us the total figure. That is why it is an emergency. We have no choice. This is a temporary expense, a one-time cost, but it is vital, it is required, it is mandatory, and it is necessary that we do it. And that is what we do in this bill.

This bill is a very restrained bill, as we have all agreed. We cut spending by $833 million below current spending. We have managed to keep critical functions in the bill, law enforcement, the INS, the weather service, our embassies overseas, at close to their operating levels. It has been a tough job. There were tough choices, but we have made them.

The CHAIRMAN. The time of the gentleman from Kentucky (Mr. ROGERS) has expired.

(By unanimous consent, Mr. ROGERS was allowed to proceed for 2 additional minutes.)

Mr. ROGERS. Mr. Chairman, if we really want to create a crisis, an emergency in everyone's definition, then we will support this amendment and force us to go back and cut the FBI, the DEA, the weather service, foreign embassies and the like 15 percent, which will practically shut down the courts.

We have to find the money somewhere if we take this money out of the bill. I do not want to be responsible for that, and I would hope that the Members would not agree to take that money out.

If we want to ensure that we meet our constitutional duty to provide for the census and maintain funding for these other critical agencies in this bill, I trust and hope that we will support the bill that is before us today and reject the amendment that would prohibit and preclude the conduct of the decennial census in the year 2000.

Now, it has been said this is some sort of a gimmick. People on that side of the aisle have said this is some sort of a gimmick. Well, when the President set up his budget request earlier, Mr. Chairman, his budget request included $42 billion worth of budget gimmicks, user fees, and emergencies all through that budget request. We have rejected those.

But many in this body, most in this body who voted for those budget caps in 1997, now are saying, ah, this is a gimmick to get around the budget caps, but you have to do the census and you have to maintain funding for the law enforcement agencies. My colleagues, we cannot have it all ways. We have to make a choice here. We have to choose. Do we want the census or not? That is the question.

I urge my colleagues to reject this amendment.

Mrs. MALONEY of New York. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong opposition to this amendment. I find myself in the very odd position of supporting very strongly the Republican leadership's position on the census. This amendment would cut $2.8 billion from census funding for fiscal year 2000. This amendment would make it impossible to conduct the census in 2000.

Mr. Chairman, the census is mandated by the Constitution. It will be

the largest peacetime mobilization in the United States history. The Bureau has to open up 520 local census offices and hire 860,000 employees in little more than 8 months. They cannot do it without funding, without the money. A cut in census funding will result in a census meltdown. The majority has repeatedly said that it would pay the full cost of the census, no matter what. It is time that they make good on this promise.

This morning, Mr. Chairman, the gentleman from Kentucky (Mr. ROGERS) pressed several Members to assure him that funding in the bill was sufficient to conduct the census. The gentleman from Florida (Mr. MILLER) referred to a promise made and a promise kept. Now the supporters of this amendment are talking about failing to keep the promise.

What will be the effect? Without full funding, the quality of the census will suffer. With a cut of $2.8 billion, more than half of the year 2000 census cost, that means that shortly after the census gets started in April 2000 we will be back on the floor again pressing an emergency spending bill to keep the census going. Only then it will be an emergency and all of the destruction we normally associate with emergency spending bills will have happened.

If the census shuts down in the middle of things, we will have the worst census in the 20th Century, and this Congress will bear the responsibility for that. If the census shuts down, 800,000 census takers will be laid off. If the census shuts down, the apportionment numbers will be damaged beyond repair and the census will be in the courts for the rest of the decade.

Mr. Chairman, only once in the history of the census have we failed to reapportion the House. That was after the 1920 census, when Congress failed to carry out its duty not because the numbers were flawed but because they did not like what it showed. If this amendment passes, we will not have a census that can be used for apportionment or anything else.

Mr. Chairman, we must defeat this amendment and prevent a large embarrassment of this institution. I strongly support the leadership on the Republican side and oppose the Coburn amendment.

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

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

Mr. RYAN of Wisconsin. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, a couple of things, I think. If we are talking about keeping commitments, everybody in this body committed not to spend Social Security money on anything but Social Security. That is what we are putting at risk.

□ 1830

Number two, where is the question about why it should cost $24 per person in this country to take the census when it cost $11 in 1990, which I find ridiculously high. There is no accountability for the numbers that have been put forward in the budget. There is no efficiency for it. Even if we pass this amendment, there will be money for the census. We will bring money back for the census.

Our job as Members of this body is to pay for the things that the American public want and need. I agree we need to fund the census. I agree that we need to be honest with the American public about this not being an emergency and us not having to account for it.

The real issue is do we have the courage to reduce the spending somewhere else to make the appropriate dollars for the census?

Mr. RYAN of Wisconsin. Mr. Chairman, reclaiming my time, I too am a member of the Subcommittee on the Census. I serve with the gentleman from Florida and with the gentlewoman from New York. I believe that this census is a very important census. This committee has done very good work to put this census together.

However, this is not an emergency. There are portions of this census, the $1.7 billion part of this census, that is arguably an emergency because of the court rules.

However, I think that we could also make the argument that the Census Bureau dragged their feet and could have prepared for that. But we are not even going to argue the point.

This amendment sets aside the $1.7 billion in unforeseen census expenditures. However, the other part to the census is $2.9 billion. We knew this was coming. We have known about this since 1790. When the Budget Act was passed in 1997, Members of Congress who were negotiating that deal knew it was on the horizon and intentionally did not include this in the budget because they thought they would kick it out to today, to this year.

Well, my colleagues, we knew that this was coming. We knew that the census would have to be paid for. I agree with the gentleman from Oklahoma (Mr. COBURN). We need to pay for this honestly.

Just remember, if we do more emergency spending designations than the new on-budget surplus allows for, we are going into the Social Security surplus; we are going into the Social Security Trust Fund. My colleagues, we are getting very close to that moment.

All of us voted for one budget resolution or another which stopped the raid on Social Security. We have to stay out of the Social Security Trust Fund in an honest way.

We can make the argument that $1.7 billion was unforeseen emergency census spending, but not all of this money. $2.9 billion of this census is stuff that we knew was coming. We should have prepared for this. It is not a new emergency. We should pay for this.

I like to commend the gentleman from Kentucky (Mr. ROGERS) for a wonderful bill. All things considered, there are things in this bill that I think are far better than previous bills that were brought to this Congress under appropriations bills. But this is not an emergency. This is something that we should be honest with the American people about. We should cut other spending to pay for this census.

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

Mr. Chairman, I certainly understand the motivation that leads the gentleman from Oklahoma (Mr. COBURN) to offer this amendment.

It is ridiculous that this bill carries the $4.5 billion required to conduct the census as an emergency expenditure when the Constitution has told us since 1789 that we are going to have to be doing this every 10 years. I mean, I have heard of advance notice in my time, but I think that is about the longest. So I understand how ridiculous it is.

That is why I asked the Committee on Rules to allow me to offer an amendment which would strike the emergency designation.

We just heard a speech in the well saying that this is not an emergency and so this amendment should pass. The problem with this amendment is that it does not do what the debate would seem to indicate it does, because the amendment does not strike the emergency designation. It strikes the money to run the census. And that is an irresponsible thing to do.

I do not, for the life of me, understand why we should take seriously the claim that this is an emergency. But the way to deal with that if Members truly objected to the fact that it was an emergency was for Members to oppose the rule so that we could have gone back to the Committee on Rules and have gotten a rule that allowed us to strike the emergency designation.

Having failed to do so, the House is now stuck with the choice of funding the census or not, and I believe it has no choice but to fund it.

But I have to say that I, again, understand the frustration on the part of the gentleman from Oklahoma (Mr. COBURN), which I share. Because, unfortunately, we have no more rules around here when it comes to dealing with budget issues.

Four years ago, the government was shut down by the majority party because they insisted that we follow only the spending rules of the Congressional Budget Office.

Now, this year, because a different process suits their political convenience, they will pick and choose. One day we have to abide by the CBO rules; and the next day, when it comes to directed scoring upon the Pentagon, we have to apply the OMB rules. And then when neither one of those agency's scorekeeping fits, then we consult the Wizard of Oz. Lord knows who we will consult next.

It just seems to me that we have destroyed all semblance of order. And so,

when we play those kinds of budget games and when we declare something like the census to be an emergency, then it is no wonder that this institution has no credibility.

Now, the argument the majority party makes is, well, we could not anticipate that we were going to have to run two different kinds of census because of the court decision. I understand that. That is why in committee we offered the amendment and why I tried to get the Committee on Rules to make in order on the floor an amendment which simply limited the emergency designation to the $1.7 billion that truly represented spending over and above the normal census.

Yet, the Committee on Rules refused to allow that; and the House supinely went along with the decision of the Committee on Rules.

So I am of a split mind on this amendment. I recognize the motivation. If this amendment eliminated the emergency designation, I would vote for it. But I do not think we can in good conscience eliminate funding that we know we have to provide. That is every bit as much a sham as the bill now before us.

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

Mr. OBEY. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I think the gentleman knows through our conversations that what my preference to do would be just to eliminate the emergency designation. However, the parliamentary rules prohibited both he or I from doing that very thing. I wanted to make that clear.

My choice is not to eliminate the money but also to pay it.

Mr. OBEY. Mr. Chairman, reclaiming my time, the gentleman is consistent because the gentleman voted against the rule. Some of the other persons who spoke on this issue have not.

I would simply say that, again, while I agree with the motivation of the gentleman, I believe the result would be every bit as phoney as the bill before us because it would be pretending that we could save $4.5 billion which the Constitution requires us to spend.

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

Mr. OBEY. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, did the gentleman from Wisconsin (Mr. OBEY) support the 1997 Balanced Budget Agreement?

Mr. OBEY. Mr Chairman, reclaiming my time, no, I did not.

Mr. ROGERS. Mr. Chairman, if the gentleman would yield further, I ask the him, did he vote for it?

Mr. OBEY. Mr. Chairman, no, I did not. I led the opposition to it. I called it a public lie.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. OBEY) has expired.

(On request of Mr. COBURN, and by unanimous consent, Mr. OBEY was allowed to proceed for 2 additional minutes.)

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

Mr. OBEY. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Chairman, I want to make a couple more points.

One of the questions that we have not spent time with is holding the administration accountable for why it should cost $24 to count for every man, woman, and child in this country.

Now, think about that. The State of Oklahoma has 3 million people. What is 24 times three? It is $72 million to count the people in Oklahoma. Give me a break. Or give me that contract. I will leave Congress right now. Give me the contract. I will become a multimillionaire just from counting the people.

The cost to count is abhorrent to anybody that is out there who knows anything about putting forth the process. We use this process not just to count but to employ a lot of people who otherwise would not have jobs. That is a social good. I do not disagree with that.

But to have a $24-per-person cost in this country to count says we are much more inefficient. And that is an indication of the rest of our government which says we could surely find this $4.5 billion somewhere else.

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

Mr. Chairman, this is a very interesting amendment, interesting in the sense that if there was one thing that both sides agreed on in this bill, it was the inclusion of the year 2000 census, fully funded.

Now, let me explain that once again. There are people on this side who have very serious problems with this bill. There are also people on this side who are voting for this bill, like yours truly, specifically because the census was well taken care of.

So if there is a unifying force at all within this bill and on this bill in this House, it is the census. Now, to single out the census as the one that is going to take this kind of a hit is first of all undoing any possibility of working at all towards a resolution of this bill in the future, a bill that has a veto threat hanging over it.

Secondly, I have to join and echo the comments of the chairman. If they do not want a census, if they do not want to conduct a census, and if they think the Y2K issue is a problem, just wait to see what will happen if we do not have a census. If they do not want a census, then vote for this amendment. If they do not want a census, vote for this amendment.

Now, I take it a step further. I continue to see this as part of a plan by some people to go after those items in the budget that are supposed to take care of some problems within certain communities.

I know the census is for the whole Nation. But the fact is, if the prior decennial census had a problem, it was that it undercounted some people. We tried to address that by providing the proper dollars to make sure it works. So in my way of thinking, whether it is correct or not, this is as direct an attack on certain communities as not funding Legal Services Corporation was that we had to deal with before.

But the bigger issue here, and it has to be repeated over and over again, is that the census was the one issue where we worked jointly, where we made agreements where we reached some conclusions. Now we stand forward here ready to deal with all of the other issues that have not been resolved in the hope that we can reach agreement, but going straight ahead with this proper census as should be taken, and now we have this amendment cutting this kind of money from it.

Not to mention the fact, and I hate to deal with technicalities, but it has been called to my attention that if we look at the way these items are funded, this amendment talks about cutting the top amount, the overall amount; but it does not talk about where that is going to come from in the different frameworks. So if we leave the amendment this way, and I am sure the gentleman will correct that, and I should not be helping them on this, the breakouts will sum up to more than the amount that will be left to run the total census. And that is a problem.

But, please, I would hope that on this one we could join together in a bipartisan fashion to defeat this amendment.

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

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

Mr. ROGERS. Mr. Chairman, it has been said that if we spend this money on an emergency basis that it will come out of Social Security funds.

Let me remind the body that just today the majority whip said on the floor, and he is correct, this comes out of the on-budget surplus; it does not come out of Social Security.

The emergency declaration that we have, the $4.5 billion that we are talking about on the census, comes out of the on-budget surplus, not out of Social Security.

□ 1845

Mr. SERRANO. Reclaiming my time, as the gentleman from Kentucky knows, we may disagree on the emergency issue, but we certainly agree that the one place to come and attack with no reason other than just to attack would be the census. On that, we agree.

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

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

Mr. COBURN. I would make two points with the gentleman. Number one is if we really were wanting to attack those communities that were underfunded, I would have included the

$1.7 billion that is there designed to do the statistical sampling. We did not do that. So I do not think it is fair to say that that is what we are targeting. It is also not fair to say that we do not want a census. What we are saying is we think it is not honest to the American public to declare something an emergency that is not and, number two, I would make the point that the $14.5 billion that is recommended to be on-budget surplus is made by cooking the books.

Mr. SERRANO. Reclaiming my time, I think we have to be careful about the issue of cooking the books because we might have to throw the whole bill out the window. With that we have to be careful.

Mrs. MALONEY of New York. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentlewoman from New York.

Mrs. MALONEY of New York. I would like to raise a point of clarification.

The CHAIRMAN. The time of the gentleman from New York (Mr. SERRANO) has expired.

(By unanimous consent, Mr. SERRANO was allowed to proceed for 1 additional minute.)

Mrs. MALONEY of New York. The $1.7 billion that was added was to do door-to-door enumeration, door-to-door count because of the lawsuit that was brought by this body. That is what the $1.7 billion is. Actually to use modern scientific methods would be less costly and would actually save money. But because of this requirement from the lawsuit brought by the Republican majority on the apportionment between the States, there must be a door-to-door count on redistricting and the distribution of Federal funds. The use of modern scientific methods can take place which is a more accurate count and one that is less costly. It is unfortunate that we had to add $1.7 billion in addition for a count door to door which all the scientific data tells us will be less accurate.

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

I rise today as a member of the subcommittee and also as chairman of the Subcommittee on Census here in Congress. I find myself very strongly disagreeing with the gentleman from Oklahoma (Mr. COBURN) who on fiscal issues we usually agree on so many issues. But the amendment by the gentleman from Oklahoma basically destroys the census and to me is an irresponsible amendment. It is irresponsible because it takes the money away without replacing it.

As he says, we have to do a census. We have known since 1789 as the gentleman from Wisconsin (Mr. OBEY) was saying, we are going to do a census. So we have got to provide the money.

I was on the Committee on the Budget back in 1997. I remember the subject of the census being discussed on the Committee on the Budget and we unfortunately left the census out. That was a mistake. Really the mistake I think goes back to what was happening during the 1997 budget deal because at that time we did not know what kind of a census was going to be conducted. So we do have a problem on the budget caps because it was not provided for, such a large amount.

Now, the ranking member of the Subcommittee on Census says that the $1.7 billion was because we are not using sampling. The problem was the Census Bureau tried to develop an illegal plan. It is against the law, I think it is also unconstitutional, but it is against the law. We wasted several years and I think tens and hundreds of millions of dollars preparing for an illegal plan and now we have to hustle to develop this plan. That is part of the problem of our cost factor.

I think the chairman of our Subcommittee on Commerce Justice, State, and Judiciary did a very fine job. It was tough working with these numbers. As a fiscal conservative, everybody should be pleased that the amount of money, not counting census, for year 2000 is less than year 1999. That is a huge accomplishment. What we are having to do with this census, $4.5 billion, is use off-budget surplus.

The gentleman from Oklahoma says that we are going to have this Medicare problem and the farm problems and all. That is going to happen. That is a legitimate debate. But as of now we do have some surplus and we are going to use that surplus for this particular matter.

This is a constitutional issue. We should not destroy the census. We have to go forward with the census. We are at a very critical point in the census right now. We are in the process of hiring hundreds of thousands of enumerators, and literally it does take hundreds of thousands of enumerators. This is the largest peacetime mobilization in American history that we are going to be conducting. We are going to have a $166 million advertising campaign and it is critical that the money is available on October 1 because that is the date that ad space is available. We need to make sure we make that available and we do not threaten the possibility of buying those types of ads. We need the Census Bureau to have their money.

We have said for the past several years, money is not the issue, this is an issue of trust in our system of government. This is the DNA of our democracy, to say that we have to have a census the American people trust. We need to provide full support.

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

Mr. MILLER of Florida. I yield to the gentleman from Ohio.

Mr. SAWYER. Mr. Chairman, I thank my friend from Florida for yielding. As he and many know, he and I have disagreed on matters of detail and substance with regard to the conduct of the census, and I think they have been legitimate disagreements, but what he says today goes to the core of what this democracy is all about. The importance of making sure that all of us get counted by the way that each of us believes is best to get that accomplished is what is at stake in this. If we pass this amendment, we will have no census and that would be a disaster of the largest proportions for this country. Its consequences would last for years. No amount of money would be able to make up for the policy blindness that it would produce. I associate myself with the gentleman's comments.

Mr. MILLER of Florida. Mr. Chairman, one of the reasons it is more expensive this time around is we have a problem with something called a differential undercount. That is wrong. The differential undercount is that certain segments of our population are undercounted in a larger proportion than other segments of our population. We need to do everything we can to address that undercount problem. Homeless people are hard to count. American Indians are hard to count. We have a higher percentage of undercount with American Indians than anyone. We need to put additional resources in to get the best count we can, whether it is the homeless population or certain inner city populations or some rural populations. That is the reason we are putting the additional cost in there, because it is the right thing to do, to address that differential undercount. I think in a bipartisan fashion we are supporting this in providing the full resources to the Census Bureau at this time. I ask for the defeat of the amendment.

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

Mr. Chairman, I yield to the gentleman from Wisconsin (Mr. OBEY) the distinguished ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Chairman, I rise simply to respond to something the distinguished gentleman from Kentucky just said. He claimed that this funding is occurring out of the surplus and that it is not coming out of Social Security. I want to correct that statement.

Legislation brought to the House by the majority so far this summer would more than exhaust the $14 billion on-budget surplus projected by CBO for fiscal year 2000. First, the tax bill passed by the House cost $4.5 billion in fiscal year 2000. Second, the emergency designation for the entire cost of the 2000 census allows more than $4 billion of fiscal year 2000 outlays to occur without being counted against the committee's allocation or the budget caps that we are talking about. Even though those outlays, Mr. Chairman, will not count under the budget rules, they still will occur and they will eat into the surplus.

Third, the majority has been instructing CBO to lower its outlay estimates for most of the appropriations bills that have been reported by the committee. Those scorekeeping plugs reduce outlays counted for the defense

bill by $9.7 billion and for various domestic bills by at least $2 billion. Doing so allows the bills to spend more than the allocations and caps would normally allow by an amount equal to the downward adjustment in the outlay estimates.

That means that the three items that I have just listed more than consume the $14 billion in on-budget surplus projected by CBO for the year 2000. In fact, they would turn that $14 billion on-budget surplus into a deficit of at least $6 billion. Other past and future gimmicks raise that deficit even further.

To make a long story short, under either the CBO or OMB forecasts if consistently applied, any projected on-budget surplus for fiscal year 2000 is already gone due to actions taken by the Majority in their appropriations bills.

Mr. OLVER. Mr. Chairman, I yield to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding.

I rise in support of this amendment. I do not generally agree with the gentleman from Oklahoma, but I think in this process he has shown a commitment to some of the integrity of what should be a process that is on the level with respect to the numbers.

As pointed out by the gentleman from Wisconsin, clearly this money comes out of Social Security because the surplus the next fiscal year simply is not big enough to withstand the actions that have already been taken. It just stretches the credibility of every Member of Congress to go home to their district and to tell them that we believe that the census is an emergency and therefore it will not count against the caps that were set in 1997. Everybody in the country, I think, knows that those caps were unrealistic. But this is nothing more than a gimmick to get underneath those caps.

Now, speaker after speaker has gotten up and told the gentleman that if he does this, there will be no census. Does anybody really believe that? That is not the case. It does not work that way around here. There will be a census and it will be funded. They have told him that it would destroy the census if we did this. Well, one easy way to fix this would be to give the gentleman from Oklahoma and the gentleman from Wisconsin unanimous consent to let them remove the emergency designation and then they can go on about their merry way and fund this out of the deficit like they plan to do. But they left the gentleman from Oklahoma no choice but to come here and strike the money. That was not his first choice, it was not the first choice of the gentleman from Wisconsin, but that is where we are because of the Committee on Rules.

So unless you want to go home and look like a fool and tell your constituents that you voted to believe that the census is an emergency, you are going to have to support the Coburn amendment. And then this Committee on Appropriations will have to respond to that. They will either remove the designation, at which point I think the gentleman from Oklahoma may be satisfied because we are back on kind of what looks like reality with the American people, or they will have to go back and remove the $1.7 billion or the $2.4 billion, whatever the figure is, that you can say is really an emergency. There are all kinds of options.

This is not about doomsday, this is not about killing the census, this is not about destroying the census. It is about the credibility of the budget process, the credibility of the appropriations process, the credibility of the surplus, the credibility of Social Security, and also the credibility of each and every Member of this House when you go home for the August break and tell them you discovered an emergency called the census.

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

Let me just start by saying that I think the chairman of the subcommittee does a wonderful job with a very difficult task. I believe that the gentleman and the gentlewoman who have been handling the census issues have done well, also. I am not an expert on that. I really do not even want to discuss or debate that. I agree that it has to be done. I do agree with the gentleman from California who just spoke. My view is that if this amendment passes, within 3 hours the subcommittee will have met again and probably straightened out this problem in some way or another. I think it is fallacious to stand here and say that the census is not going to be done because this particular amendment does pass.

But we are not here really to discuss that. In my judgment we are here to discuss the budgetary aspects of this and why are we declaring a census which has been called for since 1789 in this country to be an emergency. The bottom line answer is, it is not an emergency, it is not unforeseen, it is not unanticipated, it fails every definition of ''emergency'' we have ever had here in the Congress of the United States.

My judgment is that we just have to stop the rampant abuse that has been going on in recent years of calling everything an emergency to avoid the problems of the budget and to avoid the problems of the caps that we are all so familiar with here on the floor of the House of Representatives. It is just not honest budgeting. It is just something which makes no sense back home.

The argument was already made about some of the emergency spending, but just look at this. In 1999, we designated $34 billion as emergency spending here in the House of Representatives and in the Congress of the United States. If we look at the CBO numbers, and this argument has already been made, but CBO reported $14 billion in on-budget surplus for the year 2000. CBO says we might actually have a $3 billion deficit now.

How did they get there? They count $3 billion of spending for administrative expenses for Social Security Administration, other spending on defense, nondefense and transportation discretionary spending which will be $14 billion higher than CBO assumed for 2000 in its current baseline.

There is not, as has been suggested here, an on-budget surplus. What does that mean? That means again we are going to have to borrow from Social Security in order to fund this particular census situation, and indeed I think that is something that we simply do not want to do.

What are we coming on to? I believe over in the Senate they are putting together about a $7 billion package for more emergency spending. Indeed, if this bill passes, we are going to have that much more emergency spending, all of which comes out of the overall money which is there.

We have just done a tax cut here. We have had a lot of references to $996 billion over the next 10 years. Every time we spend one of these emergency spending bills, we take it away from that $996 billion in terms of determining where we are going to go. This is just not realistic budgeting. It is just not something that we should be doing in the Congress of the United States.

We should face up to the people of the United States and say that we are spending the money properly and in order and in a way one can understand, or that we are breaking the caps, or we should reduce it as some would want to do.

□ 1900

That, in my judgment, is what we should do.

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

Mr. CASTLE. I will yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, the gentleman, I believe, was on the Committee on the Budget, maybe still is.

Mr. CASTLE. No, it is not true. Sorry.

Mr. ROGERS. Do not be sorry for that.

Does the gentleman agree, though, that the 1997 budget deal that was voted by this body ignored any expenditures for the 2000 census?

Mr. CASTLE. I do not know the answer to that.

Mr. ROGERS. Well, I can assure the gentleman that it did.

Mr. CASTLE. I assume it did, or the gentleman from Kentucky would not be asking that question.

Mr. ROGERS. And does the gentleman also admit that the current-year budget resolution that was passed by this body also did not anticipate a single penny being spent for the decennial census in 2000?

Mr. CASTLE. Reclaiming my time, I assume that is also true. However I

will say that clearly both of those should have assumed this. These are matters which we knew were coming, and they should have been assumed in both of those particular projections. I do not know why they were not. To me that is an error.

Mr. ROGERS. If the gentleman would continue to yield very briefly, when that happened, and the budget numbers were given to the full Committee on Appropriations, there was no money in that allocation for a budget, and so when my allocation was given to me on the Subcommittee from the full Committee, likewise there was no money allocated for the decennial census.

Mr. CASTLE. Reclaiming my time.

Mr. ROGERS. And so that is why I had no choice, and leadership in consultation agreed there was no choice here.

Mr. CASTLE. Reclaiming my time, I do not agree at all with what the gentleman has just stated, and I do not think he is at fault in this at all. But I believe those who did those allocations, I believe the leadership in looking at this in overlooking this problem of dealing with this 3.5 billion to $4.5 billion made a serious error. I think that is where the problem is. We should correct it now. We should start by passing this amendment.

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

Not a lot more that can be said other than perhaps to follow up on some of the comments, but what concerns me is that while it is absolutely correct, as has been pointed out by my colleague from California (Mr. MILLER) that this is not an emergency, we get ourselves into a very perilous trap if we are not careful.

Let us admit the census is not an emergency. For the last 230 some odd years we have not been conducting the census because it is an emergency. It is a constitutional requirement, and we must do it, and under the Constitution we are not told that we can do something halfway, part way, or by counting some but not all. We are supposed to try to do the best job we can with the resources we have and the technology to count everyone.

The Census Bureau has told us it will cost a tremendous amount of money to count all of those people. Part of the reason it will cost so much is because we are doing both as best a job we can to actually count people, and we are using also the best techniques, the best systems available, the scientific methods available to us, to do the count.

Hopefully then we will not have the 8 million or so people missed as we have had in the past. We will not have so many children in this country who do not count at all because they have been missed in our previous censuses; we will not have all the folks who happen to be a little more transient than others missed because they happen to have not been home or not had a home when the census was conducted, and we will not have this situation as in my State of California where about a billion dollars did not come back to the residents of that State because so many people were not counted in the 1990 census.

But let us admit this is not an emergency. The census should not be designated as an emergency. This is creative accounting, what we see in this bill when we call the census an emergency.

But to not fund the census adequately, fully, as necessary, as the Census Bureau has indicated, would lead us down that beaten path of any inaccurate census count which will cost us in money because there are many areas in this country that will lose out on funds that they deserve because the population is there to return the funds that those people paid through income taxes.

We will lose out in political representation because by not counting all our people we will not designate for them their representatives in this same body that they are entitled to under the Constitution, and we will shame ourselves in the Constitution by not doing what we are supposed to as indicated by our Founding Fathers.

So while this is not an emergency under the census to fund it, we will cause an emergency if we pass this amendment and not fund the census appropriately because we will cause ourselves a situation where we will find ourselves facing all sorts of lawsuits; we will find ourselves facing a situation where States will come crying because they deserve dollars that they did not get over the next 10 years; and we will find ourselves in the situation where again children, poor people, people who are migratory will say again they did not count because this Congress will not have included them in the census.

That is not something we should do. We need to fund the census fully. Go ahead and call it whatever, we need to get the money there. We should not call it an emergency. It is a game. It is a deception to call this an emergency, but at the end of the day let us not shirk our responsibility. Let us fund the census.

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

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

Mr. GILMAN. Mr. Chairman, with regard to our proposed census, I have introduced H. Con. Res. 129, a sense of the Congress resolution calling on the Census Bureau to include all Americans residing overseas in the Census 2000, and the gentlewoman from New York (Mrs. MALONEY) has introduced a similar measure.

Our Census Bureau currently provides an accounting of American military and government employees overseas, but fails to count private sector Americans residing outside the Continental United States. There are approximately 3 million Americans living abroad. They play a key role in promoting our U.S. exports and creating U.S.-based jobs, yet the Census Bureau chooses to ignore them.

Moreover, as America increases its leadership role around the world, it is imperative that our census policy reflect the growing segment of our population, a segment that pays its taxes and votes in our Nation.

The U.S. Census Bureau says it wants Census 2000 to be the most accurate census ever. I strongly support that commitment, and for that reason I believe the Census Bureau has a responsibility to count all Americans residing overseas, not just employees of our government.

This problem was raised at the time of the last census, back in 1990, yet has still not been resolved. Accordingly, Mr. Chairman, I request my colleagues' support in calling upon the Census Bureau to properly count our Americans abroad.

Mr. Chairman, I yield to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, I rise in support of the sense of Congress of the gentleman from New York (Mr. GILMAN) and in support of the leadership and hard effort of the gentleman from Kentucky (Mr. ROGERS) and his ranking member, the gentleman from New York (Mr. SERRANO) and the gentleman from Florida (Mr. MILLER) on the subcommittee who included in the census language in the bill support for counting Americans abroad. All the major organizations that represent companies and individuals abroad, including Republicans abroad and Democrats abroad, all support counting our citizens abroad.

The subcommittee held a hearing on this issue, and I was very impressed by the patriotic desire and efforts that Americans abroad have made to be counted. Dr. Prewitt, the head of the Census Bureau, testified that at this late time it was too late to accurately count them, but we should get ready for the next census.

I have introduced legislation, the Census of Americans Abroad Act, and this calls upon the Census Bureau to conduct a count of Americans abroad as soon as it is practicable, as soon as it is possible.

We all support the gentleman's sense of Congress, the language that was put in the bill and the efforts on both sides of the aisle to count Americans abroad.

Mr. GILMAN. Mr. Chairman, I thank the gentlewoman from New York for her supporting comments.

Mr. Chairman, I yield to the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. There is very strong bipartisan support that overseas Americans should be counted. I mean overseas Americans, they vote, they pay taxes, but the Census Bureau refuses to count them, and that is just plain wrong. We count overseas military, we count overseas Federal employees, and there is no reason why we

cannot count this estimated 3 million people.

Unfortunately, it is too late to really get it done in the next few months. It should have been planned years ago so they are geared up and ready for this. We need to do everything we can to be committed to get ready for the 2010 census. I know the people overseas would rather be counted next year, but it is wrong that they are not counted, and we need to do everything in a bipartisan fashion. We agree on this.

So I commend the gentleman for introducing this.

Mr. GILMAN. Mr. Chairman, I thank the distinguished chairman of the Subcommittee on the Census.

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

Mr. GILMAN. I yield to the gentleman from New York.

Mr. SERRANO. Mr. Chairman, I support the gentleman in his request. I just want to remind my colleagues that I have been trying to accomplish something which is easier to accomplish, and that is I have a concern that the 4 million American citizens who live in the Commonwealth of Puerto Rico are never included in any of the data that the census puts forth. This year Puerto Rico will be counted with the same form that is being used throughout the 50 States.

What I am hopeful will come out of some conversations I am having with the chairman and with the chairman of the census subcommittee, is that when we look at figures concerning the 50 States that we take one step further and say this census is not only to count the people within the States, it is to count all American citizens. Because how ironic it is, Mr. Chairman, that there will be people in New York State, in my district, counted in this census who are not American citizens. Some will be counted, and it is fine with me, who are not legally in the country, and yet Puerto Ricans who live on the island, American citizens, will not be included in the census data products.

Mr. Chairman, that is what I am trying to accomplish, and I hope that is part of this overall conversation.

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

I rise in support of the Coburn amendment, and I would say first off that I admire the job that the gentleman from Kentucky (Mr. ROGERS) and others on the committee have done, and I think they literally have been between a rock and a hard place because a lot of the people making, frankly, the most noise today about the sanctity of the budget caps are the very people that have been crowding them on spending, and so I struggle with that.

I would say as well, I mean it is just bizarre that in Washington, D.C. we can create a budget that does not include in it something that has been mandated for over 200 years, and yet he did find himself in that spot.

I would say that most of all, though, I rise in support of this amendment because what this amendment is about is calling an ace an ace in Washington, and I think we have gone a long way from there. I mean this notion of emergency spending, as the gentleman from Delaware (Mr. CASTLE) very correctly pointed out just a moment ago, needs to truly be an emergency, because if not, we go down a really slippery slope adding all kinds of things in that may or may not be an emergency.

I remember with the emergency spending bill of last year we had, for instance, a Capitol Hill Visitor Center. As my colleagues know, the Capitol Hill Visitor Center has been the subject of debate for over 10 years, and yet we called it an emergency.

We had funding upgrades for embassies around the globe, and admittedly what happened in Africa was horrible. But to say that we suddenly found out about that at the last minute is not true. The Inman Commission had been out for over 10 years talking about the need for embassy upgrades in terms of security.

So we have gone down a very slippery slope in calling nonemergencies emergencies, and the reason it is so timely that he offered this amendment now, because if we do not, then we get to VA-UD, and frankly we are going to have a lot of other things added as, quote, ''emergencies.''

And if my colleagues look at the numbers, we have gone $62 billion over the caps since the budget deal was signed in 1997. We simply leave more room for that if we go down this emergency route.

Second, I would point out I think that this amendment is fairly modest. I was going to offer an amendment. As my colleagues know, this amendment goes after the 2.8. I was going to offer one that as well went after the 1.7 and had an across-the-board cut in the rest of the 1.7. So from my perspective, this is modest because he leaves it in place; and as the gentleman from California earlier pointed out, this is not about ending the census, because as we all know, Washington is a place from which we would find a way to find the money for the census.

Finally, I would say what this is about is about basically the three monkeys:

Hear no evil, see no evil, speak no evil.

□ 1915

We cannot pretend to look very narrowly on the budget that is before us and pretend that things are not happening in the Senate, because, as we know, they have marked up a bill that has billions of dollars of farm emergency spending in it that is going to put us over the caps, and, in fact, when you look at the assumptions behind the budget, what you would say is it is going to be very, very difficult for us to really stay within our promise of not reaching into Social Security, because what the assumptions suggest is, one, we will stay at a peacetime high in terms of what the government takes from economy, and, two, we will have a frontal lobotomy in Washington and drastically reduce spending from 19 percent of GDP to 16 percent of GDP.

Mr. Chairman, I would add only that this amendment is supported by Citizens Against Government Waste.

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

Mr. Chairman, I take to the floor in support of the Coburn amendment and commend the gentleman for his fiscal honesty, and I appreciate the support that others have shown for it. The census obviously is important, but it is also important that we bring some honesty to the budget process.

This morning I spoke against the rule and made the statement that we are already spending Social Security trust funds, and asked if anyone disagreed with me, to please confront me. There were Members here who could have, but chose not to. But the gentleman from Texas (Mr. DELAY), the majority whip, was on the floor and chose to confront me after I left the floor. In doing so, he made some allegations that I want to set the record straight on.

He said the Blue Dog budget had a tax increase, not a tax decrease. That is simply false, and he knows it.

He said it is okay to declare census spending an emergency, because the 1997 budget agreement did not provide money for the census. I find it hard to believe that my colleague from Texas was actually suggesting that because Congress made a mistake and forgot about the census when we passed the 1997 budget agreement, we have to declare an emergency and leave the taxpayers to pick up the tab.

I would also point out that the Blue Dog budgets that we offered in 1995, 1996 and 1997 all budgeted money for the census, supported by a majority of Democrats on each instance. If the Republican leadership had paid more attention to the Blue Dog budgets back then, perhaps we would not have this problem today.

Another statement the majority whip made this morning is that the spending in all of the appropriation bills for next year is being cut. Saying that the appropriation bills are cutting spending below last year's level relies on an awful lot of creative accounting, directed scorekeeping, where we tell the Congressional Budget Office how to score bills to make it look like we are spending less. Oh, how my colleague from Texas used to lambast us Democrats when he accused us of doing what they are now doing.

If we let CBO score all the appropriation bills honestly, they would tell us that the appropriation bills we have passed already spend $15 billion to $18 billion more than the leadership would like us to believe. That is in this book right here for anyone that wants to

read it, phony offsets, emergency spending, taking spending off budget, all of these things we should not be doing.

On page 6 of the Congressional Budget Office July budget outlook that is being cited as projecting surpluses outside of Social Security, they wrote,

> That was before the Republican leadership decided to abuse the emergency designation to increase spending above the caps even further. When we take into account these additional gimmicks, total discretionary spending will be at least $25 billion higher than the Republican leadership is claiming.

Now, my opposition for the rule this morning was let us be honest. Let us be honest. Spending is spending, no matter what we call it, where we put it on the ledger or how we try to hide it. Let us be honest with the American people about how much we are spending, and not rely on accounting gimmicks and stand on the floor and accuse our colleagues of not telling the truth.

Again, to the gentleman from Texas (Mr. DELAY), I would challenge the gentleman to come back to the floor and make the same statements and read this in this report, because what I am saying is coming from CBO, not CHARLIE STENHOLM.

The gentleman from Texas (Mr. DELAY) says the tax cut has nothing to do with Social Security surpluses. The claim that we have a surplus outside of Social Security to use for tax cuts depends on all these budget gimmicks. There is no surplus outside of Social Security next year to be used for tax cuts or any other purpose when we add up the numbers honestly. In fact, we will have a deficit of at least $3 billion next year when Social Security is excluded.

In other words, we have already spent $3 billion of the Social Security surplus, and all of the tax cut next year will come out of Social Security surpluses.

One does not have to take my word for it. Again, just ask the Congressional Budget Office. Any spending above the caps, whether it is emergency or non-emergency, and I am prepared to make legitimate emergency decisions based on spending needs that handle emergencies. I am prepared to do that.

But, now, let us start shooting straight with the American people. If we are going to break the caps, let us tell them. If we are going to increase spending, let us tell them. If we are going to spend Social Security dollars, let us tell them. If we are going to give a tax cut from fictitious surpluses, let us tell them.

Let us support the Coburn amendment. Let us go back to the drawing board, and let us deal honestly with our budget while we still have a chance to work bipartisanly on some very difficult matters.

PREFERENTIAL MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Wisconsin (Mr. OBEY).

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

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 166, noes 249, not voting 18, as follows:

[Roll No. 371]

AYES—166

Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blumenauer
Bonior
Borski
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Crowley
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Forbes
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Hall (OH)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E.B.
Jones (OH)
Kanjorski
Kennedy
Kildee
Kilpatrick
Klink
Kucinich
LaFalce
Lampson
Lee
Levin
Lewis (GA)
Lowey
Lucas (KY)
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Moakley
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Price (NC)
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Schakowsky
Scott
Serrano
Sherman
Sisisky
Slaughter
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Woolsey
Wu
Wynn

NOES—249

Abercrombie
Aderholt
Archer
Armey
Bachus
Baker
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Dickey
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Foley
Ford
Fossella
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kaptur
Kasich
Kelly
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Larson
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (OK)
Luther
Manzullo
Martinez
McCollum
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ortiz
Ose
Packard
Paul
Pease
Petri
Phelps
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Upton
Velazquez
Vento
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—18

Ballenger
Barton
Bilbray
Blagojevich
Boehner
Burr
Diaz-Balart
Fletcher
Fowler
Lantos
McCrery
McDermott
Oxley
Peterson (PA)
Reyes
Sawyer
Shuster
Watts (OK)

□ 1945

Mr. SHOWS and Mr. PHELPS changed their vote from ''aye'' to ''nay.''

Messrs. SMITH of Washington, ROTHMAN, DICKS, and Ms. WOOLSEY changed their vote from ''no'' to ''aye.''

So the motion was rejected.

The result of the vote was announced as above recorded.

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

Mr. Chairman, I wish to address the body about the schedule for the balance of the evening.

Mr. Chairman, so that Members will have some general guidance about the balance of the evening, let me attempt to generalize about the schedule. And if any of the leadership finds me speaking the wrong way, they can interrupt me.

But as I understand it, this is the way we intend to proceed: I would hope, as soon as we get back to the Coburn amendment, that we could get

a unanimous consent to limit the debate to 30 minute, 15 per side. We will do that appropriately at the right time. At which point, if that is agreed, we would then proceed to the three votes that are stacked up, including Coburn; in which case, at the conclusion of those three votes, my understanding is the Committee would rise and take up the Emergency Steel, Oil, and Gas Loan Guarantee Act conference report. Following that, I do not know.

But at least I think we can have some period of time after these three votes that Members would have, while the conference report is being debated, for perhaps some private time.

Mr. Chairman, I ask unanimous consent that all debate on the Coburn amendment and all amendments thereto close in 30 minutes, and that the time be equally divided between the gentleman from New York (Mr. SERRANO) and the gentleman from Oklahoma (Mr. COBURN).

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma (Mr. COBURN).

Mr. COBURN. Mr. Chairman, we have only one remaining speaker. I reserve the balance of the time.

Mr. SERRANO. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. BARRETT).

Mr. BARRETT of Wisconsin. Mr. Chairman, I first want to commend the gentleman from Oklahoma (Mr. COBURN). I do not agree with his amendment, but I think he is doing something that is very important.

I would like to talk about the emperor. The emperor, of course, are the spending caps. This emperor is so sacrosanct and is wearing this beautiful gown. We will never, ever take the gown off the emperor.

Of course, we may do a little bit in defense spending where we have an emergency bill that doubles the amount that the President asks for. We may do a little bit in highway spending. Now we are doing a little bit in census spending. Mr. Chairman, the emperor has no clothes.

We are sitting here with a budget and spending caps that we are busting over and over and over again, and nobody wants to say it on the Republican side except for the gentleman from Oklahoma (Mr. COBURN). But the emperor has no clothes. We are letting him walk down the street bare naked because no one is willing to say we have to make some adjustments.

The reason I do not agree with this amendment is because we have to have the census. The Constitution says we have to have the census. It is not a surprise. It is not something that was snuck into the Constitution in the middle of the night where, all of a sudden, we go, oh, my God, we have got to do a census this year. We know it has got to be there. But what has happened is this process has been so distorted by the majority side that this is the only mechanism left.

If they want to continue this charade, the charade of saying that this is an emergency, then that is what it is going to have to be. But the American people should know that this is a charade.

We have to have the census, but the only opportunity we have been given tonight to have the constitutionally mandated census is to do it through emergency spending. If that is what we are going to do, then we have to get it done.

Mr. SERRANO. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman from New York for the generous grant of time to discuss this important amendment.

I come to the debate equipped with two reference sources, the first being Webster's Collegiate Dictionary. ''Emergency: an unforeseen combination of circumstances or the resulting state that calls for immediate action.''

Now, it is plausible to believe that we cannot anticipate everything in the budget and that emergencies do happen beyond our control, and we should figure out a way of dealing with them.

The question is, is the census, is the dicentennial enumeration of the people of the United States an unanticipated emergency that could not be foreseen? Well, Thomas Jefferson 210 years ago could have told Congress that in the year 2000 they were going to need money for the census because it was required that it be done every 10 years as long as the Nation should stand, and the Nation still stands.

So this is by no means an emergency in terms of unanticipated budget needs. Budget gimmicks were not quite enough. The rosy scenario, assuming that things would continue as well as they had for the last 10 years, for the next 10, that was not quite enough.

The quiet proposal and winking and nodding about real cuts of 30 percent in all domestic spending, even that was not quite enough to get to the point where we could have tax cuts and not declare emergencies to make room for the tax cuts. That is what this is all about.

Social Security is going to be hit and hit and hit and hit again with so-called emergency spending which does not count. We are taking the money. We are spending it. We are replacing it with IOUs in the Social Security Trust Fund. We are ripping the lock off the lockbox, but it does not count.

Do not pay any attention. Look the other way. It is not an emergency. This is not an emergency. This is spending the Social Security trust funds for the census, something that could have been anticipated.

We should support the gentleman's amendment. Get honest about this budget.

Mr. SERRANO. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, there has been a lot of discussion obviously on this issue. But the reality is that I agree with those who say the budgeting process has become convoluted. It has even gotten a little bit dirty.

But this amendment reminds me of the instance where one throws the baby out with the bath water. The baby is the census in this case. While we need to clean up the process, we do not need to do it at the expense of the census. We need the census money. I oppose the amendment.

Mr. COBURN. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, the analogy of the gentleman from Illinois (Mr. DAVIS) is very apropos. Being somebody who delivered two babies this weekend, both of them over 9 pounds, sometimes when one has got a baby and one is going to give it a bath, the first thing one has got to do is get the baby out of the mama's tummy to give the bath to it. Sometimes they do not always come out right. Sometimes one takes a pair of forceps, salad tongs, and gets that baby out of there.

I am trying to get the emergency baby out of this bill. I would appreciate anybody's vote.

Mr. Chairman, I yield 5 minutes to the gentleman from Montana (Mr. HILL).

Mr. HILL of Montana. Mr. Chairman, I thank the gentleman from Oklahoma for yielding me this time, and I want to rise in support of his amendment.

There is no doubt that the census is not an emergency. If my colleagues believe in the integrity of the budget process and if my colleagues believe in the integrity of the lockbox, if my colleagues believe that we should spend Social Security taxes only on Social Security, then my colleagues, too, have to support this amendment.

Procedurally, this is the only way for us to deal with this issue. If we pass the Coburn amendment, we can send this bill to the Senate without a provision for the census. We can then pass the motion to instruct the conferees to accede to the Senate position, which would be to not declare the census an emergency.

□ 2000

There will be a census. Everybody in this chamber knows this. Everybody in America knows there will be a census when we get done. The reason that this has been declared an emergency is so that we can exceed the spending caps in the balanced budget agreement of 1997.

I think the gentleman from Texas, when he attacked the whip, was talking about truth and honesty in budgeting. I would agree that it is not honest budgeting to declare this census an emergency, but I can tell my colleagues this, too, it is hard to find a lot

of honesty in the budget process on this floor tonight.

It reminds me that politics in Washington is often referred to like the politics in the Middle East where there are three positions on every issue; there is an official position, a public position, and then there is the real position. Folks are coming down to this floor every day on the appropriations process arguing they want to save Social Security first, first things first, they will say, and then they will argue that every single appropriation bill is underfunded.

Now, many of those same people voted for the balanced budget agreement with the President in 1997. They congratulated themselves, they congratulated the President, and they said they were finally exercising fiscal discipline. Well let me tell my colleagues what the fiscal discipline of that was. First of all, it increased spending by almost $60 billion in the first 2 fiscal years, and since then we have spent almost $62 billion in emergency spending, $122 billion over the baseline amount in 2 years.

What it said is we would put off the tough choices to the year 2000. Well, guess what, here we are at the year 2000 budget and nobody here seems to have the ability to stand up for their principles. No one on this floor tonight has questioned the most important element here, and that is why is this census costing so much? Congress and the President cannot agree on how to do the census, so what have we done? We have said we will fund two censuses. We will do not one, we will do two, the President's way and the Congress' way.

If my colleagues believed that they were exercising fiscal discipline and voted for the balanced budget agreement in 1997, then they have to vote for this Coburn amendment. If my colleagues voted for the lockbox and they meant it when they said that they wanted to set Social Security aside for Social Security, then they have to vote for this Coburn amendment. If my colleagues voted for tax relief and they believed and they meant that they could fund that tax relief by not tapping into the Social Security account, then they have to vote for the Coburn amendment, too.

We need to vote for this Coburn amendment. It is the only way to restore integrity.

Mr. SERRANO. Mr. Chairman, what time is remaining on each side and who has the right to close?

The CHAIRMAN. The gentleman from New York (Mr. SERRANO) has 10 minutes remaining and has the right to close, and the gentleman from Oklahoma (Mr. COBURN) has 11 minutes remaining.

Mr. SERRANO. Mr. Chairman, I yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Chairman, we are 250 days away from the census and, as my good friend on the other side of the aisle, the gentleman from Florida (Mr. MILLER) has pointed out, this is constitutionally mandated. We have to have a census. Whether we call it an offset or an emergency, every person in America needs to be counted.

Mr. Chairman, I support the efforts of the gentleman from Kentucky (Mr. ROGERS) to fund the census at $4.5 billion, the requested amount from the administration, and I urge a very strong no vote on the Coburn amendment. The Coburn amendment would make it impossible to get a count in the census; it would create the worst census since we began counting over 200 years ago. I urge a very strong no vote.

Mr. MILLER of Florida. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY of New York. I yield to the gentleman from Florida, the chairman of the Subcommittee on Census, in the spirit of bipartisanship and in friendship on this.

Mr. MILLER of Florida. Mr. Chairman, I urge my colleagues, especially those on my side of the aisle, to oppose this amendment.

As I said earlier, this is an irresponsible amendment because it takes $2.8 billion out of the census and does not replace it. We have to pay for the census. We do not have a choice. It is a constitutional requirement, and we have said all along we were going to do the best census possible and address the problems that have existed in the past censuses.

I served on the Committee on the Budget back in 1997, and that is where the problem started, with the budget agreement, which I supported. Reflecting back on it, we never provided any money as part of that. We forgot. We did not intentionally exclude the census funding. But that is $4.5 billion. And in this year's budget it was not included.

Now, I will admit my mistake. There were mistakes made in putting that budget together, but we have to provide it. That is the reason it is going to become an emergency. I wish it was not an emergency. Ideally it would not be.

I urge my colleagues to vote ''no'' on this amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY of New York. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentlewoman for yielding to me.

I am enlightened here. Apparently I now understand the nature of the emergency. We forgot. This is a very handy thing. From now on whenever we are supposed to have done something and we do not do it, we do not say I forgot, we say, I am sorry, it is an emergency.

Because the gentleman said the problem is that in 1997, when some of my colleagues voted for what I think was a pretty stupid agreement, they forgot there was going to be a census. Now, I do not know who withheld this information from those individuals, but now we have an explanation of an emergency. They forgot.

I plan to use this. When they say to me, where is that thing the gentleman is supposed to have, I will say, I am sorry, it is an emergency. If they ask somebody on their staff if they wrote the memo that they wanted them to write, they can say, no, it is an emergency. So we now have invented the handiest excuse in human history.

Mr. SERRANO. Mr. Chairman, I yield 2 minutes to the gentleman from Mississippi (Mr. SHOWS).

Mr. SHOWS. Mr. Chairman, tonight I am arguing against the amendment of the gentleman from Oklahoma (Mr. COBURN). I think it is wrong. We are arguing again about how to fund the census, debating a constitutionally-based census that we carry out every 10 years.

The consequences of failing to do this are real frightening. What does this do to Mississippi? Ten years ago we undercounted 55,000 people. This year we have a real likelihood of losing a seat in Congress because we did not adequately fund it 10 years ago. We do not need to underfund the census today. It is a crime; it is a shame. My people in Mississippi need as much representation as anybody else in this country.

Mr. Chairman, the census affects us in our highway planning, construction, public transportation, educational block grants, and everything else. Our credibility is at stake. The credibility of this chamber and the integrity of a census that sets the agenda for this Nation for the next 10 years.

Let us do the right thing, let us make sure all Americans are counted and that our democracy is operating on the foundation where all Americans are counted for and representation is shared equally and our dollars are spent wisely.

Mr. COBURN. Mr. Chairman, I yield myself the balance of my time.

There is an issue that is before us that really does not have anything to do with the census. There is an issue before us that does not have anything to do with the budget. The issue that is before us is dare we pull the wool over the American people's eyes about calling something an emergency when it is not.

We have heard several people say we are not going to have a census if this amendment comes through. Everybody knows we are going to have a census. What they are really saying, when they are saying that, is they do not want to do the hard work to find the real money to pay for this and not take it from the Social Security fund. That is what the real answer is. That is not what is said, but that is what is intended. We all know that because we all know if this amendment passes the Committee on Appropriations is going to have to find the money for the census.

I know that we can explain a lot of things back home, but I think it is a

real stretch for us to be so arrogant to say we can go home, as the gentleman from Massachusetts (Mr. FRANK) said, and say we just forgot, therefore, it is an emergency. This is not an emergency. What will be an emergency is if we spend and break our word with regard to the Social Security surplus.

There were two people in this body who voted for the President's budget to raise taxes and raise spending. Two people. Everybody else in this body voted against that budget. Everybody else voted for one of two budgets that said we will not, under any circumstances, touch Social Security money. So it is really an issue about whether or not we are going to be truthful with the American public.

It is not truthful to say there will not be a census if this amendment passes because we all know there will be. It is not truthful to tell the American public that it is an emergency to fund a census because somebody forgot. They did not forget. They did not put it in, including from the Committee on the Budget. I know this from having a conversation with the chairman, because they were hoping to force a decrease in spending so they did not elicit it. So nobody really forgot.

We can do what we need to do. We can take care of every American that is dependent on us; we can have an accurate census; we just need to do it more efficiently. We need to remeasure the programs that we are passing money for. Are they effective, are they doing it the most efficient way? Our problem this year is we are refusing to do the steps that will help us become efficient in our government as we are in every other aspect of our society.

The Senate is talking about, and we will be discussing as well, emergency spending for the farmers, the most efficient farmers in the world. We cannot ask them to cut their costs any more. They are already the cheapest in the world by far. Let them be an example to us. Let us make every program that the Federal Government runs as efficient as the farmers are in this country. If we do that, we will have $100 billion with which to fund the census and everything else we need.

I want my colleagues to check their hearts and ask themselves if they can go home and tell the people in their districts that this census is an emergency; that they had to spend their constituents' Social Security money and their grandchildren are just going to have to pay a little bit more to fund the Social Security system.

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

Mr. SERRANO. Mr. Chairman, I yield myself the balance of my time.

One of the comments that we keep hearing from everyone on that side who gets up to put forth a deep cut is, do not worry about this cut, what it is that I am cutting will get done. So we will cut one bill, then people will say, do not worry about it, Defense will be taken care of. Then they will cut another bill and say, do not worry about it, everything in Energy and Water will be taken care of. Now today they are saying, we will cut the census but, do not worry, the census will be taken care of. And I suspect some time in the fall they will cut education and health care and health services to shreds and they will say, do not worry about it, people will be taken care of.

This may come as a shock, but sooner or later, if we keep on cutting, something is really not going to happen. Something is not going to go well. And the reason that we are opposing this amendment today is because we know for a fact that the census can run into serious problems if we approve this amendment.

Now, I also personally would like to help the gentleman from Oklahoma (Mr. COBURN). He told us with such pride and joy, and he should tell us with pride and joy, that just this weekend he delivered two babies. Well, his amendment runs the risk of not counting those babies in the census. I do not want him to go through life delivering babies that will not be counted in the census.

Let me just end with this thought, which is the same one I brought up before. I think it is important for everyone to understand that the census was the only issue in this bill on which there was full agreement. Let me repeat that again. The census item was the only part of this bill on which there was full agreement. People like myself, who are voting for final passage of this bill, are doing it not because I support the cuts we made, they are doing it mainly because it funded fully the census.

□ 2015

So now to break the only agreement we had by destroying the census means that whatever support there is for this bill we lose, whatever hope there is that we could move ahead to come up with a better bill in general terms we lose, that any possibility we have to get this project on the way we lose.

There are things that have to be dealt with right away. When the gentleman from Florida (Mr. MILLER) and when the gentlewoman from New York (Mrs. MALONEY) get up and tell us the importance of this item and when the gentleman from Kentucky (Chairman ROGERS) tells us the importance of this item, they are not saying that just to hear themselves speak or to appear on TV. They know how difficult it was to reach this point.

How many of my colleagues have forgotten that we held up budgets in the past because of the census issue? So if we are here, we are with an agreement at least on this item, why even consider voting for the Coburn amendment?

So, Mr. Chairman, I would hope that everyone in this House joins in a bipartisan basis to defeat this amendment. This is the worst amendment from a gentleman who is famous for his amendments, but this is without a doubt the worst amendment he has brought to the floor. If this should pass, even he would regret it.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. COBURN).

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

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

The CHAIRMAN. Pursuant to House Resolution 273, further proceedings on the amendment offered by the gentleman from Oklahoma (Mr. COBURN) will be postponed.

The point of no quorum is considered withdrawn.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 273, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: The amendment offered by the gentleman from Virginia (Mr. SCOTT); the amendment offered by the gentlewoman from Colorado (Ms. DEGETTE); and the amendment offered by the gentleman from Oklahoma (Mr. COBURN).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. SCOTT

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

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 164, noes 263, not voting 6, as follows:

[Roll No. 372]

AYES—164

Abercrombie	Cardin	Doggett
Ackerman	Carson	Duncan
Allen	Clay	Edwards
Baird	Clayton	Engel
Baldacci	Clement	Eshoo
Baldwin	Clyburn	Farr
Barcia	Coburn	Fattah
Barrett (WI)	Conyers	Filner
Becerra	Coyne	Foley
Bentsen	Cummings	Ford
Berkley	Davis (FL)	Frank (MA)
Berman	Davis (IL)	Frost
Bishop	Davis (VA)	Gejdenson
Blumenauer	DeFazio	Gilchrest
Brady (PA)	DeGette	Gillmor
Brown (FL)	Delahunt	Gonzalez
Brown (OH)	DeLauro	Goode
Capps	Dingell	Goodling
Capuano	Dixon	Gordon

Green (TX)
Gutierrez
Hall (TX)
Hastings (FL)
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hooley
Hutchinson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Larson
Leach
Lee
Lewis (GA)
Lofgren
Luther
Maloney (NY)
Manzullo
Markey
Martinez
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Price (NC)
Rahall
Rangel
Rodriguez
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shays
Shimkus
Sisisky
Skelton
Slaughter
Snyder
Stabenow
Stark
Stenholm
Strickland
Stupak
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wilson
Wise
Woolsey
Wynn

NOES—263

Aderholt
Andrews
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Biggert
Bilirakis
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crowley
Cubin
Cunningham
Danner
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Doyle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Etheridge
Evans
Everett
Ewing
Fletcher
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilman
Goodlatte
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (OH)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (MT)
Hilleary
Hobson
Hoeffel
Hoekstra
Holden
Holt
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
King (NY)
Kingston
Klink
Knollenberg
Kolbe
Kuykendall
Largent
Latham
LaTourette
Lazio
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Pallone
Pascrell
Pease
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shows
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Spence
Spratt
Stearns
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Toomey
Traficant
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—6

Bilbray
Brady (TX)
Lantos
McDermott
Peterson (PA)
Reyes

□ 2038

Messrs. DEUTSCH, DOOLEY of California, PALLONE, CONDIT, HULSHOF, SPRATT, and MATSUI, Mrs. McCARTHY of New York, and Messrs. DICKS, LUCAS of Kentucky, CRAMER and Ms. McCARTHY of Missouri changed their vote from ''aye'' to ''no.''

Mr. HINCHEY and Mr. GILCHREST changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 273, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MS. DEGETTE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Colorado (Ms. DEGETTE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 268, not voting 5, as follows:

[Roll No. 373]

AYES—160

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berkley
Berman
Biggert
Bishop
Blagojevich
Blumenauer
Boehlert
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Campbell
Capps
Capuano
Cardin
Carson
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Engel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frelinghuysen
Gejdenson
Gephardt
Gilchrest
Gilman
Gonzalez
Green (TX)
Greenwood
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Hooley
Horn
Houghton
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E.B.
Jones (OH)
Kelly
Kennedy
Kilpatrick
Kind (WI)
Kuykendall
Larson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moran (VA)
Morella
Nadler
Napolitano
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Pickett
Porter
Price (NC)
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Sisisky
Slaughter
Smith (WA)
Spratt
Stabenow
Stark
Strickland
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Velazquez
Vento
Waters
Watt (NC)
Waxman
Weiner
Wexler
Wise
Woolsey
Wu
Wynn

NOES—268

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bilirakis
Bliley
Blunt
Boehner
Bonilla
Bonior
Bono
Borski
Boyd
Brady (TX)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crowley
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frost
Gallegly
Ganske
Gekas
Gibbons
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jefferson
Jenkins
John
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kildee
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo

Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Miller, Gary
Moakley
Mollohan
Moore
Moran (KS)
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Ose
Oxley
Packard
Pascrell
Paul
Pease
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reynolds
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Toomey
Traficant
Turner
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—5

Bilbray
Lantos
McDermott
Peterson (PA)
Reyes

□ 2046

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5 -minute vote.

The vote was taken by electronic device, and there were—ayes 171, noes 257, not voting 5, as follows:

[Roll No. 374]

AYES—171

Aderholt
Allen
Baird
Baldwin
Barr
Bartlett
Berman
Berry
Bilirakis
Bliley
Blumenauer
Borski
Boswell
Boyd
Brady (TX)
Bryant
Burr
Burton
Camp
Campbell
Canady
Capps
Castle
Chabot
Chenoweth
Clement
Coble
Coburn
Collins
Condit
Costello
Cox
Cramer
Crane
Cubin
Cunningham
Davis (FL)
DeFazio
DeGette
DeMint
Deutsch
Doggett
Dooley
Doyle
Duncan
Dunn
Edwards
Ehrlich
Eshoo
Etheridge
Everett
Ewing
Filner
Ford
Fossella
Frank (MA)
Ganske
Gejdenson
Gibbons
Goode
Goodlatte
Goodling
Gordon
Graham
Green (WI)
Gutknecht
Hall (TX)
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hoekstra
Holden
Hooley
Hostettler
Hulshof
Hutchinson
Hyde
Inslee
Istook
Jenkins
Jones (NC)
Kanjorski
Kind (WI)
Kleczka
Klink
LaHood
Lampson
Largent
Larson
LaTourette
Lazio
Linder
Lofgren
Luther
Manzullo
McIntosh
McIntyre
Meehan
Mica
Miller, Gary
Miller, George
Minge
Mink
Moore
Moran (KS)
Myrick
Nussle
Olver
Paul
Pease
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pomeroy
Price (NC)
Ramstad
Riley
Rivers
Roemer
Rogan
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sandlin
Sanford
Scarborough
Schaffer
Scott
Sensenbrenner
Sessions
Shays
Sherman
Shimkus
Sisisky
Skelton
Smith (WA)
Spratt
Stabenow
Stark
Stearns
Stenholm
Stupak
Sununu
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thornberry
Thune
Tiahrt
Tierney
Toomey
Turner
Udall (NM)
Upton
Vitter
Walden
Weldon (FL)
Weldon (PA)
Weller
Weygand
Wu

NOES—257

Abercrombie
Ackerman
Andrews
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berkley
Biggert
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Buyer
Callahan
Calvert
Cannon
Capuano
Cardin
Carson
Chambliss
Clay
Clayton
Clyburn
Combest
Conyers
Cook
Cooksey
Coyne
Crowley
Cummings
Danner
Davis (IL)
Davis (VA)
Deal
Delahunt
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doolittle
Dreier
Ehlers
Emerson
Engel
English
Evans
Farr
Fattah
Fletcher
Foley
Forbes
Fowler
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goss
Granger
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holt
Horn
Houghton
Hoyer
Hunter
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (OH)
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
King (NY)
Kingston
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McGovern
McHugh
McInnis
McKeon
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller (FL)
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Oberstar
Obey
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Reynolds
Rodriguez
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Serrano
Shadegg
Shaw
Sherwood
Shows
Shuster
Simpson
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Souder
Spence
Strickland
Stump
Sweeney
Talent
Tauzin
Taylor (NC)
Thomas
Thompson (MS)
Thurman
Towns
Traficant
Udall (CO)
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Wexler
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—5

Bilbray
Lantos
McDermott
Peterson (PA)
Reyes

□ 2055

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

Mr. FORD, Mrs. CAPPS and Mr. TIERNEY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. ROGERS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. HASTINGS of Washington, 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. 2670) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution thereon.

□ 2100

EXPRESSING APPRECIATION TO MEMBERS FOR CONDOLENCES RECEIVED ON THE PASSING OF THE HONORABLE ROBERT H. MOLLOHAN

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

Mr. MOLLOHAN. Mr. Speaker, I simply want to express my appreciation for the many kind comments that I have heard on the floor today from my colleagues on the passing of my father. I certainly appreciate those sentiments, both those that have been expressed publicly and those that have been expressed privately. They are consoling and important, and I very much appreciate those comments.

In addition, I would like to express appreciation to the majority leadership and to my minority leadership for accommodating my schedule and bringing up this very important legislation, the steel, oil and gas loan guarantee program. I know they have accommodated my personal situation, and for that I am deeply grateful to both the majority leadership and to the minority leadership.

KOSOVO AND SOUTHWEST ASIA EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1999

Mr. REGULA. Mr. Speaker, pursuant to the previous order of the House of August 3, 1999, I call up from the Speaker's table the bill (H.R. 1664) making emergency supplemental appropriations for military operations, refugee relief, and humanitarian assistance relating to the conflict in Kosovo, and for military operations in Southwest Asia for the fiscal year ending September 30, 1999, and for other purposes, with Senate amendments thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

MOTION OFFERED BY MR. REGULA

Mr. REGULA. Mr. Speaker, pursuant to the previous order of the House of August 3, 1999, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion and the Senate amendments is as follows:

Mr. REGULA moves that the House concur in the Senate amendments.

Senate amendments:

Page 2, strike out all after line 7 over to and including line 21 on page 3 and insert:

SEC. 101. EMERGENCY STEEL LOAN GUARANTEE PROGRAM. (a) SHORT TITLE.—This chapter may be cited as the ''Emergency Steel Loan Guarantee Act of 1999''.

(b) CONGRESSIONAL FINDINGS.—Congress finds that—

(1) the United States steel industry has been severely harmed by a record surge of more than 40,000,000 tons of steel imports into the United States in 1998, caused by the world financial crisis;

(2) this surge in imports resulted in the loss of more than 10,000 steel worker jobs in 1998, and was the imminent cause of 3 bankruptcies by medium-sized steel companies, Acme Steel, Laclede Steel, and Geneva Steel;

(3) the crisis also forced almost all United States steel companies into—

(A) reduced volume, lower prices, and financial losses; and

(B) an inability to obtain credit for continued operations and reinvestment in facilities;

(4) the crisis also has affected the willingness of private banks and investment institutions to make loans to the United States steel industry for continued operation and reinvestment in facilities;

(5) these steel bankruptcies, job losses, and financial losses are also having serious negative effects on the tax base of cities, counties, and States, and on the essential health, education, and municipal services that these government entities provide to their citizens; and

(6) a strong steel industry is necessary to the adequate defense preparedness of the United States in order to have sufficient steel available to build the ships, tanks, planes, and armaments necessary for the national defense.

(c) DEFINITIONS.—For purposes of this section:

(1) BOARD.—The term ''Board'' means the Loan Guarantee Board established under subsection (e).

(2) PROGRAM.—The term ''Program'' means the Emergency Steel Guarantee Loan Program established under subsection (d).

(3) QUALIFIED STEEL COMPANY.—The term ''qualified steel company'' means any company that—

(A) is incorporated under the laws of any State;

(B) is engaged in the production and manufacture of a product defined by the American Iron and Steel Institute as a basic steel mill product, including ingots, slab and billets, plates, flat-rolled steel, sections and structural products, bars, rail type products, pipe and tube, and wire rod; and

(C) has experienced layoffs, production losses, or financial losses since the beginning of the steel import crisis, in January 1998 or that operates substantial assets of a company that meets these qualifications.

(d) ESTABLISHMENT OF EMERGENCY STEEL GUARANTEE LOAN PROGRAM.—There is established the Emergency Steel Guarantee Loan Program, to be administered by the Board, the purpose of which is to provide loan guarantees to qualified steel companies in accordance with this section.

(e) LOAN GUARANTEE BOARD MEMBERSHIP.—There is established a Loan Guarantee Board, which shall be composed of—

(1) the Secretary of Commerce;

(2) the Chairman of the Board of Governors of the Federal Reserve System, who shall serve as Chairman of the Board; and

(3) the Chairman of the Securities and Exchange Commission.

(f) LOAN GUARANTEE PROGRAM.—

(1) AUTHORITY.—The Program may guarantee loans provided to qualified steel companies by private banking and investment institutions in accordance with the procedures, rules, and regulations established by the Board.

(2) TOTAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed and outstanding at any one time under this section may not exceed $1,000,000,000.

(3) INDIVIDUAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed under this section with respect to a single qualified steel company may not exceed $250,000,000.

(4) TIMELINES.—The Board shall approve or deny each application for a guarantee under this section as soon as possible after receipt of such application.

(5) ADDITIONAL COSTS.—For the additional cost of the loans guaranteed under this subsection, including the costs of modifying the loans as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a), there is appropriated $140,000,000 to remain available until expended.

(g) REQUIREMENTS FOR LOAN GUARANTEES.—A loan guarantee may be issued under this section upon application to the Board by a qualified steel company pursuant to an agreement to provide a loan to that qualified steel company by a private bank or investment company, if the Board determines that—

(1) credit is not otherwise available to that company under reasonable terms or conditions sufficient to meet its financing needs, as reflected in the financial and business plans of that company;

(2) the prospective earning power of that company, together with the character and value of the security pledged, furnish reasonable assurance of repayment of the loan to be guaranteed in accordance with its terms;

(3) the loan to be guaranteed bears interest at a rate determined by the Board to be reasonable, taking into account the current average yield on outstanding obligations of the United States with remaining periods of maturity comparable to the maturity of such loan;

(4) the company has agreed to an audit by the General Accounting Office prior to the issuance of the loan guarantee and annually thereafter while any such guaranteed loan is outstanding; and

(5) In the case of a purchaser of substantial assets of a qualified steel company, the qualified steel company establishes that it is unable to reorganize itself.

(h) TERMS AND CONDITIONS OF LOAN GUARANTEES.—

(1) LOAN DURATION.—All loans guaranteed under this section shall be payable in full not later than December 31, 2005, and the terms and conditions of each such loan shall provide that the loan may not be amended, or any provision thereof waived, without the consent of the Board.

(2) LOAN SECURITY.—Any commitment to issue a loan guarantee under this section shall contain such affirmative and negative covenants and other protective provisions that the Board determines are appropriate. The Board shall require security for the loans to be guaranteed under this section at the time at which the commitment is made.

(3) FEES.—A qualified steel company receiving a guarantee under this section shall pay a fee to the Department of the Treasury to cover costs of the program, but in no event shall such fee exceed an amount equal to 0.5 percent of the outstanding principal balance of the guaranteed loan.

(4) GUARANTEE LEVEL.—No loan guarantee may be provided under this section if the guarantee exceeds 85 percent of the amount of principal of the loan.

(i) REPORTS TO CONGRESS.—The Secretary of Commerce shall submit to Congress a full report of the activities of the Board under this section during each of fiscal years 1999 and 2000, and annually thereafter, during such period as any loan guaranteed under this section is outstanding.

(j) SALARIES AND ADMINISTRATIVE EXPENSES.—For necessary expenses to administer the Program, $5,000,000 is appropriated to the Department of Commerce, to remain available until expended, which may be transferred to the Office of the Assistant Secretary for Trade Development of the International Trade Administration.

(k) TERMINATION OF GUARANTEE AUTHORITY.—The authority of the Board to make commitments to guarantee any loan under this section shall terminate on December 31, 2001.

(l) REGULATORY ACTION.—The Board shall issue such final procedures, rules, and regulations as may be necessary to carry out this section not later than 60 days after the date of enactment of this Act.

(m) IRON ORE COMPANIES.—

(1) IN GENERAL.—Subject to the requirements of this subsection, an iron ore company incorporated under the laws of any State shall be treated as a qualified steel company for purposes of the Program.

(2) TOTAL GUARANTEE LIMIT FOR IRON ORE COMPANY.—Of the aggregate amount of loans authorized to be guaranteed and outstanding at any one time under subsection (f)(2), an amount not to exceed $30,000,000 shall be loans with respect to iron ore companies.

FEDERAL ADMINISTRATIVE AND TRAVEL EXPENSES

(RESCISSIONS)

SEC. 102. (a) Of the funds available in the nondefense category to the agencies of the Federal Government, $145,000,000 are hereby rescinded: Provided, That rescissions pursuant to this subsection shall be taken only from administrative and travel accounts: Provided further, That rescissions shall be taken on a pro rata basis from funds available to every Federal agency, department, and office in the Executive Branch, including the Office of the President.

(b) Within 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 of the amounts by account of the reductions made pursuant to the provisions of subsection (a) of this section.

Page 4, strike out all after line 1 over to and including line 14 on page 22 and insert:

SEC. 201. PETROLEUM DEVELOPMENT MANAGEMENT. (a) SHORT TITLE.—This chapter may be cited as the ''Emergency Oil and Gas Guaranteed Loan Program Act''.

(b) FINDINGS.—Congress finds that—

(1) consumption of foreign oil in the United States is estimated to equal 56 percent of all oil consumed, and that percentage could reach 68 percent by 2010 if current prices prevail;

(2) the number of oil and gas rigs operating in the United States is at its lowest since 1944, when records of this tally began;

(3) if prices do not increase soon, the United States could lose at least half its marginal wells, which in aggregate produce as much oil as the United States imports from Saudi Arabia;

(4) oil and gas prices are unlikely to increase for at least several years;

(5) declining production, well abandonment, and greatly reduced exploration and development are shrinking the domestic oil and gas industry;

(6) the world's richest oil producing regions in the Middle East are experiencing increasingly greater political instability;

(7) United Nations policy may make Iraq the swing oil producing nation, thereby granting Saddam Hussein tremendous power;

(8) reliance on foreign oil for more than 60 percent of our daily oil and gas consumption is a national security threat;

(9) the level of United States oil security is directly related to the level of domestic production of oil, natural gas liquids, and natural gas; and

(10) a national security policy should be developed that ensures that adequate supplies of oil are available at all times free of the threat of embargo or other foreign hostile acts.

(c) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Loan Guarantee Board established by subsection (e).

(2) PROGRAM.—The term ''Program'' means the Emergency Oil and Gas Guaranteed Loan Program established by subsection (d).

(3) QUALIFIED OIL AND GAS COMPANY.—The term ''qualified oil and gas company'' means a company that—

(A) is—

(i) an independent oil and gas company (within the meaning of section 57(a)(2)(B)(i) of the Internal Revenue Code of 1986); or

(ii) a small business concern under section 3 of the Small Business Act (15 U.S.C. 632) (or a company based in Alaska, including an Alaska Native Corporation created pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)) that is an oil field service company whose main business is providing tools, products, personnel, and technical solutions on a contractual basis to exploration and production operators that drill, complete wells, and produce, transport, refine, and sell hydrocarbons and their byproducts as the main commercial business of the concern or company; and

(B) has experienced layoffs, production losses, or financial losses since the beginning of the oil import crisis, after January 1, 1997.

(d) EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM.—

(1) IN GENERAL.—There is established the Emergency Oil and Gas Guaranteed Loan Program, the purpose of which shall be to provide loan guarantees to qualified oil and gas companies in accordance with this section.

(2) LOAN GUARANTEE BOARD.—There is established to administer the Program a Loan Guarantee Board, to be composed of—

(A) the Secretary of Commerce;

(B) the Chairman of the Board of Governors of the Federal Reserve System, who shall serve as Chairman of the Board; and

(C) the Chairman of the Securities and Exchange Commission.

(e) AUTHORITY.—

(1) IN GENERAL.—The Program may guarantee loans provided to qualified oil and gas companies by private banking and investment institutions in accordance with procedures, rules, and regulations established by the Board.

(2) TOTAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed and outstanding at any 1 time under this section shall not exceed $500,000,000.

(3) INDIVIDUAL GUARANTEE LIMIT.—The aggregate amount of loans guaranteed under this section with respect to a single qualified oil and gas company shall not exceed $10,000,000.

(4) EXPEDITIOUS ACTION ON APPLICATIONS.—The Board shall approve or deny an application for a guarantee under this section as soon as practicable after receipt of an application.

(5) ADDITIONAL COSTS.—For the additional cost of the loans guaranteed under this subsection, including the costs of modifying the loans as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a), there is appropriated $122,500,000 to remain available until expended.

(f) REQUIREMENTS FOR LOAN GUARANTEES.—The Board may issue a loan guarantee on application by a qualified oil and gas company under an agreement by a private bank or investment company to provide a loan to the qualified oil and gas company, if the Board determines that—

(1) credit is not otherwise available to the company under reasonable terms or conditions sufficient to meet its financing needs, as reflected in the financial and business plans of the company;

(2) the prospective earning power of the company, together with the character and value of the security pledged, provide a reasonable assurance of repayment of the loan to be guaranteed in accordance with its terms;

(3) the loan to be guaranteed bears interest at a rate determined by the Board to be reasonable, taking into account the current average yield on outstanding obligations of the United States with remaining periods of maturity comparable to the maturity of the loan; and

(4) the company has agreed to an audit by the General Accounting Office before issuance of the loan guarantee and annually while the guaranteed loan is outstanding.

(g) TERMS AND CONDITIONS OF LOAN GUARANTEES.—

(1) LOAN DURATION.—All loans guaranteed under this section shall be repayable in full not later than December 31, 2010, and the terms and conditions of each such loan shall provide that the loan agreement may not be amended, or any provision of the loan agreement waived, without the consent of the Board.

(2) LOAN SECURITY.—A commitment to issue a loan guarantee under this section shall contain such affirmative and negative covenants and other protective provisions as the Board determines are appropriate. The Board shall require security for the loans to be guaranteed under this section at the time at which the commitment is made.

(3) FEES.—A qualified oil and gas company receiving a loan guarantee under this section shall pay a fee to the Department of the Treasury to cover costs of the program, but in no event shall such fee exceed an amount equal to 0.5 percent of the outstanding principal balance of the guaranteed loan.

(4) GUARANTEE LEVEL.—No loan guarantee may be provided under this section if the guarantee exceeds 85 percent of the amount of principal of the loan.

(h) REPORTS.—During fiscal year 1999 and each fiscal year thereafter until each guaranteed loan has been repaid in full, the Secretary of Commerce shall submit to Congress a report on the activities of the Board.

(i) SALARIES AND ADMINISTRATIVE EXPENSES.—For necessary expenses to administer the Program, $2,500,000 is appropriated to the Department of Commerce, to remain available until expended, which may be transferred to the Office of the Assistant Secretary for Trade Development of the International Trade Administration.

(j) TERMINATION OF GUARANTEE AUTHORITY.—The authority of the Board to make commitments to guarantee any loan under this section shall terminate on December 31, 2001.

(k) REGULATORY ACTION.—Not later than 60 days after the date of enactment of this Act, the Board shall issue such final procedures, rules, and regulations as are necessary to carry out this section.

FEDERAL ADMINISTRATIVE AND TRAVEL EXPENSES

(RESCISSIONS)

SEC. 202. (a) Of the funds available in the nondefense category to the agencies of the Federal Government, $125,000,000 are hereby rescinded: Provided, That rescissions pursuant to this subsection shall be taken only from administrative and travel accounts: Provided further, That rescissions shall be taken on a pro rata basis from funds available to every Federal agency, department, and office in the Executive Branch, including the Office of the President.

(b) Within 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 of the amounts by account of the reductions made pursuant to the provisions of subsection (a) of this section.

Page 22, strike out all after line 15 over to and including line 4 on page 32 and insert:

GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in the Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

This Act may be cited as the ''Emergency Steel Loan Guarantee and Emergency Oil and Gas Guaranteed Loan Act of 1999''.

Amend the title so as to read: ''An Act providing emergency authority for guarantees of loans to qualified steel and iron ore companies and to qualified oil and gas companies, and for other purposes.''.

The SPEAKER pro tempore. Pursuant to the order of the House of Tuesday, August 3, 1999, the gentleman from Ohio (Mr. REGULA), the gentleman from West Virginia (Mr. MOLLOHAN), the gentleman from Iowa (Mr. LEACH), and the gentleman from New York (Mr. LAFALCE) each will control 15 minutes.

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

GENERAL LEAVE

Mr. REGULA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1664, and that I may include tabular and extraneous material.

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

There was no objection.

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

Mr. Speaker, this is an issue of agreeing to a Senate amendment to the bill, H.R. 1664. It provides for steel, oil, and

gas loan guarantee programs. These two sectors of the economy need a helping hand because they have not enjoyed the benefits of our robust economy recently because of unfair foreign trading practices and depressed prices.

Independent oil and natural gas producers have lost about 56,000 jobs over the past 18 months because of depressed oil and gas prices. The U.S. steel industry has lost over 10,000 jobs due to the record level of low priced steel imports that came into the United States in 1998. Steel imports continue at above average rates in 1999. In addition to the jobs lost in the steel industry and the surrounding communities, these unfair imports have driven companies into bankruptcy.

Both of these industries have and are seeking relief through our anti-dumping and countervailing duty laws. The Commerce Department has found dumping in numerous steel cases and the International Trade Commission has found injury, so that dumping duties are now being collected on many steel imports. But this process has been a long and costly process for the companies and their workers. The results of slightly lower imports are just now beginning to show.

But many of the affected companies and their workers need the self-help, and I emphasize ''self-help,'' loan guarantee that is provided in this legislation. They are having trouble gaining access to private capital in order to deal with the cash flow problems and to restructure in order to weather the steel import crisis. The loan program is not, and I emphasize again, is not a Federal giveaway. It is a tough, self-help program which does have protections for the U.S. taxpayer. Let me list those:

The Chairman of the Federal Reserve, Alan Greenspan, will serve as the chairman of the board that will review all loan guarantee applications. The Secretary of Commerce and the Chairman of the Securities and Exchange Commission are also members of the board. So obviously this is a tough board that these companies would have to go to for a guarantee.

The loan guarantee amount for each company is limited to $250 million and must be paid back by December 31, 2005. Companies must provide security for all loan guarantees and shall pay a fee to cover the cost of the program. Only 85 percent of the principal loan amount can be guaranteed by this program.

Furthermore, any company that receives a loan guarantee is subject to a GAO audit. So there are tough conditions in this, I want to emphasize.

The board's authority, the board headed by Chairman Greenspan, to make loan guarantees terminates on December 31, 2001. In other words, it is essentially a 17-month program. So this is not an open-ended new program.

I should also add that the credit subsidy cost of this bill, $267 million, and that is the charge we would have to appropriate just to cover it, not that there would be any Federal money involved, this is a guarantee, all the loans would come from the private sector, with the government guaranteeing 85 percent of the loan. But it is completely offset by a rescission of Federal administrative and travel expenses.

As we prepare to give a helping hand to our farmers, and most of those are grants, in some cases loans, but we are saying billions we are talking about to help our farm economy, agriculture, as we should, but as we prepare to give them a helping hand, and they are affected by the current drought, I ask that we also give the steel and oil and gas industries a helping hand to overcome the import crisis that they have had no control over.

We cannot allow foreign nations to export their unemployment to the United States. I urge support of this legislation and, in effect, the support of American jobs.

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

Mr. MOLLOHAN. Mr. Speaker, I yield myself 2½ minutes.

Mr. Speaker, first I want to express appreciation to our senior Senator from West Virginia for his interest and efforts in regard to the steel industry, which have been tremendous and consistent and effective, as this legislation which he is responsible for getting through the Senate evidences.

Mr. Speaker, our steel industry and steelworkers are in trouble. Foreign steel imports are up dramatically across the board, from 30 to 41 million tons in 1998. Hot rolled steel imports, for example, are up a staggering 66 percent. Three countries, Korea, Russia and Japan, account for 78 percent of this increase, and much of it is illegal dumping, selling in this country at a price less than the cost of actually producing it. That is a violation of international trade law.

Dumping has resulted in five of our steel companies in this country going bankrupt and 10,000 of our steelworkers losing their job, 800 of these jobs at Weirton Steel in my district. Five companies, Mr. Speaker, 10,000 steel jobs, all lost because of illegal dumping.

The legislation before us today addresses the short- to medium-term financial problems created for steel companies by this illegal dumping. It establishes a program whereby the government will guarantee up to $1.5 billion in conventional loans, $1 billion for the steel industry and $500 million for the ailing oil and gas industry.

The amount actually appropriated in the bill is $270 million, which represents the subsidy rate, and that is the amount of money actually estimated to be at risk should there be defaults.

Loan guarantees are a tried and true approach to helping backbone industries get through troubled financial times. Remember when the Congress passed the Chrysler Loan Guarantee Act of 1980 which supported a loan guarantee program of up to $1.5 billion? Chrysler borrowed $1.3 billion, and successfully completed the program in 1983.

Likewise, in 1981 Lockheed was the object of a federally backed $250 million guarantee program. Also New York City benefitted from a successful $1 billion loan guarantee program. Some refer to these programs as the Lockheed or the New York or Chrysler bailout. In fact, none of these programs were bailouts. All were guarantee programs, which allowed Lockheed, Chrysler, and New York to work through their financial crisis and, at the conclusion, pay off their debts. The government did not have to pay off one penny of those guaranteed loans.

Steel manufacturing and oil and gas production industries are vital interests to our broad economic well-being, not to mention to our national security interests. It is perfectly appropriate for us to act reasonably to assist these industries using the loan guarantee model.

I urge adoption of the legislation, Mr. Speaker.

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

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

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

Mr. LEACH. Mr. Speaker, let me first begin by saying I regret I am rising in strong opposition to this bill because I have such enormous respect for the two gentlemen that have just spoken, the gentleman from Ohio (Mr. REGULA) and the gentleman from West Virginia (Mr. MOLLOHAN). But I rise in opposition on the grounds of process, the grounds of substance, and the grounds of precedent.

In terms of process, Members will be asked to vote on the creation of a massive new $1.5 billion Federal credit program designed to benefit certain steel as well as oil and gas companies that has never been considered by the House or any of its committees.

I have grave doubts about the appropriateness of a new contingent liability of this nature in the Federal Government for a number of reasons, including the fact that the proposal coming from the other body lacks adequate taxpayer safeguards. Not only are there no warrants to reward taxpayers for risks undertaken, as was in the case of the Chrysler program, this legislation does not even comply with OMB guidelines establishing core policies for Federal credit programs.

To cite just one, financial standards for risk taking require that private lenders who extend government guaranteed credit must bear at least 20 percent of the loss from any default. This standard OMB policy is not included in this loan guarantee program, thus making the program a bailout for poor lending policies of banks, as well as poor management practices of steel and oil and gas companies.

For a country with the most sophisticated market economy in the world, the approach advocated today represents an astonishingly slippery slope. Loan guarantee proposals and circumstances of this nature have a tendency to create stilted markets and unfair competition. They implicitly disadvantage competitors and may not be as protective of ordinary workers as they may be for investors and a few companies and lending institutions that may have troubled loans in place.

Let me be clear: Nothing in this bill expands demand for steel or creates a single job. It may protect a particular worker's job in a particular company, but it is not a jobs protection bill. At the very most, it allocates jobs by protecting the least efficient producers and jeopardizing more efficient ones.

For example, I represent an industrial river district with four steel plants. None can be expected to receive any of the resources made available under this act. But this bill authorizes assistance to steel producers in competition with these efficient plants.

For every job that may be protected in West Virginia, one will be lost in Iowa, and for every dollar diverted in this market intervention program, one will be deprived from HUD, the USDA and an assortment of other government agencies. There is no free lunch for loan guarantees of this nature.

To be sure, last year steel import crisis was real and caused harm to our industry and its workers. In reaction, the United States Government responded aggressively to anti-dumping and countervailing duty cases against a variety of countries. At the same time, the executive branch exerted bilateral pressure on key trading partners, including Japan and Korea, to reduce their steel imports to the United States.

According to Commerce Secretary Daley, these efforts are beginning to have an effect. While our steel industry still faces a number of economic difficulties, we have reversed last year's historic import surge. Total steel imports have returned to pre-crisis levels. April 1999 imports of all steel products were 22 percent below April 1998 levels and 6 percent below April 1997.

□ 2115

Indeed, this April's import levels were more than 42 percent below last August's peak. Ironically, just today it was reported the domestic steel companies are raising spot market prices of large volume flat rolled products by as much as 9 percent.

According to the Chicago Tribune, these price increases have been made possible by sharp economic rebounds in key parts of Asia's Pacific Rim which is soaking up steel that otherwise might have been shipped to the United States.

As for the oil and gas dimension of this bill, it should be understood that this provision was added in the other body when crude oil prices were at an inflation-adjusted post World War II low. But from a bottom of $10.27 cents per barrel in February of this year, oil prices have rallied over 100 percent, to $20.62 today. The recovery of crude oil prices makes this bill not only philosophically dubious, but untimely.

Let me turn now to precedent. Here two issues stand out. First, the fact that this legislation is being considered on the House floor in this way is a testament to the disproportionate power individual Members of the other body have attained through precedents and rules not shared by this body.

The principal reason this bill is before us is that one powerful member of the other body refused to allow a national defense and humanitarian spending measure to go forward until he received a pledge from House leaders that this legislation would receive expedited consideration in this body, in disregard of regular House processes.

To allow this kind of process to be subjected in the House is precedential folly. The procedures of the other body demand reform for a number of reasons, not the least of which is that they disadvantage the people's body. But under no circumstances should House Members be a party to power plays in the other House that dictate how this House should proceed, especially if such commitments have the effect of bypassing the committee system, which is designed to protect the House and the public interest.

Further complicating this bill are constitutional and administrative law questions. In an effort to make the loan guaranty program less expensive, the bill was amended to require the chairman of the Federal Reserve to serve as the chairman of a three-member board to administer the program.

But it should be remembered, the Federal Reserve is an independent agency, not part of the executive branch. It is responsible for conducting the Nation's monetary policy, as well as supervising and regulating banking institutions. This bill would entangle the Federal Reserve in inappropriate executive branch functions and compromising political judgments.

The program the bill establishes is more political than economic in character. It is designed by politicians to benefit certain companies in selected industries. In its present form, it entwines the Federal Reserve Board, which both parties on a bipartisan basis have a vested interest in keeping above politics, into the hurly-burly of congressional politics.

Extraordinarily, the bill causes the chairman of the Fed to become, in effect, a loan officer who also may be regulating financial institutions with which the Federal Reserve may, under this bill, become a party in lending judgments.

The only thing more foolish than the economic and political judgments in play are the process considerations for Congress, the executive branch, and the Fed.

In conclusion, Mr. Speaker, let me reiterate that the interventionist policy under consideration represents a procedural, substantive, and precedent-setting umbrage. Loan guaranty approaches should only be considered after extensive review and only under the most exigent of circumstances. This particular congressional intrusion into the American free market should be viewed with the utmost skepticism.

Mr. Speaker, I urge its defeat, and I reserve the balance of my time.

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

Mr. Speaker, first of all, I want to say how much respect I have for the authors of this bill, both the gentleman from Ohio (Mr. REGULA) and the gentleman from West Virginia (Mr. MOLLOHAN).

With respect to the gentleman from West Virginia (Mr. MOLLOHAN), I want to express my deepest condolences upon the death of his father, with whom I had the tremendous pleasure of serving for 8 years, from 1975, his retirement, to 1982. He was a great person. He was a great Congressman.

But I think, in all candor, his greatest achievement was his son. I do not think any father could have been more proud of his son than Bob Mollohan was, and rightly should have been, of the gentleman from West Virginia (Mr. MOLLOHAN). I am proud to serve with him. That makes opposing the bill even more difficult.

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

Mr. LAFALCE. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Speaker, I thank my friend, the distinguished gentleman from New York, for those very kind remarks. They are certainly appreciated. God bless.

Mr. LAFALCE. Mr. Speaker, I regret that I must oppose this bill, in large part for the reasons articulated by the chairman of the Committee on Banking and Financial Services, the gentleman from Iowa (Mr. LEACH). I find myself in 100 percent agreement with each and every remark of his.

First of all, with respect to process, there was not one minute worth of hearing on this bill in the House of Representatives; not a day, not an hour, not a minute. I believe that is true in the Senate, too, but I cannot swear to that.

As a matter of fact, the oil and gas provisions of this bill were never even introduced in the House. The bill number is the Kosovo appropriations that was substituted. I do not believe there ever was a bill creating a loan guaranty program for the oil and gas industry.

Now, I think it is a terrible precedent. I really think this is a terrible precedent, because what we are doing is we are saying to the authorizing committees, whatever they are, the Committee on Transportation, the Committee on Ways and Means, the Committee on Armed Services, we are going to eliminate the necessity for them, on minor matters. What is a

minor matter? For $1.5 billion, we will just eliminate the need for their consideration of any legislation dealing with approximately $1.5 billion. That is a terrible precedent.

Secondly, some individuals say, well, speaking of precedents, we have some precedents when we have given guaranties in the past. To be sure, Chrysler has been mentioned as one example; Lockheed.

A few things. First of all, those were company-specific, not industry-wide; not oil and gas industry, iron ore industry, but company-specific. There were days and weeks of hearings and markup and conferences, et cetera.

Most importantly, I remember when I wrote a dissenting opinion against the Chrysler loan guaranty bill because we did not attach adequate conditionality to the loan, because we did not attach the necessity for shared sacrifices on the part of all the stakeholders.

The Senate did a better job on that bill, thanks to a good Republican and a good Democrat, Senator RICHARD LUGAR and Senator Paul Tsongas. They attached those conditions. They attached, for example, the ability of the United States to have warrants. They attached the necessity for shared sacrifices, et cetera.

There is nothing in this bill remotely close to that at all, nothing whatsoever. There certainly has not been the months and months of hearing and public dialogue and discussion; not even a minute, not even a minute.

There are other reasons, too. The steel industry is very important and the iron ore industry is very important and the oil and gas industry is very important. But there are countless other important industries in the United States of America, too. Why just steel, why not the materials industry? Why not the textile industry? Why not the computer industry, the machine tool industry? We could go on endlessly.

If we are going to intervene and allocate credit, ought we not at least to have some hearings to discuss where we would best allocate credit? The House tonight is saying no.

But let us think of something else, now. We are coming in with a $1.5 billion program. The program had just run for a couple of years, but the loan guaranties will go for decades, or I have forgotten the exact date, but considerably beyond that. But we cannot do it for nothing. We can only do it if we rescind monies in fiscal year 1999. That is what we are going to be voting on. We are going to be voting to rescind monies for fiscal year 1999.

How much will we have to rescind? Two hundred seventy million dollars, or $267 million, to be exact, according to the gentleman from Ohio (Mr. REGULA). We have to rescind that much. Where do we take it from? The bill says, not from defense but from the non-defense programs.

So what do we do if we vote for this bill? If Members are interested in agriculture, we rescind $45 million from agriculture. If Members are interested in commerce, we rescind $12 million from commerce. If Members are interested in health and human services, we rescind $20 million from health and human services. If Members are interested in housing for the poor and the elderly, we rescind $17 million from HUD. If we are interested in the Department of the interior, we rescind $9 million; from Justice, $23 million; the Department of State, $11 million; Transportation, almost $14 million; Treasury, over $20 million; and Veterans Affairs, approximately $36 million. The list goes on and on.

The total is, according to OMB, a rescission of approximately $270 million. I ask Members to ask themselves if this bill, that has not had a day's worth of hearing, in order to help the oil and gas industry, et cetera, is worth rescinding $270 million.

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

Mr. LAFALCE. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Speaker, would the gentleman agree that those are travel budgets for those various agencies, just travel for members of the executive branch?

Mr. LAFALCE. No, those are administrative and travel. Administrative includes salaries for people.

So what we are doing is for veterans affairs, we would be eliminating doctors, these are administrative; nurses, these are administrative. But can our hospitals in Buffalo and Batavia, wherever they are, afford their pro rata share of a budget cut in veterans affairs of $36 million, et cetera, et cetera? Is it that important?

Of course, the gentleman from Iowa (Mr. LEACH) pointed out, it is so wrong to have the chairman of the Federal Reserve Board, and unconstitutional, he argued, and I would agree with him fully, in there. I hate saying vote no on this bill, but logic and the order of the House and the integrity of the House, the integrity of the legislative process, demands it.

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

Mr. REGULA. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Speaker, a number of Members have asked the question, what does this have to do with national defense and Kosovo? Because when the Clerk read out the title of the bill, it did refer to national defense, to the Kosovo supplemental.

I wanted to advise the Members that there is nothing left in this bill that has anything to do with Kosovo and national defense or anything of that nature. That was all stripped out. This vehicle was an empty vehicle, and the other body used it as a vehicle then for this loan guaranty program. I just wanted Members to know that, especially because several have asked that question.

Mr. MOLLOHAN. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I rise in strong support of this legislation, which will establish an emergency loan guaranty program for the independent oil and gas industry and the steel industry.

Much like America's agriculture, the oil and gas industry and steel industries have recently experienced a price crisis which has caused hundreds of thousands of job losses and severe economic hardships for the communities in which they serve.

In November of 1997, the oil and gas exploration and production industry began experiencing critically low prices, which included the lowest inflation-adjusted oil price in history. These low prices were well below the cost of finding and producing crude, and they threatened the ability of many independent producers to continue operation. The effects of hard times on producers have a significant impact in all areas of our economy, as many of our Texas schools and hospitals receive significant tax revenues from oil and gas properties.

□ 2130

While prices have improved in the past few months, the industry continues to face economic hardship and infrastructure loss. The Independent Petroleum Association of America estimates that 56,400 jobs of oil and gas have been lost since October of 1997. Twenty-five percent of the United States' total oil wells and 57,000 natural gas wells shut down. Many of these wells will never operate again.

With oil imports currently accounting for 56 percent of America's supply, it is of vital importance to our national security that we provide assistance to oil and gas producers so that we can preserve what is left of our domestic oil and gas industry. Since 1986, the United States has lost 2 million barrels per day of oil production.

With programs such as these loan guarantees in place, we might not have lost the domestic production. But we now have the opportunity to do something to maintain what is left. These loan guarantees will provide struggling independent producers with the capital necessary to save jobs, businesses, and the viability of the domestic industry. If the relevant committees of jurisdiction had taken action since 1997, we would not be in this position now.

Mr. LEACH. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. ARCHER), the chairman of the Committee on Ways and Means.

Mr. ARCHER. Mr. Speaker, I thank the gentleman from Iowa for yielding me this time.

Coming from Houston, Texas, the energy capital of the world, I certainly have sympathy for the plight of the oil and gas industry, and I am concerned

about the plight of the steel industry also.

But I was taught early in life that the end never justifies the means, and this means is one of the most inappropriate efforts that I have seen in the 28½ years that I have been in the House of Representatives.

It opens its way to boondoggles, because there is no restriction for a steel company with a loan to a bank. The bank is concerned about the steel company's capabilities to shift that off to the responsibility of the taxpayers. There is no protection against the president of one of these industries making a personal loan to that industry and then applying for the government to take that president personally off the hook. No protection at all against that in this bill.

I associate myself with the eloquent remarks of the gentleman from New York. I could not say them better than he did. But I would add that it also sends the worst of signals to our trading partners.

We complain over and over again about their government subsidies to their basic industries, like their steel industry; and here we are in the back doorway having a government subsidy for a basic industry that we decry over and over again.

Importantly, it is so precedential, as the gentleman from New York said. Where do we draw the line when the government begins to embark on this course? There are better ways. We should find a better way.

Mr. LAFALCE. 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 do not like this bill, but I am going to vote for it. I want to thank the gentleman from New York (Chairman LAFALCE) for being a gentleman and allowing me the time.

Pretty tough for me to vote against the bill that has come to the floor offered by the gentleman from Ohio (Mr. REGULA) and the gentleman from West Virginia (Mr. MOLLOHAN), two great Members.

I also offer my sympathies to the gentleman from West Virginia (Mr. MOLLOHAN).

But I want to pick up on something that the gentleman from Texas (Chairman ARCHER) said. No matter how one cuts this bill, the reason for it being on the floor is illegal trade. The steel industry is in desperate straits because of illegal trade.

What Congress has chosen to do is, no matter how we cut it, we subsidize and accommodate illegal trade tonight in the House of Representatives, with the only vehicle to help our industries.

This is unbelievable to me. We act like a bank and guarantee with taxpayers dollars industries that are impacted upon by illegal trade, but Congress does not have the courage to take a stand and reconcile these great negative balance of payments in a trade deficit approaching a quarter of a trillion dollars.

Good God almighty. Now we are going to accommodate illegal trade. We are telling our trading partners, go ahead. The doors are open. If worst comes to worst, we will take care of our industry for you.

A Nation that allows predators to violate their marketplace is a Nation that will bankrupt and collapse. We have no sound trade policy in America. I do not see any difference now between either party. I do not see any resolution. I do not see any progress being made. I see a sigh of surrender.

Let us use our largess. Let us put a Band-Aid on it and hope they treat us better. I think it is time for a reciprocal trade agreement. It is time to tell our trading partners, ''If you want access, give us yours, or we will close the door on you, just like you have done to us.''

If they are beating us because they are better, I can accept it. But I cannot give them an advantage and go home and tell my people we are going to use their tax dollars now to guarantee our failing policies. This is bad policy, Congress.

Now I want my colleagues to take a look at some of the suggestions, Mr. Speaker, that are coming from both sides of the aisle now on the illegal trade. I am not talking about free trade tonight. I am not talking about trade. I am talking about illegal trade, and we sponsored it.

The SPEAKER pro tempore (Mr. LAHOOD). The Chair announces that the gentleman from Ohio (Mr. REGULA) has 10 minutes remaining, the gentleman from West Virginia (Mr. MOLLOHAN) has 10½ minutes remaining, the gentleman from Iowa (Mr. LEACH) has 5 minutes remaining, and the gentleman from New York (Mr. LAFALCE) has 3½ minutes remaining.

Mr. REGULA. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Speaker, I rise in strong support of H.R. 1664, a bill to provide loan guarantees to help U.S. steel companies and oil and gas companies. I would like to comment for just a minute on the steel portion of the bill.

American workers are the most productive in the world. As my colleagues and I are pointing out here on the House floor and have been for about a year, American steelworkers and steel company managers have worked together to achieve remarkably efficient steel production here in the U.S.

U.S. steel is the highest quality in the world, and producers adhere to the highest safety and environmental standards. The bottom line is we can compete with any steel producers in the world as long as we are not flooded with artificially low-priced steel.

Due to the illegal dumping by foreign countries, scheduled maintenance and modernization improvements at U.S. steel companies have been impossible for much of the past 2 years. So these loan guarantees will allow our companies to remain competitive.

As has already been pointed out here tonight, the terms of the plan are tough. The Federal Reserve Chairman, Alan Greenspan, chairs the board that oversees the plan. All loans must be paid back by December 1, 2005. The plan is fully paid for with offsets.

I represent one of the mid-sized U.S. steel companies that has suffered because of this illegal steel dumping. Gulf States Steel, in Gadsden, Alabama, which is in the Fourth Congressional District, employs about 1,800 people. Without a program like this one, the future of these workers is not optimistic.

This bill has been scrutinized, it has been amended, and it reflects the hard work of Members both here in the House and of the Senate, Republicans and Democrats.

I ask for my colleagues to support H.R. 1664 and support our steel and oil and gas industries.

Mr. MOLLOHAN. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Texas (Mr. HALL).

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

Mr. HALL of Texas. Mr. Speaker, I rise in support of the Emergency Steel, Oil, and Gas Guarantee Act of 1999.

Mr. Speaker, I'm here tonight to offer my support for the men and women in Texas, as well as throughout all of what we know as the ''Oil Patch.'' These people have built an industry that has brought us a way of life. Inherent in this industry has been the willingness to take risks by the investors, and an abundance of hard work. The oil and gas industry in this country owes it's past successes to the classic hard work, family business, the American way.

Without the risks and hard work we would not currently enjoy so many of the conveniences that make our way of life the envy of the world. Yet, these family businesses, otherwise known as Independent Producers, have hit upon very serious hard times, and while the rest of our economy appears to be booming, these hard working people have been forced to cap wells, lay off their employees, and compete with very strong foreign markets. The stacked oil riggs give mute testimony to their plight.

We must vote YES, and pass this bill, for at least two important reasons. (1) Our National Security rests upon our ability to rely on domestic energy resources in case of emergency, * * *. We cannot afford to sit back and watch this industry fail. (2) It is the right thing to do, * * *, these men and women, have been there for us in tough times, all they are asking of us, is that we be there for them in what most of the rest of us are experiencing as good times. This industry is deserving of these loan guarantees, and as a matter of national security, we must respond to their call for assistance.

Mr. MOLLOHAN. Mr. Speaker, I am pleased to yield 1 minute to the distinguished gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. Mr. Speaker, I would add my comments and wishes to the gentleman from West Virginia (Mr. MOLLOHAN) as everyone else has. I think it is a mark of the gentleman that, this evening, he is here protecting the interest of, not only the people of his congressional district, his State, but all of those in the United States of America who want a good paying decent job for themselves and their families. I think we all owe the gentleman from West Virginia (Mr. MOLLOHAN) a debt of gratitude on that.

One of the earlier speakers, in his comments said this is not going to create one new job. I would remind all of our colleagues that we are here tonight because we have lost 11,000 jobs since July 1, 1997. There is no end in sight. Those jobs were lost, not because of inefficiency, but because of illegally traded steel that we as a government, the executive branch and legislative branch, did not stop.

Those 11,000 individuals with spouses and children do not have a job tonight. We owe them this loan guarantee.

Mr. LEACH. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Speaker, I thank the gentleman from Iowa for yielding me this time. I, too, would like to join my colleagues in paying tribute to the gentleman from West Virginia (Mr. MOLLOHAN) for the work that he has done and for being here this evening.

But I do also rise in very strong opposition to this bill. It is a target-rich environment of arguments against it. I do not know which one to start with.

Let me start with this one. This bill is being brought to this floor for the first time without the benefits of any hearings in the House or any kind of public input.

This bill provides an almost open-ended $1 billion in loan guarantees for the steel industry and as much as $500 million in guarantees for the oil and gas industry. To cover potential defaults of administrative cost, $270 million are appropriated.

Now, we have an offset for that, we have been told, an offset of an unspecified pro rata recessions from the nondefense travel and administrative accounts in all Federal agencies' fiscal 1999 budgets which have 2 months to run.

Now, there are many of these budgets which do not have anything in those accounts, and OMB has acknowledged they have not the slightest idea of how they are going to handle it in those particular budgets. So, in short, it puts millions of dollars of taxpayers' funds at risk, rescinds millions of dollars in Federal administrative accounts, in the Veterans Administration, in the Energy Department, in the Agriculture Department where we have a real problem with agriculture in this country. It takes the money out of those accounts and sets up an elaborate loan guarantee board to administer the program.

Yet no one, not a single Member of the House, has had an opportunity to review this proposal in committee nor hear from those who are affected. This is not the way this institution is supposed to function.

Now, I also object to this on a substantive ground. The loan guarantees being considered would not go to the benefit of any workers. Instead they go to investors of a few companies, many of whom may have had troubled loans in the first place.

The effect of these loan guarantees would be to reward inefficient producers and skew market capital away from efficient industries toward inefficient companies and inefficient industries.

Rather than save jobs, this bill would simply reallocate jobs in our country. This is nothing but a special interest bailout for specific industries, and I urge the defeat of this particular bill.

Mr. LAFALCE. Mr. Speaker, since I only have about 3 minutes remaining, I reserve the balance of my time for closing.

Mr. REGULA. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. NEY).

Mr. NEY. Mr. Speaker, also, as neighbors of the gentleman from West Virginia (Mr. MOLLOHAN), I know my constituency sends their deepest sympathies.

Tonight a lot of right things I guess have been said, no matter which side one is at on this issue. Politics. There are some politics involved. I think it is politics to help good people that deserve help from their government.

As far as breaking precedent procedure, I think that has been done here over the course of a couple hundred years. I really do not think it is being done tonight, though, in a way of breaking precedent procedure, because there has been a type of hearing. There has been a one-year nonhearing on this issue for the steelworkers and their families.

Oil and gas is included obviously in this, too. They are having some troubled times.

I would also like to point out that the monitoring bill of Visclosky, Regula, et al. of this body, the White House put its hand into the Senate and killed it. That chance seems to be gone, so something has to be done. Tonight is the urgent need to do it.

This is not about free trade. It is not about fair trade. It is about illegal dumping. Give the steelworkers a chance.

Mr. MOLLOHAN. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

□ 2145

Ms. KAPTUR. Mr. Speaker, I thank the distinguished and able gentleman from West Virginia (Mr. MOLLOHAN), who is really fully admired by Members of this House for being here this evening, and our dear colleague, the gentleman from Ohio (Mr. REGULA) as well.

Mr. Speaker, I rise in support of this measure to put some steel back into the spine of America and to help our beleaguered independent energy sector. Earlier this year, the House passed this legislation. It has been stalled over in the other body all this time. Unforgivable.

Now six more steel companies in our country, American jobs, have filed for bankruptcy. Over 6,000 jobs at stake in Alabama, Ohio, Illinois, Pennsylvania, Utah, coast to coast, and more on the chopping block.

I think we are obligated to do what we can to provide help to this beleaguered set of industries in the United States of America, especially when they are so adversely impacted by imports from Japan, which has never opened its markets to us; Indonesia, not exactly the most Democratic place on the face of the earth.

So I rise in support of this bill, as I would have on the Chrysler loan bailout, in which every penny was paid back with interest.

Mr. LEACH. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DELAY), the distinguished majority whip.

Mr. DELAY. Mr. Speaker, I too want to offer my sympathies to the gentleman from West Virginia (Mr. MOLLOHAN) and the Mollohan family. I know the loss of a father leaves a very deep hole, and we all feel very sympathetic to the gentleman and his family.

Mr. Speaker, I must oppose this bill. I understand why this bill comes, but my colleagues, I was raised in the oil fields. My daddy was a drilling contractor. We went through many ups and downs in the economy in the oil and gas industry. I come from Houston, Texas, the capital of the oil and gas industry in the world, and I am telling my colleagues this is a horrible policy. This is a horrible policy.

We just went through a depression in the oil and gas industry in the late 1970s and early 1980s, and we got through it. Sure, there were a lot of people that lost their jobs, but I have to tell my colleagues that the oil and gas industry got through that deep depression and they are stronger for it today. They are stronger for it today.

When this bill was first conceived, oil was at $8, $10 a barrel, West Texas crude is up to $20 to $21 a barrel. The oil and gas industry does not need the government fooling around with their market by suggesting that loan guarantees will somehow save all the jobs and save the oil and gas industry. They do not need this.

My daddy would be turning over in his grave today, because I can remember my entire life, every night at 6 o'clock around the dinner table how much he would gripe about how the government was constantly interfering in the oil and gas industry and stopping us from developing the kind of industry that we needed for our national security.

They do not want this, they do not need this, and I hope that my colleagues will defeat it.

Mr. REGULA. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, first of all, I want to commend my colleague, the gentleman from Alabama (Mr. ADERHOLT), for his fine work on this bill, and I want to introduce for the RECORD a letter that he wrote to the Members of this Congress on June 16 where he talked about the cost of not acting on this legislation. It is 108,000 jobs.

Mr. Speaker, I read an interesting article in a paper. I pulled it off the internet, and it is called the Hindustan Times. It is one of the leading papers in India. They said that imports from Japan, Korea, Brazil, and the Communist block were ruining the Indian steel industry. They said they were importing steel into India at less than what India could produce it.

The average steelworker in India makes 20 cents an hour. India said they are moving to block this. In that article, it said there are only two countries in the world that are allowing its steel industries to be destroyed, us and the United States, and they are acting to stop this. The European nations and Japan have a reciprocal agreement which says they will not dump on each other. We will not do that. These things are not coming into Europe. Europe will not stand for it. We will.

I heard the gentleman from Iowa say the crisis is almost over. Let me state the latest statistics from the Census Bureau. Shipments of U.S. steel down 10 percent; utilization down 10 percent from a month before. Total imports up 30 percent in May over April. That does not sound like it is almost over. U.S. steel prices down 27 percent.

Mr. Speaker, I submit for the RECORD the letter I referred to earlier.

WASHINGTON, DC, *June 16, 1999.*

Re loan guarantees.

DEAR COLLEAGUE: During conference consideration of H.R. 1141, the Supplemental Appropriations Act, loan guarantee provisions for steel, oil, and gas companies were removed in order to facilitate consideration of the Supplemental bill. Recognizing the strong support for assisting steel, oil, and gas companies, leadership offered to let the Senate Appropriations Committee amend H.R. 1664 to make it a loan bill (H.R. 1664 was the original House funding bill for Kosovo operations; the final version of H.R. 1141 essentially combined the Senate Kosovo funding bill and the House Emergency bill, thus making H.R. 1664 no longer necessary to the funding of Kosovo operations). We are hopeful that the full Senate will soon pass this amended version and refer it to the House, at which point conferees will be appointed.

There has been some debate about the possible costs of providing these loan guarantees. Not as often considered as the costs of doing nothing to help these companies. With regard to steel, if the ten companies most likely to apply for loan guarantee were to close, here is what we would lose:

Number of jobs: 107,167

Dollar amount of income: $4,879,443,110

Dollar amount of production: $9,227,000,000

These companies affect many others within their states. For one company alone, the impact on that would be a loss of $206,348,230 in statewide projected earnings.

Independent oil and natural gas producers around the country have also been hit hard by the extended depressed oil and gas prices. Beginning in November 1997, the oil exploration and production industry began experiencing a price crisis that included the lowest inflation-adjusted oil prices in history. These prices have had far-reaching effects on the lives of thousands in the industry. In the past 18 months, the industry has lost 56,400 jobs, and an additional 20,000 jobs are at risk. This is a natural result of the shut down of 136,000 oil wells (25 percent of total U.S.) and 57,000 natural gas wells during the same period—a substantial number which will never operate again. As a result, the U.S. oil and natural gas production is nearly at its fifty year low. As devastating as this crisis has been on individuals in the industry, the impact on our Nation has been equally severe—estimated at $25 billion in lost economic impact.

When the House votes again on this bill, I hope you will support it. These U.S. industries are competitive and the loan guarantees will help them remain competitive. If you have any questions, please contact Mark Dawson (Rep. Aderholt, 225–4876) or Dawson Oslund (Rep. Watts, 225–6165).

Sincerely,

J.C. WATTS,

ROBERT B. ADERHOLD,

Members of Congress.

Mr. MOLLOHAN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Speaker, we hear a lot today about the new economy, but there are some of us still trying to get by on the old economy, and the old economy is not doing too well.

In my district and across this Nation, tens of thousands of steel and oil and gas workers have lost their jobs, and many more fear that they may lose theirs. Since October of 1997, oil prices have dropped dramatically due to increases in imports. More than 50,000 workers have lost their jobs, hundreds of production and service companies have closed, and over 136,000 oil wells have shut down. That is 25 percent of all the wells in the United States.

Providing Federal loan guarantees to significant strategic U.S. businesses at risk is not without precedent. The SBA guarantees loans every day in this country for small business. We do it for agriculture. Congress has done it for New York City, for Lockheed Aircraft, for Penn Central, for Conrail. It is a common practice.

Mr. Speaker, these industries need our help. They are critical to the economic security and the national security of our country.

Mr. MOLLOHAN. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Mr. Speaker, this bill is just as deadly serious for the steel and iron ore mining industry as were loan guarantees Congress approved for New York City in 1977 and Chrysler in 1980.

The steel import crisis is not over. American steel makers are still cutting production and jobs because of unfairly traded steel dumped in our markets at subsidized prices. Iron ore producers in Minnesota and Michigan, whose only market is the domestic integrated steel industry, are especially devastated by imports of semi-finished steel slab subsidized in Russia and other countries and dumped on our shores displacing our high quality taconite. Layoffs totaling 2,500 jobs were announced just this week by mines in Minnesota and Michigan, on top of hundreds of previous layoffs.

I would rather the unfair trade laws worked. I would rather we had duties and countervailing duties and quotas. But they are not being imposed, they are not working, and the loan guarantee initiative will help taconite plants upgrade operations, reduce costs, improve efficiency, and the loans will be repaid with interest.

Mr. REGULA. Mr. Speaker, I yield 1¼ minutes to the gentleman from Oklahoma (Mr. WATKINS).

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

Mr. WATKINS. Mr. Speaker, I have only 1 minute to make a point. We have lost over 100,000 jobs to oil patch in this country. We have lost equity. And I say to the gentleman from Ohio (Mr. LEACH) and the gentleman from New York (Mr. LAFALCE), that is the difference. We have lost more equity ever in the history of the energy industry. I am not talking about the majors, the multinationals, I am talking about the mom and pops in the small oil service jobs.

We subsidized ethanol and we bailed out New York City. The Department of Energy is doing nothing. In fact, the Department of Energy is harming the oil and domestic energy industry. Why? Because they are supporting a lot of foreign oil production, especially in Iraq. What kind of policy do we have? We have sanctions. We are proposing to lift the caps in Iraq. They are selling oil illegally to Jordan and we are loaning money to Jordan. What kind of policy is that? It is crazy.

My colleagues, our people do not understand it. During the July 4 break I marveled at our senior citizens. A grandmother approached me and said, ''Congressman, I know you are going to take care of my Social Security, and I know that you are going to take care of my Medicare, but, Congressman, when can my grandson go back to work in the oil patch?''

It is serious out there in America, and I ask my colleagues for their help.

Mr. MOLLOHAN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. KLINK), who has worked so long and hard on steel issues.

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

Mr. KLINK. Mr. Speaker, first of all, I want my friend and colleague, the gentleman from West Virginia (Mr. MOLLOHAN), to know that his courage and dedication tonight are the greatest tribute he could pay to his father, and I am honored to be on the floor with him.

My colleagues, this Congress had an idea that we would pass a steel quota bill and that would be our response, and we passed it with a veto-proof measure. But the same people on both sides of the aisle who had sold GATT to us back in 1994 in a lame duck session said it is not GATT compliant, that we could not do it, and they killed it. Now some of the same forces are coming out and saying we cannot do this either. Well, Mr. Speaker, our steel companies are having to compete with companies that are subsidized by foreign governments. So we want to tie both hands behind the backs of our steel industry, and we say go out and compete in the world.

This is not the first time, my colleagues, that we have done subsidies. We have heard about it before. But the reality is that our basic industry needs our help. And if we let the steel industry go down, next it will be aerospace, then auto manufacturing, bridge building, construction, and on and on. We have to stand up for these workers and the 11,000 who have already lost their jobs.

Mr. MOLLOHAN. Mr. Speaker, I yield 1 minute to the gentleman from West Virginia (Mr. WISE).

Mr. WISE. Mr. Speaker, I want the gentleman from West Virginia (Mr. MOLLOHAN) to know that parents live through their children, and the fact that the gentleman is standing here tonight speaks volumes about him and his father, and we thank him for being here.

For over a year, Mr. Speaker, thousands of hard working steelworkers have faced economic devastation due to illegal steel dumping. Ten thousand have lost their jobs. Weirton Steel, an employee-owned company which fought its way back from bankruptcy, suddenly had 800 workers unemployed. They played by the rules when other nations broke them with their illegal dumping.

Mr. Speaker, this is only a loan guarantee program for the steel industry and some in the oil and gas industry to get back on their feet. No handouts here, just loan guarantees with tight controls and costs offset.

Mr. Speaker, for the first time in a year, this bill provides the first little bit of hope to the thousands of proud, hard-working families in our area along the Ohio River, for instance in communities named Weirton and Wheeling and Follansbee. Vote for them tonight.

Mr. MOLLOHAN. Mr. Speaker, I yield 1 minute to the gentleman from Western Pennsylvania (Mr. MASCARA), my neighbor.

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

Mr. MASCARA. Mr. Speaker, I thank the gentleman for yielding me this time, and I extend my condolences to him and his family on the passing of his father.

To both sides, those who oppose this bill, I would like to invite them to come to southwestern Pennsylvania and see the economic carnage that took place from the depression of the 1980s and the demise of the steel and coal industry. We lost an entire generation of young people.

They told us to get our act together and be more productive. We capitalized and we were more productive. Now our steel companies are suffering from foreign imports that are illegally subsidized. We have the hardest working and most efficient steel industry in the world. All that we are asking for is a level playing field.

We neither break the trade laws nor subsidize our steel companies, that is why it is imperative to provide loan guarantees and access to capital, because it is crucial in upgrading our steel making facilities. We cannot stand by and watch these illegal imports flood our markets, which have cost steelworkers jobs all over this country.

Mr. LEACH. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. CALLAHAN).

□ 2200

Mr. CALLAHAN. Mr. Speaker, let me just clarify something about the procedure.

There are some who have indicated that this measure has not received the proper attention of the Congress because it did not go through the regular hearing process. But this is nothing different than any other procedure that we have had. We pass a bill here, the Senate disagrees or adds to it, and then the conferees correct it, and then they bring it back to both Houses for the vote up or down.

Out of deference to Senator BYRD, he had this added on in the Senate because it was a true emergency and the conference voted to include it in the report back to the House. So it went through the proper procedure. But out of deference to this House and out of deference to the emergency needs of Kosovo and in Latin America, Senator BYRD, at my insistence and at the insistence of the Speaker of the House, voluntarily withdrew from that emergency appropriation bill provided we would use the other vehicle that was already sitting there to allow this to come before this body in a divided stance.

Had we not done this, we would have been forced to vote with the emergency appropriation that we had for Central America and for Kosovo; and this too, we would have had one vote.

Under the procedure that we finally arrived at, we get the opportunity to vote on a divided question. I think that is a fair way to do it. I applaud Senator BYRD for agreeing to do it because he did not have to do it. We could have resolved this in that emergency appropriation bill if indeed the senator had insisted.

So I appreciate the senator giving us the opportunity to bring this to the floor as a single issue and vote it up or down, because it truly is an emergency appropriation for the steel industry.

I will assure my colleagues that it is impacting my State of Alabama very adversely at this point. If they do not get some relief immediately, then there is going to be a true emergency in Alabama because we are going to have about 1,500 people walking the streets.

I urge my colleagues to vote for the amendment.

Mr. LaFALCE. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, we are here because one senator for whom I have the greatest respect said, I have got to have this money for the industry, especially in my State, and another senator said, I do not like this idea that if we are going to have money for your industry for his State, we are going to have to have money for my industry for my State; and all of a sudden we have $1½ billion, without any consideration being given to it by this House of Representatives whatsoever. Again, not one minute.

Now, $1½ billion. I was chairman of the Committee on Small Business for 8 years. Every single year we had to limit the loan guarantees we gave to the small businesses of America because we ran up against the limit.

The greatest job creator in America is the small business community. So when we vote for $1.5 billion, we are really depriving the Small Business Administration of the ability to give loan guarantees to small businesses.

The Rural Development Administration, the Economic Development Administration, just think of the countless communities in our districts where small businesses if they got a loan with a Government guarantee could revitalize that neighborhood business district, could revitalize that community, could revitalize the housing stock. But they will not get it because we are giving it to the oil and gas industry.

My Democratic colleagues, I remember when we first came here and we argued so strongly against the oil depletion allowance. This is terrible. And now we want to give the oil and gas industry this enormous, over $1½ billion, loan guarantee program without a minute's worth of hearings.

If we have a specific business in our district, we do not know that they will ever get one penny of a loan guarantee. There is that remote possibility. We do know with absolute certainty, however, that in fiscal year 1999 we are voting for cuts in Government services that help our people. We are voting again to cut agriculture in fiscal 1999.

This is for certain, $45 million. Veterans' Affairs. If we have veterans and they have difficulty getting assistance from their veterans' hospital or the clinics, we are making it worse for them, we are cutting the Veterans' Administration's budget by $36 million.

If they need housing assistance, if they need more section 8 vouchers, if they need more 202 programs, we are

cutting the Housing and Urban Development Program by $17 million in fiscal year 1999.

I could go on and on and on. But do not vote to rescind $270 million in fiscal year 1999 for this program that has not even had one minute's worth of hearings in the House of Representatives to help out the oil and gas industry, chaired by the chairman of the Federal Reserve Board, who does not want this job, who would probably urge us to vote against this program, who does not believe in the concept of credit allocation whatsoever.

Mr. MOLLOHAN. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I just want to clarify for the gentleman from New York (Mr. LAFALCE) who just spoke. He has alluded a couple times to this money coming out of salary accounts and programmatic accounts.

I can understand his mistake. This money comes out of the expense side and it comes out of items like travel and on the administrative side pencils, paper, office supplies. It does not come out of salaries, any salaries, and will not result in any programmatic diminution.

Mr. Speaker, I am pleased to yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. DOYLE) who represents steel industries.

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

Mr. DOYLE. Mr. Speaker, first let me say to my good friend the gentleman from West Virginia (Mr. MOLLOHAN) that he is in our thoughts and prayers, he and his family.

Mr. Speaker, I stand today to urge my colleagues to vote for H.R. 1664, the Byrd-Mollohan steel and oil loan guarantee bill.

My colleagues, the crisis in steel is not over. Jobs are still being lost. Steel mills are still closing. And this problem will not go away without some real solutions.

The Byrd-Mollohan loan guarantee proposal we are debating today will take real action to save American jobs and two vital American industries.

I heard the distinguished minority whip here say that in the oil and gas industry they have gone through some hard times and they have rebounded and come back stronger and they do not need any help.

Well, I do not know about the oil and gas industry, but I know about the steel industry; and I want to make something perfectly clear. We have not fallen on hard times. We have lost jobs because our foreign competitors are cheating, they are breaking the rules, and this country is doing nothing about it. That is why American steelworkers are on hard times. That is why we need some help.

Let us vote for Byrd-Mollohan and save some American jobs.

Mr. MOLLOHAN. Mr. Speaker, I am pleased to yield 1 minute to the distinguished gentleman from Michigan (Mr. STUPAK).

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

Mr. STUPAK. Mr. Speaker, I urge my colleagues to support passage of the Senate amendments to this legislation, which offer assistance to the steel and iron ore industries; most importantly, the workers, the families, and communities who depend on these industries.

I do not have any steel manufacturers in my district. I have iron ore mines. In 1920, we had over 4,500 people employed in the iron mines in northern Michigan. Then came the illegal dumping in the 1980s.

Today we have less than 2,200. Just this week it was announced that the last two mines will close, the two in northern Michigan and one in Minnesota, and they will be closed for at least 10 weeks because of depressed market conditions for iron ore pellets because of illegal steel imports.

For at least 10 weeks, the United States will not produce one iron ore pellet to make domestic steel. If we do not take action to prevent steel dumping, encourage the use of our domestic steel products, while offering some relief to our industries, there will be no more iron ore mines, there will be no more domestic steel industry here in the United States.

Mr. MOLLOHAN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Pennsylvania (Mr. MURTHA) to close the debate for our side, who has worked long and hard for the steel industry and so effectively.

Mr. MURTHA. Mr. Speaker, 20 years ago the gentleman from Ohio (Mr. REGULA) and I went down to meet with President Reagan and we convinced him that the steel industry was absolutely essential to our national security.

We had a hard time convincing the Committee on Ways and Means. But we fashioned a program that did not go through the normal process that was finally accepted and refined and restored the steel industry in this country.

We have had hearings for the last 15 years on these steel problems. We need help. Because when they start importing steel, subsidized steel, it takes 6, 7, 8 months before we can get it before the court, before the ITC, before we can get the results.

We need to be able to lend them money so they can get through this period of time. It is absolutely essential. Oil and gas and steel are essential to our national security. I would hope the Members would help us in a time when we really need this help.

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

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

Mr. REGULA. Mr. Speaker, this is not for big companies. This is for people. This is for that steelworker or that oil worker that is unemployed, 60,000. This is to help them pay the mortgage, to pay the tuition for their son or daughter that wants to go on to college, to perhaps help a child that is ill. This is to give them back self-respect and self-confidence by giving them their jobs back.

Remember, this is a vote for people, not for companies. This is not one taxpayer's dollar being given to these companies. We are simply saying as we have done for agriculture as we have done for housing, as we have done for small business, as we did for Chrysler, as we did for Lockheed, as we did for New York City. We said we will help them by guaranteeing their loan.

That is what we are talking about tonight. We are guaranteeing the loan. Not all of it, 85 percent. And that loan has to be approved by the chairman of the Federal Reserve, by the Secretary of Commerce, by the Chairman of the Securities Exchange commission, three highly respected individuals.

I think what it does is simply say that this Government, which historically has provided a helping hand to the people of this Nation, once again says we want to help, we want to help by ensuring that those individuals can go back to work, that we can compete in the world marketplace.

As the gentleman from Ohio said, we need revision of our State laws to stop the dumping, to stop the unfair practices. But in the meantime, that steelworker, that oil worker is out of a job.

A vote ''yes'' is a vote to give them a helping hand from their Government so they can have their job back, so their family can enjoy this great Nation and the opportunities it provides.

I urge all of my colleagues to support this.

It has been said that it is going to take it out of all these other programs. Not so. It is travel, travel for the bureaucracy. It is administrative. It is the bureaucracy. It is not programs. As the gentleman from West Virginia (Mr. MOLLOHAN) pointed out, it does not affect any veterans, does not affect any individual, just Government travel. And there is too much of that now.

So, in summation, this is a helping hand to the people of this Nation. I urge support of the bill.

Mr. RAHALL. Mr. Speaker, I rise in strong support for H.R. 1664, the Steel, Oil and Gas Loan Guarantee bill now before us.

The bill guarantees $1 billion in loans to companies already in, or close to filing, for bankruptcy because of the surge of cheap steel imports that have flooded our country.

This loan program has historical precedent, which began with government assistance to the Chrysler Corporation in 1980, and similar assistance since then that was provided to the City of New York, Lockheed Aircraft, Penn Central Railroad and Conrail.

The steel industry has lost over 10,000 jobs in the past year, and the oil and gas industry over 400,000 jobs over a four year period.

It is time for Congress to do for steel, oil and gas what it has done for others in the past—and that is to lend a helping hand.

This plan is not a bailout.

It is not a direct loan program.

It is a tough, guaranteed loan program requiring companies to apply to a board which includes the Secretary of the Treasury. It's costs are fully offset and will be repaid.

Please consider the alternative costs of doing nothing. If just one major company goes into bankruptcy, the government will likely spend tens of millions on unemployment benefits alone.

Multiply that by several companies, and then add in the lost jobs at suppliers, the lost tax revenue to local, state and federal government coffers, and even possible environmental costs—and you will have sealed the economic fates of States in which entire communities rely upon these industries for jobs and their livelihoods.

To be candid, Congress and the Administration dragged its feet far too long by refusing to acknowledge the damage that our trade policies were inflicting upon companies and workers in the steel, oil and gas industries.

Our hesitation to act has caused job loss and company bankruptcies across this country.

Today, we must do the right thing—to quickly approve and send to the President this loan guarantee for steel, oil and gas companies and their employees.

I urge my colleagues to vote yes on H.R. 1664. It is the right thing to do.

Mr. COSTELLO. Mr. Speaker, I want to thank my colleague for yielding me time on this important legislation. H.R. 1664 will help combat a crisis that is confronting American steelworkers and steel companies. A flood of cheap imports abroad have left our nation's steel factories facing stiff competition from illegally-subsidized products.

This legislation grants relief to the American oil and gas industry, providing federal loan guarantees to companies that are at risk to these imports. If we do not move quickly to support the backbone of our country's commercial sector, we could see other parts of our economy—including the construction, automobile and shipping industries—affected as well. The steel industry in my district has also seen losses as a result of these imports, and this legislation—which I have cosponsored—will address their needs as well.

H.R. 1664 is modeled on the successful $1.5 billion Chrysler loan guarantee program, enacted in 1980. Three years later, Chrysler repaid the government seven years before their loans were due. Federal loan guarantees are nothing new; they have been extended to Lockheed Aircraft, Conrail and City of New York.

This legislation allows banks and financial institutions to provide federally guaranteed loans to U.S. steel mills and small oil and gas producers. OMB and CBO have indicted it is fully offset, and the bill's $270 million price tag is modest when compared with the potential losses in the nation's steel mills and factory lines.

I urge my colleagues to stand up for steel in America and support H.R. 1664.

Mr. COYNE. Mr. Speaker, I rise today in support of this emergency loan legislation.

Mr. Speaker, the U.S. steel industry has been devastated by the dumping of foreign steel in this country over the last year. Many U.S. steel companies were hurt, three steel companies filed for bankruptcy, and thousands of American steel workers lost their jobs.

The Commerce Department determined earlier this year that dumping had, in fact, taken place, and the Department subsequently imposed duties on steel imports from a number of countries.

Unfortunately, the procedures that were in place to address dumping took a long time to respond to the surge of foreign steel imports. As a result, this illegal dumping took a terrible toll on our domestic steel industry. Congress needs to act to address the damage that has been done.

Consequently, I support the legislation that the House is considering today. H.R. 1664 would establish a $1 billion loan program for the steel industry and a $500 million loan program for oil and gas producers. These programs would allow loans to be made over the next 2½ years to qualified companies that have strong long term economic prospects but which face short term financial difficulties. This program would provide much-needed assistance to the steel companies that have been imperiled by foreign dumping.

While this legislation is not perfect, I believe that it would provide important relief for our domestic steel industry—an industry whose health is essential for our national security. I urge my colleagues to support this important anti-dumping legislation.

Mr. LEVIN. Mr. Speaker, I rise in support of H.R. 1664, the Emergency Steel, Oil and Gas Guarantee Loan Act of 1999. I want to address my remarks in particular to the part of this bill that concerns the steel industry.

The steel industry took a drubbing in 1998. Global overcapacity, combined with a dramatic drop in world demand for steel due to the Asian financial crisis, led to a surge of steel imports into the United States. Prices dropped dramatically, 10,000 workers were laid off, and three steel companies were forced into bankruptcy.

Earlier this year, we searched for a legislative solution to this crisis. A majority of this body voted for the imposition of quotas on steel imports into the United States. That solution would have violated our WTO obligations and allowed retaliation by our trading partners. For that reason, I opposed the quota bill. It has since been defeated in the Senate.

I have urged a different solution, a more long-term solution that would help not only the steel industry, but also other industries that may be vulnerable to the shifts that are bound to occur in our increasingly globalized economy. The proposal that I favor is reform of the anti-surge provision of our trade laws that will make that provision meaningful as a remedy to the harm or threat that may be caused by suddenly increasing imports.

I will continue to work for reform of the anti-surge law. In the short-to-medium term, I believe that the loan guarantees proposed by this bill will help the U.S. steel industry to recover from the harm it suffered over the past year.

By making guarantees available, this bill will enable companies to obtain financing that might otherwise be out of reach. Obtaining financing on reasonable terms will not fully compensate for the damage done by the surges of 1998. But it will help these companies and their workers a little bit towards getting back on their feet.

Further, this bill contains mechanisms to ensure that the cost to the government will be minimal:

The guarantee program will be administered by a Board consisting of the Secretary of Commerce, the Chairman of the Federal Reserve, and the Chairman of the SEC;

The total amount of outstanding guarantees is limited to $1 billion, the guarantees to any single company are limited to $250 million, and the amount of any guarantee is limited to 85 percent of the loan principal;

The loans guaranteed by this program will have to be secured by property providing reasonable assurance of repayment;

Participants in the program will have to agree to audit by the GAO;

All loans will have to be payable no later than December 31, 2005; and

No guarantees may be extended after December 31, 2001.

As I said before, the long-term response to the steel surge of 1998 must be reform of our anti-surge law. There will be other surges in our future, and we must be prepared. In the short term, loan guarantees are a sound means of lending a hand to an industry that is at the foundation of our economy and that has suffered from a massive surge of low-priced imports.

Accordingly, I will vote ''yes'' on final passage of H.R. 1664, and I urge my colleagues to do the same.

Mr. SKEEN. Mr. Speaker, I rise to lend my support to H.R. 1664, as amended by the United States Senate. I know this legislation as the Emergency Oil and Gas/Steel Loan guarantee program of 1999. This legislation is supported by the 7,000 domestic crude oil and natural gas producers represented by some 32 national, regional and state associations. Hundreds of New Mexico businesses support this legislation. They are small producers, they are oil industry service companies and they are the countless businesses that provide goods and services to the people who work in this important industry.

The oil and gas producers that would benefit from this program are small independents. They are not the big companies. They are the small producers who have seen the loss of over $25 billion and over 50,000 jobs since 1997. Today, when adversity hits our citizens and our small businesses, there are numerous ''disaster'' programs to help them through the tough times. When a flood strikes, a hurricane hits or a drought settles across a region the federal government moves quickly. However, when an economic disaster hits ''Oil Patch,'' the nation turns its back.

In many of the communities in my Congressional District, citizens would have been better off if their businesses would have been hit by a tornado. Then they would have been eligible for assistance. Some businesses in foreign countries have better access to economic assistance than our small independent oil industry. This legislation starts correcting this deficiency. Our domestic industry has suffered through a 19 month price crash. This legislation will provide them with the cash flow that they need to get back on their feet.

The fact that oil prices are up today does not negate the losses that our small producers have suffered nor does it delay the payments that are past due at the financial institutions. This will lead to putting Oil Patch back to work and let Carlsbad, Hobbs, Lovington, Roswell, and several other communities in New Mexico join the prosperity that most of the rest of America has enjoyed during this decade. Our country needs a strong domestic oil industry to maintain our national security. Congress has a

long record of creating working loan guaranteed programs which provided needed support to key U.S. industries. I would remind people that this legislation, as constructed, is fully offset.

The oil loan program would provide a two-year, $500 million guaranteed loan program to back loans provided by financial institutions to qualified oil and gas producers and service companies. The maximum loan would be $10 million and the government would guarantee no more than 85 percent of each loan. This is a good bill; it is a fair bill; it is a bill that follows the rules; and it is a bill that will ensure American energy continues to be provided at a fair price.

Mr. KUCINICH. Mr. Speaker, more than ten thousand American steel workers have lost their jobs.

Steel workers are not losing their jobs because the American steel industry is inefficient. In fact, the American steel industry is the world's most efficient. The reason American steel workers are losing their jobs is that the price of foreign steel, though more inefficient, is so much cheaper due to the devaluation of the currencies of those countries. Steel workers are not the only workers losing their jobs to cheap imports.

This loan guarantee will help steel companies bridge the difficult market conditions caused by the devaluation of foreign currencies.

I urge my colleagues to vote ''yes'' on H.R. 1664.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the order of the House of Tuesday, August 3, 1999, the previous question is ordered.

The question is on the motion offered by the gentleman from Ohio (Mr. REGULA).

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

RECORDED VOTE

Mr. LEACH. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 246, noes 176, answered ''present'' 1, not voting 11, as follows:

[Roll No. 375]

AYES—246

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Bachus
Baird
Baldacci
Baldwin
Barcia
Barton
Becerra
Berkley
Berry
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Burton
Buyer
Callahan
Cannon
Capuano
Cardin
Carson
Clay
Clement
Clyburn
Combest
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crowley
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doyle
Edwards
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Fattah
Filner
Forbes
Ford
Frost
Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Gonzalez
Goode
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hayworth
Hefley
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Hooley
Horn
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E.B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
King (NY)
Kleczka
Klink
Kucinich
Kuykendall
LaHood
Lampson
Larson
LaTourette
Levin
Lewis (GA)
Lewis (KY)
Lipinski
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McInnis
McIntosh
McIntyre
McKinney
McNulty
Menendez
Millender-McDonald
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Murtha
Napolitano
Neal
Ney
Oberstar
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Phelps
Pickering
Pickett
Pomeroy
Price (NC)
Quinn
Rahall
Rangel
Regula
Riley
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shimkus
Shows
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spratt
Stabenow
Stark
Stenholm
Strickland
Stupak
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson (MS)
Thornberry
Thurman
Tiahrt
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Vitter
Walsh
Watkins
Watts (OK)
Waxman
Weiner
Weller
Wexler
Weygand
Wilson
Wise
Woolsey
Wu
Wynn
Young (AK)

NOES—176

Archer
Armey
Baker
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Biggert
Bliley
Boehner
Bono
Brady (TX)
Bryant
Burr
Calvert
Camp
Campbell
Canady
Capps
Castle
Chabot
Chambliss
Chenoweth
Clayton
Coble
Coburn
Collins
Condit
Cox
Crane
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Deutsch
Doggett
Doolittle
Dreier
Duncan
Dunn
Ehlers
Eshoo
Ewing
Farr
Fletcher
Foley
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gilchrest
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hastert
Hastings (WA)
Hayes
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kind (WI)
Kingston
Knollenberg
Kolbe
LaFalce
Largent
Latham
Lazio
Leach
Lee
Lewis (CA)
Linder
LoBiondo
Lofgren
Luther
Maloney (NY)
Manzullo
Markey
McCollum
McKeon
Meehan
Meek (FL)
Meeks (NY)
Metcalf
Mica
Miller (FL)
Miller, Gary
Miller, George
Moran (VA)
Morella
Myrick
Nadler
Nethercutt
Northup
Norwood
Nussle
Obey
Packard
Paul
Petri
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Reynolds
Rogan
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Simpson
Smith (MI)
Spence
Stearns
Stump
Sununu
Tancredo
Taylor (NC)
Terry
Thompson (CA)
Thune
Tierney
Toomey
Upton
Vento
Walden
Wamp
Waters
Watt (NC)
Weldon (FL)
Whitfield
Wicker
Wolf
Young (FL)

ANSWERED ''PRESENT''—1

Souder

NOT VOTING—11

Berman
Bilbray
Frank (MA)
Houghton
Lantos
McDermott
Oxley
Peterson (PA)
Reyes
Shuster
Weldon (PA)

☐ 1034

Messrs. METCALF, LUTHER, DOGGETT, NADLER, HILLEARY and MARKEY and Mrs. MEEK of Florida and Ms. WATERS changed their vote from ''yea'' to ''nay.''

Mr. ROTHMAN and Mr. BURTON of Indiana changed their vote from ''nay'' to ''yea.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 1905, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2000

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight, Wednesday, August 4, 1999, to file a conference report on the bill (H.R. 1905) making appropriations for the legislative branch for the fiscal year ending September 30, 2000, and for other purposes.

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

There was no objection.

MOTION TO INSTRUCT CONFEREES ON H.R. 1905, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2000

Mr. TOOMEY. Mr. Speaker, pursuant to section 7(c) of House rule XXII, I offer a motion to instruct House conferees on the bill (H.R. 1905), making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000, and for other purposes.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. TOOMEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendments to the bill H.R. 1905 be instructed to insist upon—

(1) the House provisions for the funding of the House of Representatives under title I of the bill;

(2) the Senate amendment for the funding of the Senate under title I of the bill, including funding provided under the heading ''JOINT ITEMS—ARCHITECT OF THE CAPITOL—Capitol Buildings and Grounds—senate office buildings'';

(3) the House provisions for the funding of Joint Items under title I of the bill, other than the funding provided under the heading ''JOINT ITEMS—ARCHITECT OF THE CAPITOL—Capitol Buildings and Grounds—senate office buildings''; and

(4) the House version of title II of the bill.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. TOOMEY) and the gentleman from Arizona (Mr. PASTOR) each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. TOOMEY).

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

Mr. Speaker, all year long as we have been wading through the budget and the appropriations process, we here in this House have been debating the proper level of the Federal Government spending. Despite a clear institutional bias I would argue on the part of the Federal Government in general to spend ever more dollars, by and large the Republican majority in this House and many of our colleagues on the other side of the aisle have exhibited a great deal of restraint in the growth of government in general, and, frankly, we have been very responsible with our budgeting thus far. I would like to reflect for a moment just on what we have done.

First of all, we have set aside the Social Security surplus for the next 10 years in our budget. We have provided priority funding for key government functions, such as defense and education. I think we have recognized by and large the importance of maintaining the projected surpluses so that we can pay down some debt and reduce taxes.

My point is, Mr. Speaker, that, by and large, this body has been doing a great job demonstrating some fiscal discipline. We think our leadership deserves a lot of credit and think the appropriators deserve a lot of credit, as do my colleagues on both sides of the aisle.

Just as a reminder, we are at the point of passing ten appropriations bills, and it is a remarkable accomplishment what we have done with these thus far. We have essentially freezed spending on Agriculture, Treasury and the Interior Departments, we have got a small reduction in military construction, a 4 percent reduction for the Energy Department, an over 4 percent reduction for the Transportation Department, an over 5 percent reduction in foreign aid, and about a 25 percent reduction for the District of Columbia.

Now, there are two exceptions to this trend that we have established. The first is defense. I think it is clear that it is high time that we started to rebuild our military forces and provide our men and women in uniform the resources they need to carry out their job, and we begin that with the defense appropriation bill.

Unfortunately, Mr. Speaker, the other exception to this trend of holding the line on spending now appears to be the bill that funds Congress itself. Just last Friday the House Committee on Appropriations significantly increased the 302(b) allocation for the legislative branch appropriations bill. This new 302(b) allocation will increase the overall non-emergency spending in this bill by 5.4 percent over last year's number.

Now, in order to spend that much money, to reach that level, the conferees would have to substantially increase the funding levels within this bill well beyond the levels that were approved by this body on June 10, just two months ago.

Mr. Speaker, I just do not think that is right, and I am therefore offering a motion to instruct conferees that is really very simple. My instructions would say, stick with the numbers we gave you. Hold the line on spending. Let the legislative branch of this government lead in the fight for fiscal discipline by example. Finally, let us reflect the will of the House.

I would like to go to my chart to explain exactly what my motion would do.

□ 2245

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

Mr. TOOMEY. I yield to the gentleman from Hawaii.

Mr. ABERCROMBIE. Mr. Speaker, I have a point of inquiry.

With this motion to instruct, can the gentleman tell me whether or not the cost of living allowance for our staffs will be in any way adversely affected?

Mr. TOOMEY. There is no cost of living adjustment for the staff that I am aware of in the current bill.

Mr. ABERCROMBIE. So if this bill is passed, regardless of the gentleman's instruction, the gentleman does not intend to include a cost of living allowance for our staffs?

Mr. TOOMEY. It is up to the individual Members to decide how they spend their Members' account.

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

Mr. TOOMEY. I yield to the gentleman from Oklahoma.

Mr. COBURN. Mr. Speaker, the average Member in the House of Representatives turns back almost $45,000 a year, of which, if we gave our staff an 8 percent increase, we would have more than enough money, based on that average turnback.

So the fact is, there is plenty of money turned back in now to have every Member and all their employees a cost of living increase.

Mr. TOOMEY. Mr. Speaker, this chart depicts the spending of the legislative branch appropriations bill in fiscal year 1999, and it reveals the instructions that I would intend in my motion for fiscal year 2000.

As Members can see, the Senate vote for 1999, the Senate appropriation was $524 million. The House was $776. The joint other category, which as we know covers such things as buildings and grounds and the Library of Congress, comes to $1 billion and 50 million. The grand total is $2,350.

On June 10 this body adopted a bill that allocates basically the exact same level for the House, $777 million. It voted for a slight increase in the joint other category of $1,085,000,000. The Senate in its bill voted for a $554 million, which is about a 5.7 increase, and 11.24 for the joint other category.

What my motion simply does is it asks our conferees to reflect the will of the House. That means that the House number would be reflected, or the House number for both the House itself and for the funding of the joint and other categories would be the House numbers, and the Senate would stick with its own number.

That would leave the total funding for the bill at $2,416 million. That would be a 2.8 percent increase over fiscal year 1999, and would be approximately $62 million lower than the new 302(b) appropriation allocation, if it were fully funded.

Mr. Speaker, I think that it is very important, as I said earlier, that our conferees reflect the will of this body, which has already voted on this matter, which has voted for these numbers.

I am not suggesting that we change the number that the Senate has voted for itself. I think it is important that we do this to simply lead in the process of demonstrating our fiscal discipline.

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

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

Mr. Speaker, I want to thank the gentleman for bringing the motion to instruct, but I have to inform the House and the Speaker that approximately 2 hours ago the conference on this particular bill concluded, and but for a technicality that it may not have been filed, the discussion and the instructions are moot, I would tell the Members.

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

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

Mr. Speaker, I would ask my colleague, has the conference report been filed?

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

Mr. TOOMEY. I yield to the gentleman from Arizona.

Mr. PASTOR. Mr. Speaker, I know that the staff was about to file it, and I do not know whether or not it has been filed, but everyone was trying to get this thing filed. There was a unanimous consent to file it by midnight. Maybe the chairman of the committee could add to that.

Mr. TOOMEY. Reclaiming my time, it is my understanding that it has not yet been filed, so it is not a moot point

until it is actually filed. It is my hope that when it does get filed, it would reflect the levels that the House voted for.

Mr. PASTOR. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I would simply make two observations.

A short while ago I was asked by the majority leadership whether, as the ranking minority member on the Committee on Appropriations, I would agree to unanimous consent to bring up the legislative appropriation bill and the District of Columbia appropriation bill and one other appropriation bill so that we could finish our work tomorrow, instead of spilling over into Friday. I told them I would try to get that done, at least on two of the three.

Now we are being told that we perhaps should not consider that on this side of the aisle because the gentleman is going to offer a motion to instruct on a package which the leadership has already asked me to cooperate with in getting to the floor as soon as possible. We cannot cooperate in both efforts at the same time, because they go in different directions.

Second, I would simply say that the cut that was made in the House bill originally averaged about $65,000 for each and every Member's office account. I would simply point out that the result that the gentleman says he is trying to seek, where the House would stick with its numbers and the Senate would stick with its numbers, would continue a practice which has led to a situation in which the average staffer for a Senator, for the same work done by the staffers for people in this House, gets $16,400 more.

That is just not justified, but the reason it happens is because the Senate continually assures that there is enough room in office accounts to fully provide for COLAs, and the House often does not. On a number of occasions, we have denied them to our staffs.

I would point out that given the House action earlier this year on Members' pay, where this House voted by a very large margin to assure that Members would receive a COLA, it would be the height of outrageous behavior if, having received that COLA for ourselves, we then take actions which would make it very difficult for a good many Members in this institution to provide that same cost of living increase for the people who work for us.

Mr. Speaker, there are some Members, no doubt, who have enough room in their office accounts, but there are many more who do not. The fact is that there are a lot of Members of this House who represent almost 100,000 more people than some of the rotten borough districts that we have in the country.

So I would suggest that the average amount left in each Member's office account is misleading. In fact, it is meaningless. What we have to do is to determine on a case-by-case basis the situation for every office.

I would simply say I would find it, indeed, ironic and cynical if this House allows Members of Congress to receive a cost of living increase while it takes action on this bill that denies people who get paid a whole lot less than we do.

Mr. TOOMEY. Mr. Speaker, I yield myself such time as I may consume to make a brief response. Then I am going to yield to my colleague, the gentleman from Oklahoma.

I would point out that there is nothing in these instructions which set levels of staff salaries and nothing in the instructions which would forbid Members from changing the level of staff salaries.

Mr. Speaker, I yield to the gentleman from Oklahoma (Mr. COBURN).

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

Mr. Speaker, there is no question I want our staff to be adequately paid. I do not think that is what this is about. It sounds good, but it is not.

We have so liberalized the rules on Membership's accounts that we can move money from office overhead, we can take our mail money, which averages well over $100,000 per Member, the frank, and use that money for staff salaries. The fact is, there is nothing in this motion to instruct that limits Members' abilities to pay their staff competitive salaries with the Senate.

The other thing that I would say is that we are seeing reflected in the House through the appropriation process how good of a job we do in our own offices. What we are saying is, we cannot control the costs in our own offices, we cannot run them efficiently. Therefore, we need to have more money.

People on social security this year are going to get less than 2 percent, and what the conference is about to do is to increase the MRAs for every Member 5 percent.

If Members want to tell their seniors that they deserve 2½ times the increase that they have to buy the food and buy the drugs that are out there for their living, that is fine, vote against this motion to instruct. But if Members think we ought to lead by example, that we ought to do the hard work, maybe we will send less mail in terms of mass mailings, maybe we will just answer the letters that come to us and not use it as a political wedge, then we can accomplish what we need for our staffs and we can live within a budget, as we are asking the American people to do as we try to live within the caps and not spend social security money.

Mr. PASTOR. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I would just like to say that the remark that there is nothing in this motion that affects pay is, in my view, at least indirectly ingenuous. The fact is that Members provide for the cost of living increase for their staff from the office accounts that are funded in this bill. We do not have to directly go after those COLAS. If we simply shrink the total amount available, we effectively shut off the Members' ability to provide that cost of living for their staffers.

I think every worker in America ought to judge Members of Congress at least in part on whether or not they treat their staffs at least as well as they treat themselves. A Congress that provides itself a pay raise and makes it more difficult at the same time for their employees to get a COLA is hypocritical.

Mr. TOOMEY. Mr. Speaker, I yield such time as he may consume to my colleague, the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Speaker, I would like to just talk about some of the issues. We can budget in our offices our COLA increases for our employees. It is up to us as managers of our office accounts to budget appropriately and to budget COLA increases, cost of living increases, for our employees.

But I would like to go back and talk about what the gentleman from Oklahoma said. The seniors in my district are not getting 5 percent increases in social security payments this year. The seniors in my district are getting less than 2 percent increases in social security, COLA increases.

I think it is time for Congress to lead by example. I think it is important that when we have made such a historic move this year to wall off social security, and let me just rephrase this, this year for the first time in a generation, for over 30 years, Congress passed a budget that stopped raiding social security.

This is the first Congress that has done this in so long, we should lead by example. Because we chose to stop the raid on the social security trust fund, that drives many other budget decisions around here. It makes spending less in other areas, because for once in a generation, we are not going to raid the social security trust fund.

That is why all we are saying, take the House number, which is lower than the Senate number in a legislative branch appropriations bill, a 2.4 percent increase, not a 5 percent increase. It is very important that we lead by example and we free up the fiscal space to pass our appropriation bills on budget and away from the raiding of social security, as we are doing.

Mr. PASTOR. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. TAYLOR), the distinguished chair of the Subcommittee on Legislative.

Mr. TAYLOR of North Carolina. Mr. Speaker, I appreciate the gentleman yielding time to me.

Mr. Speaker, I commend all these young Members and all the people who have been working for a balanced budget, as well as reserve funds for social security and the efforts we have made.

In fact, if the legislative branch, and I owe this to my predecessors, because

the last two chairmen have reduced the legislative branch substantially. We are not even back up to where we were in 1993 and 1994, even with inflation. I hope we can stay below that.

I also point out that we are substantially below the caps that were given to us. We are going to report a bill that is substantially below the caps. I am not sure any other committee will be doing that.

Mr. Speaker, I would say to all of us in the body that if they have a $1.8 trillion corporation, they are not going to talk about not having adequate staff and qualified staff to carry out the funding and the appropriations of that $1.8 trillion appropriations.

□ 2300

If one does, then one is pennywise and pound foolish because one has to have adequate people and pay them adequately, especially in today's market, to carry out that task.

We have in our report returned a portion of the MRAs to the Members, and I certainly support that. I agree with the gentleman, what he said about a lot of Members will return portions of the budget. I commend them for doing that. If they have the ability to do that, they certainly should.

But we all know that every district is different in this country. If I were in, for instance, a district where I had one television station and I could report to the people what was happening in the Congress without mail or without any communication other than that television station, and there are Members of the Congress that do that, then I would be able to return more of my money.

But I have 15 rural counties, and the only way I can report is to give them a report by mail. In my district, over 90 percent of the people regard that as favorable, and they respond so. They point out that they want more information, not less, about what is going on in Congress. As I say, if the people in my district support that, then I am certainly going to continue to put my efforts in that area to tell them what is going on in this body.

I think that, as I say, we have done a good job. The word ''conference'' means that we go across the body and we have to confer with the Senate. They asked for a lot more money. They did not get it all. They got some. Because, in a conference, one has to give and take. We would have liked to have spent less money, but we held the line very diligently. I think we will be proud of this report.

I would also point out that I do not think any Member who has spoken tonight has consulted with either the committee chairman or the ranking member or the staff to see what actually we have done. They may be surprised that we have held the line much better than previously than what they think may have been happening.

So I would commend this report to my colleagues. It will be coming before we leave in August. I think that my colleagues may be more proud of it in this body than they might think.

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

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

Mr. Speaker, once again, I want to remind my colleagues, Mr. Speaker, of what I said at the beginning, which is I think our appropriators have done an excellent job thus far this year, and I think we are going to finish up the process with an excellent track record.

My colleague indicated that there are, in all likelihood going to be pleasant features to this bill when we see it. I hope, in fact, that the conferees did hold the line and that the funding levels will, in fact, reflect the will of the House as it was voted on back in June.

Again, we have done a great job thus far ensuring that we are going to see the surpluses that we believe we will see, and that means we are going to be able to do the right thing with respect to Social Security, with respect to lowering the tax burden on the American people.

I just hope that we finish the job and we show that we can lead by example that a 2.8 percent increase in our own budgets is sufficient for us. We do not need to go higher than that.

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

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Pennsylvania (Mr. TOOMEY).

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

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

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extension 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 Extension of Remarks.)

THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. HASTINGS) is recognized for 5 minutes.

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to share with my colleagues the results of the highly productive and informative experience that the U.S. delegation had at the Annual Session of the Organization for Security and Cooperation in Europe Parliamentary Assembly—or the OSCE PA. As many of you know, this year seventeen members of Congress formed the U.S. delegation, and as the U.S. delegation does every year, we attended the Parliamentary Assembly's Annual Session in a member country of the OSCE. This year's Annual Session was in St. Petersburg, Russia and met from July 6–10. I am pleased to inform my colleagues that our week in St. Petersburg was a successful one, both for the entire Assembly and especially for the U.S. delegation.

The purpose of the Annual Session is to bring parliamentarians together in order to discuss and assess developments in conflict resolution within Europe, as well as to form proactive means of approaching a wide range of security issues, including arms control, preventive diplomacy, human rights and economic security. These thoughts, recommendations, and goals are then compiled into a declaration, which is ultimately adopted by the entire Parliamentary Assembly.

I draw inspiration from this document for many reasons. On its surface, this document is a comprehensive and vital educational tool. It brings to our attention gross violations of human rights, such as the international trafficking of women and children; it offers us effective methods to continuing the peace process in Yugoslavia and Kosovo; and it describes initiatives of securing peace and democracy throughout Europe. In effect, the St. Petersburg Declaration serves as an important reference on a wide scope of events and issues, which better aids us all in understanding the current global order.

On a secondary level however, the St. Petersburg Declaration, and the OSCE PA declarations that preceded it, demonstrate the value of inter-cooperation and dialogue between countries. The OSCE parliamentarians form a body of representatives from fifty-five governments throughout Europe, Central Asia, and North America; and it has adopted an all-embracing approach in its membership and approach to security, conflict resolution, and economic cooperation in the OSCE region. Consequently the Parliamentarians bring to the OSCE PA a vast range of knowledge and experiences that complements and supplements one another. In a time of fungible borders and instantaneous communication between continents and cultures, it behooves us all to understand these varying perspectives and opinions.

More important, however, is the OSCE's ability to use this collection of experience and thought for the greater good of security in Europe and justice throughout the world. The

sum of the parliamentarians' collective expertises and experiences is so much greater than the individual parts. Indeed, when brought together and shared in such a forum, there is an exchange of ideas that better enables us to understand the root of global concerns, and ultimately how the international community can best take action to remove these problems. In effect, we are able to combine the best ideas and developments of our various countries in order to work toward peace and cooperation throughout the world.

Such innovation and progress would simply not be possible if we acted as isolated agents, and I firmly believe that the effectiveness of the OSCE PA lies in its ability to draw on both our shared and unique experiences. The St. Petersburg Declaration reflects the value of this interrelationship, and I am grateful for the opportunity to both learn from and contribute toward it.

While I am certainly proud to be a member of a distinguished body like the OSCE PA, it gave me particular pleasure to attend the Assembly as part of the U.S. delegation. This group of seventeen members enjoyed many successes in St. Petersburg. The St. Petersburg Declaration contains several U.S. authored initiatives, including Representative Chris Smith's resolution on ''The Trafficking of Women and Children,'' Senator George Voinovich's ''Regional Infrastructure in South-Eastern Europe,'' section and Representative Louise Slaughter's section on ''The Assassination of Galina Starovoitova.'' Moreover, I, along with several other members of the U.S. delegation, contributed significantly to the chapter on ''Common Security and Democracy in the Twenty-First Century.''

The accomplishments of the U.S. delegation were certainly appreciated by the entire Parliamentary Assembly, and we were each encouraged to share the principles and goals of the OSCE with our colleagues in Congress. I would therefore like to take this opportunity to also encourage other members of Congress to familiarize themselves with the OSCE, and ultimately to take steps to continue our participation with this organization.

We are faced with a time of significant regional conflict. Eastern Europe is still in the recovery process of Slobodan Milosevic's brutal ethnic cleansing of Kosovar Albanians, and it will take many months, if not years, before the hundreds of thousands of refugees are able to return to their homes and resume their familiar lifestyles. Indeed, it will take considerable time for all of the residents of this region to recover from the rampage and injustices that were committed in this area.

These conflicts may sometimes seem isolated and removed from our own challenges and goals as a nation, but we have, in fact, entered a time where our setbacks and successes should be shared. We have a responsibility to use our successes as a means of alleviating other countries' setbacks. As I have said, the OSCE presents us with a viable and effective forum to share our resources, and the United States needs to remain engaged and build upon its place within their collective dialogue, rapporteur missions, peacekeeping operations, and peaceful dispute resolutions.

Last month I introduced a bipartisan resolution expressing this sentiment. H. Con. Res. 161 extends the support of Congress to the OSCE and the goals of the St. Petersburg Declaration, as well as urges the United States to continue its role with this important international organization. Please show your support of the OSCE by cosponsoring this resolution.

As key players in the international community, the United States has historically and continues to take an active part in international organizations and institutions, such as the United Nations, the North Atlantic Treaty Organization, and the OSCE. I am confident that our commitment to these institutions will remain strong. Ultimately, it is my hope and belief that together we can secure peace, democracy, and justice throughout the world.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. SPRATT) is recognized for 5 minutes.

(Mr. SPRATT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IMPORTANT PROVISIONS FOR PATIENT PROTECTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. VITTER) is recognized for 5 minutes.

Mr. VITTER. Mr. Speaker, after careful thought and consideration, I rise this evening in support of patient protection. I do this for a very simple reason in the final analysis. I believe that doctors, not insurance companies or HMOs, must have the final say on patient care. That is why I have many strong concerns with the Senate bill and would oppose that legislation in its present form.

Here are the provisions I believe are important to Americans, including those in my district: Legislative protections against abuse should be extended to the more than 100 million not covered in the Senate bill. There must be independent external medical review. Patients need maximum flexibility to select doctors and should be able to see pediatricians and OB/GYNs without referrals from other doctors. ER visits should be governed by a prudent lay person standard. Doctors should define medical necessity. There must be meaningful economic sanctions against companies that refuse to provide care approved by the external review process.

I know the importance of controlling health care costs, but a business bottom line, Mr. Speaker, should never be allowed to take precedence over medical necessity. We can allow insurers to continue to control costs and provide necessary patient protections. Many States have done that, including my own, Louisiana, including our neighbor, Texas. We can do it as a Nation.

TRIBUTE IN HONOR OF OFFICIAL DESIGNATION OF GRAND HAVEN, MICHIGAN, AS COAST GUARD CITY, USA, AND CELEBRATING 75 YEARS OF COAST GUARD TRADITION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. HOEKSTRA) is recognized for 5 minutes.

Mr. HOEKSTRA. Mr. Speaker, this weekend marks a very special time in the history of one of the communities in the Second Congressional District of Michigan.

For the past 75 years, Grand Haven, Michigan has celebrated its relationship with the U.S. Coast Guard and the contributions of the Coast Guard to our country as a whole.

Since 1934, the city has hosted the Coast Guard Festival, which has included a major parade, displays of various Coast Guard vessels, and a variety of ceremonies that focus on the special relationship, the special partnership between the Coast Guard and the community of Grand Haven.

Since 1963, when then-U.S. Coast Guard Admiral Richard Schmidtman attended one of these celebrations to dedicate the city's famous Musical Fountain, Grand Haven has proudly displayed the unofficial title of ''Coast Guard City, U.S.A.''. This designation was taken directly from Admiral Schmidtman's remarks. Ever since, signs near the entrances of the city have informed visitors that they were entering Coast Guard City, U.S.A.

As I said, that designation has been unofficial. That is until this year. As part of the Coast Guard reauthorization act of 1999, this Congress made it possible for the Commandant of the U.S. Coast Guard to officially declare an American town as ''Coast Guard City U.S.A.''.

I am happy to report to this House that, on this coming Saturday, August 7, 1999, U.S. Coast Guard Commandant Admiral James Loy will be in Grand Haven to make it official. Grand Haven will be Coast Guard city U.S.A.

□ 2310

He will do that this week at the 1999 Coast Guard festival.

I have worked with several Members of the House and the other body for several years to make this designation a reality. I would like to thank all the people who worked with me to get this legislation approved, including Senators ABRAHAM and LEVIN, the gentleman from Michigan (Mr. EHLERS), the gentleman from Maryland (Mr. GILCHREST), and the gentleman from Pennsylvania (Mr. SHUSTER), who were especially helpful.

I also want to thank the local officials in Michigan, especially Coast Guard festival executive director Jerry Smith. Also various people at the U.S. Coast Guard, including former Commandant Admiral Robert Kramek. And Members of my staff, especially Todd Sutton and Chris LaGrand. I would like to thank all of these people for their patience and for their hard work.

Most of all, I congratulate the people of Grand Haven and their dedication and respect for the men and women of the U.S. Coast Guard. For more than 75 years, this community on the shores of Lake Michigan at the mouth of the

Grand River has welcomed the Coast Guard personnel with open arms. They have celebrated their relationship with the Coast Guard since the first community Coast Guard picnic way back in 1924.

In 1943, the city's residents also shared the Coast Guard's pain. They shared the Coast Guard's pain with a memorial service honoring the crew and the crew members of the Coast Guard cutter Escanaba, which had been based in Grand Haven from 1932 to 1940. One hundred and one men were lost when the ship was sunk by a German U-boat in the North Atlantic during World War II on June 13, 1943.

The city shared its pain, but also its resources. The city showed its commitment to the U.S. Coast Guard by raising funds to build a replacement, which was named the Escanaba II. The mast of the original Escanaba was saved and erected as a monument to those fallen heroes in Grand Haven's Escanaba Park, where it still remains today.

Mr. Speaker, it is with great pleasure that I congratulate Grand Haven, which from Saturday and henceforth will be known officially as Coast Guard City USA.

The SPEAKER pro tempore (Mr. SWEENEY). Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

(Mr. METCALF 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 Washington (Mr. SMITH) is recognized for 5 minutes.

(Mr. SMITH of Washington addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

A TRIBUTE TO MARY CRITCHLOW KASTEN, ''GRANDMOTHER'' OF THE MISSOURI HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Missouri (Mrs. EMERSON) is recognized for 5 minutes.

Mrs. EMERSON. Mr. Speaker, I rise today to express my admiration and respect for one of the most caring and effective public servants I have ever had the privilege to know, Representative Mary Kasten is lovingly known as the ''grandmother'' of the Missouri House of Representatives, and she has served the folks of Cape Girardeau for the last 16 years. She has decided to step down from this calling in January 2001 after serving the ''people's body'' in Missouri for 18 years.

If Mary's only contribution to her fellow man was this representation, she would be deserving of this special tribute. However, Mary Kasten, the farm girl from Matthews and New Madrid County, is and has been much more. In fact, Mary's service in the legislature is only a small snapshot of a life that is truly a panorama of helping others. As a mother to her children, Mark, Mike and Meg, a wife to Mel Kasten, her husband of 50 years, and a teacher reaching out to kids and parents alike, Mary always sought to help brighten the lives of others.

In every endeavor Mary honored her personal commitment to God, family, country and her fellow man. Miss Mary, as we know her, honored her Lord by serving as a Sunday school teacher and choir member in the St. Andrews Lutheran Church. As a mom, she was and is the best example I have known of a mom who cares. She volunteered at every level to help her children and be involved in their lives. Later, she served on the Cape Girardeau school board and held various offices for 20 years. She also continued her service to education by serving on the board of regents at Southeast Missouri State University her alma mater. As a wife, Mary and Mel have been inseparable, and except for her times in Jefferson City, Mary and Mel go everywhere together. Their marriage is an inspiration to all of us.

For almost everyone who knows Mary, the first thought that comes to mind is her selflessness and her sensitivity and caring for her fellow man. It is that caring that truly makes Mary worthy of tribute. She is indeed the human manifestation of the golden rule of doing unto others as you would have them do unto you.

But in Mary's case it is no quid pro quo but a genuine love of all humankind. I personally have seen this caring when Mary and Mel took care of mine and Bill's daughter Tori when Katharine was being born. Bill was on the campaign trail 3 or 4 hours from home and Mary and Mel became Tori's surrogate parents, and even put her to bed with them. At every turn, the Kasten's have been a part of the Emerson family, from the birth of Katharine and even in Bill Emerson's death, Mary and Mel opened their home to our entire family and became the nurturing core for the grieving family and our friends.

In fact, it is probably this empathy with others that inspired Mary to her greatest public service, and that was the beginning of the Cape Girardeau Community Caring Council. Mary's brainchild of making programs really work for people began in southern Missouri and is now being replicated in the rest of the State and nationwide. In fact, Mary Kasten and caring are indeed words that are synonymous with me and the hundreds who have known and worked with Miss Mary.

It is indeed an honor to offer this tribute on the floor of the House of Representatives, because I can think of no one more deserving than Mary Kasten to be recognized in the people's House. If Bill Emerson were alive today, I know he would gladly give Mary this very same tribute to her service to the people. The girl from New Madrid County who served and broke new ground in politics and public service deserves, in my opinion, the same tribute made to bill.

Mary Kasten is truly deserving of the favorite Teddy Roosevelt quote ''In the Arena,'' and I quote:

> It is not the critic who counts, not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, and comes short again and again, because there is not effort without error and shortcoming; but who does actually strive to do the deeds; who knows the great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly so that his place shall never be with those cold and timid souls who know neither victory nor defeat.

Mary Kasten, our world is a better place because you have served all of us in the arenas of our lives, and for that we truly thank you.

THE TAX BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SHERMAN) is recognized for 5 minutes.

Mr. SHERMAN. Mr. Speaker, there has been a lot of partisan talk about the tax bill, and I can understand it. A bill of $800 billion, exploding to $3 trillion in the second 10 years, does indeed put our economy at risk. A bill that says lock up the Social Security money for Social Security but then take every bit of the regular general surplus, or virtually all of it, and pay that out as tax cuts. Regardless of whether that surplus actually arises, pay it out, lock it into the law. That could be regarded as fiscally irresponsible by many of us on the Democratic side of the aisle.

□ 2320

And of course, there are many partisans who would recognize that if we do not use the opportunity to pay off the debt now while the baby-boomers are in their peak earning years, that when the baby-boomers retire, there will not be any capacity to use general fund revenues to help make Social Security last through its most challenging demographic era and that as a result we will hear the cries at the first economic hiccup for cuts in Social Security or increases to FICA taxes.

Yes, indeed, with all that fiscal irresponsibility and all that risk to the Social Security system, some Democrats decry the bill in the most partisan terms. But do my colleagues know, we should not just decry the bill. Because as a tax lawyer, I was just amazed by it as I read each provision.

How is it that they could write a tax bill giving 45 percent of the benefit to only one percent of the people in the country? We should not decry the bill.

We should be impressed by its draftsmanship.

Let us talk about some of the amazing provisions of this bill. This is a bill that turns to 50 million Americans at the base of our economic pyramid and says they get a tax cut of 8 cents per day per family. Split it up at the breakfast table, all 8 cents a day. Of course, a tax cut of over $54,000 a year to each family in the top one percent.

So how are they able to achieve such a dramatic result? One example, they take and give to American companies that shift jobs overseas 60 times the benefits that they provide to 50 million Americans. They do this by changing the interest allocation rules so that those companies that make equity investments abroad, that is to say build factories in other countries and while perhaps closing them down in the United States, benefit. They get huge tax breaks.

Whereas, it is 8 cents a day for the working poor and for the lower middle class in the United States.

But when we get to the details, there are some other provisions that are almost as striking. For example, there is a list of special deals for the oil companies, such as allowing a 5-year carryback of NOLs while the rest of the business world only gets a 3-year carryback, suspending the 65 percent taxable income limitation on the use of percentage depletion, allowing geological and geophysical cost to be deducted current, while good accounting practice calls for those costs to be capitalized; allowing delay rentals to be deducted currently, when the proper accounting for them is to be capitalized; and modifying the refining threshold in section 613(d)(4) so that integrated oil companies can get the benefits previously reserved for independent oil companies and wildcatters.

And here is a special deal for oil where they get twice the benefit of all of the benefits that we give to 50 million Americans goes to just a few American oil companies and that they get a tax credit for the money they pay to Saudi Arabia and Kuwait for taking the oil out of those desert sands. They get reimbursed for what they spend for the oil that they then sell to us.

Mr. Speaker, as 20 years as a CPA and 2 years as a tax judge, I know tax fraud when I see it; and this Republican tax bill indeed is tax fraud. It is a giant shift of wealth to the wealthiest one percent of Americans. We should reject it.

SCHOOL CONSTRUCTION IN AMERICA

The SPEAKER pro tempore (Mr. SWEENEY). Under the Speaker's announced policy of January 6, 1999, the gentleman from North Carolina (Mr. ETHERIDGE) is recognized for half the time until midnight as the designee of the minority leader.

Mr. ETHERIDGE. Mr. Speaker, I want to thank my Democratic colleagues for joining me this evening as we take some time in this very late hour to talk about a very important issue, school construction and the companies that we are sending our children back to across this country.

Because across America this week and next week and in the next several weeks to come, depending on where one might live, summer vacations are coming to a close, parents are shopping back-to-school sales, and teachers and students are gearing up for the coming year.

In my home county and State, a lot of the schools have already opened and they are going to school. Unfortunately, in many of those schools, it is very hot, they are not air-conditioned the way they should be. But children are in school.

In some communities, we find that children are not going to school in schools. They are in trailers. They are in closets. They are in basements. They are in hallways. And they are in anyplace that we can get children into because the crowding is so bad.

Unfortunately, this Congress has failed to act to provide our local communities with any assistance with quality facilities for our children.

I could not help but think earlier today we have passed foreign aid bills, we have passed emergency aid bills that we send overseas for foreign children to have decent places to go to school in in some communities; and yet, for our own children here in America, Members of the majority say it is not Congress's responsibility to get involved.

It seems like I remember reading in my history books that that was not the responsibility of Congress when we needed water, sewer, rural electric power, and a whole host of long lists. And ultimately we got involved and provided electricity for rural America, the one thing that changed it. And the list goes on.

Mr. Speaker, our schools are bursting at the seams. The communities throughout my district and throughout this country, the flood of student enrollments are swamping our ability and the ability of local communities and local taxpayers to meet the needs.

It is time for this Congress to stop arguing and start acting. I have written legislation, H.R. 996, that will provide $7.2 billion in school construction bonds. On the Democratic side today we lined up to sign a discharge petition to bring the school construction bills to the floor so that we could take action and help children.

I will talk more about that in a minute, but at this point let me yield to one of my colleagues from California, who is a real leader in this Congress on educational issues. Before she came to Congress, she was a school nurse. She knows about the issues teachers face every day, the issues children face.

Mr. Speaker, I yield to the gentlewoman from California (Mrs. CAPPS) for comments on this issue as it relates to California and her district.

Mrs. CAPPS. Mr. Speaker, I am honored to have my colleague yield time to me, particularly with his strong background in education. Being a former State superintendent, it is a pleasure to work with a professional in support of our Nation's schools.

I believe so strongly that we must come together in the House of Representatives in a bipartisan way to support legislation that will truly improve the quality of education for our children, improve the schools in our local communities and across this country. The future of our children depend on this.

I am so aware that we are the beneficiaries of a generation that instituted the GI Bill of Rights. Many of our parents and our community members and our relatives got the benefit of a country that came together around public schools like nothing before its time. Many of us attended wonderful school buildings.

Unfortunately, these same school buildings have not been improved much since that time, and that is what we are here to discuss this evening.

□ 2330

Mr. Speaker, I will discuss our school system as I experienced it firsthand on the central coast of California where, as my colleague has mentioned, I was privileged, really honored, to be a school nurse in Santa Barbara School System for over 20 years, and I have seen firsthand the damage that deteriorating schools can do. I have been with students as they have attended classes held in hallways, in teachers' lounges, in utility rooms and in auditoriums. I know that students, we all know that students, cannot thrive academically if they are learning in overcrowded and crumbling classrooms.

I want to pay particular attention to a phenomenon that occurs in many of our growing communities where school buildings are exploding, literally exploding, and when this has happened, it did in the 1950s and 1960s and 1970s in California and across much of the population in the West and throughout the country really, and so portable classrooms were brought in. These portable classrooms were designed for temporary housing of students. Thirty years ago these same buildings with very little improvement are still in use today. It is incredible that we expect our children to learn, hot in the summer, cold and musty and mildewy throughout the year. These classrooms are what our young people are having to attend.

I want to just, and then I will yield back because we have other colleagues here as well, but I want to highlight one particular school district in my central coast district. The Santa Maria Bonita School District which lies at the heart of my district is in such desperate need of funds for school construction. This district was built to

house 6,700 students, and currently enrollments are at 10,500. To accommodate the growth 12 of the district's 14 schools have converted to a four-track, year-round school schedule, and 175 portables have been added. To add these buildings means cutting down on valuable playground space. They are stretched to the limit and need funding to build better facilities. This Santa Maria School District has tried twice in the past year to pass bond measures to receive State money to help build new schools. In our State a two-thirds majority is required. By a very small number these measures have failed both times.

To me this is a failure to our children, and we have the opportunity here in Congress to make it easier for our local school districts to obtain the funding that they need to pass their local bond issues. We want the bond issues to be local, we want the support for schools to be local, and yet we have a role we can play here in the Federal Government.

That is why I am so pleased that it is the bill of the gentleman from North Carolina (Mr. ETHERIDGE), his school construction bill, that I have cosponsored and also the gentleman from New York (Mr. RANGEL's) school modernization bill. Both of these bills offer viable solutions to this serious problem, yet we had to march down and make sure and try to sign to get a discussion of this legislation on the floor.

Today we are preparing students for jobs in the new economy. This is not a laughing matter, this is not a simple or a slight thing. This is a huge challenge that we have before us, to find that the framework and the setting for which this technology can be transferred to the next generation. It is about our economy, it is about the future of our country, and it is about our democracy surviving. To do this students have to have facilities that are big enough, well equipped enough and up to date in every way.

Districts like the one I described, Santa Maria Bonita School District, cannot keep up with these demands, and we have to step up to the plate. We cannot turn the other way any longer.

Mr. ETHERIDGE. Mr. Speaker, I thank the gentlewoman for her remarks, and let me just say to her that one of the things, without dwelling on it as we talk about school construction and the overcrowding and the problems, if we see it in the workplace for businesses, then we know what happens there. Defects of the product goes up. We have problems and a whole host of things happen; as my colleagues know, problems with the employees; and yet we hear people on this very floor clamor about why schools do not do better, why we cannot get better. They want to blame the teachers, they want to blame the system, and yet they turn their backs when it comes time when we can help.

We just had pre-filed a tax bill for just a trillion dollars over the next 10 years, exploding to $3 trillion over 20 years when we could use some money, when a time we have resources to take care of Social Security and Medicare, and pay down the debt and make sure our children have a safe, secure and good environment in which to learn, and you talk about those trailers that are true all across this country, and one thing we need to remember, that when it rains those children get wet going to and from. They go to too small a cafeteria, too small a library, and then we wonder why they do not learn and education is not important to them. We sent a pretty powerful signal that it is not important to us when they do not spend the resources.

Now let me yield to my colleague from California also (Mr. SHERMAN) who certainly has been a leader on this floor in working for education. He understands the tax consequences of when you do not spend your money wisely how you are going to pay a real price in the future.

Mr. SHERMAN. I thank the gentleman from North Carolina. It is an honor to be with him and with the gentlewoman from California (Mrs. CAPPS) because you understand what is most important to the people in my district, which is education, but you understand how we can make it work.

One thing that is obvious to me is that we are going to have smaller classes. At least in California the people have taxed themselves to provide for smaller classes, smaller class sizes. But that means you need more classrooms, and as you have explained and as the gentlewoman from California (Mrs. CAPPS) explained quite eloquently, we need to build new school facilities.

In fact, and this is odd, both parties have agreed in concept that the Federal Government needs to help out, and while I do not match the gentleman's expertise or the gentlewoman's expertise in education, it is perhaps surprising to some people back home that the way that Congress has agreed to try to help schools is through the tax law, and here is where there is a tremendous divergence.

You see, the Democrats had a relatively small tax bill, and yet we found room in that bill to provide real help to school districts. Santa Maria was not able to pass its school bonds, and I can understand that, because people would have to not only pay back the bonds, they have to pay the interest on the bonds, and what the Democratic tax bill did is it funded interest on school bonds across this country. It provided $9 billion of Federal revenue to pay the interest on $22 billion of school bonds. So when Santa Maria dealt with those school bonds, people can say: We will go that far for our kids, we will tax ourselves to pay the principle, and thank God Congress has done something to pay the interest.

But then the Republican bill comes to the floor, and I know the conference report was just introduced. We do not know what is in it. We will read it late tonight, tomorrow morning, but I think what is in it is what was in the House bill that passed a couple weeks ago. And there lurking was a provision supposedly there to help schools issue school bonds under the title of arbitrage.

What is arbitrage? Gambling.

What the Republican bill does, instead of providing real money to pay the interest on the bonds, is it turns to every school district and says: Go ahead and issue the bonds, and you will have to pay the interest on the bonds.

But in the past you had to use the school bonds to build schools pretty quickly. Do not do that.

□ 2340

Issue the bonds, do not build schools, delay the schools. Kids do not need schools, according to the Republican bill. Take the money to Las Vegas or Wall Street and take that school bond money and invest in debentures, invest in interest futures. Invest, if you want, in pork bellies. Then you get to keep the profits.

The Republican bill, desperate to spend no money helping schools but to fool the American public into thinking it helps schools, does nothing more than provide a free airplane ticket to Las Vegas for every school board member in the country so that they can take the school bond money to Vegas and see whether they can beat the odds. If they beat the odds, they can keep the profits for the kids.

Oh, if they lose the money, well, that is what Orange County, California, did, the county to the south of Lois and myself. They tried to play this arbitrage game, and they went bankrupt.

Mr. ETHERIDGE. I thank the gentleman. On that note, let me remind him and those who happen to be watching this evening that as school opens this fall, we will have showing up at the schoolhouse doors across America in the public schools more children than have ever been to public schools in America's history. Last year, as you remember, the secretary released his report on the baby-boom echo, which means all those baby-boomers after World War II now are having children and they are showing up.

Tonight I can report to Members we have talked with the Department today, we do not have the report on the numbers, but there is one thing we can say from what we have heard, that what we saw last year was a ripple compared to what we are going to see when the report comes out very shortly, because those numbers are just absolutely exploding all across America.

In my district, as an example, the baby-boom echoes, we have counties that are in double digits. You say well, there has to be a lot of economic growth there. Unfortunately, they happen to be counties adjacent to an urban center where they are getting a lot of residential growth, not a lot of economic-commercial growth.

For instance, one county, Franklin, had 19.6 percent growth over the last 8 years. My home county, 18.9; Lee County, 17.1, Nash, 17.3. They are all rural counties in transition and property taxes are under a burden. Wade County, the capital county, right at 30 percent. They are welcoming anywhere from 4,000 to 6,000 students this fall, and they have done it for the last several years. That is true across America. The pressure is getting so great out there, and this is a way we can be a help.

Mr. Speaker, the Republican leadership is putting the final touch, and as we heard already, has already put their touches on the final tax bill. We will find out tomorrow morning if they really care about making sure the children in this country have an opportunity for a decent place to go to school. Because if you are in a cold environment in the winter and a hot environment in the summer, and the building roofs leak and the wind blows through the walls, you can talk all you want to about quality education, and then we wonder why we cannot recruit teachers and retain teachers. You do not have to be very bright to figure that out. Business figured that out a long time ago. They provide a good environment for their employees and quality training.

We can do something about it. It is within our goal. We stood in line today to sign the Rangel bill to make sure we got a discharge petition. Today my colleagues are working on it.

Mr. Speaker, I know our time is about to expire. Let me thank my two colleagues from California for joining me this evening. On behalf of the children of America, who only have us to speak for them, because they do not vote, and some of their parents do not take the opportunity to vote, I thank you for coming this evening and sharing and getting into the record the importance of school construction and opportunities for our children.

RECESS

The SPEAKER pro tempore (Mr. SWEENEY). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 44 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 0038

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 12 o'clock and 38 minutes a.m.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2488, THE TAXPAYER REFUND AND RELIEF ACT OF 1999

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–291) on the resolution (H. Res. 274) waiving points of order against the conference report to accompany the bill (H.R. 2488) to amend the Internal Revenue Code of 1986 to reduce individual income tax rates, to provide marriage penalty relief, to reduce taxes on savings and investments, to provide estate and gift tax relief, to provide incentives for education savings and health care, 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. 2684, DEPARTMENT OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2000

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–292) on the resolution (H. Res. 275) providing for consideration of the bill (H.R. 2684) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 1467, EXTENDING THE FUNDING LEVELS FOR AVIATION PROGRAMS FOR 60 DAYS

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–293) on the resolution (H. Res. 276) providing for consideration of the Senate bill (S. 1467) to extend the funding levels for aviation programs for 60 days, which was referred to the House Calendar and ordered to be printed.

CONFERENCE REPORT ON H.R. 1905

Mr. TAYLOR of North Carolina submitted the following conference report and statement on the bill (H.R. 1905) making appropriations for the legislative branch for the fiscal year ending September 30, 2000, and for other purposes:

CONFERENCE REPORT (H. REPT. 106–290)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1905) ''making appropriations for the Legislative Branch 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 respective Houses as follows:

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the matter proposed, insert:

SENATE

EXPENSE ALLOWANCES

For expense allowances of the Vice President, $10,000; the President Pro Tempore of the Senate, $10,000; Majority Leader of the Senate, $10,000; Minority Leader of the Senate, $10,000; Majority Whip of the Senate, $5,000; Minority Whip of the Senate, $5,000; and Chairmen of the Majority and Minority Conference Committees, $3,000 for each Chairman; in all, $56,000.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

For representation allowances of the Majority and Minority Leaders of the Senate, $15,000 for each such Leader; in all, $30,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, $89,968,000, which shall be paid from this appropriation without regard to the below limitations, as follows:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, $1,721,000.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, $437,000.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, $2,644,000.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, $1,634,000.

COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, $6,525,000.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, $1,132,000 for each such committee; in all, $2,264,000.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, $590,000.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, $1,151,000 for each such committee; in all, $2,302,000.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, $277,000.

OFFICE OF THE SECRETARY

For Office of the Secretary, $14,202,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, $34,794,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, $1,246,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, $21,332,000.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $3,901,000.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, $1,035,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense allowances of the Secretary of the Senate, $3,000; Sergeant at Arms and Doorkeeper of the Senate, $3,000; Secretary for the Majority of the Senate, $3,000; Secretary for the Minority of the Senate, $3,000; in all, $12,000.

CONTINGENT EXPENSES OF THE SENATE

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, as amended, section 112 of Public Law 96–304 and Senate Resolution 281, agreed to March 11, 1980, $71,604,000.

EXPENSES OF THE UNITED STATES SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, $370,000.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, $1,511,000.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, $66,261,000.

MISCELLANEOUS ITEMS

For miscellaneous items, $8,655,000.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, $245,703,000.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, $300,000.

ADMINISTRATIVE PROVISIONS

SECTION 1. Effective in the case of any fiscal year which begins on or after October 1, 1999, clause (iii) of paragraph (3)(A) of section 506(b) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 58(b)) is amended to read as follows:

''(iii) subject to subparagraph (B)—

''(I) in case the Senator represents Alabama, $116,300, Alaska, $221,600, Arizona, $128,975, Arkansas, $118,250, California, $168,950, Colorado, $124,100, Connecticut, $105,575, Delaware, $95,825, Florida, $120,200, Georgia, $116,300, Hawaii, $245,000, Idaho, $128,000, Illinois, $138,725, Indiana, $116,300, Iowa, $119,225, Kansas, $119,225, Kentucky, $115,325, Louisiana, $120,200, Maine, $110,450, Maryland, $100,700, Massachusetts, $114,350, Michigan, $124,100, Minnesota, $120,200, Mississippi, $118,250, Missouri, $121,175, Montana, $128,000, Nebraska, $120,200, Nevada, $129,950, New Hampshire, $106,550, New Jersey, $110,450, New Mexico, $125,075, New York, $145,550, North Carolina, $112,400, North Dakota, $119,225, Ohio, $129,950, Oklahoma, $123,125, Oregon, $132,875, Pennsylvania, $128,975, Rhode Island, $104,600, South Carolina, $110,450, South Dakota, $120,200, Tennessee, $116,300, Texas, $149,450, Utah, $128,000, Vermont, $105,575, Virginia, $106,550, Washington, $135,800, West Virginia, $105,575, Wisconsin, $119,225, Wyoming, $123,125, plus

''(II) the amount that is equal to the Senator's share for the fiscal year, as determined in accordance with regulations of the Committee on Rules and Administration, of the amount made available within the Senators' Official Personnel and Office Expense Account in the contingent fund of the Senate for official mail expenses of Senators, plus''.

(b) Subparagraph (B) of section 506(b)(3) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 58(b)(3)) is amended—

(1) by striking ''that part of the amount referred to in subparagraph (A)(iii) that is not specifically allocated for official mail expenses'' and inserting ''the amount referred to in subparagraph (A)(iii)(I)''; and

(2) by striking: ''the part of the amount referred to in subparagraph (A)(iii) that is allocated for official mail expenses'' and inserting ''the amount referred to in subparagraph (A)(iii)(II)''.

(c) The amendments made by this section shall apply to any fiscal year which begins on or after October 1, 1999.

SEC. 2. Effective on and after October 1, 1999, each of the dollar amounts contained in the table under section 105(d)(1)(A) of the Legislative Branch Appropriations Act, 1968 (2 U.S.C. 61–1(d)(1)(A)) shall be deemed to be the dollar amounts in that table, as increased by section 8 of Public Law 105–275, increased by an additional $50,000 each.

SEC. 3. SENATE OFFICE SPACE ALLOCATIONS. Section 3 under the heading ''ADMINISTRATIVE PROVISIONS'' in the appropriation for the Senate in the Legislative Branch Appropriations Act, 1975 (2 U.S.C. 59; 88 Stat. 428) is amended—

(1) in subsection (b)—

(A) by striking paragraphs (1) and (2) and inserting the following:

''(1) 5,000 square feet if the population of the State of the Senator is less than 3,000,000;'';

(B) by striking ''8,000'' in paragraph (13) and inserting ''8,200''; and

(C) by redesignating paragraphs (3) through (13) as paragraphs (2) through (12), respectively; and

(2) in subsection (c)(2)—

(A) by striking ''$30,000'' and inserting ''$40,000'';

(B) by striking ''4,800'' and inserting ''5,000'';

(C) by striking ''$734'' and inserting ''$1,000''; and

(D) by adding at the end the following: ''Effective beginning with the 106th Congress, the aggregate amount in effect under this paragraph for any Congress shall be increased by the inflation adjustment factor for the calendar year in which the Congress begins. For purposes of the preceding sentence, the inflation adjustment factor for any calendar year is a fraction the numerator of which is the implicit price deflator for the gross domestic product as computed and published by the Department of Commerce for the preceding calendar year and the denominator of which is such deflator for the calendar year 1998.''.

SEC. 4. Section 6(c) of the Legislative Branch Appropriations Act, 1999 (Public Law 105–275; 2 U.S.C. 121b–1(c)) is amended by adding at the end the following:

''(3) The provisions of section 4 of the Act of July 31, 1946 (40 U.S.C. 193d), except for the provisions relating to solicitation, shall not apply to any activity carried out pursuant to this section, subject to approval of such activities by the Committee on Rules and Administration.''.

SEC. 5. The first section of Public Law 87–82 (40 U.S.C. 174j–1) is amended by adding at the end the following: ''The provisions of section 4 of the Act of July 31, 1946 (40 U.S.C. 193d), except for the provisions relating to solicitation, shall not apply to any activity carried out pursuant to this section, subject to the approval of such activities by the Committee on Rules and Administration.''.

SEC. 6. The Legislative Counsel may, subject to the approval of the President pro tempore of the Senate, designate one of the Senior Counsels appointed under section 102 of the Legislative Branch Appropriation Act, 1979 (2 U.S.C. 274 note; Public Law 95–391; 92 Stat. 771) as Deputy Legislative Counsel. The Deputy Legislative Counsel shall perform the functions of the Legislative Counsel during the absence or disability of the Legislative Counsel, or when the office is vacant.

SEC. 7. Section 814(i) of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 2291 note) is amended by striking ''September 30, 1999'' and inserting ''September 30, 2002''.

and strike all beginning on page 2, line 5, of the House engrossed bill, H.R. 1905, down through page 11, line 12, and insert the following:

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $760,884,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $14,202,000, including: Office of the Speaker, $1,740,000, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $1,705,000, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $2,071,000, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $1,423,000, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,057,000, including $5,000 for official expenses of the Minority Whip; Speaker's Office for Legislative Floor Activities, $406,000; Republican Steering Committee, $757,000; Republican Conference, $1,244,000; Democratic Steering and Policy Committee, $1,337,000; Democratic Caucus, $664,000; nine minority employees, $1,218,000; training and program development—majority, $290,000; and training and program development—minority, $290,000: Provided, That the amounts otherwise provided under this heading for the various leadership offices shall be reduced in a manner approved by the Committee on Appropriations such that the aggregate amount appropriated under this heading is $142,000 less than the aggregate amount otherwise provided.

MEMBERS' REPRESENTATIONAL ALLOWANCES INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $406,279,000.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $93,878,000: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2000.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $21,095,000, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, $90,150,000, including: for salaries and expenses of the Office of the Clerk, including not more than $3,500, of which not more than $2,500 is for the Family Room, for official representation and reception expenses, $14,881,000; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages, and including not more than $750 for official representation and reception expenses, $3,746,000; for salaries and expenses of the Office of the Chief Administrative Officer, $57,289,000, of which $2,500,000 shall remain available until expended, including $25,519,000 for salaries, expenses and temporary personal services of House Information Resources, of which $24,641,000 is provided herein: Provided, That of the amount provided for House Information Resources, $6,260,000 shall be for net expenses of telecommunications: Provided further, That House Information Resources is authorized to receive reimbursement from Members of the House of

Representatives and other governmental entities for services provided and such reimbursement shall be deposited in the Treasury for credit to this account; for salaries and expenses of the Office of the Inspector General, $3,926,000; for salaries and expenses of the Office of General Counsel, $840,000; for the Office of the Chaplain, $136,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian and $2,000 for preparing the Digest of Rules, $1,172,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, $2,045,000; for salaries and expenses of the Office of the Legislative Counsel of the House, $5,085,000; for salaries and expenses of the Corrections Calendar Office, $825,000; and for other authorized employees, $205,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $135,422,000, including: supplies, materials, administrative costs and Federal tort claims, $2,741,000; official mail for committees, leadership offices, and administrative offices of the House, $410,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $131,595,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $676,000.

CHILD CARE CENTER

For salaries and expenses of the House of Representatives Child Care Center, such amounts as are deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (40 U.S.C. 184g(d)(1)), subject to the level specified in the budget of the Center, as submitted to the Committee on Appropriations of the House of Representatives.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) COMPLIANCE WITH ADMISSION REQUIREMENTS.—The General Counsel of the House of Representatives and any other counsel in the Office of the General Counsel of the House of Representatives, including any counsel specially retained by the Office of General Counsel, shall be entitled, for the purpose of performing the counsel's functions, to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof without compliance with any requirements for admission to practice before such court, except that the authorization conferred by this subsection shall not apply with respect to the admission of any such person to practice before the United States Supreme Court.

(b) NOTIFICATION BY ATTORNEY GENERAL.—The Attorney General shall notify the General Counsel of the House of Representatives with respect to any proceeding in which the United States is a party of any determination by the Attorney General or Solicitor General not to appeal any court decision affecting the constitutionality of an Act or joint resolution of Congress within such time as will enable the House to direct the General Counsel to intervene as a party in such proceeding pursuant to applicable rules of the House of Representatives.

(c) GENERAL COUNSEL DEFINITION.—In this section, the term ''General Counsel of the House of Representatives'' means—

(1) the head of the Office of General Counsel established and operating under clause 8 of rule II of the Rules of the House of Representatives;

(2) the head of any successor office to the Office of General Counsel which is established after the date of the enactment of this Act; and

(3) any other person authorized and directed in accordance with the Rules of the House of Representatives to provide legal assistance and representation to the House in connection with the matters described in this section.

(d) EFFECTIVE DATE.—The provisions of this section shall become effective beginning with the date of the enactment of this Act.

SEC. 102. section 104(a) of the Legislative Branch Appropriations Act, 1999 (Public Law 105–275; 112 Stat. 2439) is amended by striking ''(2 U.S.C. 59(e)(2))'' and inserting ''(2 U.S.C. 59e(e)(2))''.

SEC. 103. (a) CLARIFICATION OF RULES REGARDING USE OF FUNDS FOR OFFICIAL MAIL.—

(1) IN GENERAL.—Section 311(e)(1) of the Legislative Branch Appropriations Act, 1991 (2 U.S.C. 59e(e)(1)) is amended—

(A) in the matter preceding subparagraph (A), by striking ''There is established'' and all that follows through ''shall be prescribed—'' and inserting the following: ''The use of funds of the House of Representatives which are made available for official mail of Members, officers, and employees of the House of Representatives who are persons entitled to use the congressional frank shall be governed by regulations promulgated—''; and

(B) in subparagraph (A), by striking ''the Allowance'' and inserting ''official mail (except as provided in subparagraph (B))''.

(2) LIMITATIONS ON AVAILABILITY OF FUNDS.—Section 311(e)(2) of such Act (2 U.S.C. 59e(e)(2)), as amended by section 104(a) of the Legislative Branch Appropriations Act, 1999, is amended—

(A) in the matter preceding subparagraph (A), by striking ''The Official Mail Allowance'' and inserting ''Funds used for official mail'';

(B) by striking subparagraph (A); and

(C) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B).

(3) REPEAL OF OBSOLETE TRANSFER AUTHORITY.—Section 311(e) of such Act (2 U.S.C. 59e(e)) is amended by striking paragraph (3).

(4) CONFORMING AMENDMENTS.—(A) section 1(a) of House Resolution 457, Ninety-second Congress, agreed to July 21, 1971, as enacted into permanent law by chapter IV of the Supplemental Appropriations Act, 1972 (2 U.S.C. 57(a)), is amended by striking ''the Official Mail Allowance'' each place it appears and inserting ''official mail''.

(B) section 311(a)(3) of the Legislative Branch Appropriations Act, 1991 (2 U.S.C. 59e(a)(3)) is amended by striking ''costs charged against the Official Mail Allowance for'' and inserting ''costs incurred for official mail by''.

(b) REPEAL OF OBSOLETE REFERENCES TO CLERK HIRE ALLOWANCE.—

(1) IN GENERAL.—Section 104(a) of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 92(a)) is amended by striking ''clerk hire'' each place it appears.

(2) CONFORMING AMENDMENT.—The heading of section 104 of such Act (2 U.S.C. 92(a)) is amended by striking ''clerk hire''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the first session of the One Hundred Sixth Congress and each succeeding session of Congress.

SEC. 104. REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.—Notwithstanding any other provision of law, any amounts appropriated under this Act for ''HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES'' shall be available only for fiscal year 2000. Any amount remaining after all payments are made under such allowances for fiscal year 2000 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

; and the Senate agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted, insert:

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $3,200,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $6,456,000, to be disbursed by the Chief Administrative Officer of the House.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including: (1) an allowance of $1,500 per month to the Attending Physician; (2) an allowance of $500 per month each to three medical officers while on duty in the Office of the Attending Physician; (3) an allowance of $500 per month to one assistant and $400 per month each not to exceed eleven assistants on the basis heretofore provided for such assistants; and (4) $1,002,600 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $1,898,000, to be disbursed by the Chief Administrative Officer of the House.

CAPITOL POLICE BOARD

CAPITOL POLICE

SALARIES

For the Capitol Police Board for salaries of officers, members, and employees of the Capitol Police, including overtime, hazardous duty pay differential, clothing allowance of not more than $600 each for members required to wear civilian attire, and Government contributions for health, retirement, Social Security, and other applicable employee benefits, $78,501,000, of which $37,725,000 is provided to the Sergeant at Arms of the House of Representatives, to be disbursed by the Chief Administrative Officer of the House, and $40,776,000 is provided to the Sergeant at Arms and Doorkeeper of the Senate, to be disbursed by the Secretary of the Senate: Provided, That, of the amounts appropriated under this heading, such amounts as may be necessary may be transferred between the Sergeant at Arms of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate, upon approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

GENERAL EXPENSES

For the Capitol Police Board for necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, not more than $2,000 for the awards program, postage, telephone service, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and $85 per month for extra services performed for the Capitol Police Board by an employee of the Sergeant at Arms of the Senate or the House of Representatives designated by the Chairman of the Board, $6,574,000, to be disbursed by the Capitol Police Board or their delegee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal

year 2000 shall be paid by the Secretary of the Treasury from funds available to the Department of the Treasury.

ADMINISTRATIVE PROVISION

SEC. 105. Amounts appropriated for fiscal year 2000 for the Capitol Police Board for the Capitol Police may be transferred between the headings ''SALARIES'' and ''GENERAL EXPENSES'' upon the approval of—

(1) the Committee on Appropriations of the House of Representatives, in the case of amounts transferred from the appropriation provided to the Sergeant at Arms of the House of Representatives under the heading ''SALARIES'';

(2) the Committee on Appropriations of the Senate, in the case of amounts transferred from the appropriation provided to the Sergeant at Arms and Doorkeeper of the Senate under the heading ''SALARIES''; and

(3) the Committees on Appropriations of the Senate and the House of Representatives, in the case of other transfers.

CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE

For salaries and expenses of the Capitol Guide Service and Special Services Office, $2,293,000, to be disbursed by the Secretary of the Senate: Provided, That no part of such amount may be used to employ more than forty-three individuals: Provided further, That the Capitol Guide Board is authorized, during emergencies, to employ not more than two additional individuals for not more than 120 days each, and not more than ten additional individuals for not more than six months each, for the Capitol Guide Service.

STATEMENTS OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and the House of Representatives, of the statements for the first session of the One Hundred Sixth Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriations bills as required by law, $30,000, to be paid to the persons designated by the chairmen of such committees to supervise the work.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $2,000,000.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary to carry out the provisions of the Congressional Budget Act of 1974 (Public Law 93–344), including not more than $2,500 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $26,221,000: Provided, That no part of such amount may be used for the purchase or hire of a passenger motor vehicle.

ADMINISTRATIVE PROVISION

SEC. 106. (a) The Director of the Congressional Budget Office shall have the authority to make lump-sum payments to enhance staff recruitment and to reward exceptional performance by an employee or a group of employees.

(b) Subsection (a) shall apply with respect to fiscal years beginning after September 30, 1999.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

CAPITOL BUILDINGS

SALARIES AND EXPENSES

For salaries for the Architect of the Capitol, the Assistant Architect of the Capitol, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; for all necessary expenses for the maintenance, care and operation of the Capitol and electrical substations of the Senate and House office buildings under the jurisdiction of the Architect of the Capitol, including furnishings and office equipment, including not more than $1,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance and operation of a passenger motor vehicle; and not to exceed $20,000 for attendance, when specifically authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol, $46,836,000, of which $4,390,000 shall remain available until expended.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $5,427,000, of which $155,000 shall remain available until expended.

SENATE OFFICE BUILDINGS

For all necessary expenses for maintenance, care and operation of Senate office buildings; and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, $64,038,000, of which $22,305,000 shall remain available until expended.

and strike all beginning on page 18, line 19, of the House engrossed bill, H.R. 1905, down through page 18, line 22, and insert the following:

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $37,279,000, of which $4,442,000 shall remain available until expended.

; and the Senate agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted, insert:

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $38,054,000, of which $3,000,000 shall remain available until expended: Provided, That not more than $4,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2000.

LIBRARY OF CONGRESS

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $71,244,000: Provided, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (44 U.S.C. 902); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $73,577,000: Provided, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under 44 U.S.C. 906: Provided further, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: Provided further, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code.

This title may be cited as the ''Congressional Operations Appropriations Act, 2000''.

TITLE II—OTHER AGENCIES

BOTANIC GARDEN

SALARIES AND EXPENSES

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $3,425,000.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Union Catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $256,779,000, of which not more than $6,500,000 shall be derived from collections credited to this appropriation during fiscal year 2000, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2000 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: Provided, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That the

total amount available for obligation shall be reduced by the amount by which collections are less than the $6,850,000: Provided further, That of the total amount appropriated, $10,321,380 is to remain available until expended for acquisition of books, periodicals, newspapers, and all other materials including subscriptions for bibliographic services for the Library, including $40,000 to be available solely for the purchase, when specifically approved by the Librarian, of special and unique materials for additions to the collections: Provided further, That of the total amount appropriated, $2,347,000 is to remain available until expended for the acquisition and partial support for implementation of an Integrated Library System (ILS): Provided further, That of the total amount appropriated, $5,579,000 is to remain available until expended for the purpose of teaching educators how to incorporate the Library's digital collections into school curricula, which amount shall be transferred to the educational consortium formed to conduct the ''Joining Hands Across America: Local Community Initiative'' project as approved by the Library: Provided further, That of the total amount appropriated, $600,000 is to remain available until expended for the purpose of digitizing archival materials relating to ethnic groups of California, including Japanese Americans, which amount shall be transferred to an educational archive able to conduct such a project as approved by the Library.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, $37,628,000, of which not more than $20,800,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2000 under 17 U.S.C. 708(d): Provided, That the Copyright Office may not obligate or expend any funds derived from collections under 17 U.S.C. 708(d), in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That not more than $5,454,000 shall be derived from collections during fiscal year 2000 under 17 U.S.C. 111(d)(2), 119(b)(2), 802(h), and 1005: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than $26,254,000: Provided further, That not more than $100,000 of the amount appropriated is available for the maintenance of an ''International Copyright Institute'' in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: Provided further, That not more than $4,250 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $47,984,000, of which $14,019,000 shall remain available until expended.

FURNITURE AND FURNISHINGS

For necessary expenses for the purchase, installation, maintenance, and repair of furniture, furnishings, office and library equipment, $5,415,000.

ADMINISTRATIVE PROVISIONS

SEC. 201. Appropriations in this Act available to the Library of Congress shall be available, in an amount of not more than $198,390, of which $59,300 is for the Congressional Research Service, when specifically authorized by the Librarian of Congress, for attendance at meetings concerned with the function or activity for which the appropriation is made.

SEC. 202. (a) No part of the funds appropriated in this Act shall be used by the Library of Congress to administer any flexible or compressed work schedule which—

(1) applies to any manager or supervisor in a position the grade or level of which is equal to or higher than GS–15; and

(2) grants such manager or supervisor the right to not be at work for all or a portion of a workday because of time worked by the manager or supervisor on another workday.

(b) For purposes of this section, the term ''manager or supervisor'' means any management official or supervisor, as such terms are defined in section 7103(a)(10) and (11) of title 5, United States Code.

SEC. 203. Appropriated funds received by the Library of Congress from other Federal agencies to cover general and administrative overhead costs generated by performing reimbursable work for other agencies under the authority of 31 U.S.C. 1535 and 1536 shall not be used to employ more than 65 employees and may be expended or obligated—

(1) in the case of a reimbursement, only to such extent or in such amounts as are provided in appropriations Acts; or

(2) in the case of an advance payment, only—

(A) to pay for such general or administrative overhead costs as are attributable to the work performed for such agency; or

(B) to such extent or in such amounts as are provided in appropriations Acts, with respect to any purpose not allowable under subparagraph (A).

SEC. 204. Of the amounts appropriated to the Library of Congress in this Act, not more than $5,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the incentive awards program.

SEC. 205. Of the amount appropriated to the Library of Congress in this Act, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices.

SEC. 206. (a) For fiscal year 2000, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $98,788,000.

(b) The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

SEC. 207. The Library of Congress may use available funds, now and hereafter, to enter into contracts for the lease or acquisition of severable services for a period that begins in one fiscal year and ends in the next fiscal year and to enter into multi-year contracts for the acquisition of property and services pursuant to sections 303L and 304B, respectively, of the Federal Property and Administrative Services Act (41 U.S.C. 253l and 254c).

SEC. 208. (a) Notwithstanding any other provision of law regarding the qualifications and method of appointment of employees of the Library of Congress, the Librarian of Congress, using such method of appointment as the Librarian may select, may appoint not more than three individuals who meet such qualifications as the Librarian may impose to serve as management specialists for a term not to exceed three years.

(b) No individual appointed as a management specialist under subsection (a) may serve in such position after December 31, 2004.

SEC. 209. (a) section 904 of the Supplemental Appropriations Act, 1983 (2 U.S.C. 136a–2) is amended to read as follows:

''SEC. 904. Notwithstanding any other provision of law—

''(1) the Librarian of Congress shall be compensated at an annual rate of pay which is equal to the annual rate of basic pay payable for positions at level II of the Executive Schedule under section 5313 of title 5, United States Code; and

''(2) the Deputy Librarian of Congress shall be compensated at an annual rate of pay which is equal to the annual rate of basic pay payable for positions at level III of the Executive Schedule under section 5314 of title 5, United States Code.''.

(b) section 203(c)(1) of the Legislative Reorganization Act of 1946 (2 U.S.C. 166(c)(1)) is amended by striking the second sentence and inserting the following: ''The basic pay of the Director shall be at a per annum rate equal to the rate of basic pay provided for level III of the Executive Schedule under section 5314 of title 5, United States Code.''.

(c) The amendments made by this section shall apply with respect to the first pay period which begins on or after the date of the enactment of this Act and each subsequent pay period.

ARCHITECT OF THE CAPITOL

LIBRARY BUILDINGS AND GROUNDS

STRUCTURAL AND MECHANICAL CARE

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $16,033,000, of which $3,650,000 shall remain available until expended.

GOVERNMENT PRINTING OFFICE

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $29,986,000: Provided, That travel expenses, including travel expenses of the Depository Library Council to the Public Printer, shall not exceed $175,000: Provided further, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for 1998 and 1999 to depository and other designated libraries.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

The Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolving fund: Provided, That not more than $2,500 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: Provided further, That the revolving fund shall be available for the hire or purchase of not more than twelve passenger motor vehicles: Provided further, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: Provided further, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: Provided further, That the revolving fund and the funds provided under the headings ''OFFICE OF SUPERINTENDENT OF DOCUMENTS'' and ''SALARIES AND EXPENSES'' together may not be available for the full-time equivalent employment of more than 3,313 workyears (or such other number of workyears as the Public Printer may request, subject to the approval of the Committees on Appropriations of the Senate and the House of Representatives): Provided further, That activities financed

through the revolving fund may provide information in any format: Provided further, That the revolving fund shall not be used to administer any flexible or compressed work schedule which applies to any manager or supervisor in a position the grade or level of which is equal to or higher than GS–15: Provided further, That expenses for attendance at meetings shall not exceed $75,000.

ADMINISTRATIVE PROVISION

SEC. 210. (a) section 311 of title 44, United States Code, is amended by adding at the end the following new subsection:

''(c) Notwithstanding any other provision of law, section 3709 of the Revised Statutes (41 U.S.C. 5) shall apply with respect to purchases and contracts for the Government Printing Office as if the reference to '$25,000' in clause (1) of such section were a reference to '$100,000'.''.

*(b) The heading of section 311 of title 44, United States Code, is amended by striking ''**authority**'' and inserting ''**authority; small purchase threshold**''.*

(c) The table of sections for chapter 3 of title 44, United States Code, is amended by striking the item relating to section 311 and inserting the following:

''311. Purchases exempt from the Federal Property and Administrative Services Act; contract negotiation authority; small purchase threshold.''.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

For necessary expenses of the General Accounting Office, including not more than $7,000 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with 31 U.S.C. 3324; benefits comparable to those payable under sections 901(5), 901(6), and 901(8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), 4081(6), and 4081(8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $379,000,000: Provided, That notwithstanding 31 U.S.C. 9105 hereafter amounts reimbursed to the Comptroller General pursuant to that section shall be deposited to the appropriation of the General Accounting Office then available and remain available until expended, and not more than $1,400,000 of such funds shall be available for use in fiscal year 2000: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants. Payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the American Consortium on International Public Administration (ACIPA) shall be available to finance an appropriate share of ACIPA costs as determined by the ACIPA, including any expenses attributable to membership of ACIPA in the International Institute of Administrative Sciences.

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

SEC. 302. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2000 unless expressly so provided in this Act.

SEC. 303. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: Provided, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

SEC. 304. 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. 305. (a) 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 should be American-made.

(b) 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 describing the statement made in subsection (a) by the Congress.

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

SEC. 306. Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of Public Law 104–1 to pay awards and settlements as authorized under such subsection.

SEC. 307. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $1,500.

SEC. 308. Section 308 of the Legislative Branch Appropriations Act, 1999 (Public Law 105–275; 112 Stat. 2452) is amended—

(1) in subsection (b), by striking ''(40 U.S.C. 174j–1(b)(1))'' and inserting ''(40 U.S.C. 174j–1 note)'';

(2) in subsection (c), by striking ''(40 U.S.C. 174j–1(c))'' and inserting ''(40 U.S.C. 174j–1 note)''; and

(3) in subsection (d), by striking ''(40 U.S.C. 174j–1(e))'' and inserting ''(40 U.S.C. 174j–1 note)''.

SEC. 309. Section 316 of Public Law 101–302 is amended in the first sentence of subsection (a) by striking ''1999'' and inserting ''2000''.

SEC. 310. Chapter 5 of title II of division B of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–569) is amended in the matter under the subheading ''CAPITOL VISITOR CENTER'' under the heading ''ARCHITECT OF THE CAPITOL'' by striking ''the Committee on Rules and Administration of the Senate, the Committee on House Oversight of the House of Representatives, the Committees on Appropriations of the House of Representatives and of the Senate, and other appropriate committees of the House of Representatives and of the Senate'' and inserting ''the United States Capitol Preservation Commission established under section 801 of the Arizona-Idaho Conservation Act of 1988 (40 U.S.C. 188a)''.

SEC. 311. TRADE DEFICIT REVIEW COMMISSION. (a) APPROPRIATIONS.—Section 127(i) of the Trade Deficit Review Commission Act (19 U.S.C. 2213 note) is amended by adding at the end the following new sentence:

''Amounts appropriated pursuant to this subsection shall remain available until the date which is 90 days after the date on which the Commission submits the final report described in subsection (e).''.

(b) APPLICABILITY OF CERTAIN PAY AUTHORITIES TO MEMBERS OF THE COMMISSION.—Section 127(g) of the Trade Deficit Review Commission Act is amended by adding at the end the following new paragraph:

''(6) APPLICABILITY OF CERTAIN PAY AUTHORITIES.—

''(A) IN GENERAL.—An individual who is a member of the Commission and is an annuitant or otherwise covered by section 8344 or 8468 of title 5, United States Code, by reason of membership on the Commission is not subject to the provisions of section 8344 or 8468 (whichever is applicable) with respect to such membership.

''(B) UNIFORMED SERVICE.—An individual who is a member of the Commission and is a member or former member of a uniformed service is not subject to the provisions of subsections (b) and (c) of section 5532, United States Code, with respect to membership on the Commission.''.

(c) TERMINATION OF COMMISSION AND OTHER MATTERS.—Section 127 of the Trade Deficit Review Commission Act is amended by adding at the end the following new subsections:

''(j) FEDERAL ADVISORY COMMITTEE ACT.—The provisions of the Federal Advisory Committee Act (Public Law 92–463; 5 U.S.C. App.) shall not apply to the Commission.

''(k) TERMINATION.—The Commission shall terminate 90 days after the date on which the Commission submits the final report under subsection (e).''.

SEC. 312. CREDITABLE SERVICE WITH CONGRESSIONAL CAMPAIGN COMMITTEES. Section 8332(m)(1)(A) of title 5, United States Code, is amended to read as follows:

''(A) such employee has at least 4 years and 6 months of service on such committees as of December 12, 1980; and''.

SEC. 313. Section 507 of Public Law 104–1 (109 Stat. 43; 2 U.S.C. 1436) is repealed.

TITLE IV—FISCAL YEAR 1999 SUPPLEMENTAL LEGISLATIVE BRANCH FUNDS

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Marta Macias Brown, widow of George E. Brown, Jr., late a Representative from the State of California, $136,700: Provided, That this provision shall take effect on the date of the enactment of this Act.

ADMINISTRATIVE PROVISION

SEC. 401. (a) The Legislative Branch Appropriations Act, 1999 (Public Law 105–275; 112 Stat. 2437) is amended in the item relating to ''HOUSE OF REPRESENTATIVES—Salaries and Expenses—salaries, officers and employees'' by striking ''$24,282,000'' and inserting ''$24,982,000''.

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 1999.

This title may be cited as the ''Legislative Branch Supplemental Appropriations Act, 1999''.

This Act may be cited as the ''Legislative Branch Appropriations Act, 2000''.

And the Senate agree to the same.

CHARLES H. TAYLOR,
ZACH WAMP,
JERRY LEWIS,
KAY GRANGER,
BILL YOUNG,
ED PASTOR,
JOHN P. MURTHA,
STENY H. HOYER,
DAVID OBEY
(except for the Russian exchange program),
Managers on the Part of the House.

ROBERT F. BENNETT,
TED STEVENS,
LARRY CRAIG,
THAD COCHRAN,
DIANNE FEINSTEIN,
RICHARD J. DURBIN,
ROBERT C. BYRD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE ON CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1905) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

Amendment No. 1: Inserts appropriations for operations of the Senate. With respect to those items in the conference agreement that differ between House and Senate bills, the conferees have agreed to the following:

TITLE I—CONGRESSIONAL OPERATIONS

SENATE

Appropriates $489,406,000 for Senate operations and contains several administrative provisions. The managers on the part of the Senate have requested an amendment to Section 1, an administrative provision dealing with Senators' allowances. Inasmuch as this item relates solely to the Senate, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the House, at the request of the managers on the part of the Senate, have receded to the Senate.

HOUSE OF REPRESENTATIVES

At the request of the managers on the part of the House, the conferees agree to amend several provisions relating to the House of Representatives. The conference agreement appropriates $760,884,000, and adjusts a receipt ceiling applicable to House Information Resources, for salaries and expenses, House of Representatives. It also amends two House administrative provisions included in the House bill. One amendment removes an inconsistent reporting requirement and the other clarifies a provision regarding the House General Counsel regarding its status as permanent law. Inasmuch as this item relates solely to the House, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the Senate, at the request of the managers on the part of the House, have receded to the House.

Amendment No. 2: Deletes several provisions of the House bill and inserts substitute provisions. Many items in both House and Senate bills are identical and are included in the conference agreement without change. The conferees agree with the report language accompanying the regular House and Senate fiscal year 2000 appropriations bills unless otherwise stated herein. With respect to those items in the conference agreement that differ between House and Senate bills, the conferees have agreed to the following:

JOINT ITEMS

JOINT COMMITTEE ON TAXATION

Appropriates $6,456,400 for the Joint Committee on Taxation as proposed by the Senate instead of $6,188,000 as proposed by the House. The funds will support 66.5 FTE's.

JOINT COMMITTEE ON THE LIBRARY

The conference agreement deletes funds for the Joint Committee on the Library instead of $500,000 as proposed by the Senate.

CAPITOL POLICE BOARD

CAPITOL POLICE

SALARIES

Appropriates $78,501,000 for salaries of officers, members, and employees of the Capitol Police as proposed by the House instead of $80,783,000 as proposed by the Senate, of which $37,725,000 is provided to the Sergeant at Arms of the House of Representatives and $40,776,000 is provided to the Sergeant at Arms and Doorkeeper of the Senate. In addition, the Capitol Police have $2,282,000 in savings available from the fiscal year 99 Security Enhancements supplemental.

GENERAL EXPENSES

Appropriates $6,574,000 for general expenses of the Capitol Police instead of $6,711,000 as proposed by House and $7,913,000 as proposed by the Senate. The funds provided include $650,000 for travel, $5,000 for transportation of things, $138,000 for rent, communications and utilities, $635,000 for additional computer and telecommunications needs, $2,374,000 for all other services, $1,299,000 for supplies, and $1,473,000 for equipment. With respect to vehicles, the conferees recognize the need of the Capitol Police to upgrade and possibly expand their existing fleet of motorcycles to help fulfill their security mission, and provide $103,000 for that purpose from existing funds. The conferees direct the Capitol Police to study options that will enable the purchase of American-made motorcycles that meet the Department's security mission and report their findings to the House and Senate Committees on Appropriations.

With respect to the computer and telecommunications project, $635,000 are provided to begin taking over communications activities and relieving the Senate Sergeant at Arms from the need to support those activities. Of the $635,000, $400,000 is not available until released by the Committees on Appropriations. The balance is available for telecommunications needs. The $635,000 is provided to begin a transition from Sergeant at Arms support of police information technology and the necessary infrastructure. During the transition the Senate Sergeant at Arms will continue to provide necessary assistance required by the Capitol Police. The draft Information Technology (IT) plan recently submitted is an excellent start in the planning needed to undertake this activity. The draft is a well developed professional IT plan and gives the Committees assurances that the Capitol Police are reaching the point of having the ability to take on these tasks. However, more planning is needed in the area of relating specific IT needs and systems to the mission of the Capitol Police. The plan should include identification of infrastructure specifics (hardware and systems) as they relate to the police mission. Further development of the plan should be submitted to the Committees on Appropriations and the authorizing Committees. The police are urged to continue their consultation with the General Accounting Office.

The conferees agree with the language in the House bill transferring the disbursement authority from the Chief Administrative Officer of the House of Representatives to the Capitol Police Board or its delegatee. This transfer of authority is for the General Expenses fund only, and will not change or impact the current appointing authorities or disbursement entities for salary funds in the House or Senate.

CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE

Appropriates $2,293,000 for the Capitol Guide Service and Special Services Office as proposed by the House instead of $2,336,000 as proposed by the Senate.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

The conferees have included an administrative provision authorizing the Congressional Budget Office to make lump sum payments for staff recruitment and bonuses as proposed by the House. The payments will not exceed one percent of CBO's annual pay roll. The conferees deleted a provision proposed by the House authorizing a change in the pay level for the Director and the Deputy Director of CBO.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

CAPITOL BUILDINGS

SALARIES AND EXPENSES

Appropriates $46,836,000 for salaries and expenses, Capitol buildings, Architect of the Capitol, instead of $46,104,000 as proposed by the House and $48,195,000 as proposed by the Senate. Of this amount, $4,390,000 shall remain available until expended instead of $3,055,000 as proposed by the House and $7,620,000 as proposed by the Senate. With respect to object class and project differences between the House and Senate bills, the conferees have agreed to the following:

Operating Budget:	
1. Personal services	$25,964,000
2. Rent, communications, utilities & travel	894,000
3. Other services	9,812,000
4. Supplies	600,000
5. Equipment	225,000
Capitol Projects:	
6. ADA requirements	0
7. Replace sound systems, cmte & hearing rooms	120,000
8. Elevator/escalator modernization program	0
9. Provide steam humidification	210,000
10. Implementation of AOCNET	250,000
11. Financial Management System (FMS)	500,000
12. Computer-Aided Facility Management (CAFM)	0
13. Computer, telecommunications & electrical support	600,000
14. Upgrade unsafe mechanical equip. walkways and ladders	200,000
15. Replace exit doors for emergency egress & security	0
16. Security project support for AOC	200,000

17. Design: Upgrade air conditioning—east front, Capitol	140,000
18. Design: Replace high voltage SWGR, Capitol complex	175,000
19. Painting of exterior woodwork and west front of Capitol	300,000
20. Master plan development	0
21. Study House chamber improvements	300,000
22. Inaugural support services	50,000
23. Design: Replace exit doors for emergency egress	160,000
24. Design: Restore shutters & upgrade window lighting	53,000
25. Design: Restore cast iron lamp posts & railings	18,000
26. Design: Exterior stone preservation	115,000
27. Design: Replace windows, Capitol	240,000
28. Design: Refuge areas & emergency lighting	300,000
29. Design: Sprinkler system	1,800,000

The conferees have provided $500,000 for the Architect of the Capitol's (AOC) implementation of an interim financial management system (FMS), making $1.2 million available for the system including amounts already appropriated. The Architect has developed system requirements and has explored several alternatives with an FMS steering committee comprised of AOC staff and members of the Legislative Branch Financial Manager's Council (LBFMC). AOC believes that cross-servicing for a client server based system will maximize functionality while minimizing implementation risks. While all members of the steering committee agree that a client server based system will provide maximum flexibility and functionality, there are some members of the committee who believe that the cost is high for an interim system and could exceed the AOC's estimate of $2.8 million. While the conferees have not taken a formal position, it is agreed that the Architect should proceed with an interim system. Funding is provided to permit a phased implementation where the initial steps would include the Government Wide Standard General Ledger and would allow additional capabilities to be added in an orderly, phased process. This will allow the AOC to begin implementing a system that will permit the integration of existing management systems into its FMS while making progress toward meeting its long-term financial management system goals. The conferees direct that the Architect ensure that the system selected is clearly interim in nature and compatible with the overall Legislative Branch goal of a common financial management system in the future. The conferees also expect that the existing steering committee will remain actively involved in the implementation of the AOC system and that the LBFMC will play a role in the process of moving to a new FMS. The Architect is directed to prepare a system implementation plan that reflects phasing in additional system modules and submit that plan to House and Senate Appropriations Committees as part of the fiscal year 2001 budget submission.

The conferees also agree with language in the House report reminding the Architect of the Capitol that construction funds shall only be requested for projects that have been 100% designed. Further, the Senate report directs the Architect of the Capitol to coordinate with the Senate Sergeant at Arms on any improvements or changes in information technology regarding the Senate.

CAPITOL GROUNDS

Appropriates $5,427,000 to the Architect of the Capitol for care and improvement of grounds surrounding the Capitol, House and Senate office buildings, and the Capitol power plant instead of $5,579,000 as proposed by the House and $5,627,000 as proposed by the Senate. Of this amount, $155,000 as proposed by the House shall remain available until expended instead of $330,000 as proposed by the Senate. With respect to object class and project differences between the House and Senate bills, the conferees have agreed to the following:

Operating Budget:	
1. Other services	$852,000
2. Supplies	167,000
Capitol Projects:	
3. ADA requirements	155,000
4. Replace dump truck	0
5. Design: Reconstruct Delaware Avenue SW	50,000
6. Design: Renovation to former DC street lights	100,000

SENATE OFFICE BUILDINGS

Appropriates $64,038,000 to the Architect of the Capitol as proposed by the Senate, of which $22,305,000 shall remain available until expended, for the operations of the Senate office buildings. Inasmuch as this item relates solely to the Senate, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the House, at the request of the managers on the part of the Senate, have receded to the Senate.

HOUSE OFFICE BUILDINGS

At the request of the managers on the part of the House, the conference agreement appropriates $37,279,000 as proposed by the House instead of $40,679,000 as proposed by the Senate to the Architect of the Capitol for House office buildings, of which $4,442,000 shall remain available until expended as proposed by the House instead of $7,842,000 as proposed by the Senate. Inasmuch as this item relates solely to the House, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the Senate, at the request of the managers on the part of the House, have receded to the House.

Amendment No. 3: Deletes several provisions of the House bill and inserts substitute provisions. Many items in both House and Senate bills are identical and are included in the conference agreement without change. The conferees agree with the report language accompanying the regular House and Senate fiscal year 2000 appropriations bills unless otherwise stated herein. With respect to those items in the conference agreement that differ between House and Senate bills, the conferees have agreed to the following:

CAPITOL POWER PLANT

Appropriates $38,054,000 to the Architect of the Capitol for Capitol power plant operations instead of $34,780,000 as proposed by the House and $45,006,000 as proposed by the Senate. Of this amount, $3,000,000 shall remain available until expended instead of $6,000,000 as proposed by the Senate. With respect to object class and project differences between the House and Senate bills, the conferees have agreed to the following:

Operating Budget:	
1. Rent, communications, & utilities (includes water and sewer payments)	$32,786,000
2. Other services	1,050,000
3. Supplies	1,575,000
Capital Projects:	
4. East Plant chiller replacement	0
5. Optimization of operations, CPP	0
6. Replacement filter bags	0
7. Design: Thermal storage facility	0
8. Design: Repair South Capitol Street tunnel	153,000
9. Design: Repair Constitution Ave tunnel	375,000

These funds include $3,000,000 which, together with $3,000,000 provided under Library buildings and grounds, make $6 million available for the 42% retroactive water and sewer bill rate increase and for improvements to the Culpeper audio-visual facility. These funds are not available until released by the Committees on Appropriations.

LIBRARY OF CONGRESS

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

Appropriates $71,244,000 for salaries and expenses, Congressional Research Service, Library of Congress as proposed by the Senate instead of $70,940,000 as proposed by the House.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

Appropriates $73,577,000 for Congressional printing and binding as proposed by the House instead of $77,704,000 as proposed by the Senate.

The conferees agree to omit the report language proposed by the Senate regarding GPO billing procedures.

TITLE II—OTHER AGENCIES

BOTANIC GARDEN

SALARIES AND EXPENSES

Appropriates $3,425,000 for salaries and expenses, Botanic Garden instead of $3,538,000 as proposed by the House and $3,428,000 as proposed by the Senate. With respect to object class and project differences between the House and Senate bills, the conferees have agreed to the following:

Operating Budget:	
1. Rent, communications, utilities & travel	$6,000
2. Other services	95,000
3. Supplies	137,000
Capitol Projects:	
4. Design: Administrative building renovations & ADA	0
5. Design: Bartholdi Park renovations & improvements	100,000

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

Provides $256,779,000 for salaries and expenses, Library of Congress instead of $256,285,000 as proposed by the House and $250,491,000 as proposed by the Senate. Of this amount, $6,850,000 is made available from receipts collected by the Library of Congress, and $10,321,000 is to remain available until expended for acquisition of library materials as proposed by the Senate instead of $10,438,000 as proposed by the House. With respect to differences between the House and Senate bills, the conferees have agreed to the following budget changes from fiscal year 1999:

1. Price level increases	+$1,307,490
2. Electronic resources implementation project	+160,828
3. Succession plan	+505,000
4. Reader registration program	+233,396

5. Hands Across America	+5,829,000
6. NDL—Ethnic groups of California	+600,000
7. Essential staff—law library	0
8. Arrearage processing	+188,250
9. Three management specialists	+262,290
10. Space design contract (from savings)	+308,000
11. Automation (computer security telecommunications)	+50,000
12. Automation (financial system replacement)	+250,000
13. Automation (disaster recovery)	+450,000
14. Automation (enhanced Unix server)	+600,000
15. Natl. Film Preservation Foundation grant (from savings)	+250,000
16. Rounding	−441

The conferees have included a provision in the House bill providing $5,579,000, to remain available until expended, for teaching educators how to incorporate the Library's digital collection into school curricula, and a Senate provision providing $600,000, to remain available until expended, for a project to digitize archival materials relating to ethnic groups of California, including Japanese Americans.

The conference agreement includes $505,000 to address succession planning in the most vulnerable areas in the Library's collections. The conferees are sensitive to the Library's needs for succession planning in areas that support the Library's unique collections. In order to address those concerns, before expending any of these funds the Library is directed to submit to the House and Senate Committees on Appropriations a plan which identifies the high risk areas.

The conferees agree with language in the House report authorizing the Library to expend funds out of current resources to conduct a transit-fare program, as authorized by the federal Employees Clean Air Incentive Act of 1993, comparable (including the same level of transit-fare) to the program implemented for employees of the House of Representatives.

The conferees agree with Senate report language directing the Library of Congress to consult with the Architect of the Capitol and the Capitol Police prior to implementing any collection security project as proposed by the Senate.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

Provides $37,628,000 for salaries and expenses, Copyright Office as proposed by the Senate instead of $37,639,000 as proposed by the House. The conferees have agreed to remove the authorization for the use of this appropriation for publications of the decisions of the United States courts involving copyrights as proposed by the House. The conferees have included a provision authorizing $4,250 for official reception expenses of the International Copyright Institute as proposed by the House instead of $7,250 as proposed by the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

Appropriates $47,984,000 for salaries and expenses, books for the blind and physically handicapped as proposed by the Senate instead of $48,033,000 as proposed by the House. Of this amount, $14,019,000 shall remain available until expended as proposed by the Senate instead of $14,032,600 as proposed by the House.

FURNITURE AND FURNISHINGS

Appropriates $5,415,000 for furniture and furnishings at the Library of Congress as proposed by the Senate.

ADMINISTRATIVE PROVISIONS

The conferees have authorized the Librarian to appoint not more than three management specialists for a term not to exceed three years as proposed by the House. The conference agreement authorizes a statutory salary increase for the Librarian, the Deputy Librarian and the Director of the Congressional Research Service.

ARCHITECT OF THE CAPITOL

LIBRARY BUILDINGS AND GROUNDS

STRUCTURAL AND MECHANICAL CARE

Appropriates $16,033,000 for structural and mechanical care, Library buildings and grounds, Architect of the Capitol instead of $13,410,000 as proposed by the House and $17,327,000 as proposed by the Senate. Of this amount, $3,650,000 shall remain available until expended instead of $1,150,000 as proposed by the House and $5,740,000 as proposed by the Senate. With respect to object class and project differences between the House and Senate bills, the conferees have agreed to the following:

Operating Budget:	
1. Other services	$1,492,000
2. Equipment & land and structures	116,000
Capitol Projects:	
3. ADA requirements, LB&G's	0
4. Elevator/escalator modernization, LOC buildings	0
5. Replace Halon fire system, LOC computer room	0
6. Design: Install additional sprinklers, JMMB	100,000
7. Lightning protection, JMMB	0
8. Design: Upgrade book conveyor systems, JTB & JAB	0
9. HVAC improvements NW curtain, TJB	0
10. Audio Visual Conservation Center, Culpeper	(1)
11. Design: ADA requirements, LB&G	60,000
12. Design: Book conveyor system security	60,000
13. Design: Replace lighting dimmer system, JMMB	45,000
14. Design: Refuge areas & emergency lighting	145,000
15. High voltage switch gear, JMMB	442,000

[1] See below.

These funds include $3,000,000 which, together with $3,000,000 provided under the Capitol power plant, Architect of the Capitol, make $6 million available for improvements to the Culpeper audio-visual facility and the 42% retroactive water and sewer bill rate increase. These funds are not available until released by the Committees on Appropriations.

The conferees applaud the Architect of the Capitol for creating a Life Safety Program Division within his organization to address workplace safety, fire-protection and environmental concerns. The conferees believe that the Architect must consider the physical safety of the thousands who visit and work in the Capitol complex as one of his highest priorities.

The conferees note the five citations issued to the Architect on July 9, 1999, by the Office of Compliance for serious life-safety violations discovered during inspection of the James Madison Building in the aftermath of the April 30, 1999, fire. The Architect is directed to provide within 30 days to the Committees on Appropriations, the Committee on House Administration and the Senate Committee on Rules and Administration, both minority and majority, a report on all activities undertaken to abate the violations and prevent their recurrence in the Madison Building or elsewhere in the complex. The Architect is further directed to provide within 30 days to the Librarian and these committees, majority and minority, a reasonable, effective and efficient plan of action, including milestones/completion dates, to correct the hazards and deficiencies which the Librarian has identified.

GOVERNMENT PRINTING OFFICE

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

The conferees agree to a limitation of $175,000 for travel expenses within salaries and expenses, Superintendent of Documents, as proposed by the House instead of $150,000 as proposed by the Senate.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

The conferees have deleted $5,000,000 as proposed by the Senate for air conditioning and elevator upgrades at the Government Printing Office. The GPO is reminded that building repair and renovation plans have not been presented to the authorizing committees.

The conferees agree to a 3,313 workyears limitation at the Government Printing Office as proposed by the House instead of 3,383 as proposed by the Senate. The conferees agree with the provision in the House bill regarding requests by the Public Printer for a different number of FTE's, subject to the approval of the Committees on Appropriations of the Senate and the House of Representatives.

ADMINISTRATIVE PROVISION

The conferees have authorized an increase in the threshold for advertised bids by the Government Printing Office from $25,000 to $100,000 as proposed by the House, thereby matching a threshold that is standard throughout the executive branch.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

Appropriates $379,000,000 for salaries and expenses, General Accounting Office instead of $371,181,000 as proposed by the House and $382,298,000 as proposed by the Senate. This level of funding will provide for 3275 FTE's. The conferees understand that the responsibilities for the Joint Financial Management Improvement Program (JFMIP) will be transferred from the General Accounting Office to the General Services Administration and have altered the routine provisions of the GAO appropriating language accordingly.

TITLE III—GENERAL PROVISIONS

In Title III, General Provisions, section numbers have been changed to conform to the conference agreement. The conferees have agreed to include section 305, a sense of Congress provision relating to purchase of American-made products and the technical corrections to the authority provided to the Architect of the Capitol to conduct a buyout program as proposed by the House.

The conferees have included a provision that amends section 316 of Public Law 101–302 as proposed by the Senate. The conferees have included language amending the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law

105–277) to substitute the Capitol Preservation Commission for several committees as the approval authority for the Capitol Visitor Center. The conferees have included language extending the availability of funds for the Trade Deficit Review Commission and have included a provision of the Senate bill regarding creditable service with congressional campaign committees. The provisions regarding West Front concerts and section 207(e) of Title 18 have been dropped. At the request of the managers on the part of the Senate, the conferees have added a provision regarding the use of frequent flyer miles earned through Senate travel.

TITLE IV—FISCAL YEAR 1999 SUPPLEMENTAL, LEGISLATIVE BRANCH, HOUSE OF REPRESENTATIVES

In addition, the conferees have included fiscal year 1999 matters as follows:

A death gratuity has been provided to the widow of George E. Brown, Jr., late a Representative from the State of California and a change has been made to a House Information Resources reimbursement ceiling.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2000 recommended by the Committee of Conference, with comparisons to the fiscal year 1999 amount, the 2000 budget estimates, and the House and Senate bills for 2000 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 1999	$2,581,152
Budget estimates of new (obligational) authority, fiscal year 2000	2,622,101
House bill, fiscal year 2000	1,862,153
Senate bill, fiscal year 2000	2,488,708
Conference agreement, fiscal year 2000	2,457,064
Conference agreement, compared with:	
New budget (obligational) authority, fiscal year 1999	−124,088
Budget estimates of new (obligational) authority, fiscal year 2000	−165,037
House bill, fiscal year 2000	+594,911
Senate bill, fiscal year 2000	−31,644

CHARLES H. TAYLOR,
ZACH WAMP,
JERRY LEWIS,
KAY GRANGER,
BILL YOUNG,
ED PASTOR,
JOHN P. MURTHA,
STENY H. HOYER,
DAVID OBEY
(except for the Russian exchange program),
Managers on the Part of the House.

ROBERT F. BENNETT,
TED STEVENS,
LARRY CRAIG,
THAD COCHRAN,
DIANNE FEINSTEIN,
RICHARD J. DURBIN,
ROBERT C. BYRD,
Managers on the Part of the Senate.

United States of America

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PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

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Senate

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

(Continued)

AMENDMENT NO. 1530

(Purpose: To redesignate the National School Lunch Act as the ''Richard B. Russell National School Lunch Act'')

At the end of the bill, insert the following:

SEC. ___. REDESIGNATION OF NATIONAL SCHOOL LUNCH ACT AS RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT.—(a) IN GENERAL.—The first section of the National School Lunch Act (42 U.S.C. 1751 note) is amended by striking ''National School Lunch Act'' and inserting ''Richard B. Russell National School Lunch Act''.

(b) CONFORMING AMENDMENTS.—The following provisions of law are amended by striking ''National School Lunch Act'' each place it appears and inserting ''Richard B. Russell National School Lunch Act'':

(1) Sections 3 and 13(3)(A) of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100–237).

(2) Section 404 of the Agricultural Act of 1949 (7 U.S.C. 1424).

(3) Section 201(a) of the Act entitled ''An Act to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes'', approved September 21, 1959 (7 U.S.C. 1431c(a); 73 Stat. 610).

(4) Section 211(a) of the Agricultural Trade Suspension Adjustment Act of 1980 (7 U.S.C. 4004(a)).

(5) Section 245A(h)(4)(A) of the Immigration and Nationality Act (8 U.S.C. 1255a(h)(4)(A)).

(6) Sections 403(c)(2)(C), 422(b)(3), 423(d)(3), 741(a)(1), and 742 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(c)(2)(C), 1632(b)(3), 1183a note, 42 U.S.C. 1751 note, 8 U.S.C. 1615; Public Law 104–193).

(7) Section 2243(b) of title 10, United States Code.

(8) Sections 404B(g)(1)(A), 404D(c)(2), and 404F(a)(2) of the Higher Education Act of 1965 (20 U.S.C. 1070a–22(g)(1)(A), 1070a–24(c)(2), 1070a–26(a)(2); Public Law 105–244).

(9) Section 231(d)(3)(A)(i) of the Carl D. Perkins Vocational Education Act (20 U.S.C. 2341(d)(3)(A)(i)).

(10) Section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(5)).

(11) Section 1397E(d)(4)(A)(iv)(II) of the Internal Revenue Code of 1986.

(12) Sections 254(b)(2)(B) and 263(a)(2)(C) of the Job Training Partnership Act (29 U.S.C. 1633(b)(2)(B), 1643(a)(2)(C)).

(13) Section 3803(c)(2)(C)(xiii) of title 31, United States Code.

(14) Section 602(d)(9)(A) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 474(d)(9)(A)).

(15) Sections 2(4), 3(1), and 301 of the Healthy Meals for Healthy Americans Act of 1994 (42 U.S.C. 1751 note; Public Law 103–448).

(16) Sections 3, 4, 7, 10, 13, 16(b), 17, and 19(d) of the Child Nutrition Act of 1966 (42 U.S.C. 1772, 1773, 1776, 1779, 1782, 1785(b), 1786, 1788(d)).

(17) Section 658O(b)(3) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m(b)(3)).

(18) Subsection (b) of the first section of Public Law 87–688 (48 U.S.C. 1666(b)).

(19) Section 10405(a)(2)(H) of the Omnibus Budget Reconciliation Act of 1989 (Public Law 101–239; 103 Stat. 2489).

AMENDMENT NO. 1531

(Purpose: To provide additional funding for the Watershed and Flood Preventions and earmark funds for financial and technical assistance for pilot rehabilitation projects in Mississippi)

On page 33, line 15 after the period, insert the following: '': *Provided further*, That of the funds available for Emergency Watershed Protection activities, $5,000,000 shall be available for Mississippi and Wisconsin for financial and technical assistance for pilot rehabilitation projects of small, upstream dams built under the Watershed and Flood Prevention Act (16 U.S.C. 1001 et seq., Section 13 of the Act of December 22, 1994) Public Law 78–534; 58 Stat. 905, and the pilot watershed program authorized under the heading 'FLOOD PREVENTION' of the Department of Agriculture Appropriation Act, 1954, (Public Law 156; 67 Stat 214)''.

AMENDMENT NO. 1532

(Purpose: To increase the fee on guaranteed business and industry loans thereby reducing the subsidy costs)

On page 41, line 6, insert the following before the period: '': *Provided further*, That none of the funds appropriated under this paragraph shall be available unless the Department of Agriculture proposes a revised regulation to allow leaders to be charged a fee of up to 3% on guaranteed business and industry loans''.

AMENDMENT NO. 1533

(Purpose: To provide at least twenty five percent of the appropriated funds to small minority farmers for cooperatives)

On page 42, line 7, insert the following before the period: '': *Provided*, That at least twenty-five percent of the total amount appropriated shall be made available to cooperatives or associations of cooperatives that assist small minority producers''.

AMENDMENT NO. 1534

(Purpose: To amend the National Drought Policy Act of 1998, to make a technical correction)

At the appropriate place in the bill, add the following new section:

SEC. . Public Law 105–199 (112 Stat. 641) is amended in section 3(b)(1)(G) by striking ''persons'', and inserting in lieu thereof ''governors, who may be represented on the Commission by their respective designees,''.

AMENDMENT NO. 1535

(Purpose: To require the expenditure of appropriated funds for certain enforcement activities)

On page 55, line 5, strike the semicolon and insert the following: '', of which $1,000,000 shall be for premarket review, enforcement and oversight activities related to users and manufacturers of all reprocessed medical devices as authorized by the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 et seq.), and of which no less than $55,500,000 and 522 full-time equivalent positions shall be for premarket application review activities to meet statutory review times;''.

AMENDMENT NO. 1536

(Purpose: Expressing the sense of the Senate concerning the United States Action Plan on Food Security)

On page 76, between lines 6 and 7, insert the following:

SEC. 7. SENSE OF THE SENATE CONCERNING ACTION PLAN ON FOOD SECURITY.

It is the sense of the Senate that the President should include in the fiscal year 2001 budget request funding to implement the United States Action Plan on Food Security.

• This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

Mr. DURBIN. Mr. President, this Saturday, August 7 will mark the tenth anniversary of the death of Congressman Mickey Leland, who was an extraordinarily effective advocate for the hungry people here at home and throughout the world. In remembering his tireless work for the hungry, I think it is fitting to redouble our own efforts to fight hunger and malnutrition.

The United States recently released its plan to reduce hunger. I am offering an amendment today to ask that the President include in his budget request next year specific proposals to implement the U.S. plan.

In November 1996 the United Nations Food and Agriculture Organization convened a World Food Summit in Rome. The goal of the conference was to ''renew the commitment of world leaders at the highest level to the eradication of hunger and malnutrition and the achievement of food security for all, through the adoption of concerted policies and actions at global, regional, and national levels.'' Summit participants pledged to cut the number of undernourished people in half by 2015. Each participating country was to decide independently how it could contribute to the goal of food security for all.

This March of this year, the U.S. Department of Agriculture published the U.S. government's plan to meet the goals of the 1996 World Food Summit, entitled U.S. Action Plan on Food Security, Solutions to Hunger. The plan outlines how the United States will fight hunger both at home and abroad. The plan is broad and involves a number of U.S. agencies and policies. It aims to reduce both U.S. and world hunger by addressing the ''policy environment,'' promoting trade and investment, strengthening food security research and educational capacity, integrating environmental concerns into food security efforts, improving the ''safety net,'' better identifying ''food insecure'' individuals and populations, and addressing food and water safety issues.

The USDA report was issued after the President had already submitted his budget. Many of the recommendations in the report are policies already in place and so already addressed in the President's budget. The report has some specific recommendations, but many are broad principles that need to be fleshed out to lead to specific actions.

I want to be sure that this report does not become one of the many government reports that leads nowhere, that fulfills the requirements of an international conference with lofty goals but little follow-through.

I am offering this amendment today, which simply says that it is the sense of the Senate that the President should include in the fiscal year 2001 budget request funding to implement this plan, to encourage the Administration to submit specific proposals and budget requests to follow through on our fight against hunger.

AMENDMENT NO. 1537

(Purpose: To require the Farm Service Agency to review programs that provide assistance to apple farmers and report to Congress)

On page 76, between lines 6 and 7, insert the following:

SEC. 7____. FINANCIAL HARDSHIPS FACING APPLE FARMERS.—The Farm Service Agency—

(1) in view of the financial hardship facing United States apple farmers as a result of a loss of markets and excessive imports of apple juice concentrate, shall review all programs that assist apple growers in time of need;

(2) in view of the increased operating costs associated with tree fruit production, shall review the limits currently set on operating loan programs used by apple growers to determine whether the current limits are insufficient to cover those costs; and

(3) shall report to Congress its findings not later than January 1, 2000.

AMENDMENT NO. 1538

(Purpose: To provide additional funding for fruit fly exclusion and detection, with an offset)

On page 18, line 12, strike ''$437,445,000'' and insert ''$439,445,000''.

On page 18, line 19, after the colon, insert the following ''*Provided further,* That, of the amounts made available under this heading, not less than $24,970,000 shall be used for fruit fly exclusion and detection (including at least $6,000,000 for fruit fly exclusion and detection in the state of Florida):''.

On page 20, line 16, strike $7,200,000'' and insert ''$5,200,000''.

AMENDMENT NO. 1539

On page 36 of S. 1233, line 3 after the word ''systems:'' insert the following: ''*Provided further,* That of the total amount appropriated, not to exceed $1,500,000 shall be available to the Grassroots project:''.

AMENDMENT NO. 1540

(Purpose: To provide funding for sustainable agriculture research and a research program on improved fruit practices in the State of Michigan, with an offset)

On page 13, line 13, strike ''$54,476,000'' and insert ''$54,951,000''.

On page 13, line 16, strike ''$117,100,000'' and insert ''$116,625,000''.

Mr. LEVIN. Mr. President, I am pleased the managers have accepted the amendment that I introduced adding funds for existing research programs under the Cooperative State Research, Education, and Extension Service (CSREES) to help identify and develop alternatives for pesticides that are currently necessary for fruit production and whose use is likely to be restricted under the Food Quality Protection Act. This research program has provided much needed support to Michigan's fruit producers, and I thank the managers for allowing it to continue. It is my understanding that the full amount of the cost of this program will come from the ''Markets, trade, and policy'' section of the CSREES research grants, which currently is undersubscribed. It is also my hope that the additional research funds that I sought for another ongoing CSREES research project to help farmers reduce their use of fertilizer and pesticide inputs can be secured in conference.

AMENDMENT NO. 1541

At the end of the bill insert:

SEC. . Section 889 of the Federal Agriculture Improvement and Reform Act of 1996 is amended—

(1) in the heading, by inserting ''HARRY K. DUPREE'' before ''STUTTGART'';

(2) in subsection (b)(1)—

(A) in the heading, by inserting ''HARRY K. DUPREE'' before ''STUTTGART''; and

(B) in subparagraphs (A) and (B), by inserting ''Harry K. Dupree'' before ''Stuttgart National Aquaculture Research Center'' each place it appears.

AMENDMENT NO. 1542

(Purpose: To provide $300,000 for climate change research at the Florida Center for Climate Prediction at Florida State University, the University of Florida and the University of Miami with an offset)

On Page 13, Line 16, strike ''$116,625,000'' and insert ''$116,325,000''.

On Page 14, Line 19, strike ''$13,666,000'' and insert ''$13,966,000''.

Mr. MACK. Mr. President, I rise today in strong support of the amendment my colleague from Florida, Senator GRAHAM, and I have offered on behalf of the Florida Center for Climate Prediction.

The Center is a consortium between the University of Florida, Florida State University and the University of Miami to study climate variability in the Southeast region. The objective of this unique partnership is to explore the potential value and practical application for long-term climate data and science to the agricultural community in my state and throughout the Southeast.

The consortium's purpose is to develop and evaluate a useful set of tools and methodologies for assessing the regional agricultural consequences of the El Nino/La Nina phenomenons and applying these forecasts to agricultural decision-making. This is a truly innovative project and I am pleased this partnership is making good progress on these important agricultural issues.

Our amendment will provide $300,000 in funding for the Center in the Federal administration section of the Cooperative State Research and Education, and extension Service [CSREES]—Research and Education Activities section of the bill before us today. I appreciate the support my colleagues on the Appropriations Committee provided this important research initiative.

AMENDMENT NO. 1543

(Purpose: To provide that certain cross-county leasing provisions apply to Kentucky and to release and protect the release of tobacco production and marketing information)

On page 76, between lines 6 and 7, insert the following:

SEC. 7____. TOBACCO LEASING AND INFORMATION.—(a) CROSS-COUNTY LEASING.—Section 319(l) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314e(1)) is amended in the second sentence by inserting '', Kentucky,'' after ''Tennessee''.

(b) TOBACCO PRODUCTION AND MARKETING INFORMATION.—Part I of subtitle B of title III

of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) is amended by adding at the end the following:

"SEC. 320D. TOBACCO PRODUCTION AND MARKETING INFORMATION.

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may, subject to subsection (b), release marketing information submitted by persons relating to the production and marketing of tobacco to State trusts or similar organizations engaged in the distribution of national trust funds to tobacco producers and other persons with interests associated with the production of tobacco, as determined by the Secretary.

''(b) LIMITATIONS.—

''(1) IN GENERAL.—Information may be released under subsection (a) only to the extent that—

''(A) the release is in the interest of tobacco producers, as determined by the Secretary; and

''(B) the information is released to a State trust or other organization that is created to, or charged with, distributing funds to tobacco producers or other parties with an interest in tobacco production or tobacco farms under a national or State trust or settlement.

''(2) EXEMPTION FROM RELEASE.—The Secretary shall, to the maximum extent practicable, in advance of making a release of information under subsection (a), allow, by announcement, a period of at least 15 days for persons whose consent would otherwise be required by law to effectuate the release, to elect to be exempt from the release.

''(c) ASSISTANCE.—

''(1) IN GENERAL.—In making a release under subsection (a), the Secretary may provide such other assistance with respect to information released under subsection (a) as will facilitate the interest of producers in receiving the funds that are the subject of a trust described in subsection (a).

''(2) FUNDS.—The Secretary shall use amounts made available for salaries and expenses of the Department to carry out paragraph (1).

''(d) RECORDS.—

''(1) IN GENERAL.—A person that obtains information described in subsection (a) shall maintain records that are consistent with the purposes of the release and shall not use the records for any purpose not authorized under this section.

''(2) PENALTY.—A person that knowingly violates this subsection shall be fined not more than $10,000, imprisoned not more than 1 year, or both.

''(e) APPLICATION.—This section shall not apply to—

''(1) records submitted by cigarette manufacturers with respect to the production of cigarettes;

''(2) records that were submitted as expected purchase intentions in connection with the establishment of national tobacco quotas; or

''(3) records that aggregate the purchases of particular buyers.''.

AMENDMENT NO. 1544

(Purpose: To modify Section 739 of the bill)

On page 70, strike lines 3 through 10, and insert in lieu thereof:

''SEC. 739. None of the funds appropriated or otherwise made available by this Act may be used to declare excess or surplus all or part of the lands and facilities owned by the federal government and administered by the Secretary of Agriculture at Fort Reno, Oklahoma, or to transfer or convey such lands or facilities, without the specific authorization of Congress.''.

AMENDMENT NO. 1545

(Purpose: To appropriate $500,000 for the Nevada Arid Rangelands Initiative to develop research and educational programs to manage healthy and productive rangelands, provide abundant renewable natural resources, and support the economic development of the rangelands in a sustainable manner)

On page 13, line 16, strike the figure ''$116,325,000'' and insert in lieu thereof the figure ''$115,825,000'' and on page 13, line 13, strike the figure ''$54,951,000'' and insert in lieu thereof the figure ''$55,451,000''.

Mr. REID. Mr. President, I rise today to seek amendment to the allocation for special grants for agricultural research under the Cooperative State Research, Education, and Extension Service, Research and Education Activities. I respectfully request that $500,000 be added to this activity to fund the Nevada Arid Rangelands Initiative at the University of Nevada, Reno. This program is critical to Nevada, which has a higher percentage of its lands classified as arid rangeland than any other state in the union.

The mission of the Nevada Arid Rangelands Initiative is to develop research, management, and educational programs to promote healthy and productive rangelands and to support economic development of these rangelands in a sustainable manner. Healthy, productive rangelands are critical to the support of many rural families and communities and important to Nevada's quality of life.

The rangelands of Nevada are at risk from many factors including competing demands for water, loss of scarce riparian vegetation, invasive weeds, and wildfire. The Nevada Arid Rangelands Initiative will seek to develop innovative strategies for such items as simplified methods to assess rangeland health, the development of watershed grazing strategies, control of invasive weeds and the use of vegetative management strategies to control wildfire.

This money should be included in the following account: ''Competitive Research Grants, Natural Resources and the Environment.''

AMENDMENT NO. 1546

On page 13, line 13, increase the dollar amount by $750,000; and

On page 13, line 16, decrease the dollar amount by $750,000.

Mr. SESSIONS. Mr. President, I thank my good friend from Mississippi, the chairman of the Agriculture Appropriations committee, for his leadership on this bill and for his accepting this amendment.

This amendment reduces funding from the National Research Initiative Competitive Grants Program (NRI) on Nutrition, Food Quality and Health in order to target $750,000 for the continuation of Next Generation Detection and Information Systems for food pathogens and toxins at Auburn University, Auburn, Alabama.

AMENDMENT NO. 1547

(Purpose: To promote eligibility to Berlin, New Hampshire for a rural utilities grant or loan under the Rural Community Advancement Program)

At the end of the bill, add the following:

''SEC. . That notwithstanding section 306(a)(7) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926 (a)(7)), the city of Berlin, New Hampshire, shall be eligible during fiscal year 2000 for a rural utilities grant or loan under the Rural Community Advancement Program.''.

AMENDMENT NO. 1548

(Purpose: To authorize the Cranberry Marketing Committee to conduct paid advertising for cranberries and cranberry products and to authorize the Secretary of Agriculture and the Committee to collect cranberry inventory data)

On page 76, between lines 6 and 7, insert the following:

SEC. 7___. CRANBERRY MARKETING ORDERS.—(a) PAID ADVERTISING FOR CRANBERRIES AND CRANBERRY PRODUCTS.—Section 8c(6)(I) of the Agricultural Adjustment Act (7 U.S.C. 608c(6)(I)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended in the first proviso—

(1) by striking ''or Florida grown strawberries'' and inserting '', Florida grown strawberries, or cranberries''; and

(2) by striking ''and Florida Indian River grapefruit'' and inserting ''Florida Indian River grapefruit, and cranberries''.

(b) COLLECTION OF CRANBERRY INVENTORY DATA.—Section 8d of the Agricultural Adjustment Act (7 U.S.C. 608d), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by adding at the end the following:

''(3) COLLECTION OF CRANBERRY INVENTORY DATA.—

''(A) IN GENERAL.—If an order is in effect with respect to cranberries, the Secretary of Agriculture may require persons engaged in the handling or importation of cranberries or cranberry products (including producer-handlers, second handlers, processors, brokers, and importers) to provide such information as the Secretary considers necessary to effectuate the declared policy of this title, including information on acquisitions, inventories, and dispositions of cranberries and cranberry products.

''(B) DELEGATION TO COMMITTEE.—The Secretary may delegate the authority to carry out subparagraph (A) to any committee that is responsible for administering an order covering cranberries.

''(C) CONFIDENTIALITY.—Paragraph (2) shall apply to information provided under this paragraph.

''(D) VIOLATIONS.—Any person that violates this paragraph shall be subject to the penalties provided under section 8c(14).''.

Mr. SMITH of Oregon. Mr. President, this amendment, cosponsored by my colleague from Oregon and others from cranberry producing states, amends the Agriculture Marketing Agreement Act of 1937, giving cranberry producers the tools they need to meet the challenges of a rapidly changing marketplace. Cranberry growers in my state produce a fruit that is an important portion of our state's agriculture economy. Despite their economic significance, cranberry marshes or bogs are often small and multi-generational family farms. In fact, it is not uncommon to find a grower who is a third, or fourth generation farmer, working the same ten-acre

bog that is or her grandparents or great-grandparents worked in the twenties or thirties. They have a strong tradition of independence and stewardship and have been marvels of ingenuity and productivity for a long time.

However, today they are suffering. Prices are down by forty to sixty percent over the levels of only a year ago. In some cases the cost of production exceeds the current value of the harvest crop. While cranberry growers tend to be resilient, many are having difficulties dealing with these extreme market conditions.

Our amendment will not solve all of the problems this industry faces in the near-term, but we believe it will help the industry in the long-term. It does not provide any money or increase the regulatory controls on industry. However, the amendment before us today addresses the problems in the cranberry industry in two ways:

First, our amendment would expand the information-gathering authority of the Cranberry Marketing Committee beyond the traditional production states outlined in the original Cranberry Marketing Order. When the order was first conceived, cranberries were largely used only as fresh fruit for the Thanksgiving and Christmas holidays. As I am sure many of my colleagues are aware, decades of innovation and creative marketing by the cranberry industry has led to a tremendous expansion of this commodity—mainly through its use in juices and other products that are consumed year-round. Unfortunately, the commodity reporting mechanisms provided under the current Cranberry Marketing Order have not kept up with the growth and evolution of the industry. Today, vast amounts of cranberry supplies are imported and processed outside of production states that are subject to the Cranberry Marketing Order. This handicaps our cranberry growers, who are unable to obtain accurate information about the available supply, and therefore cannot make the optimum planting decisions. Our legislation would correct this by expanding the Cranberry marketing Committee authority, ultimately enabling growers to make better production decisions.

A second component of our amendment would add cranberries to the list of commodities eligible to use funds raised from domestic procedures for overseas advertising as part of a generic marketing promotion program. Like all other agriculture producers, cranberry growers know the ability to effectively market products in the global marketplace is critical to maintaining growth and increasing price stability. Although it is my understanding that the Cranberry Marketing Committee does not currently plan to initiate such a campaign at this time, our legislation gives them the flexibility to do so.

Much has been said in recent months on this floor about the plight of agriculture and an ongoing farm crisis brought about by record low commodity prices. This problem is real and cranberry producers in small Oregon coastal towns like Bandon and Coos Bay have felt it as well. I would like to urge the Secretary of Agriculture to get directly involved with the leadership of the industry to try and find meaningful initiatives that can help them weather this difficult time and ensure a healthy industry for a healthy product.

Mr. President, cranberry growers know global competition will become increasingly fierce in the next century, yet they also know that their future prosperity will be built upon effective marketing and production innovation—not expensive safety nets or reactive trade barriers. I thank my colleagues for joining me in support of this amendment to give cranberry growers in my state and throughout the nation the freedom to address the current farm crisis and pro-actively meet the challenges of the new century.

AMENDMENT NO. 1549

(Purpose: To authorize Alaska Native tribes for payment of certain administrative costs for the Food Stamp Program)

On page 76, line 6, please add the following:

''Beginning in fiscal year 2001 and thereafter:

''SEC. . The Food Stamp Act (P.L. 95–113, section 16(a)) is amended by inserting after the phrase 'Indian reservation under section 11(d) of this Act' the following new phrase: 'or in a Native village within the State of Alaska identified in section 11(b) of Public Law 92–203, as amended.'.''

AMENDMENT NO. 1550

(Purpose: To amend S. 1233 to require the Secretary review food packages periodically and consider including other nutritious foods under the food package program for Women, Children and Infants)

At the appropriate place insert the following new section:

''SEC. . It is the Sense of the Senate that the Secretary of Agriculture shall periodically review the Food Packages listed at 7 CFR 246.10(c) (1996) and consider including additional nutritious foods for women, infants and children.''

Mr. STEVENS. Mr. President, I would like to make a brief statement concerning my amendment to the fiscal year 2000 Agriculture Appropriations bill regarding the Women, Infants, and Children nutrition program. My reading of the regulations implementing this program indicate that they provide women and their children with a very limited range of food options. For example, the only non-dried vegetable they may chose from is carrots. They may eat canned carrots, raw carrots, and frozen carrots, but no other non-dried vegetable is permitted. Likewise the only meat or fish they allow is tuna. Salmon, the most heart-healthy protein source available, is essentially banned along with beef, poultry, pork, and other protein sources.

My amendment directs the Secretary to review the WIC food packages currently available to pregnant and lactating women and their children and consider adding new, but nutritious foods to the list. It is ridiculous to expect children to eat foods from such a limited list. Anyone with a picky toddler knows that a varied diet is critical to developing healthy eating habits.

Several years ago there was a controversy concerning Congress deciding which foods should be included in the WIC package, substituting its judgment for that of nutrition experts at USDA. This amendment does not mandate that salmon or any other food be included on the list. It gives complete and full discretion to the Secretary to determine which foods should be included. It simply directs him to periodically update the list.

I have worked for years with Dr. William Castelli at the Framington Heart Study in Massachusetts and know firsthand the health benefits of salmon. The omega 3 oils within salmon actually reduce cholesterol levels, I eat salmon at least twice a week. I am confident that salmon will meet any standard that USDA applies without any additional help from me. When the nutrition experts see what a wonderful protein source salmon is, they will wonder why they didn't put it on the list in the first place.

AMENDMENT NO. 1551

(Purpose: To amend S. 1233 to provide for education grants to Alaska Native serving institutions and Native Hawaiian serving institutions)

Amend Title VII—GENERAL PROVISIONS by inserting a new section as follows:

''SEC. . EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.

''(a) EDUCATION GRANTS PROGRAM FOR ALASKA NATIVE SERVING INSTITUTIONS.—(1) GRANT AUTHORITY.—The Secretary of Agriculture may make competitive grants (or grants without regard to any requirement for competition) to Alaska Native serving institutions for the purpose of promoting and stengthening the ability of Alaska Native serving instituions to carry out education, applied research, and related community development programs.

(2) USE OF GRANT FUNDS. Grants made under this section shall be used—

(A) to support the activities of consortia of Alaska Native serving institutions to enhance education equity for under represented students:

(B) to strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional, national, or international educational needs in the food and agriculture sciences:

(C) to attract and support undergraduate and graduate students from under represented groups in order to prepare them for careers related to the food, agricultural, and natural resource systems of the United States, beginning with the mentoring of students at the high school level including by village elders and continuing with the provision of financial support for students through their attainment of a doctoral degree; and

(D) to facilitate cooperative initiatives between two or more Alaska Native serving institutions, or between Alaska Native serving institutions and units of State government or the private sector, to maximize the development and use of resources, such as faculty,

facilities, and equipment, to improve food and agricultural sciences teaching programs.

(2) AUTHORIZATION OF APPROPRIATIONS. There are authorized to be appropriated to make grants under this subsection $10,000,000 in fiscal years 2001 through 2006.

''(b) EDUCATION GRANTS PROGRAM FOR NATIVE HAWAIIAN SERVING INSTITUTIONS.—(1) GRANT AUTHORITY.—The Secretary of Agriculture may make competitive grants (or grants without regard to any requirement for competition) to Native Hawaiian serving institutions for the purpose of promoting and strengthening the ability of Native Hawaiian serving institutions to carry our education, applied research, and related community development programs.

(2) USE OF GRANT FUNDS. Grants made under this section shall be used—

(A) to support the activities of consortia of Native Hawaiian serving institutions to enhance educational equity for under represented students:

(B) to strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction deliver systems, and student recruitment and retention, in order to respond to identified State, regional, national, or international educational needs in the food and agriculture sciences:

(C) to attract and support undergraduate and graduate students from under represented groups in order to prepare them for careers related to the food, agricultural, and natural resources systems of the United States, beginning with the mentoring of students at the high school level and continuing with the provision of financial support for students through their attainment of a doctoral degree; and

(D) to facilitate cooperative initiatives between two or more Native Hawaiian serving institutions, or between Native Hawaiian serving institutions and units of State government or the private sector, to maximize the development and use of resources, such as a faculty, facilities, and equipment, to improve food and agricultural sciences teaching programs.

(2) AUTHORIZATION OF APPROPRIATIONS. There are authorized to be appropriated to make grants under this subsection $10,000,000 for each of fiscal years 2001 through 2006.

AMENDMENT NO. 1552

(Purpose: To amend S. 1233 to provide a minimum allocation of Smith Lever Act funds to States subject to a special statutory cost of living adjustment)

At the appropriate place in the bill insert the following new section:

''SEC. . SMITH-LEVER ACT ALLOCATIONS IN STATES WITH CONGRESSIONALLY-AUTHORIZED COST OF LIVING ADJUSTMENTS.

''Beginning in fiscal year 2001 and thereafter, a state in which federal employees receive a special allowance because of the high cost of living or conditions of environment which differ substantially from conditions in other parts of the country as provided under section 1 of title IV of Public Law 102–141 (105 Stat. 861) shall receive an allotment of no less than $2,000,000 under the Smith Lever Act of 1914, as amended (7 U.S.C. 343).''

AMENDMENT NO. 1553

(Purpose: To amend S. 1233 to provide a minimum allocation of Hatch Act funds to States subject to a special statutory cost of living adjustment)

At the appropriate place in the bill insert the following new section:

''SEC. . HATCH ACT ALLOCATIONS IN STATES WITH CONGRESSIONALLY-AUTHORIZED COST OF LIVING ADJUSTMENTS.

''Beginning in fiscal year 2001 and thereafter, a state in which federal employees receive a special allowance because of the high cost of living or conditions of environment which differ substantially from conditions in other parts of the country as provided under section 1 of title IV of Public Law 102–141 (105 Stat. 861) shall receive an allotment of no less than $2,000,000 under 7 U.S.C. 361c(c).''

AMENDMENT NO. 1554

(Purpose: To set aside certain funds for programs and activities of the Livestock Marketing Information Center in Lakewood, Colorado, with an offset)

On page 13, line 16, strike ''$115,075,000'' and insert ''$114,825,000''.

On page 14, line 19, strike ''$13,966,000'' and insert ''$14,216,000''.

On page 14, line 22, before the period at the end, insert the following: '', of which not less than $250,000 shall be provided to carry out market analysis programs at the Livestock Marketing Information Center in Lakewood, Colorado''.

AMENDMENT NO. 1555

(Purpose: To require the use of certain funds transferred to the Economic Research Service to conduct a study of reasons for the decline in participation in the food stamp program and any problems that households with eligible children have experienced in obtaining food stamps)

On page 9, line 9, strike ''$2,000,000'' and insert ''$2,500,000''.

On page 9, line 12, after ''tions:'', insert the following: '': *Provided further*, That not more than $500,000 of the amount transferred under the preceding proviso shall be available to conduct, not later than 180 days after the date of enactment of this Act, a study based on all available administrative data and on-site inspections conducted by the Secretary of Agriculture of local food stamp offices in each State, of (1) reasons for the decline in participation in the food stamp program, and (2) any problems that households with eligible children have experienced in obtaining food stamps, and to report the results of the study to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate:''.

AMENDMENT NO. 1556

On page 13, line 19, strike ''$56,201,000'' and insert ''56,401,000''.

On page 13, on line 13 strike ''$114,825,000'' and insert ''114,625,000''.

Mr. EDWARDS. Mr. President, I rise to elaborate on my amendment that would provide $200,000 in funding under the Cooperative State Research, Education, and Extension Service (CSREES) to a research project in North Carolina to improve early detection of crop diseases. This funding boost is accomplished through an offset in NRI.

This funding would go to North Carolina State which will work in conjunction with the University of North Carolina at Greensboro to create an innovative early warning system for crop failure.

Mr. President, more than 30% of crop failures could be prevented if farmers had an early warning of disease or insect damage. However, by the time most diseases and insect infestations are visible to the naked eye, they are too far advanced for effective treatment.

The University of North Carolina at Greensboro has been conducting a series of experiments that would introduce a color-change gene into crops such as soybeans and cranberries. These crops could be genetically engineered to change color when under stress, insect attack or diseased. A farmer could then shine a black light on the leaves and see the damage long before it is visible to the naked eye. Armed with this early warning, he could begin dealing with the problem long before it becomes fatal to the crop.

This is an important project to support. The research will help bring crop management into the 21st century and could help farmers avert needless disasters. And it could yield enormous benefits soon.

AMENDMENT NO. 1557

(Purpose: To ensure timely testing of imports under the President's Food Safety Initiative)

At the appropriate place insert the following:

SEC. . It is the sense of the Senate that the Food and Drug Administration, to the maximum extent possible, when conducting Food Safety Initiative, ensure timely testing of produce imports by conducting survey tests at the USDA or FDA laboratory closest to the port of entry if testing result are not provided within twenty-four hours of collection.

AMENDMENT NO. 1558

(Purpose: To provide that the price of milk received by producers in Clark County, Nevada, shall not be subject to any Federal milk marketing order or any other regulation by the Secretary of Agriculture and shall solely be regulated by the State of Nevada and the Nevada State Dairy Commission)

On page 76, between lines 6 and 7, insert the following:

SEC. 7___. DEREGULATION OF PRODUCER MILK PRICES IN CLARK COUNTY, NEVADA.—Effective October 1, 1999, section 8c(11) of the Agricultural Adjustment Act (7 U.S.C. 608c(11)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by adding at the end the following:

''(D) PRODUCER MILK PRICES IN CLARK COUNTY, NEVADA.—The price of milk received by producers located in Clark County, Nevada—

''(i) shall not be subject to any order issued under this section or any other regulation by the Secretary; and

''(ii) shall solely be regulated by the State of Nevada and the Nevada State Dairy Commission.''.

AMENDMENT NO. 1559

(Purpose: To express the sense of the Senate concerning actions by the World Trade Organization relating to trade in agricultural commodities)

On page 76, between lines 6 and 7, insert the following:

SEC. . The Senate finds that—

(1) agricultural producers in the United States compete effectively when world markets are not distorted by government intervention;

(2) the elimination of barriers to competition in world markets for agricultural commodities is in the interest of producers and consumers in the United States;

(3) the United States must provide leadership on the opening of the agricultural markets in upcoming multilateral World Trade Organization negotiations;

(4) countries that import agricultural commodities are more likely to liberalize practices if they are confident that their trading partners will not curtail the availability of agricultural commodities on world markets for foreign policy purposes; and

(5) a multilateral commitment to use the open market, rather than government intervention, to guarantee food security would advance the interests of the farm community of the United States.

(b) It is the sense of the Senate that members of the World Trade Organization should undertake multilateral negotiations to eliminate policies and programs that distort world markets for agricultural commodities.

AMENDMENT NO. 1560

(Purpose: To provide additional funding to existing research programs)

On page 13, line 13, strike ''56,401,000'' and insert in lieu thereof ''56,901,000''.

On page 13, line 16, strike ''114,625,000'' and insert in lieu thereof ''114,125,000''.

Mr. KOHL. Mr. President, the amendment I introduce will increase the University of Wisconsin's Babcock Institute's Special Research Grant to $800,000, with $300,000 being appropriated from the Cooperative State Research, Education and Extension Service's (CSREES) Competitive Research Grant Market, Trade and Policy account.

This amendment will also increase funding for the University's Food System Research Group Special Research Grant to $700,000, with $200,000 appropriated from the Cooperative State Research, Education and Extension Service's (CSREES) Competitive Research Grant Nutrition, Food Quality and Health account.

AMENDMENT NO. 1561

(Purpose: To provide an additional $2,000,000 for the Grain Inspection, Packers and Stockyards Administration, offset from the Economic Research Service)

Amend page 22, line 26 by increasing the dollar figure by $2,000,000.

Amend page 9, line 8 by reducing the dollar figure by $2,000,000.

Amend page 9, line 15 by striking the line and inserting in lieu thereof the following: ''2225); *Provided further*, That university research shall be reduced below the fiscal year 1999 level by $2,000,000.''

GIPSA AMENDMENT

Mr. HARKIN. Mr. President, this amendment is offered on behalf of Senators DASCHLE, WELLSTONE, and myself to provide an additional $2 million for the Grain Inspection, Packers and Stockyards Administration, known as GIPSA. This agency performs a critical role in ensuring open markets and fair trade practices for the livestock market. These are issues of great concern to livestock producers, especially in recent years as low prices have raised questions about decreasing competition, inadequate price information and possible abuses of market power.

The Packers and Stockyards Program at GIPSA already has large demands placed on its investigative, analytical and legal resources. Congress and others are putting pressure on GIPSA to conduct more and more sophisticated investigations under significant time pressure.

One of the strongest needs is for rapid response teams which are sent out to specific areas where serious complaints are occurring to quickly determine what is happening and to quickly resolve the problems that are occurring so farmers can get real relief in a timely manner.

GIPSA continues to oversee contracting practices, which are the subject of increasing concern, scrutiny and debate.

In an ever-faster paced market, GIPSA must have the resources to meet its responsibilities. These additional funds are essential to ensuring that the nation's livestock markets remain fair and open to all producers.

The amendment is paid for by reducing the funding for the Economic Research Service. The reduction will be from academic research contracted out by that agency.

CHILE AS SPECIALTY CROP

Mr. DOMENICI. Mr. President, I would like to address the distinguished chairman of the Agriculture Appropriations Committee on an issue associated with the emergency agriculture disaster aid package.

The amendment adopted by the Senate to provide emergency agriculture disaster aid includes a provision to assist the producers of specialty crops. May I enquire of the distinguished Senator from Mississippi if chile crops in New Mexico would be eligible for emergency aid under the specialty crop provision?

Mr. COCHRAN. I respond to my friend from New Mexico that he has requested the assistance of the appropriations subcommittee in addressing the serious situation of New Mexico's chile farmers, and it is the intention of the subcommittee that the chile crop would be eligible for assistance under the specialty crop provision of the bill.

Mr. DOMENICI. I thank the distinguished Subcommittee Chairman for clarifying his understanding and mine that New Mexico's chile producers would be eligible for assistance through the specialty crop provisions of the pending Agriculture appropriations bill.

I appreciate his assistance on this important matter.

COLD WAR AQUACULTURE RESEARCH CENTER

Ms. SNOWE. Mr. President, as the distinguished Senator from Mississippi is aware, at the present time, the United States has no capability for the culture of cold-water, marine finfish, and the industry continues to need a consistent supply of high quality eggs or juvenile organisms. At the same time, I am especially aware as Chair of the Oceans and Fisheries Subcommittee, that many important wild fish stocks in the United States, including the Gulf of Maine, as well as around the world, are suffering from overharvesting. This has the potential to greatly diminish the food supply of many nations whose greatest source of protein is from the fish they catch. The opportunity for cold water aquaculture research is immense and the rewards great for U.S. salmon farming in particular, which is a strategic industry in my State of Maine, especially in the rural area of Downeast Maine.

It is important for the committee to know that representatives of the Maine Atlantic salmon industry and the University of Maine have been working with USDA's Agricultural Research Service and have defined the need to study the feasibility of a research center concept, program criteria and site criteria, site identification and evaluation. Once this has been completed, I hope we can look forward to the committee's future consideration for establishing a cold-water, marine aquaculture research center in an appropriate State such as Maine.

Ms. COLLINS. Mr. President, there is no question that cold-water marine aquaculture holds enormous exciting potential that remains untapped by the Federal Government. Despite its cryptic name, cold-water marine aquaculture is the lifeblood of a very tangible important industry. Each year millions of Atlantic salmon are raised in the cold quick-moving coastal water off the coast of Downeast Maine. The strong tides and rocky coast combined with many sheltering islands provide the perfect environment for a commercially viable finfish aquaculture industry. My discussions with the Agricultural Resources Service, experienced aquaculturalists, and researchers at the University of Maine have confirmed that the coast of Maine would, indeed, be an excellent location for Federal research into marine aquaculture.

I understand that language included in the Agricultural appropriations bill requires ARS to study all of its current aquacultural activities. Is it the chairman's understanding that the study referenced in this bill will focus on, among other things, the feasibility of marine cold-water research program?

Mr. COCHRAN. I understand that my colleagues from Maine have a deep interest in furthering cold-water aquaculture research on marine species, especially since cold water aquaculture is an important industry in their State. In marking up the FY2000 appropriations, the committee considered the need for the Agricultural Research Service to update warmwater aquaculture research activities and in our report language, directed the ARS to submit to the committee by January 31, 2000, a report that will not only update warmwater aquaculture research

activities but also to include all aquaculture research currently being conducted by the agency. The report language also requires the agency to address the agency's current capacity and requirements for additional resources to meet future needs and issues confronting the Nation's aquaculture farmers, including opportunities in rural America. I agree that cold water aquaculture research needs are included in the overall mandate of the report language. I also believe the ARS report will be helpful in establishing the need for coldwater aquaculture research for marine species.

Ms. COLLINS. I appreciate the further clarification and would like to ask one additional question if I may. Could the study called for in the report address the feasibility and desirability of establishing a cold-water aquaculture research program in the State of Maine?

Mr. COCHRAN. Yes, that will be added to the report mandate.

Ms. COLLINS. My colleague and friend from Mississippi is clearly dedicated to the well-being of rural citizens from across the Nation. I thank him for his clarification of this matter of great importance to rural, coastal Maine and look forward to enacting this important legislation.

Ms. SNOWE. I thank my colleague from Mississippi not only for recognizing the importance of cold water aquaculture research for marine species but also for his continued fine work as Chair of the Senate agricultural appropriations process where he continues to be a strong advocate for numerous facets of agricultural research throughout the country.

HUMAN NUTRITION RESEARCH

Mr. DORGAN. Mr. President, I wish to thank the Chairman for his longstanding support of agricultural research and, more specifically, of the human nutrition research programs of the Agricultural Research Service.

Emphasis in human nutrition research at the USDA is designed to maintain a healthy populace and avoid the problems and substantial costs of diseases linked to poor dietary choices. Many diseases such as diabetes, cancer, osteoporosis, cataracts, and others, could be nearly eliminated with improved nutrition research and education.

The President's budget requested $20.25 million for the Human Nutrition Initiative, but because of significant constraints resulting from the allocation, the bill provides only $1.5 million. Of the $53 million originally requested for the program, $48.5 million is still needed.

These funds would reconcile production agriculture, which provides America the most abundant and safest food supply in the world, with consumer demands for a wholesome diet to enhance health, reduce illness, and improve the quality of life.

Does the Chairman agree that because of the critical nature of funding for the program the Human Nutrition Initiative is a subject that should be evaluated in greater detail during conference on this bill?

Mr. KOHL. I concur in my colleague's comments that funding for this program should be an item of discussion and greater support during conference with the House on this bill, and will work with him to that end.

GMO ACCESS IN SOUTHEAST ASIA

Mr. BOND. Mr. President, I and the several members of this Subcommittee have spent a considerable amount of time working to ensure that other nations do not unfairly discriminate against genetically modified crops grown by American farmers. These crops hold great promise for eliminating hunger in the developing nations of the world. In addition, advances in biotechnology will lead to a reduction in the use of pesticides, improvements in soil quality and many GMO (Genetically Modified Organisms) crops have documented health benefits. It would truly be a disaster for the people of those nations—as well as for farm families in this country—if the benefits of these products are lost because of unsound science or straight up protectionism.

We are all aware of the problems that we face in opening markets for these products in Europe and many of my colleagues are aware that we face new labeling requirements in Japan. What many of my colleagues may not realize is that the same groups that are fighting these products in Europe are funding similar efforts to stop the introduction and consumption of GMO products in developing countries around the world—some of the very countries that stand to benefit the most from these products. The opponents are now turning their attention to a key U.S. market—Southeast Asia. This area of the world is home to a half billion consumers and the income levels are well above those in countries such as India or China. Unfortunately, the GMO opponents are busy at work to keep us from competing fairly in the markets of Southeast Asia.

In Thailand, Malaysia, the Philippines and other countries in the region, American producers are facing a real threat of closed markets due to the efforts of non-governmental groups based mostly in Europe. This is a very important time in the region as a number of governments are studying how to and whether to regulate genetically modified organisms. As governments are reviewing the issues, it would be a tremendous mistake to allow the GMO opponents to go unanswered. As a government, we should be making every effort to assist our farmers and producers in educating government officials in these countries as to the sound scientific reviews that have been conducted on these products and the extensive regulatory approval process that the products are subjected to in the United States. Unfortunately, it appears that our federal government resources are completely tied up in fighting what some consider to be more pressing battles around the globe.

My staff and I have been in contact with the Administrator of the Foreign Agriculture Service, Tim Galvin, several times in the past few months urging him to dedicate a relatively modest amount of funding—$80,000—for the FAS to take internationally-respected scientists to countries throughout Southeast Asia so that they may meet with government officials and scientists who are working to address the GMO regulation issue. It is essential that we move forward with such education efforts to counter the rhetoric and the scare tactics of the NGOs. Several of the countries in this region are proceeding towards implementing regulatory schemes; if we do not take affirmative action on this front we stand to lose valuable markets. Despite the critical need for moving forward with such a program now, I have been unable to get Mr. Galvin to agree to this important program.

I also understand that there is a plan to eliminate the regional FAS position in Singapore, which is dedicated to working for biotechnology acceptance throughout Southeast Asia. Such a move would be a terrible mistake. Singapore is in many ways the gateway to the ASEAN region—which will overtake Japan as the second largest market for U.S. products and services by the year 2005. The Agricultural Trade Office's work with the ASEAN Secretariat towards establishing an ASEAN regional trade regime based on sound science and its work with the Singapore regional traders must continue if U.S. agriculture is successfully to realize this region's market potential. We should be focusing on improving and bolstering this office rather than eliminating it at a time when these countries are beginning to work on these important issues.

I know that the chairman of the Subcommittee shares my concern about these issues. I urge him to join me in calling on Mr. Galvin and other officials at USDA to move to address the need for the U.S. to become engaged on this issue in Southeast Asia and to fund these important programs.

Mr. COCHRAN. I thank the Senator for his comments and I assure him that I share his concern that we must fight to ensure that our commodities are not unfairly discriminated against in markets around the world. We cannot allow our soybean farmers, cotton farmers, corn farmers and others to have their exports put at risk by unfair regulation. We cannot cede any markets to GMO opponents. I share his desire to see USDA put the necessary resources into ensuring our interests are adequately represented as the nations of Southeast Asia consider regulation. I assure him that I will look into the status of these activities and seek to have them adequately funded.

Mr. BOND. I thank the chairman for his remarks, and I look forward to working with him to address this issue.

ANIMAL WELFARE ENFORCEMENT

Mr. KOHL. Mr. President, I would like to take this opportunity to make a few points about the increase included in this bill for enforcement of the Animal Welfare Act and certain language which appears in the Senate Report to accompany the appropriations bill now before the Senate.

Under the Animal Welfare Act, the Secretary of Agriculture is authorized to promulgate standards and other requirements governing the humane handling, housing, care, treatment, and transportation of certain animals by dealers and other regulated businesses. The Secretary has delegated the authority for enforcing this Act to the Administrator of the Animal and Plant Health Inspection Service (APHIS) whose budget is included in the pending appropriations bill.

For a number of years, the appropriated level for APHIS's enforcement activities of the Animal Welfare Act has held stagnant in the area of $9 million annually. The level of funding has allowed for employment of approximately 69 field inspectors to monitor activities in all fifty states plus the District of Columbia, Guam, and the Virgin Islands. Obviously, this number of inspectors, responsible for such a vast geographical area, is totally insufficient to investigate and control all inappropriate and illegal mistreatment of animals where it occurs within the regulated community. For many people, their pets are essentially members of their families and too often we learn of tragedies that occur during commercial transportation where pets are injured or killed. In other instances, we learn of inhumane treatment of animals in settings often referred to as ''puppy mills'' where conditions include disease, pests, poor feeding, and other forms of mistreatment that should and must be stopped.

Mr. COCHRAN. I thank the Senator from Wisconsin for raising the issue of enforcement of the Animal Welfare Act and for pointing out many of the terrible conditions for which this Act is designed to halt and efforts by USDA and this Congress to put an end to them. The Senator is correct that funding for this activity has remained constant over the past several years. The President included in his budget request for fiscal year 2000 an increase of $515,000 for these activities.

The President's request would provide additional funds for enforcement of the Animal Welfare Act, but only to maintain current activities such as inspections at regulated facilities to ensure compliance with the Act. In addition, inspectors would receive much needed training to ensure uniform enforcement of the regulations and to stay current with industry advancements in methodologies of research and caring for animals. APHIS would continue to replace outdated and old equipment including vehicles and continue modernizing its computer databases program. In view of the needs outlined in the budget request, and the overall problems outlined by the Senator from Wisconsin, this bill includes an increase of $2 million above last years level, nearly four times the amount of increase requested by the President.

Mr. KOHL. I thank the Senator from Mississippi for his explanation of the activities included in the President's request for enforcement of the Animal Welfare Act and for the generous increase he was able to provide in this bill. I want to stress to all Senators that the increase in this bill is designed to allow better enforcement of currently regulated activities. I am aware that the President's budget explanation also included concern that pending litigation and potentially expanded jurisdiction for enforcement of the Animal Welfare Act would further strain the limited resources of the agency. It was, in part, for that reason that language is included in Senate Report to make clear that the increase in this bill is to improve ongoing activities of the agency and not for expansion of regulated activities.

Mr. COCHRAN. The Senator is correct.

Mr. KOHL. The Senate report language expresses our concern, as does the President's budget justification, that a strain on existing resources could potentially negate the efforts taken in our bill to increase the number of inspections at regulated facilities by inadvertently increasing the caseload of inspectors. I have heard from numerous animal care advocates in Wisconsin who have told me we need more inspectors to make sure the work now going undone is taken care of. For that reason, and not for expansion of authorities, the increase is included in this bill.

However, I also want to note that while the language in the Senate report expressly limits the increased funding to currently authorized activities and also expresses our concern that expansion of agency programs at this time may strain resources past the breaking point, it is not intended to chill the efforts by advocacy groups to pursue their interests through either the rulemaking process or through the courts. It is not our intention for the Senate report language to sway, in one way or the other, upcoming decisions of the courts or to infringe on the Department's proper exercise of rulemaking authority. For those who may read the report language and be concerned that we are stepping too far into the realm of agency or court activities, we may wish to consider some modifications to this language for purposes of inclusion in the statement of managers to accompany the conference report to this appropriations bill.

Mr. COCHRAN. I thank the Senator for his concerns and I will work with him in the conference to consider whether modifications to this language are in order.

GREATER YELLOWSTONE INTERAGENCY BRUCELLOSIS COMMITTEE

Mr. CRAIG. Mr. President, first I would like to thank Chairman COCHRAN and Senator KOHL for the hard work they have put into the Fiscal Year 2000 Agriculture, Rural Development, and Related Agencies Appropriations bill. It is a challenging process, and they have done an excellent job balancing competing interests within the confines of a balanced budget.

I wish to engage in a colloquy with the distinguished Chairman of the Subcommittee regarding funding for the Greater Yellowstone Interagency Brucellosis Committee (GYIBC). There is currently a Cooperative State Federal Brucellosis Eradication Program to eliminate the brucellosis from the country. States are designated brucellosis free when none of their cattle or bison are found to be infected for 12 consecutive months. As of March 31, 1998, 42 States, plus Puerto Rico and the U.S. Virgin Islands, are free of brucellosis. The presence of brucellosis in free-ranging bison in Yellowstone National Park threatens the brucellosis status of Idaho, Wyoming, and Montana, as well as the health of their livestock herds, which are free of the disease. Reintroduction of the disease into a brucellosis-free State could have a serious economic impact on domestic livestock markets and potentially threaten export markets.

The Committee saw fit to allocate $610,000 for the coordination of Federal, state and private actions aimed at eliminating brucellosis from wildlife in the Greater Yellowstone Area. I would like to clarify how this money is to be allocated. Of the funds appropriated for the GYIBC, $400,000 is for the States of Idaho, Wyoming, and Montana to participate in the GYIBC, with the understanding that 50 percent goes to the state that chairs the committee and 25 percent goes to each of the other states. The remaining $210,000 is for the State of Idaho to protect the State's brucellosis-free status and implement the Idaho Wildlife Brucellosis plan. Is it the intent of the Committee to use these funds as I have described?

Mr. COCHRAN. Yes, it is the intent of the Committee to use the allocated funds as the Senator from Idaho stated.

Mr. CRAIG. I thank the Chairman.

APHIS PLANT PROTECTION COLLOQUY

Mr. CRAIG. Mr. President, first I would like to thank Chairman COCHRAN and Senator KOHL for the hard work they have put into the Fiscal Year 2000 Agriculture, Rural Development, and related Agencies Appropriations bill. It is a challenging process, and they have done an excellent job balancing competing interests within the confines of a balanced budget.

I wish to engage in a colloquy with the distinguished Chairman and Ranking Member of the Subcommittee regarding the appropriation for the Department of Agriculture's Animal and Plant Health Inspection Service plant protection programs and regulations.

The funds this bill makes available for plant protection are critical to protecting American agriculture from diseases, pests, and invasive plants. My own state of Idaho struggles greatly with noxious weeds, such as leafy spurge, which compete with the native grasses so essential for the raising of cattle.

Researchers at the University of Idaho and around the country are working diligently to develop mechanisms to use biological controls for weeds and to manage diseases of important agriculture plants. It is my understanding that current APHIS regulations require a permit for interstate transfer of a pathogen or plant infected with a pathogen from one research location to another. However, research and education facilities routinely transfer plant materials from one research location to another using good management practices.

To facilitate researchers' work on behalf of American agriculture, I ask that the Committee clarify its intent that the appropriations contained in this bill for the Department of Agriculture's Animal and Plant Health Inspection Service should be used to carry out plant protection programs and regulations that take into account the levels of risk presented by pathogens and to establish mechanisms to expedite or provide exemptions from any formal permit or certification processes for research and education facilities established under implementing regulations as the Secretary deems appropriate. Is it the intent of the Committee to use these funds as I have described?

Mr. COCHRAN. Yes, it is the intent of the Committee to use the allocated funds as the Senator from Idaho stated. Use of these appropriations for plant protection purposes will indeed benefit American agriculture, including producers in Mississippi.

Mr. CRAIG. It is also the Committee's belief that the routine handling of a variety of pathogens by many research and education facilities, using good management practices, has occurred widely without their untoward release and establishment in the environment?

Mr. COCHRAN. Yes. The Secretary of Agriculture should take this into account when establishing any regulatory processes for the movement and handling of pathogens. The Secretary should establish, to the extent possible, processes under which the facilities and their management practices are reviewed periodically, rather than requiring case-by-case approval for each us of a pathogen regardless of risk.

Mr. CRAIG. I understand from researchers in my state that pathogens that might be considered for exemption or expedited processes include: endemic and naturalized pathogens for which there is extensive information and handling experience and for which management strategies have been developed; pathogens intended for educational, research, or reference use that are not to be released into the environment; or pathogens that present low risk because of their mode of survival, dissemination, or some other aspect of their biology. Is that the Committee's understanding?

Mr. COCHRAN. Yes, the committee understands that certain types of pathogens present low risks and research education facilities should face minimal regulatory burden as deemed appropriate by the Secretary of Agriculture. The Committee would also urge APHIS to develop laboratory standards for facilities and management practices that will enable research and education facilities to handle higher-risk pathogens as well. These laboratory standards will help APHIS use its resources more efficiently and allow efficient use of research resources to combat plant diseases more effectively.

Mr. CRAIG. Mr. Chairman, is it the intent of the Committee that APHIS consult with relevant scientific societies as well as state regulators of plan pathogens and on-site reviewers of facilities where possible in modifying current regulations or developing future regulations regarding the movement of pathogens between research and education facilities?

Mr. COCHRAN. Yes, that is the Committee's intent.

Mr. KOHL. I agree with the distinguished Senator from Mississippi. In my home state of Wisconsin, a number of plant pathogens cause production losses for our producers. APHIS' implementation of plant protection programs using the appropriations in this bill, consistent with the Committee's intent, will assist researchers at many universities including the University of Wisconsin in their research efforts to combat plant disease and pests.

Mr. CRAIG. It is my understanding the APHIS is moving in this direction already. APHIS recently requested that the National Plant Board review its Plant Protection and Quarantine program to make recommendations for changes and improvements in the framework for regulations. This review, which included representatives of universities and industry as well as the state regulators, resulted in recommendations that will soon be presented in a report called ''Safeguarding American Plant Resources: A Review of APHIS' Plant Protection and Quarantine's Pest Safeguarding System.'' This report will also recommend risk-based management of plant permits, including development of mechanisms to exempt from permitting or expedite permitting in certain low-risk cases. Thank you for your continued interest in this matter.

CLARIFICATIONS TO THE SENATE COMMITTEE REPORT NO. 106–80

Mr. COCHRAN. I note for the record the following technical clarifications to the Senate committee report (Senate Report 106–80) on S. 1233, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations bill for fiscal year 2000:

On page 96 of the report, the chart regarding the rural economic development loans program account should not footnote the Committee recommendation. The Committee's recommendation for the direct loan subsidy is not offset by a rescission from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936.

On page 133 of the report, Bill Emerson and Mickey Leland Hunger Fellowships should be added to the list of programs which currently lack authorization for fiscal year 2000.

Mr. McCAIN. Mr. President, this agriculture appropriations bill provides annual funding for our nation's farmers, producers and the agency supporting our agricultural industry, the U.S. Department of Agriculture. The chairman and his colleagues on the Agriculture Appropriations Subcommittee deserve much credit for their work on this bill, which ensures funding for fundamental programs to support agricultural, rural development and nutrition programs. Unfortunately, the process by which appropriators continue to add wasteful and unnecessary spending to this important funding measure is unacceptable.

Each year, I am amazed by arbitrary fashion in which the appropriations committees choose to allocate the strict federal dollars that we should reserve for important and necessary federal programs. At the expense of our American taxpayers, this bill and its accompanying report are riddled with unrequested, low-priority earmarks, representing $170 million in additional spending.

The agriculture appropriations bill is a haven for members to tack on unrequested and unauthorized funding for special interest projects, particularly in sections of the accompanying Senate report dealing with the Cooperative State Research, Education, and Extension Service. For example, 114 out of a total 118 projects funded under the section for special research grants are either unrequested or received additional funding above the budget request. Over 90 projects under the Agriculture Research Service were targeted for termination by the administration, yet a majority of these projects continue to receive funding in this bill.

These actions lead me to ask a fundamental question. What is the purpose of conducting a formal budget process when the Appropriations Committee exhibits such carte blanche authority to fund projects which have not been considered in our established authorization and funding process? I review all of the annual appropriations bills, yet I have rarely seen such flagrant examples of egregious spending as those included in this bill.

In the Senate report, the appropriations committee state their commitment to only fund priority projects,

yet earmarks are approved for such projects as $300,000 for cereal rust research in St. Paul, MN. No information is provided for members to determine what kind of project deals with ''cereal rust'' and why this project deserves a specific earmark of nearly a third of a million dollars.

Other earmarks include $500,000 for swine waste management in North Carolina, $100,000 to reduce damages and manage populations of fish-eating birds which prey on farm-raised cattle in the Mid-south area, and an increase of $452,000 to support the sterile fly release in San Joaquin Valley. It is incredible to me, and no doubt to the American people, that we speak of fiscal responsibility and budget constraints in one manner, and yet act in a diametrically opposite manner wasting enormous amounts of funding for projects that appear to have little relationship to improving the agricultural economy.

Some projects may be meritorious, such as potato research and weed control, but are these problems specific only to certain states like Washington and North Dakota? Enough to receive not only an earmark, but an increase above the requested levels? I am certain that my constituents in Arizona can attest to the need for funding to monitor certain crops and deal with problems of weed control, yet they are unable to compete for funding to address these issues when decisions are based more on parochial interests rather than national priority.

This bill goes beyond the traditional earmarking process by selecting particular sites across the country to receive additional spending for extra staff and personnel. Why are these facilities receiving direct funding for additional staff at a time when each agency is required to abide by the mandate of the Government Performance and Results Act to operate more efficiently with less bureaucracy? Even if these positions are critical, why are they not prioritized in the normal administrative process?

In various parts of the bill and report, the committee includes express language which all but provides direct earmarks for certain projects and grantees and effectively intervenes in what is supposed to be a competitive grant process outside the realm of political influences. For example, in the Senate report, language is included which states the committee's expectation that the Administration give full consideration to an application for funds to construct a new facility for the St. Paul Island Health Clinic in Alaska and other language which urges the Administration to consider applications from the State of Alabama for projects benefitting Montgomery, State Farmer's Market and other farmers in the State.

We are invested with the responsibility to fully consider and debate the appropriate expenditure of federal funds. I commend Senator COCHRAN, chairman of the Senate Subcommittee on Agriculture Appropriations, for his floor statement in which he stated that the committee sought to apply funding in a ''reasonable and thoughtful way.'' Unfortunately, the pork in this bill and report prove that the Appropriations Committee is still unable to curb its appetite for unnecessary and wasteful spending.

I have compiled a list of objectionable provisions, totalling $170 million, to S. 1233 and its accompanying Senate report, which, due to its length, cannot be printed in the RECORD. The list of objectionable provisions will be available on my Senate web page.

Mr. KERREY. Mr. President, I would like to indicate my strong support for two related research and technology initiatives in the U.S. Department of Agriculture's FY2000 budget—initiatives that were in the President's request, but which have not received any increases in this budget being debated today. The USDA Global Change Research Program and the Climate Change Technology Initiative are two very important programs that deserve additional attention and funding. I recognize that this Congress is faced with many competing funding needs, particularly with the dire situation faced by much of the agriculture community today, but I submit also that we cannot ignore the needs of potential future disasters, especially when the means to avoiding such disaster will benefit U.S. farmers and U.S. agriculture while also benefiting the entire nation.

I am referring to the potential effects of global climate change, and the potential for the agriculture sector to cost-effectively and efficiently help us to mitigate against increased concentrations of atmospheric greenhouse gases.

Like many policymakers and many of my colleagues, I am convinced by the data international scientists have amassed that indicates climate change is a phenomenon to be dealt with in order to avoid calamitous effects. I agree with the assessment of the scientific community that we must insure against potentially devastating effects of climate change by taking action now. We are certain that greenhouse gas concentrations have been substantially increasing in the atmosphere, and as those concentrations have increased, global surface temperatures have risen. While we are not sure of the exact nature or extent of the resulting climatic and weather-related disruptions that may occur as the greenhouse effect is intensified, we do know that we should act now. Acting now will benefit the global climate, and the health of our citizens.

A significant body of research indicates that there is great potential for U.S. agriculture—for cropland, rangeland, and pastureland, as well as for forests—to sequester carbon at particularly low costs to society. Scientists have shown that with selected management practices, agricultural soils can effectively absorb a large proportion of the annual increases in atmospheric CO2 that are attributed to the greenhouse effect of global climate change.

What this means for the U.S. is that we have a cheap, effective sink—a means to sequester a large amount of the carbon dioxide and other greenhouse gases that are being emitted from fossil fuel emissions. The sequestration of carbon in soils is a benefit to agriculture, in addition to society. Increased carbon in soils leads to reduced soil erosion, increased soil tilth and fertility, increased water absorption and retention, and most notably for agriculture, increased productivity. As noted recently by Dr. Rattan Lal, an international soil carbon research scientist—carbon is the basis for all life—including in agricultural soils. Carbon absorption by soils helps agriculture, and helps to reduce our greenhouse gas emissions.

While we understand a great deal about the means by which carbon is absorbed and retained in soils—for instance through minimal or no-till practices—there is still much that needs to be learned about the entire carbon cycle in nature, and how it moves from one pool, such as soils, to others, such as the atmosphere. We need to better understand the balance of land management and tillage techniques that sequester and retain carbon in soils, and to insure that agricultural policies are supportive of and encourage these activities. Additionally, research is needed to more accurately identify how carbon is lost from soils, either to the atmosphere or elsewhere—and to then identify how best to preserve and retain carbon in the soil sink.

What we are looking at is a win-win-win situation—a win for society, a win for the climate, and a win for agriculture. But we must invest now in this future, not only because it will help us to bridge the gap, as we move in the direction of reducing our dependence on fossil fuels and practices that emit greenhouse gases, but it will help us to soften the blow on all other impacted sectors. Using agriculture as a carbon sink helps not only agriculture—it gives all other sectors breathing room to technologically or otherwise adapt to reduced fossil fuel dependence. It will help this country to reduce our greenhouse gas emissions sooner, cheaper, and without the disruptions to businesses and the economy that some sectors have forecast.

Mr. President, that is why I want to voice my support for funding the USDA Carbon Cycle Research Program and the Climate Change Technology Initiative. Funding for these important programs is essential to optimize the potential for agriculture and for the climate. I urge that the Senate consider additional funding for these programs.

Mr. President, I ask that my full statement be included in the record during the debate on the Agriculture Appropriations Bill.

Mr. FEINGOLD. Mr. President, I'm proud to represent a state that produces a wide variety of the highest quality agricultural products, from dairy products to cranberries, ginseng, corn, wheat—the list goes on, and it is as varied as Wisconsin itself.

Agriculture is the lifeblood of my state, so when a bill like Agriculture Appropriations comes to the floor, I feel it's vitally important that every aspect of the legislation—including the interests attempting to influence this debate—be discussed and examined.

Earlier this year when I gave remarks on this floor, I promised that from time to time when I participate in debates on legislation I would point out the role of special interest money in our legislative process, an effort I am calling The Calling of the Bankroll.

That's why today I want to briefly highlight some of the political contributions that have been made by the agriculture industry—money spent to influence the way we approach agriculture appropriations on this floor, in the other body, and at the White House.

Agriculture interests have donated nearly $3 million in soft money during the last election cycle, and $15.6 million in PAC money. That's well over $18 million overall—and again that's during just a two-year period.

The soft money numbers are particularly interesting, Mr. President, because they reflect a pattern that a number of special interests follow, known as ''double giving'' or ''switch hitting.'' It means that a donor doesn't just give soft money to one party, the party whose political views the donor might favor. Instead double givers amass political clout by donating generously to both parties.

Examples of these soft money double givers in the agriculture industry during the last cycle include the Archer Daniels Midland Company, which donated $263,000 to the Democrats and $255,000 to the Republicans; United States Sugar Corp, which donated $157,500 to the Democrats and almost $250,000 to the Republicans; and Ocean Spray Cranberries Incorporated, which donated $156,060 to the Democrats and $117,600 to the Republicans.

Those are just a handful of examples, Mr. President, but I think they give my colleagues an idea of how the double-giving game is played.

Of course not everyone is a double giver. The top agribusiness soft money donor to the Democratic party, crop producer Connell Company, gave $435,000, all to the Democratic party committees. Dole Food Company gave more than $200,000 in soft money in 1997 and 1998, all to Republican party committees.

And in the interest of fairness, Mr. President, I also should mention an agribusiness donor that shares my position against the extension of the Northeast Dairy Compact: The International Dairy Foods Association, which gave more than $71,000 in soft money during 1997 and 1998 all to the Republican party committees.

There are many interests that will be affected by what we do here on this floor with regard to agriculture appropriations, Mr. President, and some have more resources to influence this debate than others. It is in the spirit of providing a fuller picture of the debate over agricultural issues—and the wealthy interests that seek to influence the debate's outcome—that I have presented this information, both for the benefit of the public and my colleagues.

I thank the chair and I yield the floor.

Mr. GORTON. Mr. President, like many in the Nation, Washington's agriculture communities have fallen on extremely tough times. For example, a combination of adverse economic circumstances has caused apple prices to fall to their lowest level in over a decade, while the price for soft winter wheat has plummeted to below $2.50 a bushel.

During the debate on the Fiscal Year 2000 Agriculture Appropriations bill, we have been discussing what to most growers is in the forefront of their mind—their bankbook and their bottom line. Without question, this issue deserves our time and attention.

While crumbling commodity prices have taken their toll on far too many proud and previously profitable agricultural producers and their families, they also are eroding the very foundation upon which much of my State's rural economy is built. Simply put, many of my state's farmers and their communities are suffering.

Washington State produces half the Nation's apples from orchards that start at the base of the Cascade mountains and stretch from the Canadian border in the north, to the Columbia River in the south. Aided by volcanic soil rich in nutrients, irrigation, cool nights and warm sunny days, Washington's apples are the envy of the world's other apple producing countries.

Where my State's apple orchards end, Washington's lush fields of wheat begin. Spanning the eastern third of my State, Washington's wheat farms produce the most sought after wheat in Asia. And yet, being the best and producing such high quality products does not always equate to success.

The Asian financial crisis and world wide overproduction have taken their toll on Washington's wheat farmers. At the same time, a record crop coupled with a decline in export opportunities and a flood of cheap apple-juice concentrate imports from China have imperiled many of my State's apple growers.

Still, Washington's agricultural producers are fiercely independent and not ones to look for a handout from the Federal Government. Rather, in all my discussions with members Washington's agricultural community and its leaders, what I am told my State's farmers need and want most from the Federal Government is a fair shake. Specifically, their list of demands includes trade, access to the tools necessary for quality production, regulatory relief, tax relief a dependable labor force, and Federal participation in agriculture research.

Growers have rightfully insisted upon fair and unfettered access to the world's consumers, which can only be achieved by insisting that there will be no trade deals until an acceptable agricultural agreement is reached during the upcoming round of multilateral trade negotiations slated to commence this fall in Seattle. I thoroughly support this demand, recognizing that Washington's producers export more than 25 percent of their harvest, with at least one third of the apples grown in Washington being shipped, and nine in ten bushels of wheat being exported.

Unfortunately, far too many countries still restrict or prohibit the importation of Washington's cornucopia of commodities. That is why I have expressed to administration trade officials the importance and significance of agriculture negotiations during the Ministerial. We must work to pry open these markets and, if need be, deny another country's goods access to our market until the doors of trade swing freely in both directions.

For example, just recently the Government of Taiwan agreed to delay implementation of pesticide tolerance tests that would have seriously hampered the U.S. apple and cherry trade with that country. Recognizing Taiwan is the apple industry's largest export market, I took the lead among my colleagues in the Senate to ensure that these tests would not be implemented until further scientific discovery had occurred.

Farmers face not only bogus phytosanitary trade barriers, but unfair trade practices by other countries. In early June, I sent a letter of support to the International Trade Commission regarding the dumping case brought by the U.S. apple industry against China. The ITC recently unanimously agreed that dumping had occurred and will announce potential duties in the near future. The case brought by the industry was terribly justified, recognizing the price paid for U.S. apples for juice concentrate plummeted to nearly a penny a pound.

Unilateral trade sanctions, as a result of the convincing messages sent by Washington farmers, have been at the center of nearly every agriculture discussion in the U.S. Senate. In response to the cries for relief from farmers, I have supported nearly every agriculture trade sanctions relief bill that has been introduced in the Senate. With nearly 60% of the world's population under U.S. sanction, the time to discuss the impact of these sanctions on the American family farm could not be more timely. It is without question that these sanctions do more harm to our agriculture communities than to the regimes on which they are imposed.

In addition to all the various trade conditions facing the producer, farmers in Washington have also demanded access to affordable and effective crop protection tools, which can only be achieved through science-based implementation of the Food Quality Protection Act. That's why I am an original cosponsor of the Regulatory Openness and Fairness Act to ensure that decisions regarding health risks are informed and not hasty, that the intent of the FQPA is carried out with the use of sound science and practical application, that a dose of common sense is applied, and that adequate time is available to make certain all decisions and tolerance standards are healthy and equitable.

Continued availability of water for irrigation, electrical generation and the transportation of bulk commodities from field to port, which can only be achieved through a balanced and scientifically-sound salmon recovery effort in the Pacific Northwest is a demand that resinates throughout Washington's orchards and fields. This is a demand I not only respect, but as most producers will know, continues to be one of my most important priorities as a U.S. Senator. I have gone to great lengths to ensure the solvency of the Snake and Columbia River hydroelectric systems with one key user in mind—farmers.

Washington produces a wide array of minor crops, many that are very labor intensive and require special attention during harvest. Washington's agriculture community demands a dependable and legal workforce to harvest and process their crops, which can only be achieved by reforming the H2A labor program to provide agricultural employers with an affordable and workable system for securing temporary foreign labor. I have testified with my colleagues and introduced bills in the Senate that would provide such reforms.

Farmers in Washington demand meaningful tax relief. Just last week, the tax bill passed in the Senate included the much sought after Farm and Ranch Risk Management accounts. These set-aside accounts will provide the savings mechanism growers have requested in order to secure financial longevity. In addition, I am a strong proponent for the elimination of the estate tax, one the most onerous financial burdens placed on a livelihood that is passed from generation to generation.

And finally, with passage of the 1996 Freedom to Farm bill, growers demanded federal participation in agriculture research. My role as a member of the Senate Agriculture Appropriations Subcommittee provides the mechanism necessary to ensure that the Pacific Northwest is adequately represented, and that science based research is utilized to assist growers in producing some of the most demanded, nutritional, and safest food supplies in the world.

All of the aforementioned demands are intended to provide Washington's agricultural producers the tools they need to cultivate a profitable future. I remain convinced of their merit and committed to the task of securing their achievement. Unfortunately, this administration has yet to recognize their importance and, in most cases, actually opposes their adoption.

And now the Senate is in the midst of a debate not only over the livelihood and longevity of the American farm, but to some extent, the policy that drives our nation's combines and tractors. I am unwilling to condone the approach being advocated by some of my colleagues, who are seeking to turn back the hands of time and to undermine the free-market principles embodies in the Freedom to Farm Act. Instead, I support an approach that provides the resources to those programs already in place to assist producers to overcome these difficult times.

Meanwhile, as the Senate debates the issue of farm economy and financial assistance, the White House remains silent. Recognizing the bottom line for many in the agriculture sector is slowly dropping, my colleagues and I sent a letter to the President, requesting his active participation in the establishment of a financial relief package for farmers. This letter was in addition to a request included in the fiscal year 1999 supplemental appropriations bill for administration involvement. As we debate this sensitive issue today, the Administration's inactivity and silence is deafening.

Recognizing the bleak financial future facing Washington's minor crops, I have during the past few days fought tirelessly to ensure that funding is provided in the Republican farm assistance package for fruits and vegetables. I have undertaken this endeavor very seriously and have engaged in extremely frank discussions with my colleagues over my support for an amendment that includes such a provision.

During the debate on the original Cochran financial relief package, I was successful in negotiating the inclusion of $50 million for the fruit and vegetable industries. Because of my desire to provide additional funds for fruits and vegetables, I worked with Senator Roberts to include in his amendment $300 million for specialty crops. While the entire Roberts amendment failed in the Senate, I am pleased that our tree fruit and vegetable industries have a $50 million starting point. As a member of the Senate Agriculture Appropriations Subcommittee, I will have the opportunity to work to increase this funding during conference on the bill.

I also responded to the calls for assistance from those in orchard country by including an amendment in the bill directing the Farm Service Agency to review all programs that assist apple growers in time of need. Specifically, I requested that FSA review the limits placed on operating loans utilized by apple farmers, and report back to Congress what the agency perceives is a workable remedy.

Rest assured, whatever the final outcome of the Fiscal Year 2000 Agriculture Appropriations bill, I will send two important messages to my agriculture constituency back home. First, I will continue working tirelessly to make certain all commodities produced from Washington's fertile soil will have a fair shake at receiving some form of assistance. I am poised and prepared to continue this challenge. And second, I will continue working on agriculture's list of demands, pushing to ensure that from trade to labor, and from taxes to environment, the livelihood that has made agriculture the career choice for so many will remain just that.

Mr. BAUCUS. Mr. President, I rise today to express my concern that S. 1233, the Agriculture Appropriations bill for FY2000 does not include adequate funding for carbon cycle or carbon sequestration research. The Administration has proposed approximately $22 million for these programs at the Natural Resource Conservation Service (NRCS) and the Agriculture Research Service (ARS). With that money, scientists can develop a better understanding of the potential for agricultural lands to serve as carbon sinks. These programs are priorities in the U.S. Global Change Research Program and the Administration's Climate Change Technology Initiative.

Once we more thoroughly understand how our soils capture and store carbon, we can use that knowledge to improve our management practices and yields. We can also cost-effectively use soils to offset carbon emissions that might lead to global warming. Failure to provide these funds is short-sighted and may prevent farmers and ranchers from reaping profits through storing carbon on their land in the near future.

Agricultural lands in the U.S. have a huge potential to store carbon that would otherwise be released into the atmosphere. Each year, the U.S. emits about 1.5 billion metric tons of carbon equivalent (MMTC) or gases that contribute to the greenhouse effect. According to USDA experts, properly managed U.S. croplands could be major sinks or reservoirs of carbon. They could sequester, or store, 85–200 MMTC more per year than the agriculture sector does now. If a coordinated program to manage carbon in agricultural soils were implemented worldwide, some experts project that carbon sequestration could increase to the rate of 3000 MMTC per year. This rate is equal to the world's net annual increases in atmospheric carbon dioxide.

Mr. President, about 25–30% of our nation's farmers, growers and ranchers are already employing best management practices which will effectively store carbon, so farmers and ranchers would not need to adopt radically new production techniques to store carbon. Most find these practices very cost-effective for their bottom-line because

the land rewards them for their attention. There are higher yields with increased carbon storage, less erosion, and improved soil and water quality. As an example, adoption of conservation tillage and residue management practices could lock up about .2 metric tons of carbon per acre every year.

Eventually, as actions by some of our major trading partners are now demonstrating, there is likely to be a worldwide market in carbon credit trading, regardless of what happens to the Kyoto Treaty in this country. This is a terrific economic opportunity. As we discuss the sorry state of American agriculture and the family farm in the context of this bill, we should keep in mind that soil carbon storage could become a very lucrative opportunity to maintain income levels. Experts are projecting that carbon credits will sell for somewhere between $10–$50 per ton and maybe higher. So, a farmer using best management practices on his 1000 acres could possibly get payments of $2,000–$10,000 or more per year for storing carbon.

Mr. President, the very modest sums that the Administration is seeking for these programs are not to implement Kyoto through some back-door method. There are legitimate scientific questions that need to be answered whether or not one believes Kyoto is necessary. Understanding soil science better will improve crop yields, make range management more efficient, and provide a host of environmental quality benefits. This knowledge will benefit all those who produce food and fiber.

I should note for my colleagues that there will be a national conference to explore opportunities for carbon sequestration in Missoula, Montana, from October 26–28. The purpose of this conference is to provide information and education on carbon sequestration activities to mitigate carbon dioxide emissions through market-based conservation.

Many of the experts that will speak at this conference are scientists whose work would be furthered if Congress funds the Administration's request. The efforts of the Montana Carbon Offset Coalition to establish a pilot carbon trading program would also be helped along by funding these programs.

Mr. President, there are many pressing needs facing Congress and, in particular, the managers of the Agriculture Appropriations bill. I just think that we should make investing in our future a priority. Soils seem to be a great low-cost way for us to reduce the impact our country has on the global climate. Even for those who do not believe climate change is happening due to mankind's emissions, increasing soil carbon content has huge side benefits for the economy and the environment. I hope the managers will find a way to fund these important programs in conference.

Mr. GRAMS. Mr. President, today the Senate passed the Cochran amendment to the agriculture appropriations bill that provides emergency relief to the nation's rural communities. I voted for the Cochran plan and the assistance it will bring to suffering Minnesota farm families.

Earlier in the discussion of agriculture relief, I participated in efforts to find a compromise that could provide more relief than the Cochran proposal. Specifically, I believe Minnesota farmers would have been better served by the Grassley-Conrad amendment, which failed by a close margin. The Grassley-Conrad package provided some additional elements, such as flood and crop loss payments, as well as increased aid for dairy producers. It was an $8.8 billion proposal that would have been particularly beneficial to our state's farmers.

The Cochran bill preserves the use of increased Agricultural Market Transition Act (AMTA) payments for income assistance to farmers, which is good for Minnesota producers. The Daschle-Harkin alternative package, while providing a higher amount of relief, tied income assistance to production levels. I am concerned that their proposal would have shortchanged some farmers, like wheat farmers in Northwestern Minnesota, who were unable to plant a crop this year due to severe weather. In one Northwestern county, only 10 percent of the normal acreage was planted. The Cochran proposal also provides needed relief to oilseed, livestock, dairy, and sugar producers. It also reduces the cost of crop insurance and increases the LDP payment limit to $150,000. And it exempts food and medicine sales from unilateral sanctions which will help Minnesota farmers sell to Cuba and other countries.

I am also pleased that the Senate resisted the attempt to extend the life of the Northeast Compact and prevent enactment of the federal milk marketing order reforms during consideration of the emergency farm relief package. Considering the hardships that the rural areas are suffering, now is certainly not the time to be taking up controversial proposals which discriminate against Midwest dairy farmers. Dairy farmers in the Midwest are struggling to make a decent living for their families, and they should not have to shoulder the additional burden of dairy policies that prevent them from receiving a fair price. I urge the conferees on the agriculture appropriations bill to likewise reject extension of the dairy compacts, and restore market fairness for America's dairy producers.

There is a great deal of apprehension in the rural community over the future of farming, and I am certainly glad that we passed essential relief for farmers now, instead of waiting until after the August recess. I remain committed to Freedom to Farm and the opportunity that it promises. However, Freedom to Farm can only help our farmers if the political courage can be mustered to enact reforms in the areas of taxation, sanctions and regulations, and if we can continue to expand our markets. In the short-term the nation's farmers need assistance to tide them over in these difficult times, and I'm pleased that the Senate took the necessary steps to get aid to them quickly.

Mr. DOMENICI. Mr. President, I rise in support of the Department of Agriculture and Related Agencies Appropriations bill for fiscal year 2000.

The Senate-reported bill provides $60.4 billion in new budget authority (BA) and $40.2 billion in new outlays to fund most of the programs of the Department of Agriculture and other related agencies. All of the discretionary funding in this bill is nondefense spending.

When outlays from prior-year appropriations and other adjustments are taken into account, the Senate-reported bill totals $64.3 billion in BA and $47.3 billion in outlays for FY 2000. Including mandatory savings, the Subcommittee is at its 302(b) allocation in both BA and outlays.

The Senate Agriculture Appropriations Subcommittee 302(b) allocation totals $64.3 billion in BA and $47.3 billion in outlays. Within this amount, $14.0 billion in BA and $14.3 billion in outlays is for nondefense discretionary spending.

For discretionary spending in the bill, and counting (scoring) all the mandatory savings in the bill, the Senate-reported bill is at the Subcommittee's 302(b) allocation in BA and outlays. It is $22 million in BA below and $161 million in outlays above the 1999 level for discretionary spending, and $537 million in BA and $577 million in outlays below the President's request for these programs.

I recognize the difficulty of bringing this bill to the floor at its 302(b) allocation. I appreciate the Committee's support for a number of ongoing projects and programs important to my home State of New Mexico as it has worked to keep this bill within its budget allocation.

Mr. President, I ask unanimous consent that a table displaying the Senate Budget Committee scoring of the bill be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

H.R. 1906, AGRICULTURE APPROPRIATIONS, 2000; SPENDING COMPARISONS—SENATE-REPORTED BILL
(Fiscal Year 2000 $ millions)

Senate-reported bill:				
Budget authority	13,983	.....	50,295	64,278
Outlays	14,254	.....	33,088	47,342
Senate 302(b) allocation:				
Budget authority	13,983	.....	50,295	64,278
Outlays	14,254	.....	33,088	47,342
1999 level:				
Budget authority	14,005	.....	41,460	55,465
Outlays	14,093	.....	33,429	47,522
President's request:				
Budget authority	14,520	.....	50,295	64,815
Outlays	14,831	.....	33,088	47,919
House-passed bill:				
Budget authority	13,882	.....	50,295	64,177
Outlays	14,508	.....	33,088	47,596

H.R. 1906, AGRICULTURE APPROPRIATIONS, 2000; SPENDING COMPARISONS—SENATE-REPORTED BILL—Continued

(Fiscal Year 2000 $ millions)

SENATE-REPORTED BILL COMPARED TO:				
Senate 302(b) allocation:				
Budget authority	.....	.....	.....	.....
Outlays	.....	.....	.....	.....
1999 level:				
Budget authority	(22)	.....	8,835	8,813
Outlays	161	.....	(341)	(180)
President's request:				
Budget authority	(537)	.....	.....	(537)
Outlays	(577)	.....	.....	(577)
House-passed bill:				
Budget authority	101	.....	.....	101
Outlays	(254)	.....	.....	(254)

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

Mr. COCHRAN. Mr. President, I know of no other statements or amendments to be submitted.

I suggest that we are ready for third reading of the bill.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

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

The PRESIDING OFFICER. Under order of the Senate, H.R. 1906 is discharged and the Senate will proceed to the bill. All after the enacting clause is stricken, and the text of S. 1233 is inserted, H.R. 1906 is read a third time and passed, the Senate insists on its amendment, requests a conference with the House, and the Chair appoints Mr. COCHRAN, Mr. SPECTER, Mr. BOND, Mr. GORTON, Mr. MCCONNELL, Mr. BURNS, Mr. STEVENS, Mr. KOHL, Mr. HARKIN, Mr. DORGAN, Mrs. FEINSTEIN, Mr. DURBIN, and Mr. BYRD conferees on the part of the Senate.

The Senator from South Carolina.

Mr. THURMOND. Mr. President, I want to take this opportunity to commend Senator COCHRAN for the great job he has done in handling this matter. There were a lot of interesting matters that came up and a lot of amendments that he had to consider. He has handled all of them skillfully and ably. We are very proud of the manner in which he has handled it. I also wish to commend the able Senator KOHL for working with him so well and doing such a fine job. We are very fortunate to have these fine men to handle this matter in such a skillful manner.

Mr. COCHRAN. Mr. President, I thank very much the distinguished President pro tempore, the Senator from South Carolina, Mr. THURMOND, for his generous remarks and his assistance in the handling of this bill of the Senate. His leadership is legendary. His influence in this body continues to be very important. We are grateful for his continued service in the Senate.

I also want to commend members of our staffs who have been so diligent and so effective in the handling of the duties they have assumed in connection with the development of this legislation and the passage of the bill. I specifically want to commend: Mark Keenum, my chief of staff; Rebecca Davies, chief clerk of the subcommittee; Hunt Shipman, Martha Scott Poindexter, Les Spivey, and Buddy Allen. They have all been very helpful and very conscientious and discharged their responsibilities in a professional and very praiseworthy way. I am deeply grateful for their good help.

On the Democratic side of the aisle, my good friend and colleague from Wisconsin is serving as a manager of this bill for the first time. He has done a great job helping us sort through the requests and the amendments that have been suggested in helping guide this bill to passage. We have not agreed on everything, but we worked through our disagreements in a cordial way. I appreciate very much his leadership on the Democratic side and the way he has handled his responsibilities.

I also want to thank the staff members who have worked on the Democratic side on this bill: Paul Bock, who is the chief of staff of Senator KOHL; Kate Sparks, his legislative director; Galen Fountain, who is an experienced member of the subcommittee staff, having worked for Senator Bumpers and others since his time here as a member of the Senate staff; and Carole Geagley. We appreciate the opportunity to work with all these fine folks.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. KOHL. Mr. President, I take this moment to thank Senator COCHRAN who has been an extremely fine and fair chairman. He has done a tremendous job in shepherding this bill through. I thank also Becky Davies of his subcommittee, and I express my appreciation to Galen Fountain, Paul Bock, and Kate Sparks of my side. They have done a tremendous job and been of great assistance to me. I couldn't have done my job without their help.

I am very pleased we have reached this point.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

The PRESIDING OFFICER. Under the order of the Senate of June 30, having received H.R. 2606, the Senate will proceed to the bill, all after the enacting clause is stricken, and the text of S. 1234 is inserted. H.R. 2606, as amended, is read a third time and passed. The Senate insists on its amendment, requests a conference with the House, and the Chair appoints Mr. MCCONNELL, Mr. SPECTER, Mr. GREGG, Mr. SHELBY, Mr. BENNETT, Mr. CAMPBELL, Mr. BOND, Mr. STEVENS, Mr. LEAHY, Mr. INOUYE, Mr. LAUTENBERG, Mr. HARKIN, Ms. MIKULSKI, Mrs. MURRAY, and Mr. BYRD conferees on the part of the Senate.

The bill (H.R. 2606), as amended, was passed.

(The text of S. 1234 was printed in the RECORD of July 1, 1999)

MORNING BUSINESS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

WILLIE MORRIS, HONORING THE LIFE OF A GREAT SOUTHERN WRITER

Mr. LOTT. Mr. President, earlier this week, author Willie Morris, a native of Mississippi, passed away from an apparent heart attack at the young age of 64. Mr. Morris was a writer and editor who painted a vivid picture of the Southern way of life unlike any literary figure since William Faulkner. Mr. Morris had the heart of a good ole country boy who grew up in Yazoo City, and the intellect of a Rhodes Scholar.

Mr. Morris later went on to become a major literary leader, becoming editor and chief of Harper's Magazine at the age of 32. He attained national prominence in his career as a journalist, nonfiction writer, novelist, editor, and essayist by writing more than a dozen books on subjects ranging from his childhood English fox terrier in ''My Dog Skip'' to the intersection of football and race in ''The Courting of Marcus Dupree.'' Critics have characterized Mr. Morris's works as being ''exquisite and lyrical rendering.'' He was particularly well known for the books and articles in which he compared his experiences and southern heritage to America's own history.

Rather than attend the University of Mississippi, his father had him go to the distant and alien environs of the University of Texas in Austin, but in 1980 he returned to Ole Miss to be the writer in residence. His class room has been described like being at an Ole Miss v. LSU football game, because the students were always so excited.

Mr. President, Mr. Morris has been described as being ''a prolific author in his own life, defining moments of intimacy and compassion.''

David Sansing, a retired University of Mississippi historian said this about Mr. Morris, ''Willie was such an honest voice, clear, vivid, never ambiguous. He had to leave the South to really confirm his own Southernness. But of course, he came back.''

Willie Morris's writing undoubtedly had a grave impact on the lives of Mississippians and Southerners alike. He is survived by his wife, JoAnne Prichard of Jackson, and his son David Rae of New Orleans.

BUILDING SAFE SCHOOLS AND HEALTHY COMMUNITIES: THE WEST VIRGINIA RESPONSE

Mr. BYRD. Mr. President, stacks of spiral-bound notebooks and reams of paper, boxes of pencils and pens, lunch boxes and backpacks, are all making their way onto store shelves across the Nation as summer limps toward its hot, dry conclusion and the warm, crisp promise of autumn days, yellow school buses, and children walking to school closes in on us. A new school year is upon us, with all its bright potential for learning. Most students welcome the chance to see their friends again, and to again immerse themselves in the business of learning and growing. But sadly, some children are afraid to go to school. Some children must face and conquer the memories of sudden, violent death that have visited their schools in recent years.

Mr. President, in the wake of the senseless atrocities that have ripped at the traditional calm of schools across the country, it has become increasingly evident that we must work together here in Congress, and with our state governments, to prevent this kind of terrible tragedy from striking yet another American schoolyard. I am pleased to have recently joined with Senators LIEBERMAN and MCCAIN in authoring legislation to create a National Commission on Youth Violence, which has been included in the Senate-passed juvenile justice legislation.

With the new school year just around the corner, it seems an opportune time to refocus our energies on the work underway in each of our respective states, and to help the states craft even more effective prevention strategies for the upcoming academic year. And similarly, the states will serve as an invaluable resource for helping us to better strategize on federal solutions necessary for restoring peace and tranquility to our nation's schools. If we hope to have a school year free from the violence and emotional grief that rocked our nation last year, an equal exchange and dialogue is truly in order.

Given the most serious nature of the challenge we face, it is important that we bring together a wide range of experts to seek solutions to school violence. In this vein, I am pleased, today, to announce my cosponsorship with West Virginia University of a day-long symposium on safe schools and communities. From representatives of the West Virginia State Police, to parents, students, and the church community, the symposium participants will focus on efforts already underway throughout the state to combat school violence, and what more needs to be done to better protect our teachers and students from classroom violence. I hope that this event will give participants the opportunity to highlight the progress that has already been made in school safety, while also helping to create a guide for what still needs to be accomplished. West Virginia University, with its wealth of research and expertise, is the ideal forum for this event, and I feel confident that its contribution in behalf of the higher education community will further strengthen this ongoing dialogue throughout the state.

A school ought to be a place where students thrive on learning for learning's sake alone, and where teachers find true pleasure in explaining the details of the battle at Antietam or the Pythagorean theorem. It ought to be a place where students can frolic in the school playground with classmates during recess without a worry in the world. Mr. President, the events of the recent past work against this vision.

It is my hope that this symposium will provide West Virginians with an opportunity to look for ways to prevent such violence from occurring in West Virginia schools. By bringing together West Virginia parents, educators, students, law enforcement officials, policy makers, and a variety of other experts to examine school- and community-based strategies to reduce youth violence, we, collectively, will bring greater clarity and wisdom to this troubling issue, both at the state and federal levels.

As students and teachers prepare for another school year, we need to reflect on the violence that has taken place in so many other communities, and look for ways to prevent such violence from occurring in West Virginia schools. Through this symposium, it is my hope that we will take the time to find the strength to reach across the lines that serve to divide us and touch the common spirit that the Creator instilled in each of us. It is long past time for us to work together on common ground to achieve common dreams.

TIME TO SUPPORT CTBT RATIFICATION

Mr. AKAKA. Mr. President, I rise to urge Senate consideration of the Comprehensive Test Ban Treaty, CTBT. As Ranking Member of the Governmental Affairs Subcommittee on International Security, Proliferation and Federal Services, I believe that ratification of the CTBT would enhance our nation's security for several reasons.

It imposes a verifiable ban on all nuclear weapons testing, conducted anywhere, at any time; it takes a pro-active step towards ending the threat of nuclear tests conducted by rogue nations attempting to develop nuclear weapons; and it demonstrates the United States' commitment to a safer and more secure future free from radioactive fallout produced by nuclear explosions. Implementing the CTBT does not preclude improving our nuclear weapons. The United States will be able to maintain a sophisticated and viable arsenal without conducting dangerous nuclear tests.

In the last decade, the most frequently cited argument against a test ban has been the claim that continued testing is necessary to ensure that stockpiled weapons are reliable; that is, they will detonate as planned and that the yield and effects will meet design specifications. Even test ban critics acknowledge that reliability stockpile testing has been mainly nonnuclear.

In testimony before the Senate Armed Services Committee, Robert Baker, former Deputy Assistant Director for Verification and Intelligence at the Arms Control and Disarmament Agency, ACDA, said, ''[they] do not routinely go out and take nuclear weapons out of the stockpile and test them.'' Other weapons designers have testified that nuclear tests simulations on high-performance computers are adequate substitutes for nuclear explosions and can provide accurate data on warhead viability.

The purpose of testing existing weapons has not been to detect unforeseen problems but rather to check on particular problems identified through the non-nuclear inspection and simulation program. With very rare exceptions, the tested weapons performed in the desired manner. In fact, only one stockpile confidence test performed between 1979 and 1986 revealed a problem needing correction. The reason that any nuclear reliability testing of stockpiled weapons has been necessary in the past is that some older types of nuclear designs were originally put into the stockpile without the stringent production verification tests now standard. Our stockpile stewardship program enables the United States to meet the requirements for a treaty banning all types of nuclear testing while simultaneously maintaining a viable nuclear arsenal.

This is not a new effort. It was not invented by the Clinton Administration. American presidents have sought for nearly forty years to negotiate a treaty that prohibits nuclear testing.

President Eisenhower initially noted its importance in his State of the Union address in January of 1960 when he said that ''looking to a controlled ban on nuclear testing'' could be the means of ending the ''calamitous cycle . . . which, if unchecked, could spiral into nuclear disaster.''

President KENNEDY later reaffirmed the United States' commitment to such a treaty in a 1963 commencement address at American University, stating that ''the conclusion of such a treaty [that ended nuclear testing] would check the spiraling arms race in one of its most dangerous areas. . . . [Furthermore,] it would increase our security [and] it would decrease the prospects of war.'' Today, this treaty has the strong support of members from both parties.

If the Senate does not consent to the ratification of this treaty before the September 24, 1999, deadline, the United States will not be able to participate in decisions regarding the future of the treaty. Under the terms of Article XIV of the CTBT, a conference of the countries that have ratified can

be convened on the third anniversary of the treaty's opening for signature to determine how to ''accelerate the ratification process in order to facilitate the [treaty's] early entry into force.'' Although both countries that have and have not ratified the treaty before the date of this conference may attend, the non-member countries of the treaty are only invited as observers and may not participate.

The United States is one of the 44 named countries that is required to sign and ratify the treaty before it can ''enter into force''. If the United States does not ratify this treaty, we are preventing the CTBT's implementation. The United States must ratify this treaty so that it can continue its leadership role in arms control. We should not be the holdout country that threatens the CTBT's entry into force. By demonstrating our commitment to halting nuclear testing, the United States creates an environment that encourages other countries to ratify the treaty.

The threat of rogue nations developing nuclear weapons is real and urgent. The July 1999 Deutch Commission's Report, entitled ''Combating Proliferation of Weapons of Mass Destruction,'' cites several examples: in the spring of 1998, India and Pakistan conducted nuclear tests, worsening instability on the subcontinent; during the recent crisis in Kashmir, a nuclear war in South Asia looked possible for the first time; and countries in the Middle East and East Asia attempted to acquire weapons of mass destruction. The CTBT prevents other nations who ratify it from conducting nuclear tests. It helps rein in rogue nations now and in the future that attempt to acquire and develop weapons of mass destruction.

Finally, this is a treaty that the American people want. Recent polls show that 82 percent of Americans support ratification of the CTBT. They know that ending nuclear explosions is a better way to protect the United States against nuclear weapons threats.

I urge the Senate Foreign Relations Committee to hold hearings on the Comprehensive Test Ban Treaty so that we may take action on this agreement before it is too late. We cannot allow the United States to be locked out of its rightful leadership role at the September review conference on this treaty. This treaty is the most effective step that we can take to enhance international security and to maintain nuclear safety.

TRIBUTE TO SPECIALIST T. BRUCE CLUFF

Mr. BENNETT. Mr. President, a memorial service was held on Monday in Ft. Bliss, Texas, to honor five American men and women who lost their lives last week in the service of this country. On July 23, an Army airplane was reported missing over Colombia with five U.S. military personnel and two Colombians on board. The wreckage was located later in the week and days later, the Department of Defense confirmed the deaths of those on board.

Coffins draped with the Stars and Stripes left Bogota, and were flown to Ft. Bliss Texas, a wreching reminder of the continued sacrifice made by American men and women in the Armed Forces and of course their families.

One of the soldiers killed in the crash was Private First Class T. Bruce Cluff, a former resident of the city of Washington in my home state of Utah. Private Cluff served as one of 300 soldiers in a Battalion whose uniforms bear a crest that states ''Silently We Defend.''

Mr. President, because we cannot, and should not, allow the untimely loss of those in uniform to go unnoticed, I rise today to pay tribute to Private T. Bruce Cluff, a soldier killed in the line of duty; a soldier who received the Army Good Conduct Medal; a soldier who volunteered to risk his life for the protection of our nation and its defense against aggressors.

T. Bruce Cluff was born in Mesa, Arizona, and as a member of the Boy Scouts of America, attained the rank of Eagle Scout at the age of 13. He graduated from Whitehorse High School in 1992, and served a two year mission for the Church of Jesus Christ of Latter-day Saints in the state of Montana. Private Cluff attended Dixie College in Utah and worked as a Computer Aided Draftsman before enlisting in the Army in 1997. He completed basic training at Fort Leonard Wood, Missouri and Advanced Individual Training (AIT) at Fort Huachuca, Arizona.

In mourning Cluff's death and announcing his posthumous promotion to the rank of specialist, a statement from the Army read, ''His commander and NCO supervisors regarded his skills—as superlative. His can-do attitude and enthusiasm embodied the motto of his platoon, which reads, 'Excellence—Nothing Else is Acceptable.' ''

As a reminder to those of use who didn't know any of the soldiers personally, I share writings from George Washington which I believe shed light on a soldier's quiet commitment, and perhaps a tendency to forget what is asked of our men and women in uniform. The winter of 1777 was a bleak time in our nation's military history. George Washington, after his defeat at the Brandywine, established Winter Headquarters at Valley Forge. The soldiers were in rags, were sick and starving. Criticism of Washington from the Congress was loud, and spreading to the public.

On December 23, General Washington wrote to the Continental Congress, explaining that ''no less than 2,898 men now in camp are unfit for duty, because they are barefoot and otherwise naked.

He then addresses the criticism, ''But what makes this matter still more extraordinary in my eye is, that these very gentlemen—who were well apprised of the nakedness of our troops—should think a winter's campaign, and the covering of these States [New Jersey and Pennsylvania] from the invasion of an enemy, so easy and practicable a business. I can assure those gentlemen, that it is a much easier and less distressing thing to draw remonstrances in a comfortable room by a good fireside, than to occupy a cold, bleak hill, and sleep under frost and snow, without clothes or blankets.

Those of us who are in a 'comfortable room by a good fireside,' should be reminded that the missions of the military are not comfortable nor are they easy. Even in peacetime, America has troops stationed all over the world, engaged in all manner of missions, and regrettably, none without threat.

There will be few who know about the Cluff's loss. Specialist Cluff, to use his new rank, has not had his picture on the cover of any magazine. His life hasn't been the subject of wide media attention. However, his young wife who is expecting their third child, and his remaining two children, have lost a husband and young father. His siblings have lost a brother and his parents have lost a son. This country has lost a good soldier. It mourns with his family and honors his memory.

May the Cluffs be comforted in their time of grief. As we remember them and ask God to watch over them and bring them solace, may we also remember the family members of the other military personnel who, with Specialist Cluff, made the ultimate sacrifice in service to our country.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, let me say I was very moved by the remarks of the Senator from Utah. I am sure every Member of the Senate shares in expressing our sympathy for the men who were killed in that air crash. Certainly the Senator has done the Specialist and other Members very proud in his comments before the Senate.

HOLD ON THE NOMINATION OF RICHARD HOLBROOKE

Mr. GRASSLEY. Mr. President, on June 24 I announced that I had placed a hold on the nomination of Mr. Richard Holbrooke to be the new U.S. Ambassador to the United Nations. At that time, I had indicated that it was not a personal dispute with Mr. Holbrooke, but that it was a signal to the State Department. The Department has been mistreating a whistle blower, Ms. Linda Shenwick. She had made protected financial mismanagement disclosures to Congress. Her disclosures led to the creation of an Inspector General at the U.N., as well as other management reforms and statutory requirements.

My interest in this matter is simple. Congress cannot function as an institution if government employees cannot

communicate with Congress about wrongdoing. And the executive branch should not be allowed to shoot the messenger with impunity. I am simply trying to get the two parties to return to the negotiating table, where they had been up to as recently as two months ago, and arrive at a mutually agreed-upon new job for Ms. Shenwick.

Accordingly, I have placed a hold on three new nominees from the State Department. They are the following: A. Peter Burleigh as Ambassador to the Philippines; Carl Spielvogel as Ambassador to the Slovak Republic; and, J. Richard Fredericks as Ambassador to Switzerland.

In addition to these new holds, I have taken additional steps which I choose not to disclose at this time. They are designed to increase my and other interested colleagues' ability to insist that Ms. Shenwick be treated fairly. Several of my colleagues have indicated a desire to assist me on my further endeavors.

My interest, as I said, was not with Mr. Holbrooke. I intend to vote for him. My interest is, and has been from the beginning, in making sure the process for Ms. Shenwick remains fair. It became evident to me that the Secretary of State was not out of sorts with the hold-up of the Holbrooke nomination. Yet the hold accomplished some progress.

In the first place, the Department had long ignored a letter signed by nine United States Senators in October of last year, raising our concerns about its mistreatment of Ms. Shenwick. The Department did not even respond until June 30 of this year—eight months later. Since then, we have corresponded again, and I met with State Department attorneys through the good offices of my friend from Virginia, Senator Warner.

I also met with Administration officials and have engaged in useful dialogue. It has resulted in a more highly sensitized Administration as to the need for effective communications with the State Department to ensure fair treatment for Ms. Shenwick. These communications have produced one small yet positive step toward ensuring the fairest possible process.

In the meantime, I have chosen to increase my leverage by putting the holds on these three nominees. At the same time, I will release my hold on Mr. Holbrooke, satisfied that I have greater leverage, and the Administration's heightened awareness and assurances of a fair process.

AMBASSADOR RICHARD HOLBROOKE

Mr. LEAHY. Mr. President, I have lost track of how long it has been since the President nominated Ambassador Richard Holbrooke to be the United States Permanent Representative to the United Nations.

What I do know is that in the intervening months we have fought a war in Kosovo that I supported, but which harmed our relations with Russia and China.

We have watched as tens of thousands of students demonstrated in the streets of Tehran; seen further signs that North Korea is preparing to test a long-range missile that could reach our shores; entered a new and hopeful period in the Middle East peace process; watched the Northern Ireland peace process reach a dead end once again; and seen India and Pakistan, armed with nuclear weapons and the missiles to deliver them, clash over Kashmir. All of this has occurred while Ambassador Holbrooke has been waiting to be confirmed.

So, Mr. President, it is possible for the United States to carry on without a UN ambassador. We have managed to do that. The world has not come to an end, although not a day has passed without a crisis that we have an interest in. But does anyone here think it is a sensible way for the world's only superpower to conduct itself?

Every day, we face threats to our security interests, our economic interest, that affect the health and welfare of the American people, and which require the intensive attention and intervention of skilled diplomats. Aside from the Secretary of State, there is no diplomatic position more important than our UN Ambassador.

Yet month after month after month, we have seen this nomination delayed by the Majority party. First it was due to allegations of financial irregularities, which Ambassador Holbrooke resolved months ago. Months had already been lost waiting for a hearing.

Then, shortly after the Majority Leader said the Senate would vote on his nomination, a hold was placed on it and more weeks have passed without a vote being scheduled—a vote that is certain to confirm Ambassador Holbrooke overwhelmingly. In fact, he would have been confirmed easily months ago, if the Senate had been permitted to vote.

This is the last week before the August recess. There is absolutely no justification whatsoever for delaying this further. There are no political points to be made here. On the contrary, we hurt ourselves each day that we are without a UN Ambassador. It is, frankly, ridiculous to be acting as if this position can remain vacant for month after month, without weakening our influence around the world.

So let us hope this is the week that Ambassador Holbrooke will be confirmed, and that he can get started on the difficult job that we, the American people and the President, need him to do.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, August 3, 1999, the Federal debt stood at $5,613,220,970,175.47 (Five trillion, six hundred thirteen billion, two hundred twenty million, nine hundred seventy thousand, one hundred seventy-five dollars and forty-seven cents).

One year ago, August 3, 1998, the Federal debt stood at $5,505,964,000,000 (Five trillion, five hundred five billion, nine hundred sixty-four million).

Five years ago, August 3, 1994, the Federal debt stood at $4,640,190,000,000 (Four trillion, six hundred forty billion, one hundred ninety million).

Ten years ago, August 3, 1989, the Federal debt stood at $2,811,435,000,000 (Two trillion, eight hundred eleven billion, four hundred thirty-five million).

Fifteen years ago, August 3, 1984, the Federal debt stood at $1,557,032,000,000 (One trillion, five hundred fifty-seven billion, thirty-two million) which reflects a debt increase of more than $4 trillion—$4,056,188,970,175.47 (Four trillion, fifty-six billion, one hundred eighty-eight million, nine hundred seventy thousand, one hundred seventy-five dollars and forty-seven cents) during the past 15 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 Presiding 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 9:52 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 bill, in which it requests the concurrence of the Senate:

H.R. 2606. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes.

At 3:51 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. 987. An act to require the Secretary of Labor to wait for completion of a National Academy of Sciences study before promulgating a standard or guideline on ergonomics.

H.R. 2031. An act to provide for injunctive relief in Federal district court to enforce State laws relating to the interstate transportation of intoxicating liquor.

H.R. 1907. An act to amend title 35, United States Code, to provide enhanced protection for inventors and innovators, protect patent terms, reduce patent litigation, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 167. Concurrent resolution authorizing the Architect of the Capitol to permit temporary construction and other work on the Capitol Grounds that may be necessary for construction of a building on Constitution Avenue Northwest, between 2nd Street Northwest and Louisiana Avenue Northwest.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 987. An act to require the Secretary of Labor to wait for completion of a National Academy of Sciences study before promulgating a standard or guideline on ergonomics; to the Committee on Health, Education, Labor, and Pensions.

H.R. 2031. An act to provide for injunctive relief in Federal district court to enforce State laws relating to the interstate transportation of intoxicating liquor; to the Committee on the Judiciary.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on August 4, 1999, he had presented to the President of the United States, the following enrolled bill:

S. 880. An act to amend the Clean Air Act to remove flammable fuels from the list of substances with respect to which reporting and other activities are required under the risk management plan program, and for other purposes.

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–4494. A communication from the Under Secretary of Defense for Acquisition and Technology, transmitting Selected Acquisition Reports (SARs) for the quarter ending June 30, 1999; to the Committee on Armed Services.

EC–4495. A communication from the Secretary of Energy, transmitting, pursuant to law, the report of the Office of Civilian Radioactive Waste Management for fiscal year 1998; referred jointly, pursuant to Public Law 97–425, to the Committees on Energy and Natural Resources, and the Environment and Public Works.

EC–4496. A communication from the Deputy General Counsel, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Administrative Claims Under the Tort Claims Act and Representations and Indemnification of SBA Employees'' (FR Doc. 99–18951 Filed 7–23–99), received August 2, 1999; to the Committee on Small Business.

EC–4497. A communication from the Interim Staff Director, United States Sentencing Commission, transmitting, pursuant to law, the annual report for fiscal year 1998; to the Committee on the Judiciary.

EC–4498. A communication from the Deputy Executive Secretary, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Vaccine Injury Compensation Program; Addition of Vaccines Against Rotavirus to the Program'' (RIN0906–AA50), received August 3, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4499. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to danger pay for government employees in Lima, Peru; to the Committee on Foreign Relations.

EC–4500. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, certification of a proposed Technical Assistance Agreement with Spain; to the Committee on Foreign Relations.

EC–4501. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense services in the amount of $50,000,000 or more with the Republic of Italy; to the Committee on Foreign Relations.

EC–4502. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense services in the amount of $50,000,000 or more with Canada; to the Committee on Foreign Relations.

EC–4503. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement with Germany; to the Committee on Foreign Relations.

EC–4504. A communication from the Under Secretary of Defense, transmitting, pursuant to law, a report relative to DoD purchases from foreign entities in fiscal year 1998; to the Committee on Armed Services.

EC–4505. A communication from the Executive Director, Procurement Management Directorate, Contract Policy Team, Defense Logistics Agency, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''DLA Acquisition Directive; Types of Contracts'', received August 3, 1999; to the Committee on Armed Services.

EC–4506. A communication from the Acting Branch Chief, Environmental Planning Branch, Environmental Division, U.S. Air Force, transmitting, pursuant to law, the report of a rule entitled ''Environmental Impact Analysis Process'' (32 CFR 989), received July 29, 1999; to the Committee on Armed Services.

EC–4507. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Temporary Assistance for Needy Families Program, dated August 1999; to the Committee on Finance.

EC–4508. A communication from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Exemption of Originating Mexican Goods From Certain Customs User Fees'' (RIN1515–AC47), received July 29, 1199; to the Committee on Finance.

EC–4509. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Weighted Average Interest Rate Update'' (Notice 99–38), received August 2, 1999; to the Committee on Finance.

EC–4510. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Rev. Rul. 99–34, BLS–LIFO Department Store Indexes-June 1999'' (Rev. Rul. 99–34), received July 29, 1999; to the Committee on Finance.

EC–4511. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities (HCFA–1913–F)'' (RIN0938–AI47), received August 3, 1999; to the Committee on Finance.

EC–4512. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Hospice Wage Index (HCFA–1054–N)'' (RIN0938–AJ62), received August 3, 1999; to the Committee on Finance.

EC–4513. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Schedules of Per-Visit and Per-Beneficiary Limitations on Home Health Agency Costs Reporting Periods Beginning on or After October 1, 1999 and Portions of Cost Reporting Periods Beginning Before October 1, 1999'' (RIN0938–AJ57), received August 3, 1999; to the Committee on Finance.

EC–4514. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities (HCFA–1056–N)'' (RIN0938–AJ38), received August 3, 1999; to the Committee on Finance.

EC–4515. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Changes to the Hospital Inpatient Prospective Payment Systems and Fiscal Year 2000 Rates'' (RIN0938–AJ50), received August 3, 1999; to the Committee on Finance.

EC–4516. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Civil Money Penalties for Nursing Homes (SNF/NF), Changes in Notice Requirements, and Expansion of Discretionary Remedy'', received August 3, 1999; to the Committee on Finance.

EC–4517. A communication from the Deputy Executive Secretary, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Implementation of Section 403(a)(2) of the Social Security Act Bonus to Reward Decreases in Illigitimacy Ratio'' (RIN0970–AB79), received August 3, 1999; to the Committee on Finance.

EC–4518. A communication from the Deputy Executive Secretary, Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Appeal of the Loss of Nurse Aide Training Program'' (RIN0938–AJ59), received August 3, 1999; to the Committee on Finance.

EC–4519. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled ''Documentation Requirements for Matching Credit Card and Debit Card Contributions in Presidential Campaigns'', received August 2, 1999; to the Committee on Rules and Administration.

EC–4520. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled ''Party Committee Coordinated Expenditures; Costs of Media Travel with Publicly Financed Presidential Candidates'', received August 2, 1999; to the Committee on Rules and Administration.

EC–4521. A communication from the Employee Benefits Manager, AgFirst Farm Credit Bank, transmitting, pursuant to law, three reports relative to federal pension plans for calendar year 1998; to the Committee on Governmental Affairs.

EC–4522. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Director for Management, the designation of an Acting Deputy Director, and the nomination of a Deputy Director; to the Committee on Governmental Affairs.

EC–4523. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report relative to a vacancy in the position of Controller, Office of Federal Financial Management, the designation of an Acting Controller, and the nomination of a Controller; to the Committee on Governmental Affairs.

EC–4524. A communication from the Executive Director, Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, the report of a rule relative to additions to the Procurement List, received August 2, 1999; to the Committee on Governmental Affairs.

EC–4525. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the annual report of the Civil Service Retirement and Disability Fund for fiscal year 1998; to the Committee on Governmental Affairs.

EC–4526. A communication from the Chairman, U.S. Merit Systems Protection Board, transmitting, pursuant to law, a report entitled ''Federal Supervisors and Poor Performers'', dated July 1999; to the Committee on Governmental Affairs.

EC–4527. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report relative to General Accounting Office employees detailed to congressional committees as of July 19, 1999; to the Committee on Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–287. A concurrent resolution adopted by the Legislature of the State of Louisiana relative to the appellate jurisdiction of federal courts regarding partial-birth abortions; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 257

Whereas, Louisiana is one of twenty-five states which has recently prohibited the specific medical procedure termed ''partial-birth abortions''; and

Whereas, numerous other states are working this legislative session to enact the same ban; and

Whereas, federal district courts have thus far struck down laws in seventeen different states, effectively declaring that partial-birth abortions cannot be banned; and

Whereas, this intrusion of the Federal courts in these states decisions concerning this medical procedure can be remedied only by federal congressional action to limit the jurisdiction of these federal courts; and

Whereas, the United States Constitution does not create or regulate these inferior federal courts, but instead explicitly gives congress the power to do so; and

Whereas, the U.S. Constitution makes the jurisdiction of the federal courts subject to congressional proscription through Article III, Section 2, Para. 2, by declaring that federal courts ''shall have appellate jurisdiction both as to law and fact with such exceptions and under such regulations as congress shall make''; and

Whereas, the intent of the framers of our documents was clear on this power of congress, such as when Samuel Chase (a signer of the Declaration of Independence and a U.S. Supreme Court Justice appointed by President George Washington) declared, ''The notion has frequently been entertained that the federal courts derive their judicial power immediately from the constitution; but the political truth is that the disposal of the judicial power (except in a few specified instances) belongs to Congress. If Congress has given the power to this court, we possess it, not otherwise''; and

Whereas, Justice Joseph Story, in his authoritative Commentaries on the Constitution, similarly declares, ''In all cases where the judicial power of the United States is to be exercised, it is for Congress along to furnish the rules of proceeding, to direct the process, to declare the nature and effect of the process, and the mode, in which the judgment, consequent thereon, shall be executed . . . And if Congress may confer power, they may repeal it . . . [The power of Congress [is] complete to make exceptions'']; and

Whereas, this position is confirmed not only by the signers of the Constitution themselves, such as George Washington and James Madison, but also by other leading constitutional experts and jurists of the day, including Chief Justice John Rutledge, Chief Justice Oliver Ellsworth, Chief Justice John Marshall, Richard Henry Lee, Robert Yates, George Mason, and John Randolph; and

Whereas, the United States Supreme Court has long recognized and affirmed this power of congress to limit the appellate jurisdiction of the federal courts, as in 1847 when the court declared that the ''court possesses no appellate power in any case unless conferred upon it by act of Congress'' and in 1865 when it declared ''it is for Congress to determine how far . . . appellate jurisdiction shall be given; and when conferred, it can be exercised only to the extent and in the manner prescribed by law''; and

Whereas, congress has on numerous occasions exercised this power to limit the jurisdiction of federal courts, and the Supreme Court has consistently upheld this power of congress in rulings over the last two centuries, including cases in 1847, 1866, 1868, 1876, 1878, 1882, 1893, 1898, 1901, 1904, 1906, 1908, 1910, 1922, 1948, 1966, 1973, 1977, etc; and

Whereas, it is congress alone which can remedy this current crisis and return to the states the power to make their own decisions on partial-birth abortions by excepting this issue from the appellate jurisdiction of the federal courts.

Therefore, be it *Resolved,* That the Legislature of Louisiana respectfully appeals to the Congress of these United States to limit the appellate jurisdiction of the federal courts regarding the specific medical practice of partial-birth abortions.

Be it *further Resolved,* That a copy of this Resolution be sent to the Speaker of the United States House of Representatives, the President of the United States Senate, and the Chief Clerical Officers of the United States House of Representatives and the United States Senate.

POM–288. A resolution adopted by the Legislature of the State of Alaska relative to the division of the Ninth Circuit Court of Appeals; to the Committee on the Judiciary.

LEGISLATIVE RESOLVE NO. 25

Be it resolved by the legislature of the State of Alaska:

Whereas the State of Alaska is within the jurisdiction of the United States Court of Appeals for the Ninth Circuit; and

Whereas the Court of Appeals for the Ninth Circuit consists of the States of Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, and Washington, and Guam, and the Commonwealth of the Northern Marianas Islands; and

Whereas United States Senators Murkowski of Alaska and Gorton of Washington have introduced S. 253, a bill that would amend Title 28 of the United States Code to divide the Court of Appeals for the Ninth Circuit into three regional divisions and a fourth circuit division, and that has the short title of the ''Federal Ninth Circuit Reorganization Act of 1999''; and

Whereas S. 253 proposes to place the states of Alaska, Idaho, Montana, Oregon, and Washington within one regional division of the Court of Appeals for the Ninth Circuit and to place the other states and territories, possessions, and protectorates into two other regional divisions; and

Whereas S. 253 proposes to adopt the recommendations of a Congressionally mandated commission, chaired by retired Supreme Court Justice Byron R. White, that studied the realignment of the federal courts of appeal; the recommendations were made in a report issued in December 1998; and

Whereas the membership of the Court of Appeals for the Ninth Circuit is heavily weighted toward the State of California and the court seems to concern itself predominately with issues arising out of California and the Southwestern United States; and

Whereas the Court of Appeals for the Ninth Circuit's case filings are consistently either greater than any other federal circuit or among the greatest; and

Whereas the Court of Appeals for the Ninth Circuit is the largest of the 13 circuit courts of appeal, spanning 1,400,000 square miles, and is larger than the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eleventh Circuits combined; and

Whereas the Court of Appeals for the Ninth Circuit serves a population of more than 49,000,000 people, almost 60 percent more than any other federal circuit; and

Whereas members of the Court of Appeals for the Ninth Circuit have shown a surprising lack of understanding of Alaska's people and geography; and

Whereas, in the so-called ''Katie John'' subsistence case, which is of tremendous importance to the people of the State of Alaska, even though the Court of Appeals for the Ninth Circuit granted expedited consideration of that case, the court did not issue its decision for over 13 months; and

Whereas the Court of Appeals for the Ninth Circuit consistently ranks at or near the bottom of the circuits in time from the filing of a case in the district court to final disposition in the court appeals; and

Whereas Attorney General Bruce Botelho has estimated that there are more than 200 Alaska cases currently pending before the Court of Appeals for the Ninth Circuit; and

Whereas, previously, the Attorneys General of the States of Idaho, Montana, Oregon, and Washington have also found that similar issues of unnecessary delay concerning, lack of understanding of, and lack of consideration for cases and issues by the Court of Appeals for the Ninth Circuit exist in regard to those states; and

Whereas the division of the Court of Appeals for the Ninth Circuit into regions would benefit the States of Alaska, Idaho, Montana, Oregon, and Washington by providing speedier and more consistent rulings

by jurists who have a greater familiarity with the social, geographical, political, and economic life of the region, especially if those jurists were required to be residents of that region;

Be it, *Resolved* That the Alaska State Legislature strongly supports S. 253 and the division of the Court of Appeals for the Ninth Circuit into three regional divisions with one region consisting of the States of Alaska, Idaho, Montana, Oregon, and Washington headquartered in the Pacific Northwest; and be it

Further Resolved, That the Alaska State Legislature questions the need for a fourth circuit division and urges the sponsors of S. 253 and the United States Congress to inquire into the need for a fourth circuit division; and be it

Further Resolved, That the Alaska State Legislature urges the sponsors of S. 253 to consider including a requirement that judges assigned to one of the three regional divisions must reside in that regional division and urges the United States Congress to amend S. 253 to address this concern; and be it

Further Resolved, That the Alaska State Legislature believes that a reorganization of the Court of Appeals for the Ninth Circuit is long overdue and urges the United States Congress to expeditiously consider and enact S. 253.

Copies of this resolution shall be sent to the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Strom Thurmond, President Pro Tempore of the U.S. Senate; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Trent Lott, Majority Leader of the U.S. Senate; the Honorable Dick Armey, Majority Leader of the U.S. House of Representatives; the Honorable Thomas Daschle, Minority Leader of the U.S. Senate; the Honorable Richard A. Gephardt, Minority Leader of the U.S. House of Representatives; the Honorable Orrin G. Hatch, Chair of the U.S. Senate Committee on the Judiciary; the Honorable Henry J. Hyde, Chair of the U.S. House Committee on the Judiciary; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

POM–289. A resolution adopted by the Legislature of the State of Alaska relative to the year 2000 census; to the Committee on Governmental Affairs.

LEGISLATIVE RESOLVE NO. 22

Be it resolved by the legislature of the State of Alaska:

Whereas the Constitution of the United States requires an enumeration of the population every 10 years and entrusts the Congress with overseeing each decennial enumeration; and

Whereas the sole constitutional purpose of the decennial census is to apportion the seats in the United States House of Representatives among the several states; and

Whereas an accurate and legal decennial census is necessary to properly apportion the seats in the United States House of Representatives among the states and to create legislative districts within the states; and

Whereas 13 U.S.C. 141(c) mandates that the Bureau of the Census provide each state with basic tabulations of population (P.L. 94–171 data) within one year after the decennial census date; and

Whereas the Alaska State Legislature believes that Article I, Section 2, Constitution of the United States, in order to ensure an accurate count and to minimize the potential for political manipulation, mandates an ''actual enumeration,'' meaning a physical headcount of the population, and prohibits reliance on estimates of the population for purposes of apportioning seats in the United States House of Representatives among the several states; and

Whereas legislative redistricting conducted by the states is a critical subfunction of the constitutional requirement to apportion representatives among the states; and

Whereas the United States Supreme Court, in Department of Commerce v. United States House, slip. op. no. 98–404, 1999 WL 24616, 67 U.S.L.W. 4090, ruled on January 25, 1999, that 13 U.S.C. 195 prohibits the proposed use by the Bureau of Census of statistical sampling in the determination of population for purposes of apportioning seats in the United States House of Representatives among the several state; and

Whereas the appellees in Department of Commerce v. United States House established standing partly on the basis of a claim of expected intrastate vote dilution due to the proposed use by the Bureau of the Census of statistical sampling; and

Whereas the use of census data adjusted by means of sampling or other statistical methodologies in redistricting by the State of Alaska could raise serious issues of vote dilution and violate ''one-person, one-vote'' legal protections, expose the state to protracted and costly litigation over redistricting, and ultimately result in a court ruling invalidating the redistricting plan; and

Whereas the Alaska State Legislature believes that a person, once enumerated, should not be counted by sampling or other statistical methodologies for purposes of redistricting; and

Whereas every reasonable and practical effort should be made to obtain the fullest and most accurate count of the population possible, including appropriate funding for state and local census outreach and education programs and post-census local review;

Be it *Resolved* That the Alaska State Legislature calls on the Bureau of the Census to conduct the 2000 decennial census consistent with the ruling in Department of Commerce v. United States House and with the Constitution of the United States; and be it

Further Resolved That the Alaska State Legislature calls on the Bureau of the Census to conduct a physical headcount of the population and not to use random sampling techniques or other statistical methodologies that add persons to or subtract persons from the census count in developing redistricting data under P.L. 94–171 for use by the states in intrastate redistricting; and be it

Further Resolved That the Alaska State Legislature opposes the use of P.L. 94–171 data for state legislative redistricting based on census numbers that have been determined in whole or in part by the use of statistical inferences derived by means of random sampling techniques or other statistical methodologies that add or subtract persons; and be it

Further Resolved That the Alaska State Legislature requests that Alaska be given P.L. 94–171 data for legislative redistricting identical to the census tabulation date used to apportion seats in the United States House of Representatives, derived from a physical headcount of the population, and not adjusted using random sampling techniques or other statistical methodologies that add persons to or subtract persons from the census count; and be it

Further Resolved That the Alaska State Legislature urges the Congress, as the branch of government assigned the responsibility of overseeing the decennial enumeration of the population, to take whatever steps are necessary to ensure that the 2000 decennial census is conducted fairly and legally.

Copies of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable William M. Daley, Secretary of the U.S. Department of Commerce; the Honorable J. Dennis Hastert, Speaker of the U.S. House of Representatives; the Honorable Trent Lott, Majority Leader of the U.S. Senate; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCAIN, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 832: A bill to extend the commercial space launch damage indemnification provisions of section 70113 of title 49, United States Code (Rept. No. 106–135).

By Mr. BOND, from the Committee on Small Business, with an amendment in the nature of a substitute:

H.R. 1568: A bill to provide technical, financial, and procurement assistance to veteran owned small businesses, and for other purposes (Rept. No. 106–136).

By Mr. ROTH, from the Committee on Fiance:

Report to accompany the bill (S. 1388) to extend the Generalized System of Preferences (Rept. No. 106–137).

By Mr. McCAIN, from the Committee on Commerce, Science, and Transportation, with amendments:

S. 800: A bill to promote and enhance public safety through the use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes (Rept. No. 106–138).

By Mr. JEFFORDS, from the Committee on Health, Education, Labor and Pensions, with an amendment in the nature of a substitute:

S. 632: A bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. WARNER, for the Committee on Armed Services:

Charles A. Blanchard, of Arizona, to be General Counsel of the Department of the Army.

Carol DiBattiste, of Florida, to be Under Secretary of the Air Force.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Larry T. Ellis, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

David M. Crocker, 0000

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Mark A. Young, 0000

The following named officer for appointment as Chief of Naval Personnel, United States Navy, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5141:

To be vice admiral

Rear Adm. Norbert R. Ryan, Jr., 0000

(The above nominations were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Ms. SNOWE (for herself and Mr. WYDEN):

S. 1480. A bill to amend title XVIII of the Social Security Act to assure access of medicare beneficiaries to prescription drug coverage through the SPICE drug benefit program; to the Committee on Finance.

By Mr. MCCONNELL (for himself, Mr. HELMS, Mr. BUNNING, Mr. COVERDELL, Mr. EDWARDS, Mr. ROBB, and Mr. WARNER):

S. 1481. A bill to amend the Agricultural Adjustment Act of 1938 to release and protect the release of tobacco production and marketing information; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. SNOWE (for herself, Mr. KERRY, Mr. MCCAIN, Mr. HOLLINGS, and Mr. BREAUX):

S. 1482. A bill to amend the National Marine Sanctuaries Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. REID (for himself, Mr. KERRY, Mrs. MURRAY, Mr. DASCHLE, and Mr. KENNEDY):

S. 1483. 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 Banking, Housing, and Urban Affairs.

By Mr. SPECTER:

S. 1484. A bill entitled ''Blind Justice Act of 1999''; to the Committee on the Judiciary.

By Ms. LANDRIEU (for Mr. NICKLES (for himself, Ms. LANDRIEU, Mr. ASHCROFT, Mr. BOND, Mr. BROWNBACK, Mr. CHAFEE, Mr. COCHRAN, Mr. CRAIG, Mr. DEWINE, Mr. EDWARDS, Mr. GRASSLEY, Mr. HOLLINGS, Mr. INHOFE, Mr. KENNEDY, Mr. LEVIN, Mr. LOTT, Mr. ROCKEFELLER, and Mr. SMITH of Oregon)):

S. 1485. A bill to amend the Immigration and Nationality Act to confer United States citizenship automatically and retroactively on certain foreign-born children adopted by citizens of the United States; to the Committee on the Judiciary.

By Mr. GORTON:

S. 1486. A bill to establish a Take Pride in America Program; to the Committee on Energy and Natural Resources.

By Mr. AKAKA (for himself, Mr. COCHRAN, Mrs. MURRAY, Mr. INOUYE, and Mr. KERREY):

S. 1487. A bill to provide for excellence in economic education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GORTON:

S. 1488. A bill to amend the Public Health Service Act to provide for recommendations of the Secretary of Health and Human Services regarding the placement of automatic external defibrillators in Federal buildings in order to improve survival rates of individuals who experience cardiac arrest in such buildings, and to establish protections from civil liability arising from the emergency use of the devices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BIDEN:

S. 1489. A bill to amend title 38, United States Code, to provide for the payment to States of pilot allowances for certain veterans eligible for burial in a national cemetery who are buried in cemeteries of such States; to the Committee on Veterans Affairs.

By Mr. THOMPSON (for himself and Mr. FRIST):

S. 1490. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for State and local sales taxes in lieu of State and local income taxes; to the Committee on Finance.

By Mr. GRAMS (for himself and Mr. WELLSTONE):

S. 1491. A bill to authorize a comprehensive program of support for victims of torture abroad; to the Committee on Foreign Relations.

By Mr. MACK (for himself, Mr. ABRAHAM, Mr. ALLARD, Mr. BENNETT, Mr. BROWNBACK, Mr. HAGEL, Mr. HELMS, and Mr. SHELBY):

S. 1492. A bill to require the Board of Governors of the Federal Reserve System to focus on price stability in establishing monetary policy to ensure the stable, long-term purchasing power of the currency, to repeal the Full Employment and Balanced Growth Act of 1978, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SPECTER (for himself and Mr. SANTORUM):

S. 1493. A bill to establish a John Heinz Senate Fellowship Program to advance the development of public policy with respect to issues affecting senior citizens; to the Committee on Rules and Administration.

By Mr. BINGAMAN (for himself, Mr. ROCKEFELLER, Ms. SNOWE, and Ms. MIKULSKI):

S. 1494. A bill to ensure that small businesses throughout the United States participate fully in the unfolding electronic commerce revolution through the establishment of an electronic commerce extension program at the National Institutes of Standards and Technology; to the Committee on Commerce, Science, and Transportation.

By Mr. DEWINE:

S. 1495. A bill to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new and revised toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOLLINGS (by request):

S. 1496. A bill to authorize activities under the Federal railroad safety laws for fiscal years 2000 through 2003, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. BOXER (for herself, Mr. SMITH of Oregon, and Mr. LAUTENBERG):

S. 1497. A bill to amend the Foreign Assistance Act of 1961 to take steps to control the growing international problem of tuberculosis; to the Committee on Foreign Relations.

By Mr. BURNS:

S. 1498. A bill to amend chapter 55 of title 5, United States Code, to authorize equal overtime pay provisions for all Federal employees engaged in wildland fire suppression operations; to the Committee on Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWNBACK (for himself, Mr. MOYNIHAN, Mr. LOTT, Mr. DORGAN, Mr. ALLARD, Mr. CONRAD, Mr. ABRAHAM, Mr. COVERDELL, Mr. SESSIONS, and Mr. CRAIG):

S. Res. 172. A resolution to establish a special committee of the Senate to address the cultural crisis facing America; to the Committee on Rules and Administration.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 173. To authorize representation of the Senate Committee on Armed Services in the case of Philip Tinsley III v. Senate Committee on Armed Services; considered and agreed to.

S. Res. 174. To authorize representation of the Senate Committee on the Judiciary in the case of Philip Tinsley III v. Senate Committee on the Judiciary; considered and agreed to.

By Mr. BROWNBACK (for himself, Mr. LIEBERMAN, Mr. LOTT, Mr. HELMS, Mr. GRAHAM, Mr. MACK, Mr. WELLSTONE, and Mr. WYDEN):

S. Con. Res. 50. A concurrent resolution expressing the sense of Congress concerning the continuous repression of freedom of expression and assembly, and of individual human rights, in Iran, as exemplified by the recent repression of the democratic movement of Iran; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE (for herself and Mr. WYDEN):

S. 1480. A bill to amend title XVIII of the Social Security Act of assure access of Medicare beneficiaries to prescription drug coverage through the SPICE drug benefit program; to the Committee on Finance.

SENIORS PRESCRIPTION INSURANCE COVERAGE EQUITY (SPICE) ACT OF 1999

• Ms. SNOWE. Mr. President, today I am introducing the Seniors Prescription Insurance Coverage Equity (SPICE) Act along with my colleague from Oregon, Senator WYDEN. The purpose of this bill is to provide Medicare beneficiaries with access to prescription drug coverage. The program is voluntary and federal assistance will be provided to help pay for the premiums. Senator WYDEN and I believe that this bill is one solution to the lack of prescription drug coverage for America's seniors and we believe that it is a bill we could and should enact this year.

Lack of prescription drug coverage is a serious problem facing our seniors. When Medicare was created in 1965 it was based on the inpatient care system that was prevalent at that time. Today, thirty four years later, drug therapy often allows individuals to stay out of the hospital—but Medicare does not cover drugs. And the lack of coverage means that those over 65 years of age end up paying for half the costs associated with their prescriptions, while the average person under age 65 pays only a third. It also means that seniors are forgoing medication because they cannot afford it.

The SPICE Act creates a voluntary supplemental drug insurance policy that all Medicare eligible individuals can purchase. These policies will be guaranteed issue—no one can be turned down. SPICE eligibility will begin when Medicare eligibility begins. There will be a penalty for late entry, just as there is for those who make a late entry into the Medicare Part B program. The penalty fee for late entry will be waived if the late entry is based on the loss of prior drug coverage from a Medicare + Choice plan or a retiree group health plan.

All seniors will receive some premium support assistance on a sliding scale based on income. Every senior will receive at least 25% premium support. Those below 150% of the federal poverty line will receive 100% premium support. A sliding scale will phase down the premium support from 100% to 25% for those between 150% and 175% of the federal poverty line.

The federal premium support will be used to allow seniors to purchase SPICE policies from private providers, similar to the Medigap program. The policies will all meet a threshold standard developed by the SPICE Board, which includes consumers, state insurance commissioners, and insurance representatives, and will be designed with seniors needs in mind. Medicare+Choice and group health plans which provide drug coverage for Medicare eligible individuals will be able to receive the actuarial value of the drug benefit if their plans meet or exceed the SPICE Board threshold benefit plan.

Seniors will be given a choice of plans. This will ensure competition and help keep the costs down and will allow seniors to choose the plan that best meets their needs. To provide an idea of the types of choices, plans may offer coverage for different drugs (formularies), copays, deductibles, and caps. The SPICE Board will disseminate information about these choices, much like the Federal Employee Benefit Health Program (FEHBP) does.

Funding sources for the benefit will come from the on-budget surplus, which the Congressional Budget Office (CBO) estimates show to be $505 billion after the $792 billion tax cut legislation that is currently in conference. Additional funding may come from implementing the President's FY2000 budget proposal to raise the tobacco tax by 55 cents per pack in addition to enacting the 15 cent tobacco increase already in law one year earlier than originally planned.

America's seniors need help in obtaining prescription drug coverage. SPICE is a doable proposal that can be passed whether or not we are able to move forward on Medicare reform this year.●

● Mr. WYDEN. Mr. President, today Senator SNOWE and I are introducing legislation to provide seniors with insurance coverage for prescription drugs. This legislation, the Seniors Prescription Insurance Coverage Equity Act, SPICE, is the only bipartisan, market-based approach to provide seniors with choice and access to coverage that is actually paid for. It will give seniors the same kind of coverage that their member of Congress has.

The key issue for seniors around our nation, when it comes to the issue of prescription drugs, is affordability. Our proposal will assure that each and every senior who voluntarily chooses to enroll in a SPICE plan will have the bargaining power of HMOs and of the large insurers whose job it is to get the best price they can. At least 13 million seniors have no prescription drug coverage at all. Those seniors get penalized twice: they have to pay all their costs, and they pay more because they can't get the negotiated rate that the insurers and HMOs can. This bill will level the playing field for those seniors giving them affordability and access.

We know the kinds of drugs that are coming on the market now can help save lives, better the health status of an older person and, in many instances, save dollars because seniors taking their prescription drugs as they are told to by their doctor will prevent costly hospitalizations and the progression of disease. If we were to create Medicare today from scratch, there would be no questions about including prescription drug coverage. If we want to assure that Medicare beneficiaries stay healthy longer we must provide prescription drug coverage. If we want to be thoughtful, prudent purchasers of health care, we must find a way to assure seniors access to the drugs.

I believe the Snowe-Wyden proposal is that thoughtful, prudent and reasonable way. It assures a variety of options for coverage, and it assures that we bring real dollars to the table to pay for the program. There is no smoke and mirrors, no IOUs or other budget gimmicks in this plan.

The Snowe-Wyden proposal will be funded by funding from the non-Social Security on-budget surplus and a 55-cent increase in the tobacco tax. During this body's deliberations of the budget resolution, an amendment that Sen. SNOWE and I offered received 54 votes, including 12 Republican votes to do just this—fund a prescription drug benefit for seniors with an increase in the tobacco tax.

The SPICE legislation creates a senior-oriented program using the Federal Employees Benefit Program (FEHBP) as a model to provide benefits that include prescription drugs and other non-Medicare covered benefits. This benefit would be open to every beneficiary and be voluntary. However, if the senior elected coverage later rather when they were first eligible, the individual would pay incrementally more the longer he or she waited to choose a comprehensive coverage option.

The individual senior would be able to select from an array of drug policies and Medicare+Choice plans with prescription drugs coverage. This would be voluntary. No senior would have to change what their current coverage is if they do not choose to do so. All plans would be offered by private sector companies. For beneficiaries under 150 percent of the poverty level—$12,075 for a single senior and $16,275 for a couple, the federal government would pay the entire premium. For those between 150 percent and 175 percent of the federal poverty level, the amount the federal government would pay phases down from 100 percent of premium to 25 percent of the premium amount. For beneficiaries at 175 percent of poverty and over, the federal government would pay 25 percent of the premium amount.

Our SPICE benefit will be administered by a new Board that would be separate from the Health Care Financing Administration but report to the Secretary of Health and Human Services. The Board would approve plan designs and premium submissions, approve and distribute consumer education materials, develop enrollment procedures and make recommendations concerning additional funding, further ability to pay mechanisms and other steps needed to assure continuing availability of comprehensive coverage as seniors' health needs change over time.

Many of us would prefer to do an overhaul of Medicare and modernize it to include benefits like prescription drugs. However, the thirteen million Medicare beneficiaries who need coverage and the millions who have coverage that does not truly help them, need a way to get meaningful coverage today. This proposal will do that.●

By Ms. SNOWE (for herself, Mr. KERRY, Mr. MCCAIN, Mr. HOLLINGS, and Mr. BREAUX):

S. 1482. A bill to amend the National Marine Sanctuaries Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE NATIONAL MARINE SANCTUARIES AMENDMENTS ACT OF 1999

Ms. SNOWE. Mr. President, I rise today to introduce the National Marine Sanctuaries Amendments Act of 1999. I am pleased that Senator KERRY, Ranking Member of the Subcommittee on Oceans and Fisheries, Senator MCCAIN, Chairman of the Commerce Committee, Senator HOLLINGS, Ranking

Member of the Commerce Committee, and Senator BREAUX are joining me as cosponsors on this legislation. This bill will protect our nation's valuable marine resources while facilitating their sustainable use.

One hundred years after the first national park was created, the United States made a similar commitment to preserving its valuable marine resources by establishing the National Marine Sanctuary Program in 1972. Since then, twelve areas covering a wide range of marine habitats have been designated as national marine sanctuaries. Half of these designations have occurred in the last decade.

Today, our marine sanctuaries encompass everything from kelp forests and marine mammal nursery grounds, to underwater archeological sites. Together these sanctuaries protect nearly 18,000 square miles of ocean waters, an area nearly the size of Vermont and New Hampshire combined.

Acting as a platform for better ocean stewardship, these sanctuaries offer an opportunity for research, outreach, and educational activities. The national sanctuaries are also a model for multiple use management in the marine environment.

Obviously, balancing the protection of public resources with fostering economic activities requires the cooperative efforts of the federal, state, and local governments, as well as nongovernmental organizations and the public. There are many of these partnerships working together within the national marine sanctuary program. Most of the successes of the program can be attributed to these partnerships.

One of these sanctuaries is located in the Gulf of Maine. The Stellwagen Bank National Marine Sanctuary provides feeding and nursery grounds for more than a dozen types of whales, including the endangered humpback, northern right, sei, and fin whales. This has led to the development of a thriving whale watching tourist trade in the sanctuary. The area also supports diverse seabird species and other fish and shellfish such as bluefin tuna, herring, cod, flounder, lobster, and scallops. Consequently, important commercial fisheries for lobster, bluefin tuna, cod and others exist in and around the sanctuary.

Historic data strongly suggest the presence of several shipwreck sites within the sanctuary, including the recently discovered wreck of the steamship *Portland* which sunk in 1898. Seven historic shipwrecks have been identified within or adjacent to the boundaries. However, a complete inventory of historical resources has not been conducted. These traditional shipping lanes are still active today. A heavily-used vessel traffic separation lane in the sanctuary facilitates the passage of more than 2,700 commercial vessels in and out of regional ports each year.

Through careful management and cooperation, all of these diverse uses coexist in a marine sanctuary while providing protection to the marine resources. This is just one example of the diverse management strategies being utilized by the national program.

The goal of the national marine sanctuary program is quite ambitious. Unfortunately, lack of funding has hampered their success. To date, insufficient funds have been provided to keep up with the pace of expansion of the sanctuary system. As a result, the 12 existing sanctuaries are not fully operational. Nationwide, individual sanctuaries are understaffed; unable to fully implement their management plans; unable to review existing management plans every five years as required by law; and lack educational and outreach materials and facilities. Consequently, management plans that were written twenty years ago have not been updated to adapt to the changing needs of the area nor for advances in science and resource management.

Congress identified the need for these sanctuaries when we passed the original Act in 1972. It is time now to provide the funds necessary to achieve what we set out to do. This will require an increase in the authorization level. The bill we are introducing today provides $30 million in FY 2000 and increases the annual authorization level by $2 million a year to $38 million in FY 2004.

It is time to move beyond fundamental planning and reach full implementation of the national program. This bill focuses the sanctuary program on making the existing sanctuaries fully operational before the formal designation process can begin for additional sanctuaries. It is our intention that management plans be developed in an open and participatory process so that partnerships between resource protection and compatible uses are given every chance to succeed. Further, management plans must be reviewed and updated in a timely manner so that we can prioritize our objectives and respond to the changing needs of the resources and the people who utilize them.

A large part of the implementation process is the development of enforcement capabilities. It is one thing to plan resource protection, it is another thing to actually provide it. At the Subcommittee on Oceans and Fisheries hearing on reauthorization of the National Marine Sanctuaries Act, it was disappointing to hear about the overwhelming lack of enforcement in our marine sanctuaries. This bill encourages the development and implementation of meaningful enforcement plans, including partnerships with the states and other authorized entities. This will now become a part of the management plan review process. Further, the Administration will need to demonstrate that effective enforcement plans exist for the current sanctuaries before beginning the formal designation process for additional sanctuaries.

The National Marine Sanctuaries Act expires at the end of Fiscal Year 1999. This bill gives us the opportunity to realize the goals first laid out by Congress in 1972. There can be no doubt that this revitalization of the sanctuary program is long overdue.

Mr. President, this is a strong and much-needed bill that enjoys bipartisan support on the Commerce Committee. I look forward to moving this bill at the earliest opportunity.

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. 1482

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 Marine Sanctuaries Amendments Act of 1999''.

SEC. 2. AMENDMENT OF NATIONAL MARINE SANCTUARIES ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment or repeal to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Marine Sanctuaries Act (16 U.S.C. 1431 et seq.).

SEC. 3. CHANGES IN FINDINGS, PURPOSES, AND POLICIES.

(a) AMENDMENT OF FINDINGS.—Section 301(a) (16 U.S.C. 1431(a)) is amended—

(1) by striking ''research, educational, or aesthetic'' in paragraph (2) and inserting ''scientific, educational, cultural, archaeological, or aesthetic'';

(2) by inserting ''ecosystem'' after ''comprehensive'' in paragraph (3);

(3) by striking ''wise use'' in paragraph (5) and inserting ''sustainable use'';

(4) by striking ''and'' after the semicolon in paragraph (5);

(5) by striking ''protection of these'' in paragraph (6) and inserting ''protecting the biodiversity, habitats, and qualities of such''; and

(6) by inserting ''and the values and ecological services they provide'' in paragraph (6) after ''living resources''.

(b) AMENDMENT OF PURPOSES AND POLICIES.—Section 301(b) (16 1431(b)) is amended—

(1) by striking ''significance;'' in paragraph (1) and inserting ''significance and to manage these areas as the National Marine Sanctuary System;'';

(2) by striking paragraph (3) and inserting the following:

''(3) to maintain natural biodiversity and biological communities, and to protect, and where appropriate, restore, and enhance natural habitats, populations, and ecological processes;'';

(3) by striking ''understanding, appreciation, and wise use of the marine environment;'' in paragraph (4) and inserting ''understanding, and appreciation of the natural, historical, cultural, and archaeological resources of national marine sanctuaries;'';

(4) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), and inserting after paragraph (4) the following:

''(5) to support, promote, and coordinate scientific research on, and long-term monitoring of, the resources of these marine areas;'';

(5) by striking ''areas;'' in paragraph (8), as redesignated, and inserting ''areas, including

the application of innovative management techniques; and'';

(6) by striking ''marine resources; and'' in paragraph (9), as redesignated, and inserting ''marine and coastal resources.''; and

(7) by striking paragraph (10), as redesignated.

SEC. 4. CHANGES IN DEFINITIONS.

Section 302 (16 U.S.C. 1432) is amended—

(1) by striking ''304(a)(1)(C)(v)'' in paragraph (1) and inserting ''304(a)(2)(A)'';

(2) by striking '' 'Magnuson'' in paragraph (2) and inserting '' 'Magnuson-Stevens'';

(3) by striking ''and'' after the semicolon in subparagraph (B) of paragraph (6);

(4) by striking ''resources;'' in subparagraph (C) of paragraph (6) and inserting ''resources; and'';

(5) by inserting after paragraph (6)(C) the following:

''(D) the cost of curation and conservation of archaeological, historical, and cultural sanctuary resources;'';

(6) by striking ''injury;'' in paragraph (7) and inserting ''injury, including enforcement activities related to any incident;''

(7) by striking ''educational, or '' in paragraph (8) and inserting ''educational, cultural, archaeological,'';

(8) by striking ''and'' after the semicolon in paragraph (8);

(9) by striking ''Magnuson Fishery Conservation and Management Act.'' in paragraph (9) and inserting ''Magnuson-Stevens Act;''; and

(10) by adding at the end thereof the following:

''(10) 'system' means the National Marine Sanctuary System established by section 303; and

''(11) 'person' has the meaning given that term by section 1 of title 1, United States Code, but includes a department, agency, and instrumentality of the government of the United States, a State, or a foreign Nation.''.

SEC. 5. CHANGES IN SANCTUARY DESIGNATION STANDARDS.

Section 303 (16 U.S.C. 1433) is amended—

(1) by striking the section caption and inserting the following:

SEC. 303. NATIONAL MARINE SANCTUARY SYSTEM.

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

''(a) ESTABLISHMENT OF SYSTEM.—There is established the National Marine Sanctuary System, which shall consist of national marine sanctuaries designated by the Secretary in accordance with this title.'';

(3) by striking paragraph (3) of subsection (b), and redesignating paragraphs (1) and (2) as paragraphs (2) and (3);

(4) by striking so much of subsection (b) as precedes paragraph (2), as redesignated, and inserting the following:

''(b) SANCTUARY DESIGNATION STANDARDS.—

''(1) IN GENERAL.—Before designating an area of the marine environment as a national marine sanctuary, the Secretary shall find that—

''(A) the area is of special national significance due to its—

''(i) biodiversity;

''(ii) ecological importance;

''(iii) archaeological, cultural, or historical importance; or

''(iv) human-use values;

''(B) existing State and Federal authorities should be supplemented to ensure coordinated and comprehensive conservation and management of the area, including resource protection, scientific research, and public education;

''(C) designation of the area as a national marine sanctuary will facilitate the objectives in subparagraph (B); and

''(D) the area is of a size and nature that will permit comprehensive and coordinated conservation and management.'';

(5) by striking ''subsection (a)'' in paragraph (2), as redesignated, and inserting ''paragraph (1)'';

(6) by redesignating subparagraphs (E) through (I) of paragraph (2), as redesignated, as paragraphs (F) through (J), and inserting after paragraph (D) the following:

''(E) the areas's scientific value and value for monitoring as a special area of the marine environment;'';

(7) by redesignating subparagraphs (H), (I), and (J), as redesignated, as subparagraphs (I), (J), and (K) and by inserting after subparagraph (G), as redesignated, the following:

''(H) the feasibility, where appropriate, of employing innovative management approaches to protect sanctuary resources or to manage compatible uses;'';

(8) by striking ''vital habitats, and resources which generate tourism;'' in subparagraph (I), as redesignated, and inserting ''and vital habitats;'';

(9) by redesignating subparagraphs (J) and (K) as subparagraphs (K) and (L), and inserting after subparagraph (I) the following:

''(J) the value of the area as an addition to the System;''; and

(10) by striking ''Merchant Marine and Fisheries'' in subparagraph (A) of paragraph (3), as redesignated, and inserting ''Resources'';

(11) by inserting after ''Administrator'' in subparagraph (B) of paragraph (3), as redesignated the following: ''of the Environmental Protection Agency,''; and

(12) by adding at the end of subsection (b) the following:

''(4) REQUIRED FINDINGS.—

''(A) NEW DESIGNATIONS.—Before beginning the designation process for any sanctuary that is not a designated sanctuary before January 1, 2000, the Secretary shall make, and submit to the Congress, a finding that each designated sanctuary has—

''(i) an operational level of facilities, equipment, and employees;

''(ii) a list of priorities it considers most urgent and a strategy to address those priorities;

''(iii) a plan and schedule to complete site characterization studies to inventory existing sanctuary resources, including cultural resources; and

''(iv) a plan for enforcement of the Act within its boundaries, including partnerships with adjacent States or other authorities.

''(B) EXCEPTION.—Subparagraph (A) does not apply to any draft management plan, draft environmental impact statement, or proposed regulation for a Thunder Bay National Marine Sanctuary.''.

SEC. 6. CHANGES IN PROCEDURES FOR DESIGNATION AND IMPLEMENTATION.

(a) CHANGES IN NOTICE REQUIREMENTS.—Section 304(a) (16 U.S.C. 1434(a)) is amended—

(1) by striking paragraph (1)(C) and inserting the following:

''(C) on the same day the notice required by subparagraph (A) is submitted to the Office of the Federal Register, the Secretary shall submit a copy of the notice and the draft sanctuary designation documents prepared under paragraph (2) to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.'';

(2) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), and inserting the following after paragraph (1):

''(2) SANCTUARY DESIGNATION DOCUMENTS.—The Secretary shall prepare sanctuary designation documents on the proposal that include the following:

''(A) A draft environmental impact statement under paragraph (3).

''(B) A management plan document, which the Secretary shall make available to the public, containing—

''(i) the terms of the proposed designation;

''(ii) proposed mechanisms to coordinate existing regulatory and management authorities within the area;

''(iii) the proposed goals and objectives, management responsibilities, resource studies, and appropriate strategies for managing sanctuary resources, including innovative approaches such as marine zoning, interpretation and education, research, monitoring and assessment, resource protection, restoration, and enforcement (including surveillance activities for the area);

''(iv) an evaluation of the advantages of cooperative State and Federal management if all or part of a proposed marine sanctuary is within the territorial limits of a State, or is superjacent to the subsoil and seabed within the seaward boundary of a State (as established under the Submerged Lands Act (43 U.S.C. 1301 et seq.);

''(v) an estimate of the annual cost to the Federal government of the proposed designation, including costs of personnel, equipment and facilities, enforcement, research, and public education; and

''(vi) the regulations proposed under paragraph (1)(A).

''(C) Maps depicting the boundaries of the proposed sanctuary.

''(D) A statement of the basis for the findings made under section 303(b)(2).

''(E) An assessment of the considerations under section 303(b)(1).

''(F) A resource assessment that includes—

''(i) present and potential uses of the area, including commercial and recreational fishing, research and education, minerals and energy development, subsistence uses, and other commercial, governmental, or recreational uses;

''(ii) a discussion, prepared after consultation with the Secretary of the Interior, of any commercial, governmental, or recreational resource uses in the areas that are subject to the primary jurisidiction of the Department of the Interior; and

''(iii) information prepared in consultation with the Secretary of Defense, the Secretary of Energy, and the Administrator of the Environmental Protection Agency, on any past, present, or proposed future disposal or discharge of materials in the vicinity of the proposed sanctuary.''.

(b) OTHER NOTICE-RELATED CHANGES.—Section 304(a) (16 U.S.C. 1434(a)) is further amended—

(1) by striking ''as provided by'' in subparagraph (A) of paragraph (3), as redesignated, and inserting ''under'';

(2) by inserting ''cultural, archaeological,'' after ''educational,'' in paragraph (4), as redesignated;

(3) by striking ''only by the same procedures by which the original designation is made.'' in paragraph (4), as redesignated, and inserting ''by following the applicable procedures of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and chapter 5 of title 5, United States Code.'';

(4) by inserting ''this Act and'' after ''objectives of'' in the second sentence of paragraph (6), as redesignated; and

(5) by striking ''Merchant Marine and Fisheries Resources'' in paragraph (7), as redesignated, and inserting ''Resources''.

(c) OTHER CHANGES.—Section 304 (16 U.S.C. 1434) is amended—

(1) by inserting ''or the national system'' in subsection (b)(2) after ''sanctuary'';

(2) by striking ''management techniques,'' in subsection (e) and inserting ''management techniques and strategies,''; and

(3) by striking ''title.'' in subsection (e) and inserting ''title. This review shall include a prioritization of management objectives.''

SEC. 7. CHANGES IN ACTIVITIES PROHIBITED.

Section 306 (16 U.S.C. 1436) is amended—

(1) by striking ''sell,'' in paragraph (2) and inserting ''offer for sale, sell, purchase, import, export,''; and

(2) by striking paragraph (3) and inserting the following:

''(3) interfere with the enforcement of this title by—

''(A) refusing to permit any authorized officer to board a vessel, other than a vessel operated by the Department of Defense or United States Coast Guard, subject to such person's control for the purpose of conducting a search or inspection in connection with the enforcement of this title;

''(B) assaulting, resisting, opposing, impeding, intimidating, or interfering with any authorized officer in the conduct of any search or inspection under this title;

''(C) submitting false information to the Secretary or any officer authorized by the Secretary in connection with any search or inspection under this title; or

''(D) assaulting, resisting, opposing, impeding, intimidating, harassing, bribing, or interfering with any person authorized by the Secretary to implement the provisions of this title; or''.

SEC. 8. CHANGES IN ENFORCEMENT PROVISIONS.

Section 307 (16 U.S.C. 1437) is amended—

(1) by redesignating paragraphs (1) through (5) of subsection (b) as paragraphs (2) through (6), and inserting before paragraph (2) the following:

''(1) arrest any person, if there is reasonable cause to believe that the person has committed an act prohibited by section 306(3);'';

(2) by redesignating subsections (c) through (j) as subsections (d) through (k), and inserting after subsection (b) the following:

''(c) CRIMINAL OFFENSES.—

''(1) IN GENERAL.—Violation of section 306(3) is punishable by a fine under title 18, United States Code, imprisonment for not more than 6 months, or both.

''(2) AGGREVATED VIOLATIONS.—If a person in the course of violating section 306(3)—

''(A) uses a dangerous weapon,

''(B) causes bodily injury to any person authorized to enforce this title or to implement its provisions, or

''(C) causes such a person to fear imminent bodily injury,

then the violation is punishable by a fine under title 18, United States Code, imprisonment for not more than 10 years, or both.'';

(3) by redesignating subsections (e) through (k), as redesignated, as subsections (f) through (l), respectively, and by inserting after subsection (d), as redesignated, the following:

''(e) JUDICIAL CIVIL PENALTIES.—The Secretary may bring an action to access and collect any civil penalty for which a person is liable under paragraph (d)(1) in the United States district court for the district in which the person from whom the penalty is sought resides, in which such person's principal place of business is located, or where the incident giving rise to civil penalties under this section occurred.'';

(4) by inserting ''electronic files,'' after ''books,'' in subsection (h), as redesignated; and

(5) by redesignating subsections (i) through (l), as designated, as subsections (j) through (m), and by inserting after subsection (h), as redesignated, the following:

''(i) NATIONWIDE SERVICE OF PROCESS.—In any action by the United States under this chapter, process may be served in any district where the defendant is found, resides, transacts business, or has appointed an agent for the service of process.''.

SEC. 9. ADDITIONAL REGULATIONS AUTHORITY ADDED.

Section 308 (16 U.S.C. 1439) is amended to read as follows:

''SEC. 308. REGULATIONS AND SEVERABILITY.''

''(a) REGULATIONS.—The Secretary may issue such regulations as may be necessary to carry out this title.

''(b) SEVERABILITY.—If any provision of this title, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of this title and of the application of that provision to other persons and circumstances shall not be affected.''.

SEC. 10. CHANGES IN RESEARCH, MONITORING, AND EDUCATION PROVISIONS.

Section 309 (16 U.S.C. 1440) is amended to read as follows:

''SEC. 309. RESEARCH, MONITORING, AND EDUCATION PROGRAMS AND INTERPRETIVE FACILITIES.

''(a) IN GENERAL.—The Secretary shall conduct, support, or coordinate research, monitoring, evaluation, and education programs necessary and reasonable to carry out the purposes and policies of this title.

''(b) RESEARCH AND MONITORING.—The Secretary may support, promote, and coordinate appropriate research on, and long-term monitoring of, the resources and human uses of marine sanctuaries, as is consistent with the purposes and policies of this title. In carrying out this subsection the Secretary may consult with Federal agencies, States, local governments, regional agencies, interstate agencies, or other persons, and coordinate with the National Estuarine Research Reserve System.

''(c) EDUCATION AND INTERPRETIVE FACILITIES.—The Secretary may establish facilities or displays—

''(1) to promote national marine sanctuaries and the purposes and policies of this title; and

''(2) either solely or in partnership with other persons, under an agreement under section 311.''.

SEC. 11. CHANGES IN SPECIAL USE PERMIT PROVISIONS.

Section 310 (16 U.S.C. 1441) is amended—

(1) by redesignating subsections (b) through (e) as subsections (c) through (f), and by inserting after subsection (a) the following:

''(b) PUBLIC NOTICE REQUIRED.—The Secretary shall provide appropriate public notice before identifying any activity subject to a special use permit under subsection (a).'';

(2) by striking ''insurance'' in paragraph (4) of subsection (c), as redesignated, and inserting ''insurance, or post an equivalent bond,'';

(3) by striking ''resource and a reasonable return to the United States Government.'' in paragraph (2)(C) of subsection (d), as redesignated, and inserting ''resource.'';

(4) by redesignating paragraph (3) of subsection (d), as redesignated, as paragraph (4), and by inserting after paragraph (2) thereof the following:

''(3) WAIVER OR REDUCTION OF FEES.—The Secretary may waive or reduce fees under this subsection, or accept in-kind contributions in lieu of fees under this subsection, for activities that do not derive profit from the access to and use of sanctuary resources or that the Secretary considers to be beneficial to the system.''; and

(5) by striking ''designating and'' in paragraph (4)(B) of subsection (d), as redesignated.

SEC. 12. CHANGES IN COOPERATIVE AGREEMENTS PROVISIONS.

Section 311 (16 U.S.C. 1442) is amended—

(1) by adding at the end of subsection (a) the following: ''Notwithstanding any other provision of law to the contrary, the Secretary may apply for, accept, and use grants from Federal agencies, States, local governments, regional agencies, interstate agencies, foundations, or other persons, to carry out the purposes and policies of this title.''; and

(2) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), and inserting after subsection (a) the following:

''(b) USE OF STATE AND FEDERAL AGENCY RESOURCES.—The Secretary may, whenever appropriate, use by agreement the personnel, services, or facilities of departments, agencies, and instrumentalities of the government of the United States or of any State or political subdivision thereof on a reimbursable or non-reimbursable basis to assist in carrying out the purposes and policies of this title.''.

SEC. 13. CHANGES IN PROVISIONS CONCERNING DESTRUCTION, LOSS, OR INJURY.

(a) LIABILITY.—Section 312 (16 U.S.C. 1443(a)) is amended—

(1) by striking ''used to destroy, cause the loss of, or injure'' in subsection (a)(2) and inserting ''that destroys, causes the loss of, or injures'';

(2) by inserting ''or vessel'' after ''person'' in subsection (a)(4);

(3) by inserting ''(as defined in section 302(11))'' after ''damages'' in subsection (b)(2);

(4) by striking ''vessel who'' in subsection (c) and inserting ''vessel that'';

(5) by striking ''person may'' in subsection (c) and inserting ''person or vessel may'';

(6) by inserting ''by the Secretary'' after ''used'' in subsection (d); and

(7) by adding at the end of subsection (d) the following:

''(4) STATUTE OF LIMITATIONS.—An action for response costs and damages under subsection (c) may not be brought more than 2 years after the date of completion of the relevant damage assessment and restoration plan prepared by the Secretary.''.

SEC. 14. AUTHORIZATION OF APPROPRIATIONS.

Section 313 (16 U.S.C. 1444) is amended by striking paragraphs (1), (2), and (3) and inserting the following:

''(1) $30,000,000 for fiscal year 2000;

''(2) $32,000,000 for fiscal year 2001;

''(3) $34,000,000 for fiscal year 2002;

''(4) $36,000,000 for fiscal year 2003; and

''(5) $38,000,000 for fiscal year 2004.''.

SEC. 15. CHANGES IN U.S.S. MONITOR PROVISIONS.

Section 314 (16 U.S.C. 1445) is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

SEC. 16. CHANGES IN ADVISORY COUNCIL PROVISIONS.

Section 315 (16 U.S.C. 1446) is amended by striking ''provide assistance'' in subsection (a) and inserting ''advise and make recommendations''.

SEC. 17. CHANGES IN THE SUPPORT ENHANCEMENT PROVISIONS.

Section 316 (16 U.S.C. 1447) is amended—

(1) by striking ''use'' in subsection (a)(4) and inserting ''manufacture, reproduction, or other use'';

(2) by striking ''sanctuaries;'' in subsection (a)(4) and inserting ''sanctuaries or by persons that enter cooperative agreements with the Secretary under subsection (f);'';

(3) by striking ''symbols'' in subsection (a)(6) and inserting ''symbols, including sale of items bearing the symbols,'';

(4) striking ''Secretary; and'' in paragraph (3) of subsection (f), as redesignated, and inserting ''Secretary, or without prior authorization under subsection (a)(4); or''; and

(5) by adding at the end thereof the following:

''(f) AUTHORIZATION FOR NON-PROFIT ORGANIZATION TO SOLICIT SPONSORS.—

''(1) IN GENERAL.—The Secretary may enter into an agreement with a non-profit organization authorizing it to assist in the administration of the sponsorship program established under this section. Under an agreement entered into under this paragraph, the Secretary may authorize the non-profit organization to solicit persons to be official sponsors of the national marine sanctuary program or of individual national marine sanctuaries, upon such terms as the Secretary deems reasonable and will contribute to the successful administration of the sanctuary system. The Secretary may also authorize the non-profit organization to collect the statutory contribution from the sponsor, and, subject to paragraph (2), transfer the contribution to the Secretary.

''(2) REIMBURSEMENT FOR ADMINISTRATIVE COSTS.—Under the agreement entered into under paragraph (1), the Secretary may authorize the non-profit organization to retain not more than 5 percent of the amount of monetary contributions it receives from official sponsors under the agreement to offset the administrative costs of the organization in soliciting sponsors.''.

By Mr. REID (for himself and Mr. KERRY):

S. 1483. 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 Banking, Housing, and Urban Affairs.

ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE LEVELS OF HIGH PERFORMANCE COMPUTERS

Mr. REID. Mr. President, on July 1, 1999, President Clinton announced that the Commerce Department would implement changes to the United States export controls on high performance computers. By changing the limits on high performance computers, we will be increasing our national security and easing outdated regulations that are currently imposed on the thriving high tech industry and on government itself.

Mr. President, as you may know, I have followed this issue closely for the last eight months since the inception of the high-tech working group that I chair. I have met with many company leaders, both large and small, to discuss the issue of export controls on computers. I am convinced that if we don't immediately act to ease export controls, many American jobs may be at risk. Each day that our nations's companies can't compete in foreign markets, we are losing market share and eventually will be giving up our world dominance in the high-tech sector.

The bill that I am offering today reduces the review period from 180 days to 30 days to complement the Administration's easing of export restrictions by amending the National Defense Authorization Act of 1998.

Mr. President. In closing, I would like to share with you an example of how outdated today's restrictions are. I was recently at a meeting where Michael Dell, President of Dell Computers, stood up and pulled his pager from his hip holster. He held it up and said that under current export controls, his little pager that is smaller than a computer mouse, cannot be exported to many countries because it is considered a ''super computer.''

Mr. President. These controls need to be changed as the Administration has made clear, but it needs to be done sooner rather than later. In short, these controls need to be eased yesterday.

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. 1483

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

SECTION 1. ADJUSTMENT OF COMPOSITE THEORETICAL PERFORMANCE LEVELS OF HIGH PERFORMANCE COMPUTERS.

Section 1211(d) of the National Defense Authorization Act for Fiscal Year 1998 (50 U.S.C. App. 2404 note) is amended in the second sentence by striking ''180'' and inserting ''30''.

By Mr. SPECTER:

S. 1484. A bill entitled ''Random Selection of Judges Act of 1999''; to the Committee on the Judiciary.

RANDOM SELECTION OF JUDGES ACT OF 1999

Mr. SPECTER. Mr. President, I will speak very briefly on the introduction of legislation for the random selection of judges. I had thought when cases were assigned in the Federal courts they were assigned in a random fashion, unless they were related to some other case where a specific judge had jurisdiction and that judge would have the case by a related case assignment.

During the course of the past week there has come to light a situation in the District of Columbia where the chief judge assigned specific judges to two very high-profile cases, one involving Mr. Webster Hubbell as a defendant and the other involving Mr. Charlie Trie as a defendant.

My understanding of the practice has been that cases would be assigned on a random basis. In checking the specifics, I have found that the Judicial Conference, which is the policy-making body for the Federal Judiciary, only recommends that Federal courts randomly assign cases. It has not become a mandate to do so. I believe that public policy warrants having it as a mandate.

It is customary for the Congress to legislate on matters of administration. For example, Congress has set a time limit under the speedy trial rule in the criminal courts. For another example, Congress has established time limits on Federal court habeas corpus cases where death penalty cases are appealed into the Federal courts.

This is not a matter where we are talking about the discretion or judgment of an individual judge on how to decide a case, where judicial independence mandates that nobody make any suggestion to the judge as to how an individual case is to be decided. But as a matter of administrative policy it is entirely appropriate for the Congress to set the rules, one of which I think should be the random assignment of judges.

In March of this year the Judicial Conference even rescinded its 28-year-old policy that recommended giving the chief judges, the assigning judge, latitude to make special assignments of ''protracted, difficult, or wildly publicized cases,'' so such latitude is no longer recommended by the Judicial Conference.

The chief judge of the District of Columbia has responded to the Associated Press article in a letter to the Washington Times dated August 2. I ask unanimous consent to have printed in the RECORD a copy of the newspaper article from the Washington Times, together with a copy of the response by the chief judge to the newspaper article.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUDGES FRET OVER ASSIGNING OF CASES

FELLOW JURISTS ARE CONCERNED THAT TRIALS OF CLINTON FRIENDS WENT TO HIS APPOINTEES

(By Pete Yost)

The chief judge of the U.S. District Court bypassed the traditional random assignment system to send criminal cases against presidential friends Webster Hubbell and Charlie Trie to judges President Clinton appointed, court officials said.

U.S. District Judge Norma Holloway Johnson's decision to abandon the longtime random computer assignment for high-profile cases has raised concerns among several other judges, the officials said in interviews.

The judges also raised concerns about an appearance of possible conflicts of interest, because judges assigned the cases were friendly with key players—presidential confidant Vernon Jordan and defense lawyer Reid Weingarten—and made rulings that handicapped prosecutors.

Half a dozen judges, Republicans and Democrats, said they have high regard for the ethics they have high regard for the ethics and work of the two judges involved, Paul L. Friedman and James Robertson, and do not believe they were improperly influenced.

But the judges, who spoke on condition for anonymity, said they have discussed among themselves the public perception of ignoring the random draw—used in almost all cases—and passing over more experienced judges appointed by presidents of both parties.

One judge said his colleagues have discussed whether assigning cases directly rather than using the random lottery raises ''an appearance problem at least'' and ''whether there has been impartial administration of justice.''

The airing of the behind-the-scenes controversy provides a rare window into a court process sealed from public view.

Judges Johnson, Friedman and Robertson all declined repeated requests for interviews.

Judge Johnson, an appointee of President Carter, assigned:

Judge Friedman to the Trie case, the first major prosecution from the Justice Department probe of Democratic fund raising. Mr. Clinton nominated Judge Friedman, a former president of the local bar, in 1994.

Judge Robertson was handed the Hubbell tax case, independent counsel Kenneth Starr's first prosecution in Washington. Judge Robertson is an ex-president of the local bar and a former partner at the law firm of former White House counsel Lloyd Cutler.

Mr. Clinton nominated him in the last days of Mr. Cutler's tenure as counsel in 1994. Judge Robertson had donated $1,000 to Mr. Clinton's 1992 presidential bid and has said he ''worked on the periphery'' of that campaign.

Judge Robertson on two occasions dismissed felony charges against Hubbell. He dismissed the tax case against Hubbell, who eventually pleaded guilty to a misdemeanor when an appeals court reinstated the case.

Judge Johnson allowed a later indictment—charging Hubbell with lying to federal regulators—be assigned at random by computer. By coincidence, the computer picked Judge Robertson, who threw out the central felony count in the case. Judge Robertson, who threw out the central felony count in the case. Hubbell pleaded guilty to that same felony count June 30, after an appeals court reversed Judge Robertson.

One politically sensitive aspect of the Hubbell tax evasion indictment was a reference to a $62,500 consulting arrangement that Mr. Jordan helped obtain for Hubbell, making Mr. Jordan a potential witness.

Judge Robertson and Mr. Jordan are friends from their days in the civil rights movement. Mr. Jordan did not return repeated calls seeking comment.

[Judge Robertson, who was highly critical of Mr. Starr's tactics in the Hubbell case, also dealt major setbacks to Donald Smaltz, the independent counsel who investigated former Agriculture Secretary Mike Espy.

[In one instance, the judge granted a new trial to a Tyson Foods Inc. executive, Jack L. Williams, who had been convicted on two counts of making false statements to federal investigators.

[Last September, Judge Robertson overturned the conviction of Tyson lobbyist Archie Schaeffer III for giving illegal gifts to Mr. Espy. A federal appeals court reinstated that conviction July 23.]

Judge Johnson assigned the Trie case and two subsequent cases against Democratic fund-raisers to Judge Friedman, who tossed out various charges.

After one of Judge Friedman's rulings was overturned on appeal, Trie agreed to plead guilty.

Judge Friedman and Mr. Weingarten, the defense lawyer in two of three fund-raising cases before Judge Friedman, are longtime friends.

''He's a professional friend, but he's a judge now,'' Mr. Weingarten said. ''These relationships change when somebody goes to the bench.''

When Judge Johnson bypassed the random draw for these cases, 12 full-time judges were on the federal court, seven of them Clinton appointees. Four were Republican appointees. The court also has a number of senior judges who work part-time.

Judge Johnson garnered headlines for her rulings against Mr. Clinton in the Monica Lewinsky scandal, rejecting privilege claims by the president and ordering White House lawyer Bruce Lindsey and Secret Service personnel to testify.

Experts said the assignments to Clinton-nominated judges did not violate any rules but could shake public confidence.

''As far as assigning a recently appointed judge of the same party, it's dangerous, it's risky, it's hazardous because the outcome might support the cynical view that the judge did not decide the matter on the merits even though that may be the furthest thing from the truth,'' Columbia University law professor H. Richard Uviller said.

New York University law professor Stephen Gillers said, ''If the case is high-profile, that should increase the presumption in favor of random selection.''

The assignments were confirmed to AP by several court officials with access to parts of the court computer system not available to the public.

Local court rules give Judge Johnson the right to assign ''protracted'' cases to specific judges, although nearly all the cases in U.S. District Court here are assigned by lottery, court officials said.

The Judicial Conference, the policy-making body for the federal judiciary, recommends that federal courts randomly assign cases. In March, the conference rescinded its 28-year-old policy that recommended giving chief judges latitude to make special assignments of ''protracted, difficult or widely publicized cases.''

Actual practice varies from court to court.

In the Southern District of New York, which has more than two dozen full-time judges, Court Executive Clifford P. Kirsch said, ''It's all been by a blind draw . . . so it doesn't appear anyone is preselecting or favoring one judge over another judge.''

U.S. DISTRICT COURT FOR
THE DISTRICT OF COLUMBIA,
Washington, DC, August 2, 1999.

EDITOR,
The Washington Times,
Washington, DC.

As I firmly believe that justice is best served in the courts of law and not on the front page of a newspaper, it has long been my policy not to discuss my judicial decision-making with members of the press. However, I feel compelled to make an exception to that policy in order to correct the disturbing misimpression left by a recent story circulated by the Associated Press and published in your paper as well as several other news outlets. [This A.P. article alleges that I ''bypassed the traditional random assignment system'' to assign certain criminal cases to judges appointed by President Clinton, singling out the criminal case against Yah Lin ''Charlie'' Trie, which was assigned to Judge Paul L. Friedman, and the criminal case against Webster Hubbell, which was assigned to Judge James Robertson. The article implies that these cases were assigned to these judges based on political motivations. This unsubstantiated assertion could not be further from the truth.] Moreover, it does a significant disservice to the perception of impartial justice that I believe all of the judges on our Court strive mightily to maintain. Contrary to the false perception left by the A.P. story, these cases were assigned to highly capable federal judges. Politics was not and is never a factor in our case assignments.

In order to set the record straight, the circumstances leading to these routine ''special assignments'' are quite simple. For years, Local Rule 403(g) of the Rules of the District Court for the District of Columbia has authorized the Chief Judge to specially assign protracted or complex criminal cases to consenting judges when circumstances warrant. My predecessors and I have used this assignment system to enable our Court to expeditiously handle high profile criminal cases with their unique demands on judicial resources. For example, criminal cases arising from Watergate and the Iran-Contra affair were handled through special assignment. In both those instances of overwhelming media scrutiny and complexity, the special assignment system well served our needs. In addition to these highly publicized criminal cases, special assignment has also been a valuable tool in addressing multiple defendant narcotics conspiracy cases. It is the responsibility of the Chief Judge to move the docket as expeditiously as possible. That is all that was intended by these assignments.

Finally, I must note that the A.P. article irresponsibly impugns the reputation of two fine federal judges by suggesting conflicts of interest in their handling of these cases. Neither judge had any obligation to recuse himself from the cases to which he was assigned, for neither faced a conflict of any sort. A judge's prior affiliations and acquaintances, alone, do not require recusal or disqualification. Indeed, many judges on this Court know many lawyers and public officials in Washington. If recusal were required on the basis of these innocuous connections, it would wreak havoc on case scheduling.

In the future, I suggest that before your newspaper prints a story that impugns the integrity of two outstanding members of the federal judiciary, you offer more evidence of an actual conflict than the slender reed of innuendo which supports these current allegations. Such an unsubstantiated and unsupportable attack does your publication little credit and the truth much harm.

Sincerely,

NORMA HOLLOWAY JOHNSON,
Chief Judge.

Mr. SPECTER. In the reply, the chief judge says this:

> This A.P. article alleges that I ''bypassed the traditional random assignment system'' to assign certain criminal cases to judges appointed by President Clinton, singling out the criminal case against Yah Lin ''Charlie'' Trie, which was assigned to Judge Paul L. Friedman, and the criminal case against Webster Hubbell, which was assigned to Judge James Robertson. The article implies that these cases were assigned to these judges based on political motivations. The unsubstantiated assertion could not be further from the truth.

Now, I do not question the statements made by the chief judge in denying any portion of partiality or impropriety, but I do believe that when this case is called to widespread public attention the Congress ought to act. That is why I am introducing this legislation today on behalf of myself and Senator HATCH, chairman of the Judiciary Committee.

The reasons for this legislation are articulated by Columbia University law professor H. Richard Uviller, who said:

> As far as assigning a recently appointed judge of the same party, it's dangerous, it's risky, it's hazardous because the outcome might support the cynical view that the judge did not decide the matter on the merits even though that may be the furthest thing from the truth.

A similar statement was made by New York University law professor Steven Gillers, who said:

> If the case is high-profile, that should increase the presumption in favor of random selection.

This issue of random selection is one that I feel particularly strongly about based on my experience as district attorney in the Philadelphia criminal courts. When high-profile or politically-tinged cases were filed in the criminal courts of Philadelphia during my tenure as district attorney, I routinely asked for a jury trial because I

wanted the facts decided by an impartial fact finder. At the outset of that tenure in January of 1966, the Commonwealth was a party to the proceeding and, like the defendant, had a right to demand a jury trial. I did demand jury trials because I found that the assignment to specific judges was not random and did on some occasions have inappropriate motivations.

During the course of my tenure as district attorney, the State supreme court made a change in the criminal rules and took away the right of the district attorney to demand a jury trial. That was recently reinstated by a constitutional amendment so that the experience I have seen requires a very heavy emphasis on the random selection.

During my tenure as district attorney, we reformed the entire minor judiciary of Philadelphia known as magistrates because of widespread corruption and inappropriate practices in that judicial system. While this in no way reflects upon the Federal courts of the United States, which I think are of uniformly high quality, I do believe that the principle of random selection of judges is a very important principle. I do believe there ought to be an exception if there is a related case; that is, where a judge was assigned a case on a random basis and another matter comes in where there are very similar, if not identical, questions of fact and questions of the parties. But this legislation removes at least the appearance and the question that there may be some collateral motivation.

To reiterate, I seek recognition today to introduce the Random Selection of Judges Act of 1999, a bill which will require that cases in Federal court be assigned to judges randomly, by means of a computer program. I believe that only the random assignment of cases to judges will ensure blind justice in our courts.

This power to assign cases creates the potential for abuse. An assigning judge who is so inclined could attempt to alter the outcome of a case by assigning it to a judge who, in the opinion of the chief judge, holds a ''correct'' view on the issue at hand.

A story recently in the news clearly demonstrates the potential for abuse under the current system. Over the weekend, the Associated Press reported that Judge Norma Holloway Johnson, Chief Judge of the District Court for the District of Columbia, bypassed the traditional random computer assignment system in her court and instead directly assigned criminal cases against certain presidential friends to judges appointed by President Clinton. Specifically, the campaign finance case against Charlie Trie was assigned to Judge Paul L. Friedman, and the tax cases against Webster Hubbell were assigned to Judge James Robertson. According to the news reports, Judge Johnson's decision to abandon random assignment in these high profile cases raised concerns among several other judges on her court. It was also reported that these judges raised concerns because Judge Robertson is friends with Vernon Jordan, who played a role in the Hubbell affair, and Judge Friedman is friends with Reid Weingarten, who represents the defendants in two fundraising cases before Friedman.

According to the Associated Press article, it has been asserted by some that Judge Johnson assigned these cases to Clinton appointees because they would be more sympathetic to the President and his friends than Republican appointees who may have gotten the cases through random assignment. Judge Johnson has denied any political or other improper motive in a letter to the Washington Times. The fact is that Judge Johnson herself issued a number of rulings against President Clinton, including her rulings rejecting privilege claims by White House lawyer Bruce Lindsey and the Secret Service. But no matter what Judge Johnson's motives, her actions make quite clear that, under the current system, the potential for abuse does exist.

Currently, the Judicial Conference, which is the policymaking body for the federal judiciary, recommends that Federal courts randomly assign cases. In fact, in March the conference even rescinded its 28-year-old policy that recommended giving chief judges latitude to make special assignments of ''protracted, difficult, or widely publicized cases.'' But there is still no requirement that Federal courts randomly assign cases. The problem with mere recommendations is that they can be ignored. If we believe that cases should be randomly assigned, then we must require that cases be randomly assigned.

My bill imposes such a requirement. Under my bill, the chief judges of the Federal district and circuit courts must assign cases by means of an automated random assignment program. Recognizing that there are some instances in which it would serve the interests of efficiency to allow the chief judges to directly assign cases to specific judges, my bill includes two important exceptions to the random assignment requirement. First, chief judges will be permitted to directly assign a case to a judge who has already heard a related case. A related case is defined as one which involves substantially the same facts, individuals and/or property as a case previously before the court. For instance, a case against a defendant in a bank robbery could be directly assigned to a judge who already heard the case against another defendant in the same bank robbery.

Secondly, chief judges will be permitted to directly assign a technical case to a judge who is already familiar with the subject matter at issue. Technical cases are defined as those which involve specialized, unusually complex facts or subject matter and which would demand a great deal of time to master. For example, an asbestos liability case could be directly assigned to a judge who has already developed an expertise in handling asbestos liability cases.

While Congress should not micromanage the Courts, the legislation I introduce today is reasonable, limited, and well within our power. Article 1, Section 8, Clause 9 of the Constitution gives Congress the power to ''constitute Tribunals inferior to the supreme Court.'' Pursuant to this power, Congress established the Federal circuits and originally assigned Supreme Court justices to ride these circuits. Under this power, Congress eventually established the Federal district courts and outlined their jurisdiction. The sections of the Federal Code I seek to amend today—which permit the assignment of judges in accordance with court rules—were themselves Congressional enactments. Even in recent years, Congress has imposed restrictions on the procedures of the courts. For example, the Anti-Terrorism Bill of 1996 contained a provision I authored to reform habeas corpus. This provision imposes strict time limits on both the filing of habeas corpus petitions and the response by the courts to such petitions. Likewise, many bills we pass include requirements that certain cases be heard by the Courts on an expedited basis.

Mr. President, I feel strongly that my bill should not become a partisan issue. As I mentioned before, one's opinion of Judge Johnson and her actions is entirely beside the point. Judge Johnson's reported actions merely make us aware of the potential for abuse in our current system and the need to rectify it. I hope my colleagues will join me in supporting this necessary, common-sense legislation.

I ask unanimous consent that the bill be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 1484

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

SECTION 1. SHORT TITLE.

(A) SHORT TITLE.—This act may be cited as the ''Random Selection of Judges Act of 1999.''

SECTION 2. ASSIGNMENT OF CASES IN DISTRICT COURT.

Title 28, United States Code is amended—

(1) in section 137 as follows:

(A) By adding the words, ''Except as provided below,'' at the beginning of the first paragraph.

(B) By deleting the words ''and assign in cases'' in the middle of the second paragraph.

(C) By inserting the following new paragraphs at the end of the section:

''Except as provided below, the chief judge of the district court shall assign all cases by means of an automated random assignment program provided by the Administrative Office of the United States Courts.

''Notwithstanding the foregoing, the chief judge of the district court may directly assign related cases and technical cases to a specific judge without using the automated random assignment program. The chief judge may directly assign a related case only to a

judge who is hearing or has heard a case or cases to which the new case relates. The chief judge may directly assign a technical case only to a judge who has significant experience with the subject matter at issue.

''For purposes of this section, a ''related case'' is a case which involves substantially the same facts, individuals, and/or property as a case previously or contemporaneously before the court.

''For purposes of this section, a ''technical case'' is a case which involves specialized, unusually complex facts or subject matter and which would demand a significant investment of time for a judge to master.''

SECTION 3. ASSIGNMENT OF CASES IN CIRCUIT COURT.

Title 28, United States Code is amended—

(1) in section 46 as follows:

(A) By adding the words, ''in accordance with the procedures outlined in Section 46(e),'' at the end of Section 46(a).

(B) By adding the words, ''In accordance with the procedures outlined in Section 46(e)'' at the beginning of Section 46(b).

(C) By inserting the following new Section 46(e) at the end of the section:

''Except as provided below, the chief judge of the circuit court shall assign all cases by means of an automated random assignment program provided by the Administrative Office of the United States Courts.

''Notwithstanding the foregoing, the chief judge of the circuit court may directly assign related cases and technical cases to a specific judge or judges without using the automated random assignment program. The chief judge may directly assign a related case only to a judge or judges who are hearing or have heard a case or cases to which the new case relates. The chief judge may directly assign a technical case only to a judge or judges who have significant experience with the subject matter at issue.

''For purposes of this section, a 'related case' is a case which involves substantially the same facts, individuals, and/or property as a case previously or contemporaneously before the court.

''For purposes of this section, a 'technical case' is a case which involves specialized, unusually complex facts or subject matter and which would demand a significant investment of time for a judge to master.''

By Ms. LANDRIEU (for Mr. NICKLES (for himself, Ms. LANDRIEU, Mr. ASHCROFT, Mr. BOND, Mr. BROWNBACK, Mr. CHAFEE, Mr. COCHRAN, Mr. CRAIG, Mr. DEWINE, Mr. EDWARDS, Mr. GRASSLEY, Mr. HOLLINGS, Mr. INHOFE, Mr. KENNEDY, Mr. LEVIN, Mr. LOTT, Mr. ROCKEFELLER, and Mr. SMITH of Oregon)):

S. 1485. A bill to amend the Immigration and Nationality Act to confer United States citizenship automatically and retroactively on certain foreign-born children adopted by citizens of the United States; to the Committee on the Judiciary.

ADOPTED ORPHANS CITIZENSHIP ACT

Ms. LANDRIEU. Mr. President, I am proud to join the Senator from Oklahoma, Mr. DON NICKLES, and a number of my colleagues, including Senators ASHCROFT, BOND, BROWNBACK, CHAFEE, COCHRAN, CRAIG, DEWINE, EDWARDS, GRASSLEY, HOLLINGS, INHOFE, KENNEDY, LEVIN, LOTT, ROCKEFELLER, and GORDON SMITH in introducing a very important piece of legislation called the Adopted Orphans Citizenship Act.

As you can see from this long list of distinguished Members, the Adopted Orphans Citizenship Act is an important piece of legislation and one I hope, by introducing it today, we could actually have some committee and floor action on in the weeks and months ahead. I commend Senator NICKLES for his leadership. We have presented this bill on behalf of the 15,000 children who are adopted into our country each year through the process of international adoption.

A few weeks ago, I had the great privilege to join Senator LEVIN and others to travel to Romania and had the opportunity to see firsthand the institutions and orphanages. Over 100,000 children of Romania call these places home, but they in fact do not look much like homes, as you can imagine. The staff at these homes try very hard to give the children in their care the love and support they need as they grow and mature, yet the fact is they are living in these institutions. Nothing can really supplant or take the place of a family or home to call your own.

Not only in Romania but in many places in the world, American families are building their families through the process of international adoption. Last year alone, 15,000 families opened their homes and their hearts to adopt a child from another country, and 85,000 families adopted children from within the United States. But this bill is directed at the families who are bringing children from other parts of the world to come and be part of an American family and become American citizens. What people may not realize is that now, when the adoption process is final, when all the paperwork has been done, after all the time and energy and in some cases a considerable amount of financial expense that is associated with these particular adoptions, under our current law, these children and these families still have to go through a citizenship process.

This bill will basically make that process automatic and would, as the other parts of our law, recognize no difference between a child who is a biological child and a child who is an adopted child. It simplifies our law, it reduces paperwork, it reduces heartaches, reduces headaches, and really is something we should have done years ago. I am proud to join my colleagues today to introduce this legislation that, if passed, will make it automatic that children who are adopted into families in the United States will receive, with their adoption finalization, automatic citizenship, to be citizens of the United States of America.

I think this change is long overdue. I can say, as the mother of two beautiful adopted children, obviously there is no difference between biological and adopted children. Both are wonderful ways to build families. Through the adoption process, many families in the United States are able to provide homes for children who were not fortunate enough to have them the first time around. So I am happy to join my colleagues to introduce this bill.

I send it to the desk and ask it be referred to the proper committee, and I ask unanimous consent the bill be printed in the RECORD.

There being no objection the bill was ordered to be printed in the RECORD, as follows:

S. 1485

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 ''Adopted Orphans Citizenship Act''.

SEC. 2. ACQUISITION OF UNITED STATES CITIZENSHIP BY CERTAIN ADOPTED CHILDREN.

(a) AMENDMENTS TO THE IMMIGRATION AND NATIONALITY ACT.—Section 301 of the Immigration and Nationality Act (8 U.S.C. 1401) is amended—

(1) by striking ''and'' at the end of subsection (g);

(2) by striking the period at the end of subsection (h) and inserting ''; and''; and

(3) by adding at the end the following:

''(i) an unmarried person, under the age of 18 years, born outside the United States and its outlying possessions and thereafter adopted by at least one parent who is a citizen of the United States and who has been physically present in the United States or one of its outlying possessions for a period or periods totaling not less than 5 years prior to the adoption of the person, at least 2 of which were after attaining the age of 14 years, if—

''(1) the person is physically present in the United States with the citizen parent, having attained the status of an alien lawfully admitted for permanent residence;

''(2) the person satisfied the requirements in subparagraph (E) or (F) of section 101(b)(1); and

''(3) the person seeks documentation as a United States citizen while under the age of 18 years.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to persons adopted before, on, or after the date of enactment of this Act.

By Mr. GORTON:

S. 1486. A bill to establish a Take Pride in America Program; to the Committee on Energy and Natural Resources.

TAKE PRIDE IN AMERICA VOLUNTEER RECOGNITION ACT OF 1999

Mr. GORTON. Mr. President, I am delighted to introduce the Take Pride in America Volunteer Recognition Act of 1999, legislation which will revitalize and expand an important program created in the 1980's to enhance the legacy of the Great Outdoors.

Each American is part owner of an incredible asset—millions and millions of acres of national parks, national forests, national wildlife refuges and other public lands. These wonderful places are part of the legacy each of us shares, whether we live in my state of Washington or on the other side of the nation. We visit these places often and for a variety of reasons. Together, federal lands attract nearly two billion visits annually. Americas' Great Outdoors is a place for active fun—for skiing and fishing, camping and

whitewatersports—as well as for quite time away from our cities, jobs and commutes.

Years ago, an important initiative was launched to encourage Americans to enjoy this legacy, and take responsibility for protecting it for future generations. The program was called Take Pride in America and had three components. The first portion was a public awareness campaign, designed to emphasize the importance of caring for federal lands and water. The second portion was an environmental education program for school children and for visitors to public lands. The third portion was a volunteer recruitment and recognition effort.

The Take Pride in America program received the support of a great number of well-known Americans. Public Service Announcements and appearances were contributed by Clint Eastwood and Linda Evans, Lou Gossett and Charles Bronson, Gerald McRainey and even ALF. The Oak Ridge Boys wrote and recorded to Take Pride in America theme song, and donated all royalties to the program. Forty-seven governors initiated Take Pride programs within their states, recognizing outstanding volunteers ranging from young children to seniors. Volunteers from across the nation came to Washington for an annual national recognition event at the White House and similar prominent locations. The Ad Council obtained professional support for the program and donated placements for PSA's—in fact, some of the elements of this campaign continue to run.

The results were good. Volunteerism for America's Great Outdoors surged and vandalism decline. Agencies such as the National Park Service, the Bureau of Land Management, the Forest Service and the Corps of Engineers were given a new tool to recruit and recognize Americans who invested their time and energy into enhancing our shared wealth of parks and forests.

Other priorities have put the Take Pride in America Program on hold in recent years. It is time to take this tool out and put it to good use once again.

Our public lands have maintenance and enhancement needs that exceed our ability to fund through general appropriations. We are now experimenting with new recreation fees and other mechanisms to attack a deferred maintenance backlog amounting to more than one billion dollars.

My legislation would restore and expand the program created by Congress in 1990, recommitting us to all three parts of the original program. It would also strengthen the program to reflect a special opportunity associated with the National Fee Demonstration Program created in 1996, which provides nearly $200 million annually in additional resources to four key federal land systems. The legislation would strengthen our volunteer programs in several ways, including the establishment of a special pass to recognize volunteers who serve 50 hours or more on federal public lands.

In my state, the Forest Service has done a tremendous job of organizing and utilizing the skills and enthusiasm of volunteers committed to improving our forests. The volunteer programs in the Northwest vary from forest to forest. Typically, groups like the Student Conservation Association, Mountaineers, Mazamas, and Backcountry Horsemen of Washington contract with the National Forest Service to complete specific projects designed to improve the health of the forests and enhance recreational opportunities. Individuals within these associations can earn passes for free access at national forest trailheads in the Pacific Northwest. I think this program is outstanding, and I want the Forest Service to continue accommodating and encouraging the efforts of volunteers. This bill is designed to encore these types of volunteer programs in other regions of the National Forest Service, the National Park Service, the Bureau of Land Management, and the U.S. Fish and Wildlife Service. In addition, I want to recognize the special efforts of volunteers who contribute over 50 hours of work on federal lands. The legislation directs the Department of Interior and Department of Agriculture to recognize these individuals with a pass to recreation areas throughout the federal system.

I look forward to exploring appropriate means for recognition of volunteers as this legislation is considered in the hearing process. We need to consider carefully the relationship between the special Take Pride in America Pass and other passes, including the Golden Eagle and Golden Age passes.

This legislation also will serve as a catalyst for expanding the scope of volunteer programs on federal lands. Too often in the past, our expectations for volunteer projects have focused on projects requiring shovels or paint brushes and requiring high levels of physical exertion. The truth is that important volunteer projects that can protect and enhance America's Great Outdoors are far more diverse. We need skills senior Americans have developed during a lifetime of living and learning, from research in libraries to teaching. We need those with special talents and gifts, from architects to web page designers, from attorneys—yes, even attorneys—to masons. We need to have meaningful projects for those with just a few hours to contribute as well as for those who are prepared to make an ongoing commitment of their time. Some of the projects can even be undertaken off-site. We need a good directory of needed volunteer undertakings that is widely available long before a volunteer shows up at a forest or park headquarters.

To the hundreds of thousands of Americans who already spend time protecting and enhancing America's public lands—covering nearly one in three acres of the nation—I give my thanks and ask for help in devising a system that recognizes the wonderful contribution you make and inspires millions of others to join in your important work. I also ask for the support of the Department of Interior and the Department of Agriculture for this legislation and its goal of taking better care of America's Great Outdoors.

By Mr. AKAKA (for himself, Mr. COCHRAN, Mrs. MURRAY, Mr. INOUYE, and Mr. KERREY):

S. 1487. A bill to provide for excellence in economic education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

EXCELLENCE IN ECONOMIC EDUCATION ACT OF 1999

Mr. AKAKA. Mr. President, I rise to speak about the Excellence in Economic Education Act of 1999, a bill I am introducing today with my friends, Senators COCHRAN, MURRAY, INOUYE, and KERREY.

With each passing day, the need for increased economic literacy becomes more and more apparent. The rise of Internet commerce, market globalization, advances in technology, growth of online investment services, and the increase in the number of Americans who invest in the stock market serve to highlight the importance of economic literacy for citizens of every age and professional background. I am convinced that more education about basic economic concepts such as money, personal finance, and inflation—starting from a young age—could help people make decisions about their financial situation, so that they can better prepare for and endure our changing economy.

We need to help young people better understand economic implications of their actions: they can't always get what they want; they need to be more responsible with money; and, they are learning fiscal habits now that will stay with them for the rest of their lives.

In addition to teaching our youth how to make good financial decisions, we must help them become productive and well-informed citizens. It has been shown that a lack of knowledge about fundamental economics can have negative effects on our economy and lead to divisions and polarization in our communities. Economic education can have profound long-term effects for all of us.

We must educate our country's future workforce about what effects the retirements of our ''baby boom generation'' will have on them. Currently, Social Security reform is one of the biggest issues that is before us. We are working to ensure that Social Security will remain solvent well into the next century.

As we know, the number of people receiving Social Security will surge from 44 million now to 75 million in 2020. Even if we achieve a truly bipartisan

solution on Social Security, our young people will still feel the impact from this tremendous future demographic shift, and they should learn how to prepare themselves for security in retirement. Economic education can help them.

Mr. President, I would like to comment on the results of a basic economics test given nationally by the National Council on Economic Education, which provides further evidence of the need for increased economic education. Taken by 1,010 adults and 1,085 high school students, the test's findings are striking:

(1) half of adults and two-thirds of high school students failed, while only six percent of adults and three percent of high school students got an ''A'';

(2) on average, adults received a grade of 57 percent and high school students a grade of 48 percent;

(3) students and adults alike lacked a basic understanding about the concepts of money, inflation and scarcity of resources—core economic concepts;

(4) a sizeable number of students—35 percent—admitted that they simply do not know what the effect of an increase in interest rates would be; and

(5) only a little more than half of adults, 54 percent, and less than one in four students, 23 percent, know that a budget deficit occurs when the Federal Government's expenditures exceed its revenues for that year.

However, amid these disappointing results, the study found that 96 percent believe basic economics should be taught in high school. Currently, 38 states have adopted guidelines for teaching economics in their schools, but only 13 states require that students take economics in order to graduate. Clearly, people see the need for improved economic education, and this need exists in many States.

This brings me to a brief description of what the Excellence in Economic Education Act would do. My bill would ensure that a majority of total funds appropriated under the Act would be distributed to state councils on economic education and economic education centers based at universities to support the work that these entities are performing. It would support the National Council on Economic Education in economic literacy activities that it conducts. It would also fund the creation of new councils and centers in states without a council or center.

The goals of the bill are to increase student knowledge of and achievement in economics; strengthen teachers' understanding of and ability to teach economics; encourage related research and development, dissemination of instructional materials, and replication of best practices and programs; help States measure the impact of economic education; ensure a strong presence of the nationwide network in every State; and leverage and increase private and public support for economic education partnerships at all levels.

Support for economic education is in the Goals 2000: Educate America Act which lists economics as a national core subject area.

My bill encourages the National Council and state councils and centers to work with local businesses and private industry as much as possible, particularly in obtaining matching funds.

Mr. President, we need to improve economic literacy for our children, just as we need to ensure reading literacy, writing aptitude, math and science comprehension, and an understanding of history and the arts. Economics is a fundamental, practical building block that should round out our children's education. I hope that my colleagues will join me in cosponsoring the Excellence in Economic Education Act.

For more specific details on the grants my bill creates, one-fourth of funds would be provided to the National Council, so that the council may strengthen and expand its nationwide economic education network, support and promote teacher training in coordination with current Eisenhower Professional Development activities, support related research, and develop and disseminate appropriate materials.

The remaining funds will be distributed by the National Council to state councils or centers, which will work in partnership with the private sector, state educational agencies, local educational agencies, institutions of higher education or other organizations that promote economic development or educational excellence. With this money, councils and centers will be able to fund teacher training programs, resources to school districts that want to incorporate economics into curricula, evaluations of the impact of economic education on students, related research, school-based student activities to promote consumer and personal finance education and to encourage awareness and student achievement in economics, interstate and international student and teacher exchanges, and replication of best practices to promote economic literacy.

The National Council runs an International Economics Exchange Program which is authorized in the Elementary and Secondary Education Act. This program assists with economic education in transition countries of the former Soviet Union, and enjoys broad support. My bill would boost the domestic component of the National Council's activities.

In addition, my bill puts increased emphasis on economics by adding it to the list of subject areas in Elementary and Secondary Education Act programs, such as National Teacher Training Project, Star Schools, Magnet Schools, Fund for the Improvement of Education, and Urban and Rural Education Assistance.

We are looking for ways to better educate our young people on how to manage their resources, be better workers, make wise investments, and prepare for a secure financial future. My bill provides the flexibility needed so that this may happen through practical means and make economics come alive for students. It is important to start working on this now. Before we know it, current eighth graders will have gone through high school, possibly college, and entered the workforce.

One again, I thank Senators COCHRAN, INOUYE, MURRAY, and KERREY for becoming original cosponsors of this bill, and I urge my colleagues to join us in cosponsoring the Excellence in Economic Education Act.

Mr. President, I ask unanimous consent that a copy 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. 1487

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

SECTION 1. EXCELLENCE IN ECONOMIC EDUCATION.

(a) AMENDMENT.—Title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8001 et seq.) is amended by adding at the end the following:

"PART L—EXCELLENCE IN ECONOMIC EDUCATION

"SEC. 10995. SHORT TITLE; FINDINGS.

''(a) SHORT TITLE.—This part may be cited as the ''Excellence in Economic Education Act of 1999''.

''(b) FINDINGS.—Congress makes the following findings:

''(1) The need for economic literacy in the United States has grown exponentially in the 1990's as a result of rapid technological advancements and increasing globalization, giving individuals in the United States more numerous and complex economic and financial choices than ever before as members of the workforce, managers of their families' resources, and voting citizens.

''(2) Individuals in the United States lack essential economic knowledge, as demonstrated in a 1998–1999 test conducted by the National Council on Economic Education, a private nonprofit organization. The test results indicated the following:

''(A) Students and adults alike lack a basic understanding of core economic concepts such as scarcity of resources and inflation, with less than half of those tested demonstrating knowledge of those basic concepts.

''(B) A little more than ⅓ of those tested realize that society must make choices about how to use resources.

''(C) Only ⅓ of those tested understand that active competition in the marketplace serves to lower prices and improve product quality.

''(D) Slightly more than ½ of adults in the United States and less than ¼ of students in the United States know that a Federal budget deficit is created when the Federal Government's expenditures exceed its revenues in a year.

''(E) Overall, adults received a grade of 57 percent on the test and secondary school students received a grade of 48 percent on the test.

''(F) Despite those poor results, the test pointed out that individuals in the United States realize the need for understanding basic economic concepts, with 96 percent of adults tested believing that basic economics should be taught in secondary school.

''(3) A range of trends points to the need for individuals in the United States to receive a practical economics education that

will give the individuals tools to make responsible choices about their limited financial resources, choices which face all people regardless of their financial circumstances. Examples of the trends are the following:

''(A) The number of personal bankruptcies in the United States continued to rise and set new records in the 1990's, despite the longest peacetime economic expansion in United States history. One in every 70 United States households filed for bankruptcy in 1998. Rising bankruptcies have an impact on the cost and availability of consumer credit which in turn negatively affect overall economic growth.

''(B) Credit card delinquencies in the United States rose to 1.83 percent in 1998, which is a percentage not seen since 1992 when the effects of a recession were still strong.

''(C) The personal savings rate in the United States over the 5 years ending in 1998 averaged only 4.5 percent. In the first quarter of 1999, the personal savings rate dropped to negative 0.4 percent. A decline in savings rates reduces potential investment and economic growth.

''(D) By 2030, the number of older persons in the United States will grow to 70,000,000, more than twice the number of older persons in the United States in 1997. The additional older persons will add significantly to the population of retirees in the United States and require a shift in private and public resources to attend to their specific needs. The needs will have dramatic, long-term economic consequences for younger generations of individuals in the United States workforce who will need to plan well in order to support their families and ensure themselves a secure retirement.

''(4) The third National Education Goal puts economics forth as 1 of 9 core content areas in which teaching, learning, and students' mastery of basic and advanced skills must improve.

''(5) The National Council on Economic Education presents a compelling case for doing more to meet the need for economic literacy. While an understanding of economics is necessary to help the next generation to think, choose, and function in a changing global economy, economics has too often been neglected in schools.

''(6) States' requirements for economic and personal finance education are insufficient as evidenced by the fact that, while 39 States have adopted educational standards (including guidelines or proficiencies) in economics—

''(A) only 13 of those States require all students to take a course in economics before graduating from secondary school;

''(B) only 25 States administer tests to determine whether students meet the standards; and

''(C) only 27 States require that the standards be implemented in schools.

''(7) Improved and enhanced national, State, and local economic education efforts, conducted as part of the Campaign for Economic Literacy led by the National Council on Economic Education, will help individuals become informed consumers, conscientious savers, prudent investors, productive workforce members, responsible citizens, and effective participants in the global economy.

''(8)(A) Founded in 1949, the National Council on Economic Education is the preeminent economic education organization in the United States, having a nationwide network that supports economic education in the Nation's schools.

''(B) This network supports teacher preparedness in economics through—

''(i) inservice teacher education;

''(ii) classroom-tested materials and appropriate curricula;

''(iii) evaluation, assessment, and research on economics education; and

''(iv) suggested content standards for economics.

''(9) The National Council on Economic Education network includes affiliated State Councils on Economic Education and more than 275 university or college-based Centers for Economic Education. This network represents a unique partnership among leaders in education, business, economics, and labor, the purpose of which is to effectively deliver economic education throughout the United States.

''(10) Each year the National Council on Economic Education network trains 120,000 teachers, reaching more than 7,000,000 students. By strengthening the Council's nationwide network, the Council can reach more of the Nation's 50,000,000 students.

''(11) The National Council on Economic Education conducts an international economic education program that provides information on market principles to the world (particularly emerging democracies) through teacher training, materials translation and development, study tours, conferences, and research and evaluation. As a result of those activities, the National Council on Economic Education is helping to support educational reform and build economic education infrastructures in emerging market economies, and reinforcing the national interest of the United States.

''(12) Evaluation results of economics education activities support the following conclusions:

''(A) Inservice education in economics for teachers contributes significantly to students' gains in economic knowledge.

''(B) Secondary school students who have taken economics courses perform significantly better on tests of economic literacy than do their counterparts who have not taken economics.

''(C) Economics courses contribute significantly more to gains in economic knowledge than does integration of economics into other subjects.

''(13) Through partnerships, the National Council on Economic Education network leverages support for its mission by raising $35,000,000 from the private sector, universities, and States.

''SEC. 10996. EXCELLENCE IN ECONOMIC EDUCATION.

''(a) PURPOSE.—The purpose of this part is to promote economic literacy among all United States students in kindergarten through grade 12 by enhancing national leadership in economic education through the strengthening of a nationwide economic education network and the provision of resources to appropriate State and local entities.

''(b) GOALS.—The goals of this part are—

''(1) to increase students' knowledge of and achievement in economics to enable the students to become more productive and informed citizens;

''(2) to strengthen teachers' understanding of and competency in economics to enable the teachers to increase student mastery of economic principles and their practical application;

''(3) to encourage economic education research and development, to disseminate effective instructional materials, and to promote replication of best practices and exemplary programs that foster economic literacy;

''(4) to assist States in measuring the impact of education in economics, which is 1 of 9 national core content areas described in section 306(c) of the Goals 2000: Educate America Act (20 U.S.C. 5886(c));

''(5) to extend strong economic education delivery systems to every State; and

''(6) to leverage and expand private and public support for economic education partnerships at national, State, and local levels.

''SEC. 10997. GRANT PROGRAM AUTHORIZED.

''(a) GRANTS TO THE NATIONAL COUNCIL ON ECONOMIC EDUCATION.—

''(1) IN GENERAL.—The Secretary is authorized to award a grant to the National Council on Economic Education (referred to in this section as the 'grantee'), which is a nonprofit educational organization that has as its primary purpose the improvement of the quality of student understanding of economics through effective teaching of economics in the Nation's classrooms.

''(2) USE OF GRANT FUNDS.—

''(A) ONE-QUARTER.—The grantee shall use ¼ of the funds made available through the grant and not reserved under subsection (f) for a fiscal year—

''(i) to strengthen and expand the grantee's nationwide network on economic education;

''(ii) to support and promote training, of teachers who teach a grade from kindergarten through grade 12, regarding economics, including the dissemination of information on effective practices and research findings regarding the teaching of economics;

''(iii) to support research on effective teaching practices and the development of assessment instruments to document student performance;

''(iv) to develop and disseminate appropriate materials to foster economic literacy; and

''(v) to coordinate activities assisted under this section with activities assisted under title II.

''(B) THREE-QUARTERS.—The grantee shall use ¾ of the funds made available through the grant and not reserved under subsection (f) for a fiscal year to award grants to State economic education councils, or in the case of a State that does not have a State economic education council, a center for economic education (which council or center shall be referred to in this section as a 'recipient'). The grantee shall award such a grant to pay for the Federal share of the cost of enabling the recipient to work in partnership with 1 or more of the entities described in paragraph (3) for 1 or more of the following purposes:

''(i) Collaboratively establishing and conducting teacher training programs that use effective and innovative approaches to the teaching of economics.

''(ii) Providing resources to school districts that want to incorporate economics into the curricula of the schools in the districts.

''(iii) Conducting evaluations of the impact of economic education on students.

''(iv) Conducting economic education research.

''(v) Creating and conducting school-based student activities to promote consumer, economic, and personal finance education, such as saving, investing, and entrepreneurial education, and to encourage awareness and student achievement in economics.

''(vi) Establishing interstate and international student and teacher exchanges to promote economic literacy.

''(vii) Encouraging replication of best practices to encourage economic literacy.

''(C) ADDITIONAL REQUIREMENTS AND TECHNICAL ASSISTANCE.—The grantee shall—

''(i) meet such other requirements as the Secretary determines to be necessary to assure compliance with this section; and

''(ii) provide such technical assistance as may be necessary to carry out this section.

''(3) PARTNERSHIP ENTITIES.—The entities referred to in paragraph (2)(B) are the following:

''(A) A private sector entity.

''(B) A State educational agency.

''(C) A local educational agency.

''(D) An institution of higher education.

''(E) Another organization promoting economic development.

''(F) Another organization promoting educational excellence.

''(4) ADMINISTRATIVE COSTS.—The grantee and each recipient receiving a grant under this section for a fiscal year may use not more than 25 percent of the funds made available through the grant for administrative costs.

''(b) TEACHER TRAINING PROGRAMS.—

''(1) IN GENERAL.—In carrying out the teacher training programs described in subsection (a)(2)(B) a recipient shall—

''(A) train teachers who teach a grade from kindergarten through grade 12;

''(B) conduct programs taught by qualified teacher trainers who can tap the expertise, knowledge, and experience of classroom teachers, private sector leaders, and other members of the community involved, for the training; and

''(C) encourage teachers from disciplines other than economics to participate in such teacher training programs, if the training will promote the economic understanding of their students.

''(2) RELEASE TIME.—Funds made available under this section for the teacher training programs described in subparagraphs (A) and (B) of subsection (a)(2) may be used to pay for release time for teachers and teacher trainers who participate in the training.

''(c) INVOLVEMENT OF BUSINESS COMMUNITY.—In carrying out the activities assisted under this part the grantee and recipients are encouraged to—

''(1) include interactions with the local business community to the fullest extent possible, to reinforce the connection between economic education and economic development; and

''(2) work with private businesses to obtain matching contributions for Federal funds and assist recipients in working toward self-sufficiency.

''(d) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost described in subsection (a)(2)(B) shall be 50 percent. The Federal share of the cost of establishing a State council on economic education or a center for economic education under subsection (f), for 1 fiscal year only, shall be 75 percent.

''(2) NON-FEDERAL SHARE.—The non-Federal share may be paid in cash or in kind, fairly evaluated, including plant, equipment, or services.

''(e) APPLICATIONS.—

''(1) GRANTEE.—To be eligible to receive a grant under this section, the grantee shall submit to the Secretary an application at such time, in such manner, and accompanied by such information as the Secretary may require.

''(2) RECIPIENTS.—

''(A) IN GENERAL.—To be eligible to receive a grant under this section, a recipient shall submit an application to the grantee at such time, in such manner, and accompanied by such information as the grantee may require.

''(B) REVIEW.—The grantee shall invite the individuals described in subparagraph (C) to review all applications from recipients for a grant under this section and to make recommendations to the grantee regarding the funding of the applications.

''(C) INDIVIDUALS.—The individuals referred to in subparagraph (B) are the following:

''(i) Leaders in the fields of economics and education.

''(ii) Such other individuals as the grantee determines to be necessary.

''(f) SPECIAL RULE.—For each State that does not have a recipient in the State, as determined by the grantee, not less than the greater of 1.5 percent or $100,000 of the total amount appropriated under subsection (i), for 1 fiscal year, shall be made available to the State to pay for the Federal share of the cost of establishing a State council on economic education or a center for economic education in partnership with a private sector entity, an institution of higher education, the State educational agency, and other organizations.

''(g) SUPPLEMENT AND NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local funds expended for the purpose described in section 10996(a).

''(h) REPORT.—The Secretary shall prepare and submit to the appropriate committees of Congress a report regarding activities assisted under this section not later than 2 years after the date funds are first appropriated under subsection (i) and every 2 years thereafter.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part $10,000,000 for fiscal year 2000, and such sums as may be necessary for each of the 4 succeeding fiscal years.''.

(b) RELATED AMENDMENTS.—The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended—

(1) in section 2103(a)(2)(I) (20 U.S.C. 6623(a)(2)(I)), by inserting ''economics,'' after ''civics and government,'';

(2) in section 3206(b)(4) (20 U.S.C. 6896(b)(4)), by inserting ''economics,'' after ''history,'';

(3) in section 5108(b) (20 U.S.C. 7208(b)), by inserting ''economics,'' after ''history,'';

(4) in section 10101(b)(1)(A)(iii) (20 U.S.C. 8001(b)(1)(A)(iii)), by striking ''and social studies'' and inserting ''social studies, and economics,'';

(5) in section 10963(b)(4) (20 U.S.C. 8283(b)(4))—

(A) in subparagraph (E), by striking ''and'' after the semicolon;

(B) in subparagraph (F), by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(G) economic education and other programs designed to enhance economic literacy and personal financial responsibility;''; and

(6) in section 10974(a)(8)(H) (20 U.S.C. 8294(a)(8)(H)), by striking ''local rural entrepreneurship'' and inserting ''promoting economic literacy, local rural entrepreneurship,''.

By Mr. BIDEN:

S. 1489. A bill to amend title 38, United States Code, to provide for the payment to States of pilot allowances for certain veterans eligible for burial in a national cemetery who are buried in cemeteries of such States.

VETERANS' PLOT ALLOWANCE EQUITY

• Mr. BIDEN. Mr. President, today I am introducing legislation which provides equity for a group of veterans at their final moment: those veterans who are buried in State-owned veterans' cemeteries.

For a number of years, the amount of space in national veterans' cemeteries has been rapidly declining. With the strong encouragement of the Federal government, the States have undertaken to develop their own veterans' cemeteries. When certain categories of veterans are buried without charge in these State veterans' cemeteries, the Federal government pays the State a $150 ''plot allowance'' for the burial space. However, only limited categories of veterans are covered by this payment: those who were discharged for disability or who were receiving disability-related compensation; those who died in a veterans hospital; and those indigent veterans whose bodies were unclaimed after death.

For the many other veterans who don't fall into one of these few categories, the federal government will pay nothing for their burial space if they are buried in a State veterans' cemetery. By contrast, if any of these veterans were buried in a national veterans' cemetery, for which they are eligible, the federal government picks up the cost of the burial space. This disparity seems inexplicable, a final insult to the dedicated service of men and women who unselfishly served their country.

My bill removes this inequity by stating that, for any veteran who is eligible for burial in a national veterans' cemetery but who is interred in a State veterans' cemetery, the federal government will pay the State a $150 plot allowance for the burial space. That's it. No ifs, ands, or buts. No exceptions.

The government promised these veterans that they would be taken care of in their final passage, and it must live up to this vow. Regardless of whether veterans are buried in a State cemetery or in a national cemetery, their service in the armed forces benefitted all of us, and we should stop quibbling about whether the location of the grave has anything to do with the dignity and selflessness of the service to the country.

Mr. President, I urge my fellow Senators to support this bill in the name of fairness and in recognition of the service to the country of all our veterans in their final hour.•

By Mr. THOMPSON (for himself and Mr. FRIST):

S. 1490. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for State and local sales taxes in lieu of State and local income taxes; to the Committee on Finance.

DEDUCTIBILITY OF STATE SALES TAXES

• Mr. THOMPSON. Mr. President, I rise today to introduce legislation that will address an inequity in the tax code that affects the citizens of my state and citizens of the other states that do not have a state income tax. Tennesseans are discriminated against under federal tax laws simply because our state chooses to raise revenue primarily through a sales tax instead of an income tax. My bill would end this inequity by allowing taxpayers to deduct either their state and local sales taxes or their state and local income taxes on their federal tax forms, but not both. I am joined today by my colleague from Tennessee, Senator FRIST.

Under current law, individuals who itemize their deductions for federal tax purposes are only permitted to deduct state and local income taxes and property taxes paid. State and local sales

taxes are not deductible. Therefore, residents of nine states are treated differently from residents of states with an income tax. Seven states—Texas, Florida, Alaska, Wyoming, Washington, South Dakota and Nebraska—have no state income tax. Two states—Tennessee and New Hampshire—only impose an income tax on interest and dividends, but not wages.

Prior to 1986, taxpayers were permitted to deduct all of their state and local taxes paid (including income, sales and property taxes) when computing their federal tax liability. The ability to deduct all state and local taxes is based on the principle that levying a tax on a tax is unfair.

In 1986, however, Congress made dramatic changes to the tax code. The Tax Reform Act of 1986 significantly reduced federal tax rates on individuals. In exchange for these lower rates, Congress broadened the base of income that is taxed by eliminating many of the deductions and credits that previously existed in the code, including the deduction for state and local sales taxes.

Mr. President, I believe that our federal tax laws should be neutral with respect to the treatment of state and local taxes. As I have said, that is not the case now. The current tax code is biased in favor of states that raise revenue through an income tax. I strongly support comprehensive reform of the tax code that will address issues such as neutrality, fairness and simplicity. As we work to reform the overall tax code, restoring equality in this area should be a part of the discussion.●

By Mr. MACK (for himself, Mr. ABRAHAM, Mr. ALLARD, Mr. BENNETT, Mr. BROWNBACK, Mr. HAGEL, Mr. HELMS, and Mr. SHELBY):

S. 1492. A bill to require the Board of Governors of the Federal Reserve System to focus on price stability in establishing monetary policy to ensure the stable, long-term purchasing power of the currency, to repeal the Full Employment and Balanced Growth Act of 1978, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

ECONOMIC GROWTH AND PRICE STABILITY ACT OF 1999

● Mr. MACK. Mr. President, I ask that the text of the bill be printed in the RECORD.

The bill follows:

S. 1492

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 ''Economic Growth and Price Stability Act of 1999''.

SEC. 2. FINDINGS; STATEMENT OF POLICY.

(a) FINDINGS.—The Congress finds that—

(1) during periods of inflation, the United States has experienced a deterioration in its potential economic growth;

(2) a decline in inflation has been a crucial factor in encouraging recent robust economic growth;

(3) stable prices facilitate higher sustainable levels of economic growth, investment, and job creation;

(4) the multiple policy goals of the Full Employment and Balanced Growth Act of 1978 cause confusion and ambiguity about the appropriate role and aims of monetary policy, which can add to volatility in economic activity and financial markets, harming economic growth and costing workers jobs;

(5) recognizing the dangers of inflation and the appropriate role of monetary policy, political leaders in countries throughout the world have directed the central banks of those countries to institute reforms that focus monetary policy on the single objective of price stability, rather than on multiple policy goals;

(6) there is a need for the Congress to clarify the proper role of the Board of Governors of the Federal Reserve System in economic policymaking, in order to achieve the best environment for long-term economic growth and job creation; and

(7) because price stability is a key condition for maintaining the highest possible levels of productivity, real incomes, living standards, employment, and global competitiveness, price stability should be the primary long-term goal of the Board of Governors of the Federal Reserve System.

(b) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) the principal economic responsibilities of the Government are to establish and ensure an environment that is conducive to both long-term economic growth and increases in living standards, by establishing and maintaining free markets, low taxes, respect for private property, and the stable, long-term purchasing power of the United States currency; and

(2) the primary long-term goal of the Board of Governors of the Federal Reserve System (hereafter in this Act referred to as the ''Board'') should be to promote price stability.

SEC. 3. MONETARY POLICY.

(a) AMENDMENT TO THE FEDERAL RESERVE ACT.—Section 2A of the Federal Reserve Act (12 U.S.C. 225a) is amended to read as follows:

''SEC. 2A. MONETARY POLICY.

''(a) PRICE STABILITY.—The Board and the Federal Open Market Committee (hereafter in this section referred to as the 'Committee') shall—

''(1) establish an explicit numerical definition of the term 'price stability'; and

''(2) maintain a monetary policy that effectively promotes long-term price stability.

''(b) CONGRESSIONAL CONSULTATION.—Not later than February 20 and July 20 of each year, the Board shall consult with the Congress at semiannual hearings before the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking and Financial Services of the House of Representatives, about the objectives and plans of the Board and the Committee with respect to achieving and maintaining price stability.

''(c) CONGRESSIONAL OVERSIGHT.—The Board shall, concurrent with each semiannual hearing required by subsection (b), submit a written report to the Congress containing—

''(1) numerical measures to help assess the extent to which the Board and the Committee are achieving and maintaining price stability in accordance with subsection (a);

''(2) a description of the intermediate variables used by the Board to gauge the prospects for achieving the objective of price stability; and

''(3) the definition, or any modifications thereto, of 'price stability' established in accordance with subsection (a)(1).''.

(b) COMPLIANCE ESTIMATE.—

(1) IN GENERAL.—Concurrent with the first semiannual hearing required by section 2A(b) of the Federal Reserve Act (as amended by subsection (a) of this section) following the date of enactment of this Act, the Board shall submit to the Congress a written estimate of the length of time it will take for the Board and the Committee to fully achieve price stability. The Board and the Committee shall take into account any potential short-term effects on employment and output in complying with the goal of price stability.

(2) DEFINITIONS.—For purposes of this section—

(A) the term ''Board'' means the Board of Governors of the Federal Reserve System; and

(B) the term ''Committee'' means the Federal Open Market Committee.

SEC. 4. REPEAL OF OBSOLETE PROVISIONS.

(a) FULL EMPLOYMENT AND BALANCED GROWTH ACT OF 1978.—The Full Employment and Balanced Growth Act of 1978 (15 U.S.C. 3101 et seq.) is repealed.

(b) EMPLOYMENT ACT OF 1946.—The Employment Act of 1946 (15 U.S.C. 1021 et seq.) is amended—

(1) in section 3 (15 U.S.C. 1022)—

(A) in the section heading, by striking ''and short-term economic goals and policies'';

(B) by striking ''(a)''; and

(C) by striking ''in accord with section 11(c) of this Act'' and all that follows through the end of the section and inserting ''in accordance with section 5(c).'';

(2) in section 9(b) (15 U.S.C. 1022f(b)), by striking '', the Full Employment and Balanced Growth Act of 1978,'';

(3) in section 10 (15 U.S.C. 1023)—

(A) in subsection (a), by striking ''in the light of the policy declared in section 2'';

(B) in subsection (e)(1), by striking ''section 9'' and inserting ''section 3''; and

(C) in the matter immediately following paragraph (2) of subsection (e), by striking ''and the Full Employment and Balanced Growth Act of 1978'';

(4) by striking section 2;

(5) by striking sections 4 through 8; and

(6) by redesignating sections 3, 9, 10, and 11 as sections 2 through 5, respectively.

(c) CONGRESSIONAL BUDGET ACT OF 1974.—Title III of the Congressional Budget Act of 1974 (2 U.S.C. 631 et seq.) is amended—

(1) in section 301—

(A) in subsection (b), by striking paragraph (1) and redesignating paragraphs (2) through (9) as paragraphs (1) through (8), respectively;

(B) in subsection (d), in the second sentence, by striking ''the fiscal policy'' and all that follows through the end of the sentence and inserting ''fiscal policy.'';

(C) in subsection (e)(1), in the second sentence, by striking ''as to short-term and medium-term goals''; and

(D) by striking subsection (f) and inserting the following:

''(f) [Reserved.]''; and

(2) in section 305—

(A) in subsection (a)(3), by inserting before the period at the end '', as described in section 2 of the Economic Growth and Price Stability Act of 1999'';

(B) in subsection (a)(4)—

(i) by striking ''House sets forth the economic goals'' and all that follows through ''designed to achieve,'' and inserting ''House of Representatives sets forth the economic goals and policies, as described in section 2 of the Economic Growth and Price Stability Act of 1999,''; and

(ii) by striking ''such goals,'' and all that follows through the end of the paragraph and inserting ''such goals and policies.'';

(C) in subsection (b)(3), by inserting before the period at the end '', as described in section 2 of the Economic Growth and Price Stability Act of 1999''; and

(D) in subsection (b)(4)—

(i) by striking ''goals (as'' and all that follows through ''designed to achieve,'' and inserting ''goals and policies, as described in section 2 of the Economic Growth and Price Stability Act of 1999,''; and

(ii) by striking ''such goals,'' and all that follows through the end of the paragraph and inserting ''such goals and policies.''.●

By Mr. SPECTER (for himself and Mr. SANTORUM):

S. 1493. A bill to establish a John Heinz Senate Fellowship Program to advance the development of public policy with respect to issues affecting senior citizens; to the Committee on Rules and Administration.

THE JOHN HEINZ SENATE FELLOWSHIP PROGRAM

Mr. SPECTER. Mr. President, I have sought recognition to introduce a bill reauthorizing the John Heinz Senate Fellowship Program. This Congressional fellowship program, created in 1992, is a fitting tribute to my late colleague and dear friend, United States Senator John Heinz. Senator Heinz dedicated his life and much of his Congressional career to improving the lives of senior citizens. He believed that Congress has a special responsibility to serve as a guardian for those who cannot protect themselves. This fellowship program, which focuses on aging issues, honors the life and continues the legacy of Senator John Heinz.

During his 20 years in the Congress, John Heinz compiled an enviable record of accomplishments. While he was successful in many areas, he built a national reputation for his strong commitment to improving the quality of life of our nation's elderly. Pennsylvania, with nearly 2 million citizens aged 65 or older—over 15% of the population—houses the second largest elderly population nationwide. As John traveled throughout the state, he listened to the concerns of this important constituency and came back to Washington to address their needs through policy and legislation.

Senator Heinz led the fight against age discrimination by championing legislation to eliminate the requirement that older Americans must retire at age 65, and by ensuring full retirement pay for older workers employed by factories forced to close. During his Chairmanship of the Senate Special Committee on Aging from 1981–1986 and his tenure as Ranking Minority Member from 1987–1991, Senator Heinz used his position to improve health care accessibility and affordability for senior citizens and to reduce fraud and abuse within Federal health care programs. Congress enacted his legislation to provide Medicare recipients a lower cost alternative to fee-for-service medicine, as well as his legislation to add a hospice benefit to the Medicare program.

John also recognized the great need for nursing home reforms. He was successful in passing legislation mandating that safety measures be implemented in nursing homes and ensuring that nursing home residents cannot be bound and tied to their beds or wheelchairs.

Mr. President, the John Heinz Senate Fellowship Program will help continue the efforts of Senator Heinz to give our nation's elderly the quality of life they deserve. The program encourages the identification and training of new leadership in aging policy by awarding fellowships to qualified candidates to serve in a Senate office or with a Senate Committee staff. The goal of this program is to advance the development of the public policy in issues affecting senior citizens. Administered by the Heinz Family Foundation in conjunction with the Secretary of the Senate, the program allows fellows to bring their firsthand experience in aging issues to the work of Congress. Heinz fellows who are advocates for aging issues spend a year to help us learn about the effects of Federal policies on our elderly citizens, those who are social workers help us find better ways to protect our nation's elderly from abuse and neglect, and those who are health care providers help us to build a strong health care system that addresses the unique needs of our seniors.

As fellows, senior citizen advocates and aging policy experts not only have the opportunity to use their expertise to facilitate national debate about issues concerning senior citizens, they also prepare themselves to make future contributions to their local communities. The Heinz fellowship enables us to train new leaders in senior citizen advocacy and aging policy. The fellows return to their respective careers with a new understanding about how to work effectively with government, so they may better fulfill their goals as senior citizen advocates.

The John Heinz Fellowship Program has been a valuable tool for Congress and our communities since its establishment in 1992. The continuation of this vital program will signal a sustained commitment to our nation's elderly. I urge my colleagues to join me in cosponsoring this resolution, and urge its swift adoption. I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1493

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 ''John Heinz Senate Fellowship Program''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Senator John Heinz believed that Congress has a special responsibility to serve as a guardian for those persons who cannot protect themselves.

(2) Senator Heinz dedicated much of his career in Congress to improving the lives of senior citizens.

(3) It is especially appropriate to honor the memory of Senator Heinz through the creation of a Senate fellowship program to encourage the identification and training of new leadership in aging policy and to bring experts with firsthand experience of aging issues to the assistance of the Congress in order to advance the development of public policy in issues that affect senior citizens.

SEC. 3. FELLOWSHIP PROGRAM.

(a) IN GENERAL.—In order to encourage the identification and training of new leadership in issues affecting senior citizens and to advance the development of public policy with respect to such issues, there is established a John Heinz Senate Fellowship Program.

(b) SENATE FELLOWSHIPS.—The Heinz Family Foundation, in consultation with the Secretary of the Senate, is authorized to select Senate fellowship participants.

(c) SELECTION PROCESS.—The Heinz Family Foundation shall—

(1) publicize the availability of the fellowship program;

(2) develop and administer an application process for Senate fellowships; and

(3) conduct a screening of applicants for the fellowship program.

SEC. 4. COMPENSATION; NUMBER OF FELLOWSHIPS; PLACEMENT.

(a) COMPENSATION.—The Secretary of the Senate is authorized, from funds made available under section 5, to appoint and fix the compensation of each eligible participant selected under this Act for a period determined by the Secretary.

(b) NUMBER OF FELLOWSHIPS.—No more than 2 fellowship participants shall be so employed. Any individual appointed pursuant to this Act shall be subject to all laws, regulations and rules in the same manner and to the same extent as any other employee of the Senate.

(c) PLACEMENT.—The Secretary of the Senate, after consultation with the Majority Leader and Minority Leader of the Senate, shall place eligible participants in positions in the Senate that are, within practical considerations, supportive of the fellowship participants' areas of expertise.

SEC. 5. FUNDS.

The funds necessary to compensate eligible participants under this Act for fiscal year 1999 shall be paid from the contingent fund of the Senate. Such funds shall not exceed, for fiscal year 1999, $71,000. There are authorized to be appropriated $71,000 for each of the fiscal years 2000 through 2004 to carry out the provisions of this Act.

By Mr. BINGAMAN (for himself, Mr. ROCKEFELLER, Ms. SNOWE, and Ms. MIKULSKI):

S. 1494. A bill to ensure that small businesses throughout the United States participate fully in the unfolding electronic commerce revolution through the establishment of an electronic commerce extension program at the National Institutes of Standards and Technology; to the Committee on Commerce, Science, and Transportation.

ELECTRONIC COMMERCE EXTENSION ESTABLISHMENT ACT OF 1999

Mr. BINGAMAN. Mr. President, today I'm very pleased to be joined by Senators ROCKEFELLER, SNOWE, and MIKULSKI in introducing the ''Electronic Commerce Extension Establishment Act of 1999.'' The purpose of this bill is

simple—to ensure that small businesses in every corner of our nation fully participate in the electronic commerce revolution unfolding around us by helping them find and adopt the right e-commerce technology and techniques. It does this by authorizing an ''electronic commerce extension'' program at the National Institute of Standards and Technology modeled on NIST's existing, highly successful Manufacturing Extension Program.

Everywhere you look today, e-commerce—the buying, selling, and even the delivery of goods and services via computer networks—is starting a revolution in American business. Being so new, precise e-commerce numbers are hard to come by, but by one estimate business to business and business to consumer e-commerce sales in 1998 were $100 billion. If you add in the hardware, software, and services making those sales possible, the number rises to $300 billion. That's comparable to adding another entire automobile industry to the economy in the last few years. Another estimate has business to business e-commerce growing to $1.3 trillion by 2003. Whatever the exact numbers, an amazing change in our economy has begun.

But the shift to e-commerce is about more than new ways to sell things; it's about new ways to do things. It promises to transform how we do business—how we design products, manage supply chains and inventories, advertise and distribute goods, et cetera—and thereby boost productivity, the root of long term improvements in our standard of living. A recent Washington Post piece on Cisco Systems, a major supplier of Internet hardware, notes that Cisco saved $500 million last year by selling its products and buying its supplies online. On sales of $8.5 billion, that helped make for some nice profits. Imagine the productivity and economic growth spurred when more firms get efficiencies like that. And that's the point of this bill, to make sure that small businesses get those benefits too.

Electronic commerce is a new use of information technology and the Internet. Many people, including Alan Greenspan, suspect information technology is the major driver behind the productivity and economic growth we've been enjoying. The crucial verb here is ''use.'' It is the widespread use of a more productive technology that sustains accelerated productivity growth. It was steam engine, not its sales, that powered the industrial revolution. In 1899, only about 5 percent of factory horsepower came from electric motors, even though the technologies had been around for two decades. But by 1920, when electric motors finally accounted for more than half of factory horsepower, they created a surge in industrial productivity as more efficient factory designs became common.

Closer to today, in 1987, Nobel Prize winning economist Robert Solow quipped, ''We see the computer age everywhere but in the productivity statistics.'' Well, it looks like the computer has started to show up because more people are using them in more ways, like e-commerce. Information technology producers, companies like Cisco Systems who are, notably, some of the most sophisticated users of IT, are 8 percent of our economy; from 1995 to 1998 they contributed 35 percent of our economic growth. There are also some indications that IT is now improving productivity among companies that only use IT, though economists continue to debate that.

But here's the real point. If we are going to sustain this productivity and economic growth, if this is to be more than a one time boost that dies out, we have to spread sophisticated uses of information technology like e-commerce beyond the high tech sector and companies like Cisco Systems and into every corner of the economy, including small businesses. Back in the 1980s we used to debate if it mattered if we made money selling ''potato chips or computer chips.'' But here's the real difference: consuming a lot of potato chips isn't good for you; consuming a lot of computer chips is.

I emphasize all this because too often our discussions of government policy, technology, and economic growth dwell on the invention and sale of new technologies, which are crucial, but shortchange the all important, but not terribly glamorous topic of their adoption and use. Extension programs, like the electronic commerce extension program in this bill, are policy aimed at precisely spreading the adoption and use of more productive technology by small businesses.

Now, with that in mind, the e-commerce revolution creates both opportunities and challenges for small businesses. On the one hand, it will open new markets to them and help them be more efficient. Many of us have seen that cartoon with a dog in front of a computer saying, ''On the Internet no one knows you're a dog.'' Well, on the web, the garage shop can look as good as IBM or GM. On the other hand, the high fixed costs, low marginal costs, and technical sophistication that can sometimes characterize e-commerce, when coupled with a good brand name, may allow larger, more established e-commerce firms to quickly move from market to market. Amazon.com, perhaps the archetype e-commerce firm, has done such a wonderful job of making a huge variety of books widely available that it's been able to expand to CDs, to toys, to electronics, to auctions. Moreover, firms in more rural or isolated areas have suddenly found sophisticated, low cost, previously distant businesses entering their market, and competing with them. Thus, there is considerable risk that many small businesses be left behind in the shift to e-commerce. That would not be good for them, nor for the rest of us, because we all benefit when everyone is more productive and everyone competes.

The root of this problem is the fact that many small firms have a hard time identifying and adopting new technology. They're hard pressed and hard working, but they just don't have the time, people, or money to understand all the different technologies they might use. And, they often don't even know where to turn for help. Thus, while small firms are very flexible, they can be slow to adopt new technology, because they don't know which to use or what to do about it. That's why we have extension programs. Extension programs give small businesses low cost, impartial advice on what technologies are out there and how to use them.

Extension programs have a long, solid pedigree. They started in 1914, with the Department of Agriculture's Cooperative Extension Service to ''extend'' the benefits of agricultural research to the farmer. That extension service has played no small part in making the American farmer the most productive in the world. More recently, the competitiveness crisis of the 1980's prompted the creation of the Manufacturing Extension Program, or MEP, at NIST to help small manufacturers find and use the technology they need. NIST has done a good job building and managing MEP's network of more than 70 non-profit centers, in all 50 states, with 2000 experts on call, that has helped over 60,000 manufacturers.

Today, the United States is the international leader in e-commerce, but other nations are working to catch up, just like they did in manufacturing. Thus, the time is ripe to solidify our lead in e-commerce and extend it to every part of our economy in every corner of the nation. An electronic commerce extension program will help us do that.

So, what might such a program do? Imagine you're a small specialty foods retailer in rural New Mexico and you see e-commerce as a way to reach more customers. But your specialty is chiles, not computers; imagine all the questions you'd have. How do I sell over the web? Can I buy supplies that way too? How do I keep hackers out of my system? What privacy policies should I follow? How do I use encryption to collect credit card numbers and guarantee customers that I'm who I say I am? Can I electronically integrate my sales orders with instructions to shippers like Federal Express? How might I handle orders from Japan or Holland? Should I band together with other local producers to form a chile cybermall? What servers, software, and telecommunications will I need and how much will it cost? Can I do this via satellite links? Your local e-commerce extension center would answer those questions for you. And, you could trust their advice, because you'd know they were impartial and had no interest in selling you a particular product.

This bill will lead to the creation of a high quality, nationwide network of non-profit organizations providing that kind of expert advice, analogous to the MEP network NIST runs today, but

with a focus on e-commerce and on firms beyond manufacturers. NIST, as part of the Department of Commerce, is a logical choice to run an e-commerce extension program because it's about promoting commerce via technology and standards; recall that the Internet is based on standards for how computers can talk to each other. But the best reason for NIST to do this is that MEP shows they can do it well; that expertise will prove invaluable in getting this new network up and running.

Similarly, this bill is directly modeled on the MEP authorization. It retains the key features of MEP: a network of centers run by non-profits; strict merit selection; cost sharing where the federal government's share decreases from one half to one third over time; and periodic independent review of each center. In addition, it emphasizes serving small businesses in rural or more isolated areas, so that those businesses can get a leg up on e-commerce too. In short, this legislation takes an approach that has already been proven to work.

Practically speaking, if this bill becomes law, I assume NIST, together with its headquarters organization, the Technology Administration, would begin by leveraging their MEP management expertise to start a few e-commerce extension centers and then gradually build out a network separate from MEP. They could also use the study of e-commerce extension resulting from my amendment to the Commerce, State, Justice Appropriations bill the other week. I also want to note that this is a new, separate authorization for an e-commerce extension program because it will have a different focus than MEP and because I do not want it to displace MEP in any way. MEP is a great program. Let's keep it going strong while we build this new e-commerce extension system.

Mr. President, I hope my colleagues will join me in supporting this important, timely, and practical piece of legislation. Just as a strong agricultural sector called for an agricultural extension service, and a strong industrial sector called for manufacturing extension, our shift to an information economy calls for electronic commerce extension.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no obection, the bill was ordered to be printed in the RECORD, as follows:

S. 1494

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 ''Electronic Commerce Extension Establishment Act of 1999''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The United States economy is in the early stages of a revolution in electronic commerce—the ability to buy, sell, and even deliver goods and services through computer networks. Estimates are that electronic commerce sales in 1998 were around $100,000,000,000 and could rise to $1,300,000,000,000 by 2003.

(2) Electronic commerce promises to spur tremendously United States productivity and economic growth—repeating a historical pattern where the greatest impetus toward economic growth lies not in the sale of new technologies but in their widespread adoption and use.

(3) Electronic commerce presents an enormous opportunity and challenge for small businesses. Such commerce will give such businesses new markets and new ways of doing businesses. However, many such business will have difficulty in adopting appropriate electronic commerce technologies and practices. Moreover, such businesses in more rural areas will find distant businesses entering their markets and competing with them. Thus, there is considerable risk many small businesses will be left behind in the shift to electronic commerce.

(4) The United States has an interest in ensuring that small businesses in all parts of the United States participate fully in the electronic commerce revolution, both for the sake of such businesses and in order to promote productivity and economic growth throughout the entire United States economy.

(5) The Federal Government has a long history of successfully helping small farmers with new agricultural technologies through the Cooperative Extension System at the Department of Agriculture, founded in 1914. More recently, the National Institute of Standards and Technology has successfully helped small manufacturers with manufacturing technologies though its Manufacturing Extension Program, established in 1988.

(6) Similarly, now is the time to establish an electronic commerce extension program to help small businesses throughout the United States identify, adapt, and adopt electronic commerce technologies and business practices, thereby ensuring that such businesses fully participate in the electronic commerce revolution.

SEC. 3. PURPOSE.

The purpose of this Act is to establish an electronic commerce extension program focused on small businesses at the National Institute of Standards and Technology.

SEC. 4. ESTABLISHMENT OF ELECTRONIC COMMERCE EXTENSION PROGRAM AT NATIONAL INSTITUTES OF STANDARDS AND TECHNOLOGY.

(a) ESTABLISHMENT.—The National Bureau of Standards Act (15 U.S.C. 271 et seq.) is amended by inserting after section 25 (15 U.S.C. 278k) the following new section:

''REGIONAL CENTERS FOR THE TRANSFER OF ELECTRONIC COMMERCE TECHNOLOGY

''SEC. 25A. (a)(1) The Secretary, through the Undersecretary of Commerce for Technology and the Director and in consultation with other appropriate officials, shall provide assistance for the creation and support of Regional Centers for the Transfer of Electronic Commerce Technology (in this section referred to as 'Centers').

''(2) The Centers shall be affiliated with any United States-based nonprofit institution or organization, or group thereof, that applies for and is awarded financial assistance under this section in accordance with the program established by the Secretary under subsection (c).

''(3) The objective of the Centers is to enhance productivity and technological performance in United States electronic commerce through—

''(A) the transfer of electronic commerce technology and techniques developed at the Institute to Centers and, through them, to companies throughout the United States;

''(B) the participation of individuals from industry, institutions of higher education, State governments, other Federal agencies, and, when appropriate, the Institute in cooperative technology transfer activities;

''(C) efforts to make electronic commerce technology and techniques usable by a wide range of United States-based small companies;

''(D) the active dissemination of scientific, engineering, technical, and management information about electronic commerce to small companies, with a particular focus on reaching those located in rural or isolated areas; and

''(E) the utilization, when appropriate, of the expertise and capability that exists in State and local governments, institutions of higher education, the private sector, and Federal laboratories other than the Institute.

''(b) The activities of the Centers shall include—

''(1) the establishment of electronic commerce demonstration systems, based on research by the Institute and other organizations and entities, for the purpose of technology transfer; and

''(2) the active transfer and dissemination of research findings and Center expertise to a wide range of companies and enterprises, particularly small companies.

''(c)(1) The Secretary may provide financial support to any Center created under subsection (a) in accordance with a program established by the Secretary for purposes of this section.

''(2) The Secretary may not provide to a Center more than 50 percent of the capital and annual operating and maintenance funds required to create and maintain the Center.

''(3)(A) Any nonprofit institution, or group thereof, or consortia of nonprofit institutions may, in accordance with the procedures established by the Secretary under the program under paragraph (1), submit to the Secretary an application for financial support for the creation and operation of a Center under this section.

''(B) In order to receive financial assistance under this section for a Center, an applicant shall provide adequate assurances that it will contribute 50 percent or more of the estimated capital and annual operating and maintenance costs of the Center for the first three years of its operation and an increasing share of such costs over the next three years of its operation.

''(C) An applicant shall also submit a proposal for the allocation of the legal rights associated with any invention which may result from the activities of the Center proposed by the applicant.

''(4)(A) The Secretary shall subject each application submitted under this subsection to merit review.

''(B) In making a decision whether to approve an application and provide financial support for a Center under this section, the Secretary shall consider at a minimum—

''(i) the merits of the application, particularly the portions of the application regarding technology transfer, training and education, and adaptation of electronic commerce technologies to the needs of particular industrial sectors;

''(ii) the quality of service to be provided;

''(iii) geographical diversity and extent of service area; and

''(iv) the percentage of funding and amount of in-kind commitment from other sources.

''(5)(A) Each Center receiving financial assistance under this section shall be evaluated during the third year of its operation by

an evaluation panel appointed by the Secretary.

''(B) Each evaluation panel under this paragraph shall be composed of private experts, none of whom shall be connected with the Center involved, and with appropriate Federal officials. An official of the Institute shall chair each evaluation panel.

''(C) Each evaluation panel under this paragraph shall measure the performance of the Center involved against the objectives specified in this section and under the arrangement between the Center and the Institute.

''(6) The Secretary may not provide funding for a Center under this section for the fourth through the sixth years of its operation unless the evaluation regarding the Center under paragraph (5) is positive. If such evaluation for a Center is positive, the Secretary may provide continued funding for the Center through the sixth year of its operation at declining levels.

''(7)(A) After the sixth year of operation of a Center, the Center may receive additional financial support under this section if the Center has received a positive evaluation of its operation through an independent review conducted under procedures established by the Institute. Such independent review shall be undertaken for a Center not less often than every two years commencing after the sixth year of its operation.

''(B) The amount of funding received by a Center under this section for any fiscal year of the Center after the sixth year of its operation may not exceed an amount equal to one-third of the capital and annual operating and maintenance costs of the Center in such fiscal year under the program.

''(8) The provisions of chapter 18 of title 35, United States Code, shall (to the extent not inconsistent with this section) apply to the promotion of technology from research by Centers under this section except for contracts for such specific technology extension or transfer services as may be specified by statute or by the Director.

''(d)(1) In addition to such sums as may be appropriated to the Secretary and Director for purposes of the support of Centers under this section, the Secretary and Director may accept funds from other Federal departments and agencies for such purposes.

''(2) The selection and operation of a Center under this section shall be governed by the provisions of this section, regardless of the Federal department or agency providing funds for the operation of the Center.

''(e) In this section, the term 'electronic commerce' means the buying, selling, and delivery of goods and services, or the coordination or conduct of economic activities within and among organizations, through computer networks.''.

(b) DESCRIPTION OF PROGRAM.—(1) Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall publish in the Federal Register a proposal for the program required by section 25A(c) of the National Bureau of Standards Act, as added by subsection (a).

(2) The proposal for the program under paragraph (1) shall include—

(A) a description of the program;

(B) procedures to be followed by applicants for support under the program;

(C) criteria for determining qualified applicants under the program;

(D) criteria, including the criteria specified in paragraph (4) of such section 25A(c), for choosing recipients of financial assistance under the program from among qualified applicants; and

(E) maximum support levels expected to be available to Centers for the Transfer of Electronic Commerce Technology under the program in each year of assistance under the program.

(3) The Secretary shall provide a 30-day period of opportunity for public comment on the proposal published under paragraph (1).

(4) Upon completion of the period referred to in paragraph (3), the Secretary shall publish in the Federal Register a final version of the program referred to in paragraph (1). The final version of the program shall take into account public comments received by the Secretary under paragraph (3).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for the Department of Commerce each fiscal year such amounts as may be required during such fiscal year for purposes of activities under section 25A of the National Bureau of Standards Act, as added by subsection (a).

By Mr. DEWINE:

S. 1495. A bill to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new and revised toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness; to the Committee on Health, Education, Labor, and Pensions.

THE ICCVAM AUTHORIZATION ACT OF 1999

• Mr. DEWINE. Mr. President, I rise today to introduce a bill that would authorize the Interagency Coordinating Committee on the Validation of Alternative Methods, otherwise known as ''ICCVAM.'' This bill would permanently establish ICCVAM, which currently only exists as a ''standing'' committee—so, it could be dismantled at any time. This bill would make it more permanent, thus giving companies and Federal agencies a sense of certainty, and encourage them to make the long term research investments that are required to develop alternative animal toxicology test methods for ICCVAM to review. This will decrease, and may ultimately lead to the end of, the use of animals in testing cosmetics, shampoos, detergents, and other products.

ICCVAM was created pursuant to the 1993 National Institutes of Health Revitalization Act's mandate that the National Institute of Environmental Health Sciences (NIEHS) recommend new processes for Federal agencies' acceptance of alternative toxicology tests using animals. ICCVAM is composed of representatives of 13 Federal agencies that use animals in toxicology research.

ICCVAM evaluates and recommends improved testing methods and makes it possible for more uniform testing to be adopted across Federal agencies. This legislation maintains the current practice of leaving the ultimate decision of whether or not to adopt the new test method up to each individual Federal agency. For example, a new lab test using a skin substitute has been evaluated and accepted by ICCVAM so that potentially toxic substances can first be tested on this ''substitute skin'' rather than on an animal. The test is a measure of the ability of a chemical to burn the skin. If the substance tests positive (i.e., burns or irritates the ''substitute skin''), then it could be considered to produce skin burns and no animal would be used in further testing. If the substance does not irritate the ''artificial skin,'' then the substance might then be tested on an animal. Ultimately, ICCVAM streamlines the test method validation and approval process by evaluating methods of interest to multiple agencies. By having the same method in place in multiple agencies, it aids in reducing the need to perform multiple animal tests to meet the requirements of various federal agencies. This bill and ICCVAM do not apply to regulations related to medical research. This bill is supported by the Humane Society of the United States, the Doris Day Animal League, Procter & Gamble, the American Humane Association, Colgate-Palmolive Company, the Gillette Company, and the Massachusetts Society for the Prevention of Cruelty to Animals.•

By Mrs. BOXER (for herself, Mr. SMITH of Oregon, and Mr. LAUTENBERG):

S. 1497. A bill to amend the Foreign Assistance Act of 1961 to take steps to control the growing international problem of tuberculosis; to the Committee on Foreign Relations.

INTERNATIONAL TUBERCULOSIS CONTROL ACT OF 1999

Mrs. BOXER. Mr. President, today I am pleased to be joined by my colleague on the Foreign Relations Committee, Senator SMITH of Oregon, and by Senator LAUTENBERG in introducing the International Tuberculosis Control Act.

This bill speaks to the growing international problem of tuberculosis. That is a disease we thought we had eliminated—and in fact, in the Western World, we largely did with the development of antibiotics in the 1950s. But the disease is making a comeback. As the World Health Organization (WHO) notes on the back cover of its most recent report on TB, ''The tuberculosis epidemic is growing larger and more dangerous each year.''

According to the WHO, last year, nearly 2 million people died of tuberculosis-related conditions. And—get this—the WHO estimates that one-third of the entire world's population is infected with TB.

Like so many other diseases, it impacts women disproportionately. TB is the world's leading killer of women between the ages of 15 and 44. For women in the primes of their lives, more than twice as many die of tuberculosis than because of war. TB kills three times as many women aged 15–44 as HIV/AIDS, and three times as many as heart disease.

And it is a leading cause of children becoming orphans.

But this is not just a growing international problem. Because of its persistence abroad, it is having a tremendous impact here at home.

TB is an airborne disease. You can get it when someone coughs or sneezes.

And with the increased immigration and travel to the United States—as well as the homeless population, the rate of incarceration, and HIV/AIDS—we are seeing it re-emerge in many of our communities. Nearly 40 percent of the TB cases in the United States are attributable to foreign-born individuals.

We have seen it in my state of California, where local public health officials never thought they would have to worry about TB again. But they are. In 1997, nearly 20,000 TB cases were reported to the Centers for Disease Control. And over 4000 of them—20 percent of all TB cases in the United States—were in California.

The headline on the March 25 editorial in ''The Oakland Tribune'' said it best: ''We ignore TB at our peril.'' Public health officials acknowledge that the key to controlling TB at home is to control TB abroad.

Fortunately, the experts know what to do—and it works. TB can be treated and cured. We have seen that in this country.

But in many other countries where this disease persists, there are numerous barriers that are facing public health officials. For example, the process for screening, detecting, and treating tuberculosis is very lengthy and labor intensive. Also, there is a lack of trained personnel and medicine in those nations with a high incidence of TB.

The United States Agency for International Development (USAID) and the World Health Organization have begun implementing a program to eliminate these barriers and to treat and control tuberculosis. So far, they have had some success. But the resources are, quite frankly, inadequate.

And they may become even more inadequate in the near future. The WHO is currently developing a global action plan to combat tuberculosis. That plan should be finalized and ready for implementation early in the year 2001. But unless there is a greater global investment of resources, we may have an action plan that does not see much action.

So the purpose of our bill is two-fold. First, we must raise awareness that TB is still a problem. I suspect that few Americans realize that the disease persists—not only in other countries, but also right here in the United States. And fewer still realize how easily it can be transmitted.

Second, we must increase the resources available to fight this disease in foreign countries.

This year, USAID will spend about $12 million on fighting tuberculosis abroad. Under the Foreign Operations Appropriations bill, as passed by the Senate, there should be enough funding for USAID to increase that to about $14 million next year.

I wanted to increase that even more, and I offered an amendment to the Foreign Operations bill. My amendment, which was accepted, says that if more money overall is provided for foreign aid programs before the appropriations bill becomes law, a top priority should be to provide more money for the infectious disease control program, especially tuberculosis.

But, Mr. President, I am not sure that will happen, and even if it does, I do not believe it will be enough. So our bill would authorize $60 million for fiscal year 2001—a five-fold increase over current funding levels—so that USAID can expand the work it has begun.

Make no mistake, we cannot do this alone. That is why this legislation calls on USAID to coordinate its efforts with the WHO and other organizations and why the bill adopts detection- and cure-rate goals based on the goals established by WHO. This must be a global effort with contributions and participation from nations around the world. But it is also an opportunity for the United States to provide global leadership.

Mr. President, this bill is supported by the American Lung Association, Results, the Global Health Council, and Princeton Project 55, an organization formed specifically to fight the international TB problem. I ask unanimous consent that the statements of support from these groups be included in the RECORD.

I am pleased to have their support, and I am pleased to have the cosponsorship of my colleagues from Oregon and New Jersey. I hope others will join us in this important bipartisan effort.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''International Tuberculosis Control Act of 1999''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Since the development of antibiotics in the 1950s, tuberculosis has been largely controlled in the United States and the Western World.

(2) Due to societal factors, including growing urban decay, inadequate health care systems, persistent poverty, overcrowding, and malnutrition, as well as medical factors, including the HIV/AIDS epidemic and the emergence of multi-drug resistant strains of tuberculosis, tuberculosis has again become a leading and growing cause of adult deaths in the developing world.

(3) According to the World Health Organization—

(A) in 1998, about 1,860,000 people worldwide died of tuberculosis-related illnesses;

(B) one-third of the world's total population is infected with tuberculosis; and

(C) tuberculosis is the world's leading killer of women between 15 and 44 years old and is a leading cause of children becoming orphans.

(4) Because of the ease of transmission of tuberculosis, its international persistence and growth pose a direct public health threat to those nations that had previously largely controlled the disease. This is complicated in the United States by the growth of the homeless population, the rate of incarceration, international travel, immigration, and HIV/AIDS.

(5) With nearly 40 percent of the tuberculosis cases in the United States attributable to foreign-born persons, tuberculosis will never be controlled in the United States until it is controlled abroad.

(6) The means exist to control tuberculosis through screening, diagnosis, treatment, patient compliance, monitoring, and ongoing review of outcomes.

(7) Efforts to control tuberculosis are complicated by several barriers, including—

(A) the labor intensive and lengthy process involved in screening, detecting, and treating the disease;

(B) a lack of funding, trained personnel, and medicine in virtually every nation with a high rate of the disease;

(C) the unique circumstances in each country, which requires the development and implementation of country-specific programs; and

(D) the risk of having a bad tuberculosis program, which is worse than having no tuberculosis program because it would significantly increase the risk of the development of more widespread drug-resistant strains of the disease.

(8) Eliminating the barriers to the international control of tuberculosis through a well-structured, comprehensive, and coordinated worldwide effort would be a significant step in dealing with the increasing public health problem posed by the disease.

SEC. 3. ASSISTANCE FOR TUBERCULOSIS PREVENTION, TREATMENT, CONTROL, AND ELIMINATION.

Section 104(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c)) is amended by adding at the end the following:

''(4)(A) Congress recognizes the growing international problem of tuberculosis and the impact its continued existence has on those nations that had previously largely controlled the disease. Congress further recognizes that the means exist to control and treat tuberculosis, and that it is therefore a major objective of the foreign assistance program to control the disease. To this end, Congress expects the agency primarily responsible for administering this part—

''(i) to coordinate with the World Health Organization, the Centers for Disease Control, the National Institutes of Health, and other organizations toward the development and implementation of a comprehensive tuberculosis control program; and

''(ii) to set as a goal the detection of at least 70 percent of the cases of infectious tuberculosis, and the cure of at least 85 percent of the cases detected, in those countries in which the agency has established development programs, by December 31, 2010.

''(B) There are authorized to be appropriated to the President, $60,000,000 for fiscal year 2001 to be used to carry out this paragraph. Funds appropriated under this subparagraph are authorized to remain available until expended.''.

AMERICAN THORACIC SOCIETY,
August 4, 1999.

Hon. BARBARA BOXER,
U.S. Senate, Washington, DC.

DEAR SENATOR BOXER: On behalf of the American Lung Association and its medical section, the American Thoracic Society, I want to express our strong support for your legislation, the International Tuberculosis Control Act 1999. This bill will provide needed resources to combat the threat that tuberculosis poses the world and to the United States.

The American Lung Association was founded in 1904 as the National Association for the Study of Prevention of Tuberculosis.

While the American Lung Associations and its medical section, the American Thoracic Society has made steady progress over the past 90 years, much has changed in the area of U.S. tuberculosis control. The two biggest changes have been the development of multi-drug resistant tuberculosis and the growth of foreign-born cases of TB in the U.S.

Multi-drug resistant tuberculosis (MDR–TB) is a form of tuberculosis that is resistant to two or more of the primary drugs used to treat TB. A strain of MDR–TB develops when a case of a drug susceptible TB is improperly treated. MDR–TB is more expensive to treat and more likely to kill. MDR–TB is on the rise, both in the U.S., and throughout the world. Unless we quickly develop and implement an effective global response to TB, deadly strains of MDR–TB will continue to spread.

Tuberculosis will kill almost two million people this year. Eight million people will become sick with the disease. Today nearly 40% of TB cases in the U.S. are in foreign-born individuals. We can't stop TB from entering the country. But through our continued support of global TB programs we can reduce the impact of the disease around the world and at home.

The U.S. Agency for International Development has taken initial steps towards coordinating an international response to the global TB epidemic. Your legislation will provide the U.S. Agency for International Development the resources needed to plan and implement a cooperative global TB control strategy. With direction from Congress and your leadership we are confident that U.S. can lead the way to controlling TB globally.

Sincerely,

FRAN DUMELLE,
Deputy Managing Director.

PRINCETON PROJECT 55 INC.,
TUBERCULOSIS INITIATIVE,
Washington, DC, August 3, 1999.

Senator BARBARA BOXER,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR BOXER, The Princeton Project 55 Tuberculosis Initiative (TBI) would like to express its support for your sponsorship of the ''International Tuberculosis Control Act of 1999,'' aimed at increasing funding for international TB control. At a time when funding for tuberculosis is severely inadequate, it is important that additional monies be allocated to fight the world's second leading infectious disease killer.

The TBI commends your leadership in calling attention to the TB threat and your work to increase funding for the international fight against tuberculosis. In order to control TB within the United States, it is crucial that we control TB internationally.

As you know, although TB is an easily preventable and 100% curable disease, over one third of the world's population is infected with TB and many international TB control programs are poorly managed and underfunded. It has been proven that TB treatment is cost-effective and saves both money and lives. Yet only 16% of TB patients receive the recommended Directly Observed Therapy (DOTS) regimen. The risk of multi-drug resistant TB, a strain of TB that is often incurable, has become more widespread as a result of the poorly organized TB control programs.

Your bill's proposed $60 million for U.S. Agency for International Development (USAID) to support tuberculosis control would expand funding to develop country-specific plans for TB control programs for nations with the highest prevalence of TB. Many of these nations face major barriers to effective TB control programs, including lack of funds, trained personnel, and drug supply. The $60 million would also increase support to develop an integrated global tuberculosis control program in coordination with Centers for Disease Control (CDC), National Institutes of Health (NIH), World Health Organization (WHO), and private voluntary organizations.

The Princeton Project 55 Tuberculosis Initiative has worked tirelessly with you and other health organizations to increase awareness of the need for increased international tuberculosis funding. Your bill aims to control TB internationally now, before the problem is uncontrollable. The bill also brings needed attention to an often forgotten disease.

The TBI congratulates your efforts to fight TB and looks forward to working with you in the future, to ensure the passage of your TB bill in the coming legislative session.

Sincerely,

GORDON DOUGLAS,
Project Manager.
RALPH NADER,
Steering Committee.

GLOBAL HEALTH COUNCIL,
August 4, 1999.

Senator BARBARA BOXER,
112 Hart Office Building,
Washington, DC

DEAR SENATOR BOXER. On behalf of the Global Health Council, a private, not-for-profit membership organization consisting of over 2000 individual and organizational members world-wide, I would like to thank you for your support and leadership on the issue of tuberculosis control. Your bill, the ''International Tuberculosis Control Act of 1999,'' is an important step in the prevention of and fight against tuberculosis.

I would especially like to commend you on your recognition of the increase of tuberculosis internationally and the problem of the development of multiple drug resistant strains of the disease. World wide, more people die of tuberculosis than at any other time in our history—between two to three million deaths per year. Projections indicate that left unchecked, the death toll for this disease could reach as high as 30 million in the next decade.

The problem of Multiple Drug Resistant Tuberculosis—100 times more expensive to treat—is emerging in communities around the world. Inappropriate treatment regimens, self-medication, the proliferation of inferior drugs, and interruptions in patient treatment all give TB the opportunity to become resistant to one or more drugs over times, making the disease more expensive and difficult to cure.

As we move towards a global economy—economic trade policy, improved transportation and tourism, voluntary and forced migration have collectively changed the pattern and spread of infectious diseases. Last year, more than 19,000 people came down with this disease in the U.S.—more than 4,000 in California.

A 1998 General Accounting report highlights the new reality: the world now has tools and the know-how to vastly improve the health of the four billion humans living in poverty in the developing world. It also makes clear that there are enormous benefits to the American people, both in terms of health and of economics that will come from improving the health of others.

Your legislation is another step towards achieving this new reality. It sets achievable goals that will work to control the threat of tuberculosis in our nation and in our world. Thank you again for your commitment to this cause. we look forward to working with you to assure global health for all.

Sincerely,

NILS DAULAIRE, MD, MPH,
President & CEO

RESULTS HAILS SENATOR BOXER'S EFFORTS TO CONTROL TB'S SPREAD: TUBERCULOSIS IS ON THE RISE AROUND THE WORLD—KILLING AS MANY AS 2 MILLION PEOPLE EACH YEAR.

WASHINGTON, D.C.—Senator Boxer (D–CA), along with Senator Smith (R–OR) and Senator Lautenberg (D–NJ) introduced legislation today which would control the growing problem of tuberculosis internationally. The bill calls for the investment of $60 million next year to jump-start tuberculosis control programs in some of the countries of the world with the highest TB rates.

Senator Barbara Boxer, a leading health advocate in Congress, is also a member of the Foreign Relations Committee. Her bill sets out to address the fact that despite the existence of an extremely cost-effective TB treatment (according to the World Bank, an investment of between $20–$100 can save a life), only 16 percent of those with active TB, actually have access to it.

The fact that millions of victims are not being treated for TB, combined with its highly infectious nature, has resulted in two million people dying every year from this disease. TB kills more women than any cause of maternal mortality and is the biggest killer of people with AIDS. In addition, with the rise in global travel and with forty percent of TB cases here in the United States attributable to foreign born persons, tuberculosis will never be eliminated in this country until it is controlled worldwide. Multi drug resistant TB, the result of poor treatment programs, threaten to render this disease incurable unless we act now.

RESULTS Executive Director, Lynn McMullen, praised Boxer for her leadership. ''Thanks to the efforts of Senator Boxer and her colleagues, TB will not be allowed to spread unchecked around the world. Her commitment to controlling this plague will mean millions of lives saved.''

RESULTS is a citizens grassroots advocacy organization which works to end hunger and the worst aspects of poverty.

Mr. SMITH of Oregon. Mr. President, I am pleased to join my colleague Senator BOXER in introducing this legislation to help control a deadly and easily communicable disease—tuberculosis (TB). I, like many of you, thought we had this scourge under control since the development of antibiotics more than 40 years ago.

However, TB is a real problem here and abroad. It is a disease that knows no borders—because of the ease of transmission of TB, its growth abroad poses a real public health threat to nations like the United States that had previously controlled TB.

Our bill will authorize $60 million in FY 2001 to help control this deadly disease. This bill calls for a coordinated effort to wipe out this disease and sets goals for the detection and cure.

The statistics surrounding tuberculosis are terrifying. TB kills almost 2 million people abroad every year. The rate of infection abroad is increasing each year and TB is transmitted as easily as the common cold. Every second someone is infected with TB. Further, TB is the leading killer of women, more than any single cause of maternal

mortality. This has an enormous impact on families and the very social fabric of a society. TB is the leading cause of death among HIV-positive individuals. It accounts for almost one-third of AIDS deaths worldwide.

Many TB cases are easily treatable by a six-month antibiotic regimen. Tragically, this regimen is only used in 15% of TB cases worldwide. An untreated person with active TB will infect 10–15 people per year. TB control programs are underfunded and poorly organized in many countries. Since millions of people travel between the U.S. and other nations daily, we must develop stable country-specific programs that will control this disease.

I believe that our bill is a good strong step towards ending TB here and abroad and I look forward to working with my colleague from California on this legislation. I ask all my colleagues in the Senate to support his important legislation.

Mr. LAUTENBERG. Mr. President, I rise as a proud cosponsor of legislation the Senator from California, Senator BOXER, is introducing today, the ''International Tuberculosis Act of 1999.'' This bill seeks to control the growing international problem of tuberculosis.

Mr. President, we cannot stand idly by while tuberculosis kills more people worldwide than AIDS and malaria combined, and yet still receives substantially less attention and aid dollars.

Although the introduction of antibiotics in the 1950's led to the near eradication of tuberculosis, it still plagues many nations throughout the world. In 1993 the World Health Organization declared tuberculosis to be a public health emergency, with an estimated 1,700 million people, or nearly one third of the world's population, infected with the tubercle bacillus. The World Health Organization estimates that eight million people get TB every year, and an estimated 3 million die from the disease annually.

Mr. President, the registered number of new cases of TB worldwide roughly correlates with economic conditions: the highest incidences are seen in those countries of Africa, Asia, and Latin America with the lowest gross national products. We must now face the realization that without much needed aid, most of the countries with a high burden of TB will not be able to reach the targets for TB control established by the World Health Assembly for the year 2000. In human terms, this means that each year millions of lives could be lost due to a preventable and curable disease.

Thankfully, Mr. President, efforts to combat this terrible disease have been largely successful inside U.S. borders. In my own State of New Jersey, the number of people with active tuberculosis has declined each year for the past six years. But the problem still persists. Each year over 25,000 people in the United States contract TB. The treat of infection here in America still looms large for anyone who travels abroad or comes into contact with those who have recently traveled outside the United States. This disease does not discriminate: People of all ages, all nationalities and all incomes can get tuberculosis.

An airborne disease that can be spread through a simple cough, TB can be carried around the world in a matter of hours on a transcontinental flight. Nearly 40 percent of TB cases in the U.S. are attributable to foreign-born persons. Until TB is eradicated worldwide, no person—no American—will ever be safe from its affliction.

Only small steps have been taken to eradicate TB outside the United States. Medical experts estimate that over $1 billion is necessary to control TB. This money will allow scientists and doctors to take the necessary steps to wipe out this disease, much like the world community has already done with malaria and small pox. The longer we wait, the larger the TB population will be. This translates into higher costs to eradicate this debilitating disease. International organizations note that for every dollar spent on prevention, a nation saves between three and four dollars in treatment.

Mr. President, TB control efforts have received approximately $12 million a year for the last two fiscal years under USAID's Infectious Disease Initiative to create a TB Global Action Plan. However, this is not enough; an increase in funding is critical if tuberculosis is to be vanquished. The U.S. must do its part.

An increase in funding to $60 million for TB would help expedite global action, and give aid officials the necessary resources to develop and implement country specific plans for control programs for nations with a high prevalence of TB. Once a plan is implemented, it is necessary to formulate a systematic program to avoid increases of drug resistant strains of TB.

A plan, coordinated with the World Health Organization, the Centers for Disease Control, the National Institutes of Health and other organizations, will expand and provide a framework for enhanced direction and coordination of worldwide tuberculosis research activities, translate research results into efficient and effective TB control practices which are applicable to all environments, and engage society and government control programs more quickly and widely.

The American Lung Association, American Thoracic Society and International Union Against Tuberculosis and Lung Disease and other renowed organizations support an increase in funding for TB prevention.

Mr. President, a global TB prevention effort makes sense. The benefits outweigh the costs. Given the importance of a global plan to eradicate TB, and its potential in saving lives, I urge the Senate to approve this bill.

Mr. President, tuberculosis is a global problem. We will never control TB in this country until we control it worldwide, since infectious diseases do not stop at the border. I commend the Senator from California for introducing this important and timely legislation to address tuberculosis effectively now. I hope and believe this bill will gain the support of the full Senate.

I yield the floor.

ADDITIONAL COSPONSORS

S. 285

At the request of Mr. MCCAIN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 343

At the request of Mr. BOND, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 343, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of the health insurance costs of self-employed individuals.

S. 391

At the request of Mr. KERREY, the names of the Senator from Michigan (Mr. ABRAHAM), and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of S. 391, a bill to provide for payments to children's hospitals that operate graduate medical education programs.

S. 514

At the request of Mr. COCHRAN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 514, a bill to improve the National Writing Project.

S. 622

At the request of Mr. KENNEDY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 622, a bill to enhance Federal enforcement of hate crimes, and for other purposes.

S. 805

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 805, a bill to amend title V of the Social Security Act to provide for the establishment and operation of asthma treatment services for children, and for other purposes.

S. 941

At the request of Mr. WYDEN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 941, a bill to amend the Public Health Service Act to provide for a public response to the public health crisis of pain, and for other purposes.

S. 980

At the request of Mr. BAUCUS, the name of the Senator from Oklahoma

(Mr. INHOFE) was added as a cosponsor of S. 980, a bill to promote access to health care services in rural areas.

S. 1072

At the request of Mr. EDWARDS, his name was added as a cosponsor of S. 1072, a bill to make certain technical and other corrections relating to the Centennial of Flight Commemoration Act (36 U.S.C. 143 note; 112 Stat. 3486 et seq.).

S. 1144

At the request of Mr. VOINOVICH, the names of the Senator from Michigan (Mr. ABRAHAM), the Senator from Florida (Mr. GRAHAM), and the Senator from Florida (Mr. MACK) were added as cosponsors of S. 1144, a bill to provide increased flexibility in use of highway funding, and for other purposes.

S. 1185

At the request of Mr. ABRAHAM, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 1185, a bill to provide small business certain protections from litigation excesses and to limit the product liability of non-manufacturer product sellers.

S. 1214

At the request of Mr. THOMPSON, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 1214, a bill to ensure the liberties of the people by promoting federalism, to protect the reserved powers of the States, to impose accountability for Federal preemption of State and local laws, and for other purposes.

S. 1255

At the request of Mr. ABRAHAM, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 1255, a bill to protect consumers and promote electronic commerce by amending certain trademark infringement, dilution, and counterfeiting laws, and for other purposes.

S. 1263

At the request of Mr. JEFFORDS, the names of the Senator from Montana (Mr. BURNS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Nebraska (Mr. HAGEL), the Senator from Oklahoma (Mr. INHOFE), the Senator from Texas (Mrs. HUTCHISON), and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1263, a bill to amend the Balanced Budget Act of 1997 to limit the reductions in medicare payments under the prospective payment system for hospital outpatient department services.

S. 1272

At the request of Mr. NICKLES, the names of the Senator from Indiana (Mr. BAYH) and the Senator from New Hampshire (Mr. GREGG) 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.

S. 1310

At the request of Ms. COLLINS, the names of the Senator from Arkansas (Mr. HUTCHINSON) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 1310, a bill to amend title XVIII of the Social Security Act to modify the interim payment system for home health services, and for other purposes.

S. 1328

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 1328, a bill to amend the Internal Revenue Code of 1986 to permit the disclosure of certain tax information by the Secretary of the Treasury to facilitate combined Federal and State employment tax reporting, and for other purposes.

S. 1333

At the request of Mr. WYDEN, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1333, a bill to expand homeownership in the United States.

S. 1440

At the request of Mr. GRAMM, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 1440, a bill to promote economic growth and opportunity by increasing the level of visas available for highly specialized scientists and engineers and by eliminating the earnings penalty on senior citizens who continue to work after reaching retirement age.

S. 1473

At the request of Mr. ROBB, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1473, a bill to amend section 2007 of the Social Security Act to provide grant funding for additional Empowerment Zones, Enterprise Communities, and Strategic Planning Communities, and for other purposes.

SENATE CONCURRENT RESOLUTION 34

At the request of Mr. SPECTER, the names of the Senator from North Dakota (Mr. DORGAN), and the Senator from Georgia (Mr. CLELAND) were added as cosponsors of Senate Concurrent Resolution 34, A concurrent resolution relating to the observence of ''In Memory'' Day.

SENATE RESOLUTION 95

At the request of Mr. THURMOND, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of Senate Resolution 95, a resolution designating August 16, 1999, as ''National Airborne Day.''

SENATE RESOLUTION 108

At the request of Mr. BREAUX, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of Senate Resolution 108, A resolution designating the month of March each year as ''National Colorectal Cancer Awareness Month.''

AMENDMENT NO. 1495

At the request of Mr. BAUCUS the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of amendment No. 1495 intended to be proposed to S. 1233, an original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2000, and for other purposes.

SENATE CONCURRENT RESOLUTION 50—EXPRESSING THE SENSE OF THE CONGRESS CONCERNING THE CONTINUOUS REPRESSION OF FREEDOM OF EXPRESSION AND ASSEMBLY, AND OF INDIVIDUAL HUMAN RIGHTS, IN IRAN, AS EXEMPLIFIED BY THE RECENT REPRESSION OF THE DEMOCRATIC MOVEMENT OF IRAN

Mr. BROWNBACK (for Mr. LIEBERMAN, Mr. LOTT, Mr. HELMS, Mr. GRAHAM, Mr. MACK, Mr. WELLSTONE, and Mr. WYDEN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 50

Whereas freedom of expression and assembly, individual human rights, and pursuit of democratic ideals have been systematically repressed by the government of Iran;

Whereas in recent months several members of the press and other individuals who peacefully criticized the policies of the Islamic Republic of Iran were assassinated by elements that are now known to have belonged to the Iranian government's security forces;

Whereas this continuous repression of freedom has been once more exemplified by the vicious and unjustifiable assault by the government of Iran and its vigilantes on students who marched peacefully and within the law on July 8, 1999, to protest, on the grounds of democracy, freedom of the press, and individual and civil rights, the closure of a reformist newspaper, Salaam;

Whereas the Iranian government forces and vigilantes killed, wounded, and incarcerated students and destroyed their dormitories, rooms, and belongings;

Whereas the Iranian government now has accused falsely and unjustifiably a number of students and other seekers of democracy and human rights of high crimes, theoretically punishable by death under Iranian law; and

Whereas freedom of expression and assembly are fundamental human rights which are recognized as such under the United Nations Declaration of Human Rights: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. SENSE OF CONGRESS REGARDING THE REPRESSION OF THE DEMOCRATIC MOVEMENT OF IRAN.

(a) CONDEMNATION.—Congress hereby condemns the repressive actions taken by the Iranian government against the democratic movement of Iran.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Iranian government should respect the fundamental principles contained in the Universal Declaration of Human Rights and, thereby, to cease its repression of peaceful dissent and to release unharmed the student leaders and the other pro democracy activists the government continues to detain;

(2) the President of the United States should give clear voice to—

(A) the abhorrence of the American people for the violence used against the Iranian students and pro-democracy activists; and

(B) the solidarity of the United States with the values and objectives that the students and activists have espoused;

(3) the European allies of the United States, who maintain political and economic relations with Iran, should convey their own concerns and objections to the Iranian authorities;

(4) the Secretary of State should urge the Secretary General of the United Nations to exercise his influence with the Iranian government to secure the release of the student leaders and other pro-democracy activists who are now being detained and whose lives are threatened;

(5) the Secretary of State should urge the United Nations High Commissioner for Human Rights to convey her concern for the safety of the Iranian student leaders and other pro-democracy activists to the Iranian government and should assist in securing their prompt release; and

(6) the United States delegate to the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its upcoming meeting, should introduce a resolution calling for the release of the Iranian student leaders and other pro-democracy activists and the termination of repressive actions against the nonviolent and democratic student movement of Iran.

SENATE RESOLUTION 172—TO ESTABLISH A SPECIAL COMMITTEE OF THE SENATE TO ADDRESS THE CULTURAL CRISIS FACING AMERICA

Mr. BROWNBACK (for himself, Mr. MOYNIHAN, Mr. LOTT, Mr. DORGAN, Mr. ALLARD, Mr. CONRAD, Mr. ABRAHAM, Mr. COVERDELL, Mr. SESSIONS, and Mr. CRAIG) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 172

Resolved,

SECTION 1. ESTABLISHMENT OF THE SPECIAL COMMITTEE.

(a) ESTABLISHMENT.—There is established a special committee of the Senate to be known as the Special Committee on American Culture (hereafter in this resolution referred to as the ''special committee'').

(b) PURPOSE.—The purpose of the special committee is—

(1) to study the causes and reasons for social and cultural regression;

(2) to make such findings of fact as are warranted and appropriate, including the impact that such negative cultural trends and developments have on the broader society, particularly in regards to child well-being; and

(3) to explore means of cultural renewal.

No proposed legislation shall be referred to the special committee, and the committee shall not have power to report by bill, or otherwise have legislative jurisdiction.

(c) TREATMENT AS STANDING COMMITTEE.—For purposes of paragraphs 1, 2, 7(a) (1) and (2), and 10(a) of rule XXVI and rule XXVII of the Standing Rules of the Senate, and section 202 (i) and (j) of the Legislative Reorganization Act of 1946, the special committee shall be treated as a standing committee of the Senate.

SEC. 2. MEMBERSHIP AND ORGANIZATION OF THE SPECIAL COMMITTEE.

(a) MEMBERSHIP.—

(1) IN GENERAL.—The special committee shall consist of 7 members of the Senate—

(A) 4 of whom shall be appointed by the President pro tempore of the Senate from the majority party of the Senate upon the recommendation of the Majority Leader of the Senate; and

(B) 3 of whom shall be appointed by the President pro tempore of the Senate from the minority party of the Senate upon the recommendation of the Minority Leader of the Senate.

(2) VACANCIES.—Vacancies in the membership of the special committee shall not affect the authority of the remaining members to execute the functions of the special committee and shall be filled in the same manner as original appointments to it are made.

(3) SERVICE.—For the purpose of paragraph 4 of rule XXV of the Standing Rules of the Senate, service of a Senator as a member, chairman, or vice chairman of the special committee shall not be taken into account.

(b) CHAIRMAN.—The chairman of the special committee shall be selected by the Majority Leader of the Senate and the vice chairman of the special committee shall be selected by the Minority Leader of the Senate. The vice chairman shall discharge such responsibilities as the special committee or the chairman may assign.

SEC. 3. AUTHORITY OF SPECIAL COMMITTEE.

(a) IN GENERAL.—For the purposes of this resolution, the special committee is authorized, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel;

(3) to hold hearings;

(4) to sit and act at any time or place during the sessions, recesses, and adjourned periods of the Senate;

(5) to require, by subpoena or otherwise, the attendance of witnesses and the production of correspondence, books, papers, and documents;

(6) to take depositions and other testimony;

(7) to procure the services of individual consultations or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946; and

(8) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a nonreimbursable basis the services of personnel of any such department or agency.

(b) OATHS FOR WITNESSES.—The chairman of the special committee or any member thereof may administer oaths to witnesses.

(c) SUBPOENAS.—Subpoenas authorized by the special committee may be—

(1) issued over the signature of the chairman after consultation with the vice chairman, or any member of the special committee designated by the chairman after consultation with the vice chairman; and

(2) served by any person designated by the chairman or the member signing the subpoena.

(d) OTHER COMMITTEE STAFF.—The special committee may use, with the prior consent of the chairman of any other Senate committee or the chairman of any subcommittee of any committee of the Senate and on a nonreimburseable basis, the facilities or services of any members of the staff of such other Senate committee whenever the special committee or its chairman, following consultation with the vice chairman, considers that such action is necessary or appropriate to enable the special committee to make the investigation and study provided for in this resolution.

(e) USE OF OFFICE SPACE.—The staff of the special committee may be located in the personal office of a Member of the special committee.

SEC. 4. REPORT AND TERMINATION.

The special committee shall report its findings, together with such recommendations as it deems advisable, to the Senate prior to December 31, 2000.

SEC. 5. FUNDING.

(a) IN GENERAL.—From the date this resolution is agreed to through December 31, 2000, the expenses of the special committee incurred under this resolution—

(1) shall be paid out of the miscellaneous items account of the contingent fund of the Senate;

(2) shall not exceed $500,000, of which amount not to exceed $150,000 shall be available for the procurement of the services of individual consultants, or organizations thereof, as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)); and

(3) shall include sums in addition to expenses described under paragraph (2), as may be necessary for agency contributions related to compensation of employees of the special committee.

(b) PAYMENT OF EXPENSES.—Payment of expenses of the special committee shall be disbursed upon vouchers approved by the chairman, except that vouchers shall not be required for disbursements of salaries (and related agency contributions) paid at an annual rate.

SENATE RESOLUTION 173—TO AUTHORIZE REPRESENTATION OF THE SENATE COMMITTEE ON ARMED SERVICES IN THE CASE OF PHILIP TINSLEY III V. SENATE COMMITTEE ON ARMED SERVICES

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution which was considered and agreed to:

S. RES. 173

Whereas, in the case of *Philip Tinsley III* v. *Senate Committee on Armed Services,* Civil Action No. 99–951–A, pending in the United States District Court for the Eastern District of Virginia, the plaintiff has sued the United States Senate Committee on Armed Services;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Senate committees in civil actions. Now, therefore be it

Resolved, That the Senate Legal Counsel is directed to represent the Senate Committee on Armed Services in the case of *Philip Tinsley III* v. *Senate Committee on Armed Services.*

SENATE RESOLUTION 174—TO AUTHORIZE REPRESENTATION OF THE SENATE COMMITTEE ON THE JUDICIARY IN THE CASE OF PHILIP TINSLEY III V. SENATE COMMITTEE ON THE JUDICIARY

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 174

Whereas, in the case of *Philip Tinsley III* v. *Senate Committee on the Judiciary,* Civil Action No. 99–952–A, pending in the United States District Court for the Eastern District of Virginia, the plaintiff has sued the United States Senate Committee on the Judiciary;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of

1978, 2 U.S.C. §§ 288b(a) and 288c(a)(1), Senate may direct its counsel to defend Senate committees in civil actions. Now, therefore be it

Resolved, That the Senate Legal Counsel is directed to represent the Senate Committee on the Judiciary in the case of *Philip Tinsley III* v. *Senate Committee on the Judiciary*.

AMENDMENTS SUBMITTED

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

ROBERTS (AND OTHERS) AMENDMENT NO. 1509

Mr. ROBERTS (for himself, Mr. GRAMS, Mr. GRASSLEY, Mr. SANTORUM, Mr. CRAIG, Mr. GORTON, Mr. BURNS, Mr. BROWNBACK, and Mr. HAGEL) proposed an amendment to the bill (S. 1233) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2000, and for other purposes; as follow:

Beginning on page 1, line 3, strike all that follows ''SEC.'' to the end of the amendment and insert the following:

____. EMERGENCY AND MARKET LOSS ASSISTANCE.—(a) CROP LOSS ASSISTANCE.—

(1) IN GENERAL.—In accordance with this subsection, the Secretary of Agriculture (referred to in this section as the ''Secretary'') shall administer a program under which emergency financial assistance is made available to producers on a farm that have incurred crop losses due to disasters (as determined by the Secretary).

(2) LOSSES INCURRED FOR 1999 CROP.—The Secretary shall use not more than $400,000,000 of funds of the Commodity Credit Corporation to make available assistance to producers on a farm that have incurred losses in the 1999 crop due to disasters.

(3) QUALIFYING LOSSES.—With respect to a crop, assistance under this subsection may be made for—

(A) quantity losses;

(B) quality (including aflatoxin) losses; or

(C) severe economic losses due to damaging weather or related condition.

(4) CROPS COVERED.—Assistance under this subsection shall be applicable to losses for all crops (including losses of trees from which a crop is harvested), as determined by the Secretary, due to disasters.

(b) MARKET LOSS ASSISTANCE.—

(1) IN GENERAL.—The Secretary shall use not more than $5,500,000,000 of funds of the Commodity Credit Corporation to provide assistance to owners and producers on a farm that are eligible for payments for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.).

(2) AMOUNT.—The amount of assistance made available to owners and producers on a farm under this subsection shall be proportionate to the amount of the contract payment received by the owners and producers for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act.

(3) TIME FOR PAYMENT.—The assistance made available under this subsection for an eligible owner or producer shall be provided not later than 45 days after the date of enactment of this Act.

(c) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS.—Notwithstanding section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308(1)), the total amount of the payments specified in section 1001(3) of that Act that a person shall be entitled to receive under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for 1 or more contract commodities and oilseeds during the 1999 crop year may not exceed $150,000.

(d) UPLAND COTTON PRICE COMPETITIVENESS.—

(1) IN GENERAL.—Section 136(a) of the Agricultural Market Transition Act (7 U.S.C. 7236(a)) is amended—

(A) in paragraph (1), by striking ''or cash payments'' and inserting ''or cash payments, at the option of the recipient,'';

(B) by striking ''3 cents per pound'' each place it appears and inserting ''1.25 cents per pound'';

(C) in the first sentence of paragraph (3)(A), by striking ''owned by the Commodity Credit Corporation in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates'' and inserting ''owned by the Commodity Credit Corporation or pledged to the Commodity Credit Corporation as collateral for a loan in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates, including enhancing the competitiveness and marketability of United States cotton''; and

(D) by striking paragraph (4).

(2) ENSURING THE AVAILABILITY OF UPLAND COTTON.—Section 136(b) of the Agricultural Market Transition Act (7 U.S.C. 7236(b)) is amended—

(A) by striking paragraph (1) and inserting the following:

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—The President shall carry out an import quota program during the period ending July 31, 2003, as provided in this subsection.

''(B) PROGRAM REQUIREMENTS.—Except as provided in subparagraph (C), whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificate issued under subsection (a), exceeds the Northern Europe price by more than 1.25 cents per pound, there shall immediately be in effect a special import quota.

''(C) TIGHT DOMESTIC SUPPLY.—During any month for which the Secretary estimates the season-ending United States upland cotton stocks-to-use ratio, as determined under subparagraph (D), to be below 16 percent, the Secretary, in making the determination under subparagraph (B), shall not adjust the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, for the value of any certificates issued under subsection (a).

''(D) SEASON-ENDING UNITED STATES STOCKS-TO-USE RATIO.—For the purposes of making estimates under subparagraph (C), the Secretary shall, on a monthly basis, estimate and report the season-ending United States upland cotton stocks-to-use ratio, excluding projected raw cotton imports but including the quantity of raw cotton that has been imported into the United States during the marketing year.''; and

(B) by adding at the end the following:

''(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 5 week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.''.

(e) OILSEED PAYMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall use not less than $500,000,000 of funds of the Commodity Credit Corporation to make payments to producers of the 1999 crop of oilseeds that are eligible to obtain a marketing assistance loan under section 131 of the Agricultural Market Transition Act (7 U.S.C. 7231).

(2) COMPUTATION.—A payment to producers on a farm under this subsection shall be computed by multiplying—

(A) a payment rate determined by the Secretary; by

(B) the quantity of oilseeds that the producers on the farm are eligible to place under loan under section 131 of that Act.

(3) LIMITATION.—Payments made under this subsection shall be considered to be contract payments for the purposes of section 1001(1) of the Food Security Act of 1985 (7 U.S.C. 1308(1)).

(f) ASSISTANCE TO LIVESTOCK PRODUCERS.—The Secretary shall use $250,000,000 of funds of the Commodity Credit Corporation to provide assistance to livestock producers in a manner determined by the Secretary.

(g) CROP INSURANCE.—The Secretary shall use $400,000,000 of funds of the Commodity Credit Corporation to assist agricultural producers in purchasing additional coverage for the 2000 crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(h) SPECIALTY AND OTHER CROPS.—

(1) IN GENERAL.—The Secretary shall use $300,000,000 of funds of the Commodity Credit Corporation to provide assistance, in a manner determined by the Secretary, to producers of specialty crops and other agricultural commodities that are not eligible for assistance under other provisions of this section.

(2) CONDITION ON PAYMENT OF SALARIES AND EXPENSES.—None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out or enforce section 156(f) of the Agricultural Market Transition Act (7 U.S.C. 7272(f)) through fiscal year 2001, if the Federal budget is determined by the Office of Management and Budget to be in surplus for fiscal year 2000.

(i) EMERGENCY REQUIREMENT.—The entire amount necessary to carry out this section and the amendments made by this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

(____) REQUIREMENT OF CONGRESSIONAL APPROVAL OF ANY UNILATERAL AGRICULTURAL OR MEDICAL SANCTION.—

(1) DEFINITIONS.—In this subsection:

(A) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given the term in section 402 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1732).

(B) AGRICULTURAL PROGRAM.—The term ''agricultural program'' means—

(i) any program administered under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et. seq.);

(ii) any program administered under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(iii) any commercial sale of agricultural commodities, including a commercial sale of an agricultural commodity that is prohibited under a unilateral agricultural sanction that is in effect on the date of enactment of this Act; or

(iv) any export financing (including credits or credit guarantees) for agricultural commodities.

(C) JOINT RESOLUTION.—The term ''joint resolution'' means—

(i) in the case of paragraph (2)(A)(ii), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under paragraph (2)(A)(i) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section ___(___)(2)(A)(i) of the _____ Act ___, transmitted on _____.'', with the blank completed with the appropriate date; and

(ii) in the case of paragraph (5)(B), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under paragraph (5)(A) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section ___(___)(5)(A) of the _____ Act ___, transmitted on _____.'', with the blank completed with the appropriate date.

(D) UNILATERAL AGRICULTURAL SANCTION.—The term ''unilateral agricultural sanction'' means any prohibition, restriction, or condition on carrying out an agricultural program with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(E) UNILATERAL MEDICAL SANCTION.—The term ''unilateral medical sanction'' means any prohibition, restriction, or condition on exports of, or the provision of assistance consisting of, medicine or a medical device with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(2) RESTRICTION.—

(A) NEW SANCTIONS.—Except as provided in paragraphs (3) and (4) and notwithstanding any other provision of law, the President may not impose a unilateral agricultural sanction or unilateral medical sanction against a foreign country or foreign entity for any fiscal year, unless—

(i) not later than 60 days before the sanction is proposed to be imposed, the President submits a report to Congress that—

(I) describes the activity proposed to be prohibited, restricted, or conditioned; and

(II) describes the actions by the foreign country or foreign entity that justify the sanction; and

(ii) Congress enacts a joint resolution stating the approval of Congress for the report submitted under clause (i).

(B) EXISTING SANCTIONS.—

(i) IN GENERAL.—Except as provided in clause (ii), with respect to any unilateral agricultural sanction or unilateral medical sanction that is in effect as of the date of enactment of this Act for any fiscal year, the President shall immediately cease to implement such sanction.

(ii) EXEMPTIONS.—Clause (i) shall not apply to a unilateral agricultural sanction or unilateral medical sanction imposed with respect to an agricultural program or activity described in clause (ii) or (iv) of paragraph (1)(B).

(3) EXCEPTIONS.—The President may impose (or continue to impose) a sanction described in paragraph (2) without regard to the procedures required by that paragraph—

(A) against a foreign country or foreign entity with respect to which Congress has enacted a declaration of war that is in effect on or after the date of enactment of this Act; or

(B) to the extent that the sanction would prohibit, restrict, or condition the provision or use of any agricultural commodity, medicine, or medical device that is—

(i) controlled on the United States Munitions List;

(ii) an item for which export controls are administered by the Department of Commerce for foreign policy or national security reasons; or

(iii) used to facilitate the development or production of a chemical or biological weapon.

(4) COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.—This subsection shall not affect the current prohibitions on providing, to the government of any country supporting international terrorism, United States government assistance, including United States foreign assistance, United States export assistance, or any United States credits or credit guarantees.

(5) TERMINATION OF SANCTIONS.—Any unilateral agricultural sanction or unilateral medical sanction that is imposed pursuant to the procedures described in paragraph (2)(A) shall terminate not later than 2 years after the date on which the sanction became effective unless—

(A) not later than 60 days before the date of termination of the sanction, the President submits to Congress a report containing the recommendation of the President for the continuation of the sanction for an additional period of not to exceed 2 years and the request of the President for approval by Congress of the recommendation; and

(B) Congress enacts a joint resolution stating the approval of Congress for the report submitted under subparagraph (A).

(6) CONGRESSIONAL PRIORITY PROCEDURES.—

(A) REFERRAL OF REPORT.—A report described in paragraph (2)(A)(i) or (5)(A) shall be referred to the appropriate committee or committees of the House of Representatives and to the appropriate committee or committees of the Senate.

(B) REFERRAL OF JOINT RESOLUTION.—

(i) IN GENERAL.—A joint resolution shall be referred to the committees in each House of Congress with jurisdiction.

(ii) REPORTING DATE.—A joint resolution referred to in clause (i) may not be reported before the eighth session day of Congress after the introduction of the joint resolution.

(C) DISCHARGE OF COMMITTEE.—If the committee to which is referred a joint resolution has not reported the joint resolution (or an identical joint resolution) at the end of 30 session days of Congress after the date of introduction of the joint resolution—

(i) the committee shall be discharged from further consideration of the joint resolution; and

(ii) the joint resolution shall be placed on the appropriate calendar of the House concerned.

(D) FLOOR CONSIDERATION.—

(i) MOTION TO PROCEED.—

(I) IN GENERAL.—When the committee to which a joint resolution is referred has reported, or when a committee is discharged under subparagraph (C) from further consideration of, a joint resolution—

(aa) it shall be at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any member of the House concerned to move to proceed to the consideration of the joint resolution; and

(bb) all points of order against the joint resolution (and against consideration of the joint resolution) are waived.

(II) PRIVILEGE.—The motion to proceed to the consideration of the joint resolution—

(aa) shall be highly privileged in the House of Representatives and privileged in the Senate; and

(bb) not debatable.

(III) AMENDMENTS AND MOTIONS NOT IN ORDER.—The motion to proceed to the consideration of the joint resolution shall not be subject to—

(aa) amendment;

(bb) a motion to postpone; or

(cc) a motion to proceed to the consideration of other business.

(IV) MOTION TO RECONSIDER NOT IN ORDER.—A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(V) BUSINESS UNTIL DISPOSITION.—If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the House concerned until disposed of.

(ii) LIMITATIONS ON DEBATE.—

(I) IN GENERAL.—Debate on the joint resolution, and on all debatable motions and appeals in connection with the joint resolution, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution.

(II) FURTHER DEBATE LIMITATIONS.—A motion to limit debate shall be in order and shall not be debatable.

(III) AMENDMENTS AND MOTIONS NOT IN ORDER.—An amendment to, a motion to postpone, a motion to proceed to the consideration of other business, a motion to recommit the joint resolution, or a motion to reconsider the vote by which the joint resolution is agreed to or disagreed to shall not be in order.

(iii) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the House concerned, the vote on final passage of the joint resolution shall occur.

(iv) RULINGS OF THE CHAIR ON PROCEDURE.—An appeal from a decision of the Chair relating to the application of the rules of the Senate or House of Representatives, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(E) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by 1 House of a joint resolution of that House, that House receives from the other House a joint resolution, the following procedures shall apply:

(i) NO COMMITTEE REFERRAL.—The joint resolution of the other House shall not be referred to a committee.

(ii) FLOOR PROCEDURE.—With respect to a joint resolution of the House receiving the joint resolution—

(I) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(II) the vote on final passage shall be on the joint resolution of the other House.

(iii) DISPOSITION OF JOINT RESOLUTIONS OF RECEIVING HOUSE.—On disposition of the joint resolution received from the other House, it

shall no longer be in order to consider the joint resolution originated in the receiving House.

(F) PROCEDURES AFTER ACTION BY BOTH THE HOUSE AND SENATE.—If a House receives a joint resolution from the other House after the receiving House has disposed of a joint resolution originated in that House, the action of the receiving House with regard to the disposition of the joint resolution originated in that House shall be deemed to be the action of the receiving House with regard to the joint resolution originated in the other House.

(G) RULEMAKING POWER.—This paragraph is enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such this paragraph—

(I) is deemed to be a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution; and

(II) supersedes other rules only to the extent that this paragraph is inconsistent with those rules; and

(ii) with full recognition of the constitutional right of either House to change the rules (so far as the rules relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(7) EFFECTIVE DATE.—This subsection takes effect 180 days after the date of enactment of this Act.

McCAIN (AND GREGG) AMENDMENT NO. 1510

Mr. McCAIN (for himself and Mr. GREGG) proposed an amendment to amendment No. 1499 proposed by Mr. DASCHLE to the bill, S. 1233, supra; as follows:

At the appropriate place, insert the following:

SEC. 7____. SUGAR PROGRAM.—(a) IN GENERAL.—None of the funds appropriated or otherwise made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out section 156 of the Agricultural Market Transition Act (7 U.S.C. 7272), other than subsection (f).

(b) MARKETING ASSESSMENT.—Notwithstanding any other provision of this Act, funds appropriated or otherwise made available by this Act or any other Act shall be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out and enforce section 156(f) of the Agricultural Market Transition Act (7 U.S.C. 7272(f)) through fiscal year 2001.

LEVIN AMENDMENT NO. 1511

(Ordered to lie on the table.)

Mr. LEVIN submitted an amendment intended to be proposed by him to the bill, S. 1233, supra; as follows:

On page 13, line 13, strike ''$54,276,000'' and insert ''$55,166,000''.

On page 13, line 14, before the semicolon, insert the following: '', of which not less than $445,000 shall be used to make a special grant to the State of Michigan to carry out sustainable agriculture research, and of which not less than $445,000 shall be used to make a special grant to the State of Michigan to carry out a research program on improved fruit practices''.

On page 13, line 16, strike ''$119,300,000'' and insert ''$118,410,000''.

SPECTER AMENDMENT NO. 1512

Mr. SPECTER proposed an amendment to amendment No. 1499 proposed by Mr. DASCHLE to the bill, S. 1233, supra; as follows:

At the appropriate place, insert the following:

SEC. 7____. DAIRY COMPACTS; FEDERAL MILK MARKETING ORDERS.—(a) NORTHEAST INTERSTATE DAIRY COMPACT.—Section 147 of the Agricultural Market Transition Act (7 U.S.C. 7256) is amended—

(1) in the matter preceding paragraph (1), by striking ''Massachusetts, New Hampshire,'' and inserting ''Maryland, Massachusetts, New Hampshire, New Jersey, New York,'';

(2) by striking paragraphs (1) and (7);

(3) in paragraph (3), by striking ''concurrent'' and all that follows through ''section 143'' and inserting ''on December 31, 2002'';

(4) in paragraph (4), by striking ''Delaware, New Jersey, New York, Pennsylvania, Maryland, and Virginia'' and inserting ''Delaware, Ohio, and Pennsylvania'';

(5) in paragraph (5), by striking ''for the cost'' and all that follows through ''Secretary'' and inserting ''for the increased cost of any purchases of milk and milk products by the Corporation that result from the operation of the Compact price regulation during the fiscal year, as determined by the Secretary (in consultation with the Commission) using notice and comment procedures provided in section 553 of title 5, United States Code'';

(6) by redesignating paragraphs (2) through (6) as paragraphs (1) through (5), respectively; and

(7) by adding at the end the following:

''(6) COMPENSATION OF SPECIAL MILK PROGRAM.—Before the end of each fiscal year in which a Compact price regulation is in effect, the Northeast Interstate Dairy Compact Commission shall compensate the Secretary for the increased costs of any milk and milk products provided under the special milk program authorized under section 3 of the Child Nutrition Act of 1966 (42 U.S.C. 1772) that results from the operation of the Compact price regulation during the fiscal year, as determined by the Secretary (in consultation with the Commission) using notice and comment procedures provided in section 553 of title 5, United States Code.''.

(b) SOUTHERN DAIRY COMPACT.—

(1) IN GENERAL.—Congress consents to the Southern Dairy Compact entered into among the States of Alabama, Arkansas, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia as specified in section 201(b) of Senate Joint Resolution 22 of the 106th Congress, as placed on the calendar of the Senate, subject to the following conditions:

(A) LIMITATION OF MANUFACTURING PRICE REGULATION.—The Southern Dairy Compact Commission may not regulate Class II, Class III, or Class III–A milk used for manufacturing purposes or any other milk, other than Class I, or fluid milk, as defined by a Federal milk marketing order issued under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937 (referred to in this paragraph as a ''Federal milk marketing order'') unless Congress has first consented to and approved such authority by a law enacted after the date of enactment of this joint resolution.

(B) DURATION.—Consent for the Southern Dairy Compact shall terminate on December 31, 2002.

(C) ADDITIONAL STATES.—The States of Florida, Georgia, Missouri, Oklahoma, Kansas, and Texas are the only additional States that may join the Southern Dairy Compact, individually or otherwise.

(D) COMPENSATION OF COMMODITY CREDIT CORPORATION.—Before the end of each fiscal year in which a Compact price regulation is in effect, the Southern Dairy Compact Commission shall compensate the Commodity Credit Corporation for the increased costs of any purchases of milk and milk products by the Corporation that results from the operation of the Compact price regulation during the fiscal year, as determined by the Secretary of Agriculture (in consultation with the Commission) using notice and comment procedures provided in section 553 of title 5, United States Code.

(E) COMPENSATION OF SPECIAL MILK PROGRAM.—Before the end of each fiscal year in which a Compact price regulation is in effect, the Southern Dairy Compact Commission shall compensate the Secretary of Agriculture for the increased costs of any milk and milk products provided under the special milk program authorized under section 3 of the Child Nutrition Act of 1966 (42 U.S.C. 1772) that results from the operation of the Compact price regulation during the fiscal year, as determined by the Secretary (in consultation with the Commission) using notice and comment procedures provided in section 553 of title 5, United States Code.

(F) MILK MARKETING ORDER ADMINISTRATOR.—At the request of the Southern Dairy Compact Commission, the Administrator of the applicable Federal milk marketing order shall provide technical assistance to the Compact Commission and be compensated for that assistance.

(2) RESERVATION OF RIGHTS.—The right to alter, amend, or repeal this paragraph is reserved.

(c) FEDERAL MILK MARKETING ORDERS.—

(1) IN GENERAL.—Section 143 of the Agricultural Market Transition Act (7 U.S.C. 7253) is amended by adding at the end the following:

''(e) FLUID OR CLASS I MILK.—

''(1) DELAY IN IMPLEMENTATION.—The Secretary shall not implement the amendments to Federal milk marketing orders required by subsection (a)(1) before the date that is 90 days after the date of enactment of this subsection.

''(2) OPTION 1A.—Effective on the date that is 90 days after the date of enactment of this subsection, the Secretary shall price fluid or Class I milk under the orders using the Class I price differentials identified as Option 1A 'Location-Specific Differentials Analysis' in the proposed rule published in the Federal Register on January 30, 1998 (63 Fed. Reg. 4802, 4809), except that the Secretary shall include the corrections and modifications to the Class I differentials made by the Secretary through April 2, 1999.

''(f) NECESSITY OF USING FORMAL RULEMAKING TO DEVELOP PRICING METHODS FOR CLASS III AND CLASS IV MILK; MODIFIED MANUFACTURING ALLOWANCE FOR CHEESE.—

''(1) FINDINGS.—Congress finds that the Class III and Class IV pricing formulas included in the final decision for the consolidation and reform of Federal milk marketing orders, as published in the Federal Register on April 2, 1999 (64 Fed. Reg. 16025)—

''(A) do not adequately reflect public comment on the original proposed rule published in the Federal Register on January 30, 1998 (63 Fed. Reg. 4802); and

''(B) are sufficiently different from the proposed rule and any comments submitted with regard to the proposed rule that further emergency rulemaking is merited.

''(2) FORMAL RULEMAKING.—

''(A) REQUIRED.—The Secretary shall conduct rulemaking, on the record after an opportunity for an agency hearing, to reconsider the Class III and Class IV pricing formulas included in the final decision referred to in paragraph (1).

''(B) IMPLEMENTATION.—A final decision on the formula shall be implemented not earlier than the date that is 90 days after the date of enactment of this subsection.

''(C) EFFECT OF COURT ORDER.—

''(i) PURPOSE.—The purpose of the actions authorized by this paragraph is to ensure the timely publication and implementation of new pricing formulas for Class III and Class IV milk.

''(ii) EFFECT.—If the Secretary is enjoined or otherwise restrained by a court order from implementing the final decision under subparagraph (B), the length of time for which that injunction or other restraining order is effective shall be added to the time limitations specified in subparagraph (B), thereby extending those time limitations by a period of time equal to the period of time for which the injunction or other restraining order is effective.

''(3) FAILURE TO TIMELY COMPLETE RULEMAKING.—

''(A) IN GENERAL.—If the Secretary fails to implement new Class III and Class IV pricing formulas within the time period required under paragraph (2)(B) (plus any additional period provided under paragraph (2)(C)), the Secretary may not assess or collect assessments from milk producers or handlers under section 8c of the Agricultural Adjustment Act (7 U.S.C. 608c), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, for marketing order administration and services provided under that section after the end of that period until the pricing formulas are implemented.

''(B) SERVICES.—The Secretary—

''(i) may not reduce the level of services provided under that section on account of the prohibition against assessment; and

''(ii) shall cover the cost of marketing order administration and services through funds available for the Agricultural Marketing Service of the Department.

''(4) EFFECT ON IMPLEMENTATION SCHEDULE.—Subject to paragraph (5), the requirement for additional rulemaking under paragraph (2) does not modify or delay the time period for implementation of the final decision referred to in paragraph (1) as part of Federal milk marketing orders, as that time period is required under section 738 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–30).

''(5) MODIFIED MANUFACTURING ALLOWANCE FOR CHEESE.—Pending the implementation of new pricing formulas for Class III and Class IV milk as required by paragraph (2), the Secretary shall modify the formula used for determining Class III prices, as contained in the final decision referred to in paragraph (1), to replace the manufacturing allowance of 17.02 cents per pound of cheese each place it appears in that formula with an amount equal to 14.7 cents per pound of cheese.''.

(2) CONFORMING AMENDMENTS.—Section 738 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (Public Law 105–277; 112 Stat. 2681–30), is amended—

(A) by striking subsection (a);

(B) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively; and

(C) in subsection (a) (as so redesignated)—

(i) by striking ''subsection (a)(2) of such section'' and inserting ''section 143(a)(2) of the Agricultural Market Transition Act (7 U.S.C. 7253(a)(2))''; and

(ii) by striking ''final rule referred to in subsection (a)'' and by inserting ''final rule to implement the amendments to Federal milk marketing orders required by section 143(a)(1) of that Act''.

(d) MILK PRICE SUPPORT PROGRAM.—

(1) IN GENERAL.—Section 141 of the Agricultural Market Transition Act (7 U.S.C. 7251) is amended—

(A) in subsection (b)(4), by striking ''calendar year 1999'' and inserting ''each of calendar years 1999 and 2000''; and

(B) in subsection (h), by striking ''1999'' each place it appears and inserting ''2000''.

(2) CONFORMING AMENDMENT.—Section 142(e) of the Agricultural Market Transition Act (7 U.S.C. 7252(e)) is amended by striking ''2000'' and inserting ''2001''.

(e) EFFECTIVE DATE.—This section and the amendments made by this section take effect on the earlier of—

(1) the date of enactment of this Act; or

(2) October 1, 1999.

COCHRAN AMENDMENT NO. 1513

Mr. COCHRAN proposed an amendment to amendment No. 1499 proposed by Mr. DASCHLE to the bill, S. 1233, supra; as follows:

Beginning on page 1, line 3, strike all that follows ''SEC.'' to the end of the amendment and insert the following:

____. EMERGENCY AND MARKET LOSS ASSISTANCE.—(a) MARKET LOSS ASSISTANCE.—

(1) IN GENERAL.—The Secretary of Agriculture (referred to in this section as the ''Secretary'') shall use not more than $5,544,453,000 of funds of the Commodity Credit Corporation to provide assistance to owners and producers on a farm that are eligible for payments for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.).

(2) AMOUNT.—The amount of assistance made available to owners and producers on a farm under this subsection shall be proportionate to the amount of the contract payment received by the owners and producers for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act.

(3) TIME FOR PAYMENT.—The assistance made available under this subsection for an eligible owner or producer shall be provided not later than 45 days after the date of enactment of this Act.

(b) SPECIALTY CROPS.—

(1) ASSISTANCE TO CERTAIN PRODUCERS.—The Secretary shall use not more than $50,000,000 of funds of the Commodity Credit Corporation to provide assistance to producers of fruits and vegetables in a manner determined by the Secretary.

(2) PAYMENTS TO CERTAIN PRODUCERS.—

(A) IN GENERAL.—The Secretary shall use such amounts as are necessary to provide payments to producers of quota peanuts or additional peanuts to partially compensate the producers for continuing low commodity prices, and increasing costs of production, for the 1999 crop year.

(B) AMOUNT.—The amount of a payment made to producers on a farm of quota peanuts or additional peanuts under subparagraph (A) shall be equal to the product obtained by multiplying—

(i) the quantity of quota peanuts or additional peanuts produced or considered produced by the producers under section 155 of the Agricultural Market Transition Act (7 U.S.C. 7271); by

(ii) an amount equal to 5 percent of the loan rate established for quota peanuts or additional peanuts, respectively, under section 155 of that Act.

(3) CONDITION ON PAYMENT OF SALARIES AND EXPENSES.—None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out or enforce section 156(f) of the Agricultural Market Transition Act (7 U.S.C. 7272(f)) through fiscal year 2001, if the Federal budget is determined by the Office of Management and Budget to be in surplus for fiscal year 2000.

(c) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS.—Notwithstanding section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308(1)), the total amount of the payments specified in section 1001(3) of that Act that a person shall be entitled to receive under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for 1 or more contract commodities and oilseeds during the 1999 crop year may not exceed $150,000.

(d) UPLAND COTTON PRICE COMPETITIVENESS.—

(1) IN GENERAL.—Section 136(a) of the Agricultural Market Transition Act (7 U.S.C. 7236(a)) is amended—

(A) in paragraph (1), by striking ''or cash payments'' and inserting ''or cash payments, at the option of the recipient,'';

(B) by striking ''3 cents per pound'' each place it appears and inserting ''1.25 cents per pound'';

(C) in the first sentence of paragraph (3)(A), by striking ''owned by the Commodity Credit Corporation in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates'' and inserting ''owned by the Commodity Credit Corporation or pledged to the Commodity Credit Corporation as collateral for a loan in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates, including enhancing the competitiveness and marketability of United States cotton''; and

(D) by striking paragraph (4).

(2) ENSURING THE AVAILABILITY OF UPLAND COTTON.—Section 136(b) of the Agricultural Market Transition Act (7 U.S.C. 7236(b)) is amended—

(A) by striking paragraph (1) and inserting the following:

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—The President shall carry out an import quota program during the period ending July 31, 2003, as provided in this subsection.

''(B) PROGRAM REQUIREMENTS.—Except as provided in subparagraph (C), whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificate issued under subsection (a), exceeds the Northern Europe price by more than 1.25 cents per pound, there shall immediately be in effect a special import quota.

''(C) TIGHT DOMESTIC SUPPLY.—During any month for which the Secretary estimates the season-ending United States upland cotton stocks-to-use ratio, as determined under subparagraph (D), to be below 16 percent, the Secretary, in making the determination under subparagraph (B), shall not adjust the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, for the value of any certificates issued under subsection (a).

''(D) SEASON-ENDING UNITED STATES STOCKS-TO-USE RATIO.—For the purposes of making

estimates under subparagraph (C), the Secretary shall, on a monthly basis, estimate and report the season-ending United States upland cotton stocks-to-use ratio, excluding projected raw cotton imports but including the quantity of raw cotton that has been imported into the United States during the marketing year.''; and

(B) by adding at the end the following:

''(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 5 week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.''.

(3) REMOVAL OF SUSPENSION OF MARKETING CERTIFICATE AUTHORITY.—Section 171(b)(1) of the Agricultural Market Transition Act (7 U.S.C. 7301(b)(1)) is amended—

(A) by striking subparagraph (G); and

(B) by redesignating subparagraphs (H) through (L) as subparagraphs (G) through (K), respectively.

(4) REDEMPTION OF MARKETING CERTIFICATES.—Section 115 of the Agricultural Act of 1949 (7 U.S.C. 1445k) is amended—

(A) in subsection (a)—

(i) by striking ''rice (other than negotiable marketing certificates for upland cotton or rice)'' and inserting ''rice, including the issuance of negotiable marketing certificates for upland cotton or rice'';

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

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

(iv) by adding at the end the following:

''(3) redeem negotiable marketing certificates for cash under such terms and conditions as are established by the Secretary.''; and

(B) in the second sentence of subsection (c), by striking ''export enhancement program or the marketing promotion program established under the Agricultural Trade Act of 1978'' and inserting ''market access program or the export enhancement program established under sections 203 and 301 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623, 5651)''.

(e) OILSEED PAYMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall use not less than $475,000,000 of funds of the Commodity Credit Corporation to make payments to producers of the 1999 crop of oilseeds that are eligible to obtain a marketing assistance loan under section 131 of the Agricultural Market Transition Act (7 U.S.C. 7231).

(2) COMPUTATION.—A payment to producers on a farm under this subsection shall be computed by multiplying—

(A) a payment rate determined by the Secretary; by

(B) the quantity of oilseeds that the producers on the farm are eligible to place under loan under section 131 of that Act.

(3) LIMITATION.—Payments made under this subsection shall be considered to be contract payments for the purposes of section 1001(1) of the Food Security Act of 1985 (7 U.S.C. 1308(1)).

(f) ASSISTANCE TO LIVESTOCK AND DAIRY PRODUCERS.—The Secretary shall use $325,000,000 of funds of the Commodity Credit Corporation to provide assistance to livestock and dairy producers in a manner determined by the Secretary.

(g) TOBACCO.—The Secretary shall use $328,000,000 of funds of the Commodity Credit Corporation to make distributions to tobacco growers in accordance with the formulas established under the National Tobacco Grower Settlement Trust.

(h) SENSE OF CONGRESS REGARDING FAST-TRACK AUTHORITY AND FUTURE WORLD TRADE ORGANIZATION NEGOTIATIONS.—It is the sense of Congress that—

(1) the President should make a formal request for appropriate fast-track authority for future United States trade negotiations;

(2) regarding future World Trade Organization negotiations—

(A) rules for trade in agricultural commodities should be strengthened and trade-distorting import and export practices should be eliminated or substantially reduced;

(B) the rules of the World Trade Organization should be strengthened regarding the practices or policies of a foreign government that unreasonably—

(i) restrict market access for products of new technologies, including products of biotechnology; or

(ii) delay or preclude implementation of a report of a dispute panel of the World Trade Organization; and

(C) negotiations within the World Trade Organization should be structured so as to provide the maximum leverage possible to ensure the successful conclusion of negotiations on agricultural products;

(3) the President should—

(A) conduct a comprehensive evaluation of all existing export and food aid programs, including—

(i) the export credit guarantee program established under section 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5622);

(ii) the market access program established under section 203 of that Act (7 U.S.C. 5623);

(iii) the export enhancement program established under section 301 of that Act (7 U.S.C. 5651);

(iv) the foreign market development cooperator program established under section 702 of that Act (7 U.S.C. 5722); and

(v) programs established under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.); and

(B) transmit to Congress—

(i) the results of the evaluation under subparagraph (A); and

(ii) recommendations on maximizing the effectiveness of the programs described in subparagraph (A); and

(4) the Secretary should carry out a purchase and donation or concessional sales initiative in each of fiscal years 1999 and 2000 to promote the export of additional quantities of soybeans, beef, pork, poultry, and products of such commodities (including soybean meal, soybean oil, textured vegetable protein, and soy protein concentrates and isolates) using programs established under—

(A) the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.);

(B) section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(C) titles I and II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1701 et seq.); and

(D) the Food for Progress Act of 1985 (7 U.S.C. 1736o).

(i) EMERGENCY REQUIREMENT.—The entire amount necessary to carry out this section and the amendments made by this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

DORGAN (AND OTHERS) AMENDMENT NO. 1514

Mr. DORGAN (for himself, Mr. HARKIN, Mr. DASCHLE, Mr. KERREY, Mr. JOHNSON, Mr. CONRAD, Mr. BAUCUS, Mr. DURBIN, Mr. WELLSTONE, Ms. LINCOLN, Mr. SARBANES, and Ms. MIKULSKI) proposed an amendment to amendment No. 1499 proposed by Mr. DASCHLE to the bill, S. 1233, supra; as follows:

Beginning on page 1, line 3, strike all that follows ''SEC.'' to the end of the amendment and insert the following:

____. EMERGENCY AND INCOME LOSS ASSISTANCE.—(a) ADDITIONAL CROP LOSS ASSISTANCE.—

(1) IN GENERAL.—Except as provided in paragraph (2), in addition to amounts that have been made available to carry out section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277) under other law, the Secretary of Agriculture (referred to in this section as the 'Secretary') shall use not more than $756,000,000 of funds of the Commodity Credit Corporation to provide crop loss assistance in accordance with that section in a manner that, to the maximum extent practicable—

(A) fully compensates agricultural producers for crop losses in accordance with that section (including regulations promulgated to carry out that section); and

(B) provides equitable treatment under that section for agricultural producers described in subsections (b) and (c) of that section.

(2) CROP INSURANCE.—Of the total amount made available under paragraph (1), the Secretary shall use not less than $400,000,000 to assist agricultural producers in purchasing additional coverage for the 2000 crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(b) INCOME LOSS ASSISTANCE.—

(1) IN GENERAL.—The Secretary shall use not more than $6,273,000,000 of funds of the Commodity Credit Corporation to provide (on an equitable basis among producers, as determined by the Secretary) supplemental loan deficiency payments to producers on a farm that are eligible for marketing assistance loans for the 1999 crop of a commodity under section 131 of the Agricultural Market Transition Act (7 U.S.C. 7231).

(2) PAYMENT LIMITATION.—The total amount of the payments that a person may receive under paragraph (1) during any crop year may not exceed $40,000.

(3) PRODUCERS WITHOUT PRODUCTION.—The payments made available under this subsection shall be provided (on an equitable basis among producers, according to actual production history, as determined by the Secretary) to producers with failed acreage, or acreage on which planting was prevented, due to circumstances beyond the control of the producers.

(4) TIME FOR PAYMENT.—The assistance made available under this subsection for an eligible owner or producer shall be provided as soon as practicable after the date of enactment of this Act by providing advance payments that are based on expected production and by taking such measures as are determined appropriate by the Secretary.

(5) DAIRY PRODUCERS.—

(A) IN GENERAL.—Of the total amount made available under paragraph (1), $300,000,000 shall be available to provide assistance to dairy producers in a manner determined by the Secretary.

(B) FEDERAL MILK MARKETING ORDERS.—Payments made under this subsection shall not affect any decision with respect to rulemaking activities under section 143 of the Agricultural Market Transition Act (7 U.S.C. 7253).

(6) PEANUTS.—

(A) IN GENERAL.—Of the total amount made available under paragraph (1), the Secretary shall use not to exceed $45,000,000 to provide payments to producers of quota peanuts or additional peanuts to partially compensate the producers for the loss of markets for the 1998 crop of peanuts.

(B) AMOUNT.—The amount of a payment made to producers on a farm of quota peanuts or additional peanuts under subparagraph (A) shall be equal to the product obtained by multiplying—

(i) the quantity of quota peanuts or additional peanuts produced or considered produced by the producers under section 155 of the Agricultural Market Transition Act (7 U.S.C. 7271); by

(ii) an amount equal to 5 percent of the loan rate established for quota peanuts or additional peanuts, respectively, under section 155 of that Act.

(7) TOBACCO GROWER ASSISTANCE.—The Secretary shall provide $328,000,000 to be distributed to tobacco growers according to the formulas established pursuant to the National Tobacco Grower Settlement Trust.

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

(1) IN GENERAL.—For an additional amount for the fund maintained for funds made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), there is appropriated, out of any money in the Treasury not otherwise appropriated, $500,000,000.

(2) SET-ASIDE FOR CERTAIN LIVESTOCK PRODUCERS.—Of the funds made available by paragraph (1), the Secretary shall use not more than $200,000,000 to provide assistance to livestock producers—

(A) the operations of which are located in counties with respect to which during 1999 a natural disaster was declared for losses due to excessive heat or drought by the Secretary, or a major disaster or emergency was declared for losses due to excessive heat or drought by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

(B) that experienced livestock losses as a result of the declared disaster or emergency.

(3) WAIVER OF COMMODITY LIMITATION.—In providing assistance under this subsection, the Secretary may waive the limitation established under the second sentence of the second paragraph of section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), on the amount of funds that may be devoted to any 1 agricultural commodity or product.

(d) EMERGENCY LIVESTOCK ASSISTANCE.—For an additional amount to provide emergency livestock assistance, there is appropriated, out of any money in the Treasury not otherwise appropriated, $150,000,000.

(e) COMMODITY PURCHASES AND HUMANITARIAN DONATIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall use not less than $778,000,000 of funds of the Commodity Credit Corporation for the purchase and distribution of agricultural commodities, under applicable food aid authorities, including—

(A) section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b));

(B) the Food for Progress Act of 1985 (7 U.S.C. 1736o); and

(C) the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.).

(2) LEAST DEVELOPED COUNTRIES.—Not less than 40 percent of the commodities distributed pursuant to this subsection shall be made available to least developed countries, as determined by the Secretary.

(3) LOCAL CURRENCIES.—To the maximum extent practicable, local currencies generated from the sale of commodities under this subsection shall be used for development purposes that foster United States agricultural exports.

(f) UPLAND COTTON PRICE COMPETITIVENESS.—

(1) IN GENERAL.—Section 136(a) of the Agricultural Market Transition Act (7 U.S.C. 7236(a)) is amended—

(A) in paragraph (1), by inserting ''(in the case of each of the 1999–2000, 2000–2001, and 2001–2002 marketing years for upland cotton, at the option of the recipient)'' after ''or cash payments'';

(B) by inserting ''(or, in the case of each of the 1999–2000, 2000–2001, and 2001–2002 marketing years for upland cotton, 1.25 cents per pound)'' after ''3 cents per pound'' each place it appears;

(C) in paragraph (3), by striking subparagraph (A) and inserting the following:

''(A) REDEMPTION, MARKETING, OR EXCHANGE.—

''(i) IN GENERAL.—The Secretary shall establish procedures for redeeming marketing certificates for cash or marketing or exchange of the certificates for—

''(I) except as provided in subclause (II), agricultural commodities owned by the Commodity Credit Corporation in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates; or

''(II) in the case of each of the 1999–2000, 2000–2001, and 2001–2002 marketing years for upland cotton, agricultural commodities owned by the Commodity Credit Corporation or pledged to the Commodity Credit Corporation as collateral for a loan in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates, including enhancing the competitiveness and marketability of United States cotton.

''(ii) PRICE RESTRICTIONS.—Any price restrictions that would otherwise apply to the disposition of agricultural commodities by the Commodity Credit Corporation shall not apply to the redemption of certificates under this subparagraph.''; and

(D) in paragraph (4), by inserting before the period at the end the following: '', except that this paragraph shall not apply to each of fiscal years 2000, 2001, and 2002''.

(2) ENSURING THE AVAILABILITY OF UPLAND COTTON.—Section 136(b) of the Agricultural Market Transition Act (7 U.S.C. 7236(b)) is amended—

(A) in paragraph (1), by striking ''The'' and inserting ''Except as provided in paragraph (7), the''; and

(B) by adding at the end the following:

''(7) 1999–2000, 2000–2001, AND 2001–2002 MARKETING YEARS.—

''(A) IN GENERAL.—In the case of each of the 1999–2000, 2000–2001, and 2001–2002 marketing years for upland cotton, the President shall carry out an import quota program as provided in this paragraph.

''(B) PROGRAM REQUIREMENTS.—Except as provided in subparagraph (C), whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificate issued under subsection (a), exceeds the Northern Europe price by more than 1.25 cents per pound, there shall immediately be in effect a special import quota.

''(C) TIGHT DOMESTIC SUPPLY.—During any month for which the Secretary estimates the season-ending United States upland cotton stocks-to-use ratio, as determined under subparagraph (D), to be below 16 percent, the Secretary, in making the determination under subparagraph (B), shall not adjust the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, for the value of any certificates issued under subsection (a).

''(D) SEASON-ENDING UNITED STATES STOCKS-TO-USE RATIO.—For the purposes of making estimates under subparagraph (C), the Secretary shall, on a monthly basis, estimate and report the season-ending United States upland cotton stocks-to-use ratio, excluding projected raw cotton imports but including the quantity of raw cotton that has been imported into the United States during the marketing year.

''(E) LIMITATION.—The quantity of cotton entered into the United States during any marketing year described in subparagraph (A) under the special import quota established under this paragraph may not exceed the equivalent of 5 weeks' consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.''.

(3) REMOVAL OF SUSPENSION OF MARKETING CERTIFICATE AUTHORITY.—Section 171(b)(1)(G) of the Agricultural Market Transition Act (7 U.S.C. 7301(b)(1)(G)) is amended by inserting before the period at the end the following: '', except that this subparagraph shall not apply to each of the 1999–2000, 2000–2001, and 2001–2002 marketing years for upland cotton''.

(4) REDEMPTION OF MARKETING CERTIFICATES.—Section 115 of the Agricultural Act of 1949 (7 U.S.C. 1445k) is amended—

(A) in subsection (a)—

(i) by striking ''rice (other than negotiable marketing certificates for upland cotton or rice)'' and inserting ''rice, including the issuance of negotiable marketing certificates for upland cotton or rice'';

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

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

(iv) by adding at the end the following:

''(3) redeem negotiable marketing certificates for cash under such terms and conditions as are established by the Secretary.''; and

(B) in the second sentence of subsection (c), by striking ''export enhancement program or the marketing promotion program established under the Agricultural Trade Act of 1978'' and inserting ''market access program or the export enhancement program established under sections 203 and 301 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623, 5651)''.

(g) FARM SERVICE AGENCY.—For an additional amount for the Farm Service Agency, there is appropriated, out of any money in the Treasury not otherwise appropriated, $140,000,000, of which—

(1) $40,000,000 shall be used for salaries and expenses of the Farm Service Agency; and

(2) $100,000,000 shall be used for direct or guaranteed farm ownership, operating, or emergency loans under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.),

(h) STATE MEDIATION GRANTS.—For an additional amount for grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5102(b)), there is appropriated, out of any money in the Treasury not otherwise appropriated, $2,000,000.

(i) DISASTER RESERVE.—

(1) IN GENERAL.—For the disaster reserve established under section 813 of the Agricultural Act of 1970 (7 U.S.C. 1427a), there is appropriated, out of any money in the Treasury not otherwise appropriated, $500,000,000.

(2) CROP AND LIVESTOCK CASH INDEMNITY PAYMENTS.—Notwithstanding any other provision of law, the Secretary may use the amount made available under this subsection to carry out a program to provide crop or livestock cash indemnity payments to agricultural producers for the purpose of remedying losses caused by damaging weather or related condition resulting from a natural or major disaster or emergency.

(3) COMMERCIAL FISHERIES FAILURE.—Notwithstanding any other provision of law, the Secretary shall provide $15,000,000 of the amount made available under this section to the Department of Commerce to provide emergency disaster assistance to persons or entities that have incurred losses from a commercial fishery failure described in section 308(b)(1) of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107(b)) with respect to a Northeast multispecies fishery.

(j) FLOODED LAND RESERVE PROGRAM.—For an additional amount to carry out a flooded land reserve program in a manner that is consistent with section 1124 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277), there is appropriated, out of any money in the Treasury not otherwise appropriated, $150,000,000.

(l) GRAIN INSPECTION, PACKERS, AND STOCKYARDS ADMINISTRATION.—For an additional amount for the Grain Inspection, Packers, and Stockyards Administration to support rapid response teams to enforce the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), there is appropriated, out of any money in the Treasury not otherwise appropriated, $1,000,000.

(m) WATERSHED AND FLOOD PREVENTION OPERATIONS.—For an additional amount for watershed and flood prevention operations to repair damage to waterways and watersheds resulting from natural disasters, there is appropriated, out of any money in the Treasury not otherwise appropriated, $60,000,000.

(n) EMERGENCY CONSERVATION PROGRAM.—For an additional amount for the emergency conservation program authorized under sections 401, 402, and 404 of the Agricultural Credit Act of 1978 (16 U.S.C. 2201, 2202, 2204) for expenses resulting from natural disasters, there is appropriated, out of any money in the Treasury not otherwise appropriated, $30,000,000.

(o) ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.—

(1) IN GENERAL.—For an additional amount for the environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.), there is appropriated, out of any money in the Treasury not otherwise appropriated, $52,000,000.

(2) LIVESTOCK NUTRIENT MANAGEMENT PLANS.—The Secretary shall provide a priority in the use of funds made available under paragraph (1) to implementing livestock nutrient management plans.

(q) FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.—For an additional amount for the foreign market development cooperator program established under section 702 of the Agricultural Trade Act of 1978 (7 U.S.C. 5722), there is appropriated, out of any money in the Treasury not otherwise appropriated, $10,000,000.

(r) RURAL ECONOMIC ASSISTANCE.—For an additional amount for rural economic assistance, there is appropriated, out of any money in the Treasury not otherwise appropriated, $150,000,000, of which—

(1) $100,000,000 shall be used for rural economic development, with the highest priority given to the most economically disadvantaged rural communities; and

(2) $50,000,000 shall be used to establish and carry out a program of revolving loans for the support of farmer-owned cooperatives.

(s) MANDATORY PRICE REPORTING.—For an additional amount to carry out a program of mandatory price reporting for livestock and livestock products, on enactment of a law establishing the program, there is appropriated, out of any money in the Treasury not otherwise appropriated, $4,000,000.

(t) LABELING OF IMPORTED MEAT AND MEAT FOOD PRODUCTS.—

(1) DEFINITIONS.—Section 1 of the Federal Meat Inspection Act (21 U.S.C. 601) is amended by adding at the end the following:

''(w) BEEF.—The term 'beef' means meat produced from cattle (including veal).

''(x) IMPORTED BEEF.—The term 'imported beef' means beef that is not United States beef, whether or not the beef is graded with a quality grade issued by the Secretary.

''(y) IMPORTED LAMB.—The term 'imported lamb' means lamb that is not United States lamb, whether or not the lamb is graded with a quality grade issued by the Secretary.

''(z) IMPORTED PORK.—The term 'imported pork' means pork that is not United States pork.

''(aa) LAMB.—The term 'lamb' means meat, other than mutton, produced from sheep.

''(bb) PORK.—The term 'pork' means meat produced from hogs.

''(cc) UNITED STATES BEEF.—

''(1) IN GENERAL.—The term 'United States beef' means beef produced from cattle slaughtered in the United States.

''(2) EXCLUSION.—The term 'United States beef' does not include beef produced from cattle imported into the United States in sealed trucks for slaughter.

''(dd) UNITED STATES LAMB.—

''(1) IN GENERAL.—The term 'United States lamb' means lamb produced from sheep slaughtered in the United States.

''(2) EXCLUSION.—The term 'United States lamb' does not include lamb produced from sheep imported into the United States in sealed trucks for slaughter.

''(ee) UNITED STATES PORK.—

''(1) IN GENERAL.—The term 'United States pork' means pork produced from hogs slaughtered in the United States.

''(2) EXCLUSION.—The term 'United States pork' does not include pork produced from hogs imported into the United States in sealed trucks for slaughter.''.

(2) MISBRANDING.—Section 1(n) of the Federal Meat Inspection Act (21 U.S.C. 601(n)) is amended—

(A) in paragraph (11), by striking ''or'' at the end;

(B) in paragraph (12), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(13)(A) if it is imported beef, imported lamb, or imported pork offered for retail sale as muscle cuts of beef, lamb, or pork and does not bear a label that identifies its country of origin;

''(B) if it is United States beef, United States lamb, or United States pork offered for retail sale as muscle cuts of beef, lamb, or pork, and does not bear a label that identifies its country of origin; or

''(C) if it is United States or imported ground beef, ground lamb, or ground pork and is not accompanied by labeling that identifies it as United States beef, United States lamb, United States pork, imported beef, imported lamb, imported pork, or other designation that identifies the content of United States beef, imported beef, United States lamb, imported lamb, United States pork, and imported pork contained in the product, as determined by the Secretary.''.

(3) LABELING.—Section 7 of the Federal Meat Inspection Act (21 U.S.C. 607) is amended by adding at the end the following:

''(g) MANDATORY LABELING.—The Secretary shall provide by regulation that the following offered for retail sale bear a label that identifies its country of origin:

''(1) Muscle cuts of United States beef, United States lamb, United States pork, imported beef, imported lamb, and imported pork.

''(2) Ground beef, ground lamb, and ground pork.

''(h) AUDIT VERIFICATION SYSTEM FOR UNITED STATES AND IMPORTED MUSCLE CUTS OF BEEF, LAMB, AND PORK AND GROUND BEEF, LAMB, AND PORK.—The Secretary may require by regulation that any person that prepares, stores, handles, or distributes muscle cuts of United States beef, imported beef, United States lamb, imported lamb, United States pork, imported pork, ground beef, ground lamb, or ground pork for retail sale maintain a verifiable recordkeeping audit trail that will permit the Secretary to ensure compliance with the regulations promulgated under subsection (g).''.

(4) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall promulgate final regulations to carry out the amendments made by this subsection.

(5) FUNDING.—For an additional amount to carry out this subsection and the amendments made by this subsection, there is appropriated, out of any money in the Treasury not otherwise appropriated, $8,000,000.

(6) EFFECTIVE DATE.—The amendments made by this subsection take effect 60 days after the date on which final regulations are promulgated under paragraph (4).

(u) INDICATION OF COUNTRY OF ORIGIN OF PERISHABLE AGRICULTURAL COMMODITIES.—

(1) DEFINITIONS.—In this section:

(A) FOOD SERVICE ESTABLISHMENT.—The term ''food service establishment'' means a restaurant, cafeteria, lunch room, food stand, saloon, tavern, bar, lounge, or other similar facility operated as an enterprise engaged in the business of selling food to the public.

(B) PERISHABLE AGRICULTURAL COMMODITY; RETAILER.—The terms ''perishable agricultural commodity'' and ''retailer'' have the meanings given the terms in section 1(b) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499a(b)).

(2) NOTICE OF COUNTRY OF ORIGIN REQUIRED.—Except as provided in paragraph (3), a retailer of a perishable agricultural commodity shall inform consumers, at the final point of sale of the perishable agricultural commodity to consumers, of the country of origin of the perishable agricultural commodity.

(3) EXEMPTION FOR FOOD SERVICE ESTABLISHMENTS.—Paragraph (2) shall not apply to a perishable agricultural commodity if the perishable agricultural commodity is—

(A) prepared or served in a food service establishment; and

(B)(i) offered for sale or sold at the food service establishment in normal retail quantities; or

(ii) served to consumers at the food service establishment.

(4) METHOD OF NOTIFICATION.—

(A) IN GENERAL.—The information required by paragraph (2) may be provided to consumers by means of a label, stamp, mark, placard, or other clear and visible sign on the perishable agricultural commodity or on the package, display, holding unit, or bin containing the commodity at the final point of sale to consumers.

(B) LABELED COMMODITIES.—If the perishable agricultural commodity is already individually labeled regarding country of origin by the packer, importer, or another person, the retailer shall not be required to provide

any additional information to comply with this subsection.

(5) VIOLATIONS.—If a retailer fails to indicate the country of origin of a perishable agricultural commodity as required by paragraph (2), the Secretary may assess a civil penalty on the retailer in an amount not to exceed—

(A) $1,000 for the first day on which the violation occurs; and

(B) $250 for each day on which the same violation continues.

(6) DEPOSIT OF FUNDS.—Amounts collected under paragraph (5) shall be deposited in the Treasury of the United States as miscellaneous receipts.

(7) APPLICATION OF SUBSECTION.—This section shall apply with respect to a perishable agricultural commodity after the end of the 6-month period beginning on the date of the enactment of this Act.

(v) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS.—Notwithstanding section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308(1)), the total amount of the payments specified in section 1001(3) of that Act that a person shall be entitled to receive under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for 1 or more contract commodities and oilseeds during the 1999 crop year may not exceed $150,000.

(w) SUSPENSION OF SUGAR ASSESSMENTS.—Section 156(f) of the Agricultural Market Transition Act (7 U.S.C. 7272(f)) is amended—

(1) in paragraph (1), by inserting ''except as provided in paragraph (6),'' after ''years,'';

(2) in paragraph (2), by inserting ''except as provided in paragraph (6),'' after ''years,''; and

(3) by adding at the end the following:

''(6) SUSPENSION OF ASSESSMENTS.—Effective beginning with fiscal year 2000, no assessments shall be required under this subsection during any fiscal year that immediately follows a fiscal year during which the Federal budget was determined to be in surplus, based on the most recent estimates available from the Office of Management and Budget as of the last day of the fiscal year.''.

(x) FARMERS MARKET PROGRAM.—For an additional amount for the Farmers Market Program in the Supplemental Nutrition Program for Women, Infants, and Children, there is appropriated, out of any money in the Treasury not otherwise appropriated, $10,000,000.

(y) EMERGENCY REQUIREMENT.—The entire amount necessary to carry out this section and the amendments made by this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

(z) AVAILABILITY.—The amount necessary to carry out this section and the amendments made by this section shall be available upon enactment of this Act for the remainder of fiscal year 1999 and for fiscal year 2000, and shall remain available until expended.

THOMAS (AND OTHERS) AMENDMENT NO. 1515

Mr. THOMAS (for himself, Mr. BURNS, Mr. ALLARD, Mr. ROBERTS, Mr. ENZI, Mr. CRAIG, Mr. HAGEL, and Mr. DASCHLE) submitted an amendment intended to be proposed by them to the bill, S. 1233, supra; as follows:

On page 13, line 16, strike ''$119,300,000'' and insert ''$119,050,000''.

On page 14, line 19, strike ''$13,666,000'' and insert ''$13,916,000''

On page 14, line 22, before the period at the end, insert the following: '', of which not less than $250,000 shall be provided to carry out market analysis programs at the Livestock Marketing Information Center in Lakewood, Colorado''.

ASHCROFT (AND OTHERS) AMENDMENT NO. 1516

Mr. ASHCROFT (for himself, Mr. HAGEL, Mr. BAUCUS, Mr. ROBERTS, Mr. KERREY, Mr. DODD, Mr. BROWNBACK, Mr. GRAMS, Mr. WARNER, Mr. LEAHY, Mr. CRAIG, Mr. FITZGERALD, Mr. DORGAN, Mr. SESSIONS, Mrs. LINCOLN, Ms. LANDRIEU, Mr. HARKIN, Mr. CHAFEE, and Mr. INHOFE) proposed an amendment to amendment No. 1499 proposed by Mr. DASCHLE to the bill, S. 1233, supra; as follows:

At the appropriate place, insert the following:

(____) REQUIREMENT OF CONGRESSIONAL APPROVAL OF ANY UNILATERAL AGRICULTURAL OR MEDICAL SANCTION.—

(1) DEFINITIONS.—In this subsection:

(A) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given the term in section 402 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1732).

(B) AGRICULTURAL PROGRAM.—The term ''agricultural program'' means—

(i) any program administered under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et. seq.);

(ii) any program administered under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(iii) any commercial sale of agricultural commodities, including a commercial sale of an agricultural commodity that is prohibited under a unilateral agricultural sanction that is in effect on the date of enactment of this Act; or

(iv) any export financing (including credits or credit guarantees) for agricultural commodities.

(C) JOINT RESOLUTION.—The term ''joint resolution'' means—

(i) in the case of paragraph (2)(A)(ii), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under paragraph (2)(A)(i) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section ____(____)(2)(A)(i) of the _____ Act ___, transmitted on _____.'', with the blank completed with the appropriate date; and

(ii) in the case of paragraph (5)(B), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under paragraph (5)(A) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section ____(____)(5)(A) of the _____ Act ___, transmitted on _____.'', with the blank completed with the appropriate date.

(D) UNILATERAL AGRICULTURAL SANCTION.—The term ''unilateral agricultural sanction'' means any prohibition, restriction, or condition on carrying out an agricultural program with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(E) UNILATERAL MEDICAL SANCTION.—The term ''unilateral medical sanction'' means any prohibition, restriction, or condition on exports of, or the provision of assistance consisting of, medicine or a medical device with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(2) RESTRICTION.—

(A) NEW SANCTIONS.—Except as provided in paragraphs (3) and (4) and notwithstanding any other provision of law, the President may not impose a unilateral agricultural sanction or unilateral medical sanction against a foreign country or foreign entity for any fiscal year, unless—

(i) not later than 60 days before the sanction is proposed to be imposed, the President submits a report to Congress that—

(I) describes the activity proposed to be prohibited, restricted, or conditioned; and

(II) describes the actions by the foreign country or foreign entity that justify the sanction; and

(ii) Congress enacts a joint resolution stating the approval of Congress for the report submitted under clause (i).

(B) EXISTING SANCTIONS.—

(i) IN GENERAL.—Except as provided in clause (ii), with respect to any unilateral agricultural sanction or unilateral medical sanction that is in effect as of the date of enactment of this Act for any fiscal year, the President shall immediately cease to implement such sanction.

(ii) EXEMPTIONS.—Clause (i) shall not apply to a unilateral agricultural sanction or unilateral medical sanction imposed with respect to an agricultural program or activity described in clause (ii) or (iv) of paragraph (1)(B).

(3) EXCEPTIONS.—The President may impose (or continue to impose) a sanction described in paragraph (2) without regard to the procedures required by that paragraph—

(A) against a foreign country or foreign entity with respect to which Congress has enacted a declaration of war that is in effect on or after the date of enactment of this Act; or

(B) to the extent that the sanction would prohibit, restrict, or condition the provision or use of any agricultural commodity, medicine, or medical device that is—

(i) controlled on the United States Munitions List;

(ii) an item for which export controls are administered by the Department of Commerce for foreign policy or national security reasons; or

(iii) used to facilitate the development or production of a chemical or biological weapon.

(4) COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.—This subsection shall not affect the current prohibitions on providing, to the government of any country supporting international terrorism, United States government assistance, including United States foreign assistance, United States export assistance, or any United States credits or credit guarantees.

(5) TERMINATION OF SANCTIONS.—Any unilateral agricultural sanction or unilateral medical sanction that is imposed pursuant to the procedures described in paragraph (2)(A) shall terminate not later than 2 years after the date on which the sanction became effective unless—

(A) not later than 60 days before the date of termination of the sanction, the President submits to Congress a report containing the recommendation of the President for the continuation of the sanction for an additional period of not to exceed 2 years and the request of the President for approval by Congress of the recommendation; and

(B) Congress enacts a joint resolution stating the approval of Congress for the report submitted under subparagraph (A).

(6) CONGRESSIONAL PRIORITY PROCEDURES.—

(A) REFERRAL OF REPORT.—A report described in paragraph (2)(A)(i) or (5)(A) shall be referred to the appropriate committee or committees of the House of Representatives and to the appropriate committee or committees of the Senate.

(B) REFERRAL OF JOINT RESOLUTION.—

(i) IN GENERAL.—A joint resolution shall be referred to the committees in each House of Congress with jurisdiction.

(ii) REPORTING DATE.—A joint resolution referred to in clause (i) may not be reported before the eighth session day of Congress after the introduction of the joint resolution.

(C) DISCHARGE OF COMMITTEE.—If the committee to which is referred a joint resolution has not reported the joint resolution (or an identical joint resolution) at the end of 30 session days of Congress after the date of introduction of the joint resolution—

(i) the committee shall be discharged from further consideration of the joint resolution; and

(ii) the joint resolution shall be placed on the appropriate calendar of the House concerned.

(D) FLOOR CONSIDERATION.—

(i) MOTION TO PROCEED.—

(I) IN GENERAL.—When the committee to which a joint resolution is referred has reported, or when a committee is discharged under subparagraph (C) from further consideration of, a joint resolution—

(aa) it shall be at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any member of the House concerned to move to proceed to the consideration of the joint resolution; and

(bb) all points of order against the joint resolution (and against consideration of the joint resolution) are waived.

(II) PRIVILEGE.—The motion to proceed to the consideration of the joint resolution—

(aa) shall be highly privileged in the House of Representatives and privileged in the Senate; and

(bb) not debatable.

(III) AMENDMENTS AND MOTIONS NOT IN ORDER.—The motion to proceed to the consideration of the joint resolution shall not be subject to—

(aa) amendment;

(bb) a motion to postpone; or

(cc) a motion to proceed to the consideration of other business.

(IV) MOTION TO RECONSIDER NOT IN ORDER.—A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(V) BUSINESS UNTIL DISPOSITION.—If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the House concerned until disposed of.

(ii) LIMITATIONS ON DEBATE.—

(I) IN GENERAL.—Debate on the joint resolution, and on all debatable motions and appeals in connection with the joint resolution, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution.

(II) FURTHER DEBATE LIMITATIONS.—A motion to limit debate shall be in order and shall not be debatable.

(III) AMENDMENTS AND MOTIONS NOT IN ORDER.—An amendment to, a motion to postpone, a motion to proceed to the consideration of other business, a motion to recommit the joint resolution, or a motion to reconsider the vote by which the joint resolution is agreed to or disagreed to shall not be in order.

(iii) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the House concerned, the vote on final passage of the joint resolution shall occur.

(iv) RULINGS OF THE CHAIR ON PROCEDURE.—An appeal from a decision of the Chair relating to the application of the rules of the Senate or House of Representatives, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(E) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by 1 House of a joint resolution of that House, that House receives from the other House a joint resolution, the following procedures shall apply:

(i) NO COMMITTEE REFERRAL.—The joint resolution of the other House shall not be referred to a committee.

(ii) FLOOR PROCEDURE.—With respect to a joint resolution of the House receiving the joint resolution—

(I) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(II) the vote on final passage shall be on the joint resolution of the other House.

(iii) DISPOSITION OF JOINT RESOLUTIONS OF RECEIVING HOUSE.—On disposition of the joint resolution received from the other House, it shall no longer be in order to consider the joint resolution originated in the receiving House.

(F) PROCEDURES AFTER ACTION BY BOTH THE HOUSE AND SENATE.—If a House receives a joint resolution from the other House after the receiving House has disposed of a joint resolution originated in that House, the action of the receiving House with regard to the disposition of the joint resolution originated in that House shall be deemed to be the action of the receiving House with regard to the joint resolution originated in the other House.

(G) RULEMAKING POWER.—This paragraph is enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such this paragraph—

(I) is deemed to be a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution; and

(II) supersedes other rules only to the extent that this paragraph is inconsistent with those rules; and

(ii) with full recognition of the constitutional right of either House to change the rules (so far as the rules relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(7) EFFECTIVE DATE.—This subsection takes effect 180 days after the date of enactment of this Act.

CONRAD AMENDMENT NO. 1517

Mr. CONRAD proposed an amendment to amendment No. 1499 proposed by Mr. DASCHLE to the bill, S. 1233, supra; as follows:

At the end of the amendment add the following:

Notwithstanding any other provision of this Act the following shall be the only Emergency Assistance provisions provided in this bill:

____. EMERGENCY AND MARKET LOSS ASSISTANCE.—(a) MARKET LOSS ASSISTANCE.—

(1) IN GENERAL.—The Secretary of Agriculture (referred to in this section as the ''Secretary'') shall use not more than $5,544,453,000 of funds of the Commodity Credit Corporation to provide assistance to owners and producers on a farm that are eligible for payments for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.).

(2) AMOUNT.—The amount of assistance made available to owners and producers on a farm under this subsection shall be proportionate to the amount of the contract payment received by the owners and producers for fiscal year 1999 under a production flexibility contract for the farm under the Agricultural Market Transition Act.

(3) TIME FOR PAYMENT.—The assistance made available under this subsection for an eligible owner or producer shall be provided not later than 45 days after the date of enactment of this Act.

(4) DAIRY PRODUCERS.—

(A) IN GENERAL.—Of the total amount made available under paragraph (1), $200,000,000 shall be available to provide assistance to dairy producers in a manner determined by the Secretary.

(B) FEDERAL MILK MARKETING ORDERS.—Payments made under this subsection shall not affect any decision with respect to rulemaking activities under section 143 of the Agricultural Market Transition Act (7 U.S.C. 7253).

(b) OILSEED PAYMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall use not less than $500,000,000 of funds of the Commodity Credit Corporation to make payments to producers of the 1999 crop of oilseeds that are eligible to obtain a marketing assistance loan under section 131 of the Agricultural Market Transition Act (7 U.S.C. 7231).

(2) COMPUTATION.—A payment to producers on a farm under this subsection shall be computed by multiplying—

(A) a payment rate determined by the Secretary; by

(B) the quantity of oilseeds that the producers on the farm are eligible to place under loan under section 131 of that Act.

(3) LIMITATION.—Payments made under this subsection shall be considered to be contract payments for the purposes of section 1001(1) of the Food Security Act of 1985 (7 U.S.C. 1308(1)).

(c) UPLAND COTTON PRICE COMPETITIVENESS.—

(1) IN GENERAL.—Section 136(a) of the Agricultural Market Transition Act (7 U.S.C. 7236(a)) is amended—

(A) in paragraph (1), by striking ''or cash payments'' and inserting ''or cash payments, at the option of the recipient,'';

(B) by striking ''3 cents per pound'' each place it appears and inserting ''1.25 cents per pound'';

(C) in the first sentence of paragraph (3)(A), by striking ''owned by the Commodity Credit Corporation in such manner, and at such price levels, as the Secretary determines will best effectuate the purposes of cotton user marketing certificates'' and inserting ''owned by the Commodity Credit Corporation or pledged to the Commodity Credit Corporation as collateral for a loan in such manner, and at such price levels, as the Secretary determines will best effectuate the

purposes of cotton user marketing certificates, including enhancing the competitiveness and marketability of United States cotton''; and

(D) by striking paragraph (4).

(2) ENSURING THE AVAILABILITY OF UPLAND COTTON.—Section 136(b) of the Agricultural Market Transition Act (7 U.S.C. 7236(b)) is amended—

(A) by striking paragraph (1) and inserting the following:

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—The President shall carry out an import quota program during the period ending July 31, 2003, as provided in this subsection.

''(B) PROGRAM REQUIREMENTS.—Except as provided in subparagraph (C), whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, adjusted for the value of any certificate issued under subsection (a), exceeds the Northern Europe price by more than 1.25 cents per pound, there shall immediately be in effect a special import quota.

''(C) TIGHT DOMESTIC SUPPLY.—During any month for which the Secretary estimates the season-ending United States upland cotton stocks-to-use ratio, as determined under subparagraph (D), to be below 16 percent, the Secretary, in making the determination under subparagraph (B), shall not adjust the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered C.I.F. Northern Europe, for the value of any certificates issued under subsection (a).

''(D) SEASON-ENDING UNITED STATES STOCKS-TO-USE RATIO.—For the purposes of making estimates under subparagraph (C), the Secretary shall, on a monthly basis, estimate and report the season-ending United States upland cotton stocks-to-use ratio, excluding projected raw cotton imports but including the quantity of raw cotton that has been imported into the United States during the marketing year.''; and

(B) by adding at the end the following:

''(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 5 week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.''.

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

(1) IN GENERAL.—For an additional amount for the fund maintained for funds made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), there is appropriated, out of any money in the Treasury not otherwise appropriated, $300,000,000.

(2) SET-ASIDE FOR CERTAIN LIVESTOCK PRODUCERS.—Of the funds made available by paragraph (1), the Secretary shall use not more than $100,000,000 to provide assistance to livestock producers—

(A) the operations of which are located in counties with respect to which during 1999 a natural disaster was declared for losses due to excessive heat or drought by the Secretary, or a major disaster or emergency was declared for losses due to excessive heat or drought by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

(B) that experienced livestock losses as a result of the declared disaster or emergency.

(3) WAIVER OF COMMODITY LIMITATION.—In providing assistance under this subsection, the Secretary may waive the limitation established under the second sentence of the second paragraph of section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), on the amount of funds that may be devoted to any 1 agricultural commodity or product.

(e) ADDITIONAL CROP LOSS ASSISTANCE.—

(1) IN GENERAL.—Except as provided in paragraph (2), in addition to amounts that have been made available to carry out section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277) under other law, the Secretary shall use not more than $492,000,000 of funds of the Commodity Credit Corporation to provide crop loss assistance in accordance with that section in a manner that, to the maximum extent practicable—

(A) fully compensates agricultural producers for crop losses in accordance with that section (including regulations promulgated to carry out that section); and

(B) provides equitable treatment under that section for agricultural producers described in subsections (b) and (c) of that section.

(2) CROP INSURANCE.—Of the total amount made available under paragraph (1), the Secretary shall use not less than $400,000,000 to assist agricultural producers in purchasing additional coverage for the 2000 crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(3) COMPENSATION FOR DENIAL OF CROP LOSS ASSISTANCE BASED ON TAXPAYER IDENTIFICATION NUMBERS.—The Secretary shall use not more than $70,000,000 of funds of the Commodity Credit Corporation to make payments to producers on a farm that were denied crop loss assistance under section 1102 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277), as the result of a change in the taxpayer identification numbers of the producers if the Secretary determines that the change was not made to create an advantage for the producers in the crop insurance program through lower premiums or higher actual production histories.

(f) SPECIALTY CROPS.—The Secretary shall use not more than $300,000,000 of funds of the Commodity Credit Corporation to provide assistance to producers of fruits, vegetables, and peanuts in a manner determined by the Secretary.

(g) INCOME LOSSES FOR 1999.—

(1) IN GENERAL.—The Secretary shall use not more than $500,000,000 of funds of the Commodity Credit Corporation to provide assistance to producers that have suffered income losses related to 1999 crops caused by damaging weather or related condition resulting from a natural or major disaster or emergency.

(2) FLOODED LAND RESERVE PROGRAM.—Of the funds made available by paragraph (1), the Secretary shall use $250,000,000 to carry out a flooded land reserve program in a manner that is consistent with section 1124 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 1421 note; Public Law 105–277).

(h) EMERGENCY LIVESTOCK ASSISTANCE.—

(1) IN GENERAL.—For an additional amount to provide emergency livestock assistance, there is appropriated, out of any money in the Treasury not otherwise appropriated, $250,000,000.

(2) SET-ASIDE FOR CERTAIN LIVESTOCK PRODUCERS.—Of the funds made available by paragraph (1), the Secretary shall use not more than $100,000,000 to provide assistance to livestock producers—

(A) the operations of which are located in counties with respect to which during 1999 a natural disaster was declared for losses due to excessive heat or drought by the Secretary, or a major disaster or emergency was declared for losses due to excessive heat or drought by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

(B) that experienced livestock losses as a result of the declared disaster or emergency.

(i) RURAL ECONOMIC ASSISTANCE.—For an additional amount for rural economic assistance, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000,000, of which—

(1) $70,000,000 shall be used for rural economic development, with the highest priority given to the most economically disadvantaged rural communities; and

(2) $30,000,000 shall be used to establish and carry out a program of revolving loans for the support of farmer-owned cooperatives.

(j) SUGAR.—

(1) CONDITION ON PAYMENT OF SALARIES AND EXPENSES.—None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to carry out or enforce section 156(f) of the Agricultural Market Transition Act (7 U.S.C. 7272(f)) through fiscal year 2001, if the Federal budget is determined by the Office of Management and Budget to be in surplus for fiscal year 2000.

(2) TECHNICAL CORRECTION TO CONTINUE THE NO-COST OPERATION OF THE SUGAR PROGRAM.—Section 902(a) of the Food Security Act of 1985 (7 U.S.C. 1446g note; Public Law 99–198) is amended by striking ''section 206 of the Agricultural Act of 1949'' and inserting ''section 156 of the Agricultural Market Transition Act (7 U.S.C. 7272)''.

(k) STATE MEDIATION GRANTS.—For an additional amount for grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5102(b)), there is appropriated, out of any money in the Treasury not otherwise appropriated, $2,000,000.

(l) MANDATORY PRICE REPORTING.—For an additional amount to carry out a program of mandatory price reporting for livestock and livestock products, on enactment of a law establishing the program, there is appropriated, out of any money in the Treasury not otherwise appropriated, $4,000,000.

(m) GRAIN INSPECTION, PACKERS, AND STOCKYARDS ADMINISTRATION.—For an additional amount for the Grain Inspection, Packers, and Stockyards Administration to support rapid response teams to enforce the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.), there is appropriated, out of any money in the Treasury not otherwise appropriated, $1,000,000.

(n) LIMITATION ON MARKETING LOAN GAINS AND LOAN DEFICIENCY PAYMENTS.—Notwithstanding section 1001(2) of the Food Security Act of 1985 (7 U.S.C. 1308(1)), the total amount of the payments specified in section 1001(3) of that Act that a person shall be entitled to receive under the Agricultural Market Transition Act (7 U.S.C. 7201 et seq.) for 1 or more contract commodities and oilseeds during the 1999 crop year may not exceed $150,000.

(o) REQUIREMENT OF CONGRESSIONAL APPROVAL OF ANY UNILATERAL AGRICULTURAL OR MEDICAL SANCTION.—

(1) DEFINITIONS.—In this subsection:

(A) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given the term in section 402 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1732).

(B) AGRICULTURAL PROGRAM.—The term ''agricultural program'' means—

(i) any program administered under the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et. seq.);

(ii) any program administered under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(iii) any commercial sale of agricultural commodities, including a commercial sale of an agricultural commodity that is prohibited under a unilateral agricultural sanction that is in effect on the date of enactment of this Act; or

(iv) any export financing (including credits or credit guarantees) for agricultural commodities.

(C) JOINT RESOLUTION.—The term ''joint resolution'' means—

(i) in the case of paragraph (2)(A)(ii), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under paragraph (2)(A)(i) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section ___(o)(2)(A)(i) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000, transmitted on _____.'', with the blank completed with the appropriate date; and

(ii) in the case of paragraph (5)(B), only a joint resolution introduced within 10 session days of Congress after the date on which the report of the President under paragraph (5)(A) is received by Congress, the matter after the resolving clause of which is as follows: ''That Congress approves the report of the President pursuant to section ___(o)(5)(A) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000, transmitted on _____.'', with the blank completed with the appropriate date.

(D) UNILATERAL AGRICULTURAL SANCTION.—The term ''unilateral agricultural sanction'' means any prohibition, restriction, or condition on carrying out an agricultural program with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(E) UNILATERAL MEDICAL SANCTION.—The term ''unilateral medical sanction'' means any prohibition, restriction, or condition on exports of, or the provision of assistance consisting of, medicine or a medical device with respect to a foreign country or foreign entity that is imposed by the United States for reasons of foreign policy or national security, except in a case in which the United States imposes the measure pursuant to a multilateral regime and the other member countries of that regime have agreed to impose substantially equivalent measures.

(2) RESTRICTION.—

(A) NEW SANCTIONS.—Except as provided in paragraphs (3) and (4) and notwithstanding any other provision of law, the President may not impose a unilateral agricultural sanction or unilateral medical sanction against a foreign country or foreign entity for any fiscal year, unless—

(i) not later than 60 days before the sanction is proposed to be imposed, the President submits a report to Congress that—

(I) describes the activity proposed to be prohibited, restricted, or conditioned; and

(II) describes the actions by the foreign country or foreign entity that justify the sanction; and

(ii) Congress enacts a joint resolution stating the approval of Congress for the report submitted under clause (i).

(B) EXISTING SANCTIONS.—

(i) IN GENERAL.—Except as provided in clause (ii), with respect to any unilateral agricultural sanction or unilateral medical sanction that is in effect as of the date of enactment of this Act for any fiscal year, the President shall immediately cease to implement such sanction.

(ii) EXEMPTIONS.—Clause (i) shall not apply to a unilateral agricultural sanction or unilateral medical sanction imposed with respect to an agricultural program or activity described in clause (ii) or (iv) of paragraph (1)(B).

(3) EXCEPTIONS.—The President may impose (or continue to impose) a sanction described in paragraph (2) without regard to the procedures required by that paragraph—

(A) against a foreign country or foreign entity with respect to which Congress has enacted a declaration of war that is in effect on or after the date of enactment of this Act; or

(B) to the extent that the sanction would prohibit, restrict, or condition the provision or use of any agricultural commodity, medicine, or medical device that is—

(i) controlled on the United States Munitions List;

(ii) an item for which export controls are administered by the Department of Commerce for foreign policy or national security reasons; or

(iii) used to facilitate the development or production of a chemical or biological weapon.

(4) COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.—This subsection shall not affect the current prohibitions on providing, to the government of any country supporting international terrorism, United States government assistance, including United States foreign assistance, United States export assistance, or any United States credits or credit guarantees.

(5) TERMINATION OF SANCTIONS.—Any unilateral agricultural sanction or unilateral medical sanction that is imposed pursuant to the procedures described in paragraph (2)(A) shall terminate not later than 2 years after the date on which the sanction became effective unless—

(A) not later than 60 days before the date of termination of the sanction, the President submits to Congress a report containing the recommendation of the President for the continuation of the sanction for an additional period of not to exceed 2 years and the request of the President for approval by Congress of the recommendation; and

(B) Congress enacts a joint resolution stating the approval of Congress for the report submitted under subparagraph (A).

(6) CONGRESSIONAL PRIORITY PROCEDURES.—

(A) REFERRAL OF REPORT.—A report described in paragraph (2)(A)(i) or (5)(A) shall be referred to the appropriate committee or committees of the House of Representatives and to the appropriate committee or committees of the Senate.

(B) REFERRAL OF JOINT RESOLUTION.—

(i) IN GENERAL.—A joint resolution shall be referred to the committees in each House of Congress with jurisdiction.

(ii) REPORTING DATE.—A joint resolution referred to in clause (i) may not be reported before the eighth session day of Congress after the introduction of the joint resolution.

(C) DISCHARGE OF COMMITTEE.—If the committee to which is referred a joint resolution has not reported the joint resolution (or an identical joint resolution) at the end of 30 session days of Congress after the date of introduction of the joint resolution—

(i) the committee shall be discharged from further consideration of the joint resolution; and

(ii) the joint resolution shall be placed on the appropriate calendar of the House concerned.

(D) FLOOR CONSIDERATION.—

(i) MOTION TO PROCEED.—

(I) IN GENERAL.—When the committee to which a joint resolution is referred has reported, or when a committee is discharged under subparagraph (C) from further consideration of, a joint resolution—

(aa) it shall be at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any member of the House concerned to move to proceed to the consideration of the joint resolution; and

(bb) all points of order against the joint resolution (and against consideration of the joint resolution) are waived.

(II) PRIVILEGE.—The motion to proceed to the consideration of the joint resolution—

(aa) shall be highly privileged in the House of Representatives and privileged in the Senate; and

(bb) not debatable.

(III) AMENDMENTS AND MOTIONS NOT IN ORDER.—The motion to proceed to the consideration of the joint resolution shall not be subject to—

(aa) amendment;

(bb) a motion to postpone; or

(cc) a motion to proceed to the consideration of other business.

(IV) MOTION TO RECONSIDER NOT IN ORDER.—A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(V) BUSINESS UNTIL DISPOSITION.—If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the House concerned until disposed of.

(ii) LIMITATIONS ON DEBATE.—

(I) IN GENERAL.—Debate on the joint resolution, and on all debatable motions and appeals in connection with the joint resolution, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution.

(II) FURTHER DEBATE LIMITATIONS.—A motion to limit debate shall be in order and shall not be debatable.

(III) AMENDMENTS AND MOTIONS NOT IN ORDER.—An amendment to, a motion to postpone, a motion to proceed to the consideration of other business, a motion to recommit the joint resolution, or a motion to reconsider the vote by which the joint resolution is agreed to or disagreed to shall not be in order.

(iii) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the House concerned, the vote on final passage of the joint resolution shall occur.

(iv) RULINGS OF THE CHAIR ON PROCEDURE.—An appeal from a decision of the Chair relating to the application of the rules of the Senate or House of Representatives, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(E) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by 1 House of a joint resolution of that House, that House receives from the other House a joint resolution, the following procedures shall apply:

(i) NO COMMITTEE REFERRAL.—The joint resolution of the other House shall not be referred to a committee.

(ii) FLOOR PROCEDURE.—With respect to a joint resolution of the House receiving the joint resolution—

(I) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(II) the vote on final passage shall be on the joint resolution of the other House.

(iii) DISPOSITION OF JOINT RESOLUTIONS OF RECEIVING HOUSE.—On disposition of the joint resolution received from the other House, it shall no longer be in order to consider the joint resolution originated in the receiving House.

(F) PROCEDURES AFTER ACTION BY BOTH THE HOUSE AND SENATE.—If a House receives a joint resolution from the other House after the receiving House has disposed of a joint resolution originated in that House, the action of the receiving House with regard to the disposition of the joint resolution originated in that House shall be deemed to be the action of the receiving House with regard to the joint resolution originated in the other House.

(G) RULEMAKING POWER.—This paragraph is enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such this paragraph—

(I) is deemed to be a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution; and

(II) supersedes other rules only to the extent that this paragraph is inconsistent with those rules; and

(ii) with full recognition of the constitutional right of either House to change the rules (so far as the rules relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(7) EFFECTIVE DATE.—This subsection takes effect 180 days after the date of enactment of this Act.

(p) TOBACCO GROWER ASSISTANCE.—The Secretary shall provide $328,000,000 to be distributed to tobacco growers according to the formulas established pursuant to the National Tobacco Grower Settlement Trust.

(q) EMERGENCY REQUIREMENT.—The entire amount necessary to carry out this section and the amendments made by this section shall be available only to the extent that an official budget request for the entire amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

(r) AVAILABILITY.—The amount necessary to carry out this section and the amendments made by this section shall become available on the date of enactment of this Act for the remainder of fiscal year 1999 and for fiscal year 2000, and shall remain available until expended.

TORRICELLI AMENDMENT NO. 1518

(Ordered to lie on the table.)

Mr. TORRICELLI submitted an amendment intended to be proposed by him to the bill, S. 1233, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. . Nothing in this Act shall be construed as authorizing commercial exports or other transactions with Iraq, Iran, Libya, Sudan, Cuba, North Korea, and Syria, countries that on June 1, 1999, were determined by the Secretary of State to have been a country the government of which had repeatedly provided support for acts of international terrorism under section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

EDWARDS AMENDMENT NO. 1519

(Ordered to lie on the table.)

Mr. EDWARDS submitted an amendment intended to be proposed by him to the bill, S. 1233, supra; as follows:

On page 13, line 19, strike '$54,276,000' and insert '$54,476,000'.

On page 14, line 22, strike '$474,377,000' and insert '$474,577,000'.

On page 9, line 8, strike '$65,419,000' and insert '$65,219,000'.

BROWNBACK AMENDMENT NO. 1520

(Ordered to lie on the table.)

Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill, S. 1233, supra; as follows:

'At the appropriate place add the following: Notwithstanding any other provisions of this Act, the section dealing with the use of funds from the Commodity Credit Corporation for tobacco farmers shall be null and void and of no effect'.

BOXER (AND OTHERS) AMENDMENT NO. 1521

Mrs. BOXER (for herself, Mr. FITZGERALD, Mr. DURBIN, Mr. HARKIN, Mr. GRASSLEY, Mr. WELLSTONE, and Mr. CRAPO) proposed an amendment to the bill, S. 1233, supra; as follows:

CHAFEE AMENDMENT NO. 1522

Mr. CHAFEE proposed an amendment to amendment No. 1521 proposed by Mrs. BOXER to the bill, S. 1233, supra; as follows:

Strike all after the first word, and insert the following: ''. It is the sense of the Senate that the Committee on Environment and Public Works should review the findings of the EPA Blue Ribbon Panel on MTBE and other relevant scientific studies, hold comprehensive hearings, and report to the senate at the earliest possible date any legislation necessary to address the recommendations of the Blue Ribbon Panel.''

At the appropriate place, add the following:

SEC. . (a) FINDINGS.—Congress finds that—

(1) The Clean Air Act requires that federal reformulated gasoline contain oxygen as a means of achieving air quality benefits.

(2) While both renewable ethanol and MTBE may be used to meet this Clean Air Act requirement, MTBE is in substantially greater use than ethanol.

(3) MTBE is classified as a possible human carcinogen, and when leaked into water causes water to take on the taste and smell of turpentine, rendering it undrinkable.

(4) MTBE leaking from underground fuel storage tanks, recreational watercraft and abandoned automobiles has led to growing detections of MTBE in drinking water, and has contaminated groundwater and drinking water throughout the United States.

(5) Approximately five to ten percent of drinking water supplies in areas using reformulated gasoline now show detectable levels of MTBE.

(6) MTBE poses a more pervasive threat to drinking water than the other harmful constituents of gasoline because MTBE is more soluble, more mobile and slower to degrade than those other constituents.

(7) Renewable ethanol provides air quality and energy security benefits without raising drinking water concerns.

(8) A substantial increase in renewable ethanol production would enhance the energy security of the United States by reducing dependence upon foreign oil.

(9) A substantial increase in renewable ethanol production would help alleviate the financial crisis facing farmers.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the United States should—

(1) phase out MTBE in order to address the threats MTBE poses to public health and the environment;

(2) promote renewable ethanol to replace MTBE as a means of enhancing energy security and supporting the farm economy;

(3) provide assistance to state and local governments to treat drinking water supplies contaminated with MTBE;

(4) provide assistance to state and local governments to protect lakes and reservoirs from MTBE contamination.

THURMOND AMENDMENT NO. 1523

Mr. THURMOND proposed an amendment to the bill, S. 1233, supra; as follows:

On page 51, line 13, before the period, insert the following: '', or alcoholic beverages, including wine''.

ABRAHAM AMENDMENTS NOS. 1524–1525

Mr. COCHRAN (for Mr. ABRAHAM) proposed two amendments to the bill, S. 1233, supra as follows:

AMENDMENT NO. 1524

On page 13, line 13, strike ''$54,276,000'' and insert ''$54,476,000''. On page 13, line 16, strike ''$119,300,000'' and insert ''$119,100,000''.

AMENDMENT NO. 1525

On page 68, line 5, before the period insert the following: '', or the Food and Drug Administration Detroit, Michigan District Office Laboratory; or to reduce the Detroit Michigan Food and Drug Administration District Office below the operating and full-time equivalent staffing level of July 31, 1999; or to change the Detroit District Office to a station, residence post or similarly modified office; or to reassign residence posts assigned to the Detroit District Office''.

BINGAMAN (AND OTHERS) AMENDMENT NO. 1526

Mr. KOHL (for Mr. BINGAMAN (for himself and Mr. DOMENICI, Mr. LEAHY, Mr. CAMPBELL, Mr. DASCHLE, Mr. BENNETT, Mr. INOUYE, Mrs. FEINSTEIN, and Mr. DORGAN)) proposed an amendment to the bill, S. 1233, supra as follows:

On page 35, line 20, after the semi-colon, insert the following: ''not to exceed $12,000,000 shall be for water and waste disposal systems to benefit Federally Recognized Native American Tribes, including grants pursuant to section 306C of such Act, provided that the Federally Recognized Native American Tribe is not eligible for any other rural utilities programs set aside under the Rural Community Advancement Program;''.

BOND AMENDMENT NO. 1527

Mr. COCHRAN (for Mr. BOND) proposed an amendment to the bill, S. 1233, supra as follows:

On page 76, between lines 6 and 7, insert the following:

SEC. 7 . CONTRACTS FOR PROCUREMENT OF FOOD FOR PEACE COMMODITIES.—(a) DEFINITIONS.—In this section:

(1) HUBZONE SOLE SOURCE CONTRACT.—The term ''HUBZone sole source contract'' means a sole source contract authorized by section 31 of the Small Business Act (15 U.S.C. 657a).

(2) HUBZONE PRICE EVALUATION PREFERENCE.—The term ''HUBZone price evaluation preference'' means a price evaluation preference authorized by section 31 of the Small Business Act (15 U.S.C. 657a).

(3) QUALIFIED HUBZONE SMALL BUSINESS CONCERN.—The term ''qualified HUBZone small business concern'' has the meaning given the term in section 3(p) of the Small Business Act (15 U.S.C. 632(p)).

(4) COVERED PROCUREMENT.—The term ''covered procurement'' means a contract for the procurement or processing of a commodity furnished under title II or III of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721 et seq.), section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)), the Food for Progress Act of 1985 (7 U.S.C. 1736o), or any other commodity procurement or acquisition by the Commodity Credit Corporation under any other law.

(b) PROHIBITION OF USE OF FUNDS.—None of the funds made available by this Act may be used to award a HUBZone sole source contract or a contract awarded through full and open competition in combination with a HUBZone price evaluation preference to any qualified HUBZone small business concern in any covered procurement if performance of the contract by the business concern would exceed the production capacity of the business concern or would require the business concern to subcontract to any other company or enterprise for the purchase of the commodity being procured through the covered procurement.

BURNS AMENDMENT NO. 1528

Mr. COCHRAN (for Mr. BURNS) proposed an amendment to the bill, S. 1233, supra as follows:

On Page 76, after Line 6 insert the following:

SEC. . It is the Sense of the Senate that the Secretary of Agriculture shall exercise reasonable treatment of producers in order to avoid harmful consequences regarding the inadvertent planting of dry beans on contract acres, up to and including the 1999 crop year.

BYRD AMENDMENT NO. 1529

Mr. KOHL (for Mr. BYRD) proposed an amendment to the bill, S. 1233, supra as follows:

On page 13, line 11, strike ''$29,676,000'' and insert ''$30,676,000''.

On page 13, line 13, before the semicolon, insert the following: '', of which $1,000,000 shall be made available to West Virginia State College in Institute, West Virginia, which for fiscal year 2000 and thereafter shall be designated as an eligible institution under section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222)''.

On page 13, line 16, strike ''$119,100,000'' and insert ''$117,100,000''.

On page 14, line 22, strike ''$474,377,000'' and insert ''$473,377,000''.

On page 16, line 16, strike ''$25,843,000'' and insert ''$26,843,000, of which $1,000,000 shall be made available to West Virginia State College in Institute, West Virginia, which for fiscal year 2000 and thereafter shall be designated as an eligible institution under section 1444 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221)''.

On page 16, line 23, strike ''$421,620,000'' and insert ''$422,620,000''.

CLELAND (AND COVERDELL) AMENDMENT NO. 1530

Mr. KOHL (for Mr. CLELAND (for himself and Mr. COVERDELL)) proposed an amendment to the bill, S. 1233, supra as follows:

At the end of the bill, insert the following:

SEC. ____. REDESIGNATION OF NATIONAL SCHOOL LUNCH ACT AS RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT.—(a) IN GENERAL.—The first section of the National School Lunch Act (42 U.S.C. 1751 note) is amended by striking ''National School Lunch Act'' and inserting ''Richard B. Russell National School Lunch Act''.

(b) CONFORMING AMENDMENTS.—The following provisions of law are amended by striking ''National School Lunch Act'' each place it appears and inserting ''Richard B. Russell National School Lunch Act'':

(1) Sections 3 and 13(3)(A) of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100–237).

(2) Section 404 of the Agricultural Act of 1949 (7 U.S.C. 1424).

(3) Section 201(a) of the Act entitled ''An Act to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes'', approved September 21, 1959 (7 U.S.C. 1431c(a); 73 Stat. 610).

(4) Section 211(a) of the Agricultural Trade Suspension Adjustment Act of 1980 (7 U.S.C. 4004(a)).

(5) Section 245A(h)(4)(A) of the Immigration and Nationality Act (8 U.S.C. 1255a(h)(4)(A)).

(6) Sections 403(c)(2)(C), 422(b)(3), 423(d)(3), 741(a)(1), and 742 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(c)(2)(C), 1632(b)(3), 1183a note, 42 U.S.C. 1751 note, 8 U.S.C. 1615; Public Law 104–193).

(7) Section 2243(b) of title 10, United States Code.

(8) Sections 404B(g)(1)(A), 404D(c)(2), and 404F(a)(2) of the Higher Education Act of 1965 (20 U.S.C. 1070a–22(g)(1)(A), 1070a–24(c)(2), 1070a–26(a)(2); Public Law 105–244).

(9) Section 231(d)(3)(A)(i) of the Carl D. Perkins Vocational Education Act (20 U.S.C. 2341(d)(3)(A)(i)).

(10) Section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(5)).

(11) Section 1397E(d)(4)(A)(iv)(II) of the Internal Revenue Code of 1986.

(12) Sections 254(b)(2)(B) and 263(a)(2)(C) of the Job Training Partnership Act (29 U.S.C. 1633(b)(2)(B), 1643(a)(2)(C)).

(13) Section 3803(c)(2)(C)(xiii) of title 31, United States Code.

(14) Section 602(d)(9)(A) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 474(d)(9)(A)).

(15) Sections 2(4), 3(1), and 301 of the Healthy Meals for Healthy Americans Act of 1994 (42 U.S.C. 1751 note; Public Law 103–448).

(16) Sections 3, 4, 7, 10, 13, 16(b), 17, and 19(d) of the Child Nutrition Act of 1966 (42 U.S.C. 1772, 1773, 1776, 1779, 1782, 1785(b), 1786, 1788(d)).

(17) Section 658O(b)(3) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m(b)(3)).

(18) Subsection (b) of the first section of Public Law 87–688 (48 U.S.C. 1666(b)).

(19) Section 10405(a)(2)(H) of the Omnibus Budget Reconciliation Act of 1989 (Public Law 101–239; 103 Stat. 2489).

COCHRAN (AND KOHL) AMENDMENT NO. 1531

Mr. COCHRAN (for himself and Mr. KOHL) proposed an amendment to the bill, S. 1233, supra as follows:

On page 33, line 15 after the period, insert the following: '': *Provided further*, That of the funds available for Emergency Watershed Protection activities, $5,000,000 shall be available for Mississippi and Wisconsin for financial and technical assistance for pilot rehabilitation projects of small, upstream dams built under the Watershed and Flood Prevention Act (16 U.S.C. 1001 et seq., Section 13 of the Act of December 22, 1994) Public Law 78–534; 58 Stat. 905, and the pilot watershed program authorized under the heading 'FLOOD PREVENTION' of the Department of Agriculture Appropriation Act, 1954, (Public Law 156; 67 Stat. 214)''.

COCHRAN AMENDMENTS NOS. 1532–1533

Mr. COCHRAN proposed two amendments to the bill, S. 1233, supra as follows:

AMENDMENT NO. 1532

On page 41, line 6, insert the following before the period: '': *Provided further*, That none of the funds appropriated under this paragraph shall be available unless the Department of Agriculture proposes a revised regulation to allow leaders charged a fee to be up to 3% on guaranteed business and industry loans''.

AMENDMENT NO. 1533

On page 42, line 7, insert the following before the period: '': *Provided*, That at least twenty-five percent of the total amount appropriated shall be made available to cooperatives or associations of cooperatives that assist small minority producers''.

DOMENICI AMENDMENT NO. 1534

Mr. COCHRAN (for Mr. DOMENICI) proposed an amendment to the bill, S. 1233, supra as follows:

At the appropriate place in the bill, add the following new section:

SEC. . Public Law 105–199 (112 Stat. 641) is amended in section 3(b)(1)(G) by striking ''persons'' and inserting in lieu thereof ''governors, who may be represented on the Commission by their respective designees,''.

DURBIN (AND KENNEDY) AMENDMENT NO. 1535

Mr. KOHL (for Mr. DURBIN (for himself and Mr. KENNEDY)) proposed an amendment to the bill, S. 1233, supra as follows:

On page 55, line 5, strike the semicolon and insert the following: '', of which $1,000,000 shall be for premarket review, enforcement and oversight activities related to users and manufacturers of all reprocessed medical devices as authorized by the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321 et seq.), and of which no less than $55,500,000 and 522 full-time equivalent positions shall be for premarket application review activities to meet statutory review times;''.

DURBIN AMENDMENT NO. 1536

Mr. KOHL (for Mr. DURBIN) proposed an amendment to the bill, S. 1233, supra as follows:

On page 76, between lines 6 and 7, insert the following:

SEC. 7. SENSE OF THE SENATE CONCERNING ACTION PLAN ON FOOD SECURITY.

It is the sense of the Senate that the President should include in the fiscal year 2001 budget request funding to implement the United States Action Plan on Food Security.

GORTON AMENDMENT NO. 1537

Mr. COCHRAN (for Mr. GORTON) proposed an amendment to the bill, S. 1233, supra as follows:

On page 76, between lines 6 and 7, insert the following:

SEC. 7 . FINANCIAL HARDSHIPS FACING APPLE FARMERS.—The Farm Service Agency—

(1) In view of the financial hardship facing United States apple farmers as a result of a loss of markets and excessive imports of apple juice concentrate, shall review all programs that assist apple growers in time of need;

(2) in view of the increased operating costs associated with tree fruit production, shall review the limits currently set on operating loan programs used by apple growers to determine whether the current limits are insufficient to cover those costs; and

(3) shall report to Congress in findings not later than January 1, 2000.

GRAHAM AND (MACK) AMENDMENT NO. 1538

Mr. KOHL (for Mr. GRAHAM (for himself and Mr. MACK)) proposed an amendment to the bill, S. 1233, supra as follows:

On page 18, line 12, strike ''$437,445,000'' and insert ''$439,445,000''.

On page 18, line 19, after the colon, insert the following: ''*Provided further*, That, of the amounts made available under this heading, not less than $24,970,000 shall be used for fruit fly exclusion and detection (including at least $6,000,000 for fruit fly exclusion and detection in the state of Florida):''.

On page 20, line 16, strike ''$7,200,000'' and insert ''$5,200,000''.

KERREY AMENDMENT NO. 1539

Mr. KOHL (for Mr. KERREY) proposed an amendment to the bill, S. 1233, supra as follows:

On page 36 of S. 1233, line 3 after the word ''systems:'' insert the following: ''*Provided further*, That of the total amount appropriated, not to exceed $1,500,000 shall be available to the Grassroots project:''.

LEVIN AMENDMENT NO. 1540

Mr. KOHL (for Mr. LEVIN) proposed an amendment to the bill, S. 1233, supra as follows:

On page 13, line 13, strike ''$54,476,000'' and insert ''$54,951,000''.

On page 13, line 16, strike ''$117,100,000'' and insert ''$116,625,000''.

LINCOLN AMENDMENT NO. 1541

Mr. KOHL (for Mrs. LINCOLN) proposed an amendment to the bill, S. 1233, supra as follows:

SEC. . Section 889 of the Federal Agriculture Improvement and Reform Act of 1996 is amended—

(1) in the heading, by inserting ''HARRY K. DUPREE'' before ''STUTTGART'';

(2) in subsection (b)(1)—

(A) in the heading, by inserting ''HARRY K. DUPREE'' before ''STUTTGART''; and

(B) in subparagraphs (A) and (B), by inserting ''Harry K. Dupree'' before ''Struttgart National Aquaculture Research Center'' each place it appears.

MACK (AND GRAHAM) AMENDMENT NO. 1542

Mr. COCHRAN (for Mr. MACK (for himself and Mr. GRAHAM)) proposed an amendment to the bill, S. 1233, supra as follows:

On Page 13, Line 16, strike ''$116,625,000 and insert ''$116,325,000''.

On Page 14, Line 19, strike ''$13,666,000 and insert ''$13,966,000''.

McCONNELL AMENDMENT NO. 1543

Mr. COCHRAN (for Mr. McCONNELL) proposed an amendment to the bill, S. 1233, supra as follows:

On page 76, between lines 6 and 7, insert the following:

SEC. 7___. TOBACCO LEASING AND INFORMATION.—(a) CROSS-COUNTY LEASING.—Section 319(1) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314e(1)) is amended in the second sentence by inserting '', Kentucky,'' after ''Tennessee''.

(b) TOBACCO PRODUCTION AND MARKETING INFORMATION.—Part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) is amended by adding at the end the following:

''SEC. 320D. TOBACCO PRODUCTION AND MARKETING INFORMATION.

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may, subject to subsection (b), release marketing information submitted by persons relating to the production and marketing of tobacco to State trusts or similar organizations engaged in the distribution of national trust funds to tobacco producers and other persons with interests associated with the production of tobacco, as determined by the Secretary.

''(b) LIMITATIONS.—

''(1) IN GENERAL.—Information may be released under subsection (a) only to the extent that—

''(A) the release is in the interest of tobacco producers, as determined by the Secretary; and

''(B) the information is released to a State trust or other organization that is created to, or charged with, distributing funds to tobacco producers or other parties with an interest in tobacco production or tobacco farms under a national or State trust or settlement.

''(2) EXEMPTION FROM RELEASE.—The Secretary shall, to the maximum extent practicable, in advance of making a release of information under subsection (a), allow, by announcement, a period of at least 15 days for persons whose consent would otherwise be required by law to effectuate the release, to elect to be exempt from the release.

''(c) ASSISTANCE.—

''(1) IN GENERAL.—In making a release under subsection (a), the Secretary may provide such other assistance with respect to information released under subsection (a) as will facilitate the interest of producers in receiving the funds that are the subject of a trust described in subsection (a).

''(2) FUNDS.—The Secretary shall use amounts made available for salaries and expenses of the Department to carry out paragraph (1).

''(d) RECORDS.—

''(1) IN GENERAL.—A person that obtains information described in subsection (a) shall maintain records that are consistent with the purposes of the release and shall not use the records for any purpose not authorized under this section.

''(2) PENALTY.—A person that knowingly violates this subsection shall be fined not more than $10,000, imprisoned not more than 1 year, or both.

''(e) APPLICATION.—This section shall not apply to—

''(1) records submitted by cigarette manufacturers with respect to the production of cigarettes;

''(2) records that were submitted as expected purchase intentions in connection with the establishment of national tobacco quotas; or

''(3) records that aggregate the purchases of particular buyers.''.

NICKLES AMENDMENT NO. 1544

Mr. COCHRAN (for Mr. NICKLES) proposed an amendment to the bill, S. 1233, supra as follows:

On page 70, strike lines 3 through 10, and insert in lieu thereof:

''SEC. 739. None of the funds appropriated or otherwise made available by this Act may be used to declare excess or surplus all or part of the lands and facilities owned by the federal government and administered by the Secretary of Agriculture at Fort Reno, Oklahoma, or to transfer or convey such lands or facilities, without the specific authorization of Congress.''.

REID AMENDMENT NO. 1545

Mr. KOHL (for Mr. REID) proposed an amendment to the bill, S. 1233, supra as follows:

On page 13, line 16, strike the figure ''$116,325,000'' and insert in lieu thereof the figure ''$115,825,000'' and on page 13, line 13, strike the figure ''$54,951,000'' and insert in lieu thereof the figure ''$55,451,000.

SESSIONS AMENDMENT NO. 1546

Mr. COCHRAN (for Mr. SESSIONS) proposed an amendment to the bill, S. 1233, supra as follows:

On page 13, line 13, increase the dollar amount by $750,000; and

On page 13, line 16, decrease the dollar amount by $750,000.

SMITH AMENDMENT NO. 1547

Mr. COCHRAN (for Mr. SMITH of New Hampshire) proposed an amendment to the bill, S. 1233, supra as follows:

At the end of the bill, add the following:

''SEC. . That notwithstanding section 306(a)(7) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(7)), the city of Berlin, New Hampshire, shall be eligible during fiscal year 2000 for a rural utilities grant or loan under the Rural Community Advancement Program.''.

SMITH AMENDMENT NO. 1548

Mr. COCHRAN (for Mr. SMITH of Oregon) proposed an amendment to the bill, S. 1233, supra as follows:

On page 76, between lines 6 and 7, insert the following:

SEC. 7___. CRANBERRY MARKETING ORDERS.—(a) PAID ADVERTISING FOR CRANBERRIES AND CRANBERRY PRODUCTS.—Section 8c(6)(I) of the Agricultural Adjustment Act (7 U.S.C. 608c(6)(I)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended in the first proviso—

(1) by striking ''or Florida grown strawberries'' and inserting '', Florida grown strawberries, or cranberries''; and

(2) by striking ''and Florida Indian River grapefruit'' and inserting ''Florida Indian River grapefruit, and cranberries''.

(b) COLLECTION OF CRANBERRY INVENTORY DATA.—Section 8d of the Agricultural Adjustment Act (7 U.S.C. 608d), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by adding at the end the following:

''(3) COLLECTION OF CRANBERRY INVENTORY DATA.—

''(A) IN GENERAL.—If an order is in effect with respect to cranberries, the Secretary of Agriculture may require persons engaged in the handling or importation of cranberries or cranberry products (including producer-handlers, second handlers, processors, brokers, and importers) to provide such information as the Secretary considers necessary to effectuate the declared policy of this title, including information on acquisitions, inventories, and dispositions of cranberries and cranberry products.

''(B) DELEGATION TO COMMITTEE.—The Secretary may delegate the authority to carry out subparagraph (A) to any committee that is responsible for administering an order covering cranberries.

''(C) CONFIDENTIALITY.—Paragraph (2) shall apply to information provided under this paragraph.

''(D) VIOLATIONS.—Any person that violates this paragraph shall be subject to the penalties provided under section 8c(14).''.

STEVENS AMENDMENTS NOS. 1549–1550

Mr. COCHRAN (for Mr. STEVENS) proposed two amendments to the bill, S. 1233, supra as follows:

AMENDMENT NO. 1549

On page 76, line 6, please add the following:

''Beginning in fiscal year 2001 and thereafter:

''SEC. . The Food Stamp Act (P.L. 95–113, section 16(a)) is amended by inserting after the phrase 'Indian reservation under section 11(d) of this Act' the following new phrase: 'or in a Native village within the State of Alaska identified in section 11(b) of Public Law 92–203, as amended.' ''

AMENDMENT NO. 1550

At the appropriate place insert the following new section:

''SEC. . It is the Sense of the Senate that the Secretary of Agriculture shall periodically review the Food Packages listed at 7. CFR 246.10(c) (1996) and consider including additional nutritious food for women, infants and children.''

STEVENS (AND OTHERS) AMENDMENT NO. 1551

Mr. COCHRAN (for Mr. STEVENS (for himself, Mr. INOUYE, and Mr. AKAKA)) proposed an amendment to the bill, S. 1233, supra as follows:

Amend Title VII—GENERAL PROVISIONS by inserting a new section as follows:

''SEC. . EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.

''(a) EDUCATION GRANTS PROGRAM FOR ALASKA NATIVE SERVING INSTITUTIONS.—(1) GRANT AUTHORITY.—The Secretary of Agriculture may make competitive grants (or grants without regard to any requirement for competition) to Alaska Native serving institutions for the purpose of promoting and strengthening the ability of Alaska Native serving institutions to carry out education, applied research, and related community development programs.

(2) USE OF GRANT FUNDS.—Grants made under this section shall be used—

(A) to support the activities of consortia of Alaska Native serving institutions to enhance educational equity for under represented students:

(B) to strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified State, regional national, or international educational needs in the food and agriculture sciences:

(C) to attract and support undergraduate and graduate students from under represented groups in order to prepare them for careers related to the food, agricultural, and natural resource systems of the United States, beginning with the mentoring of students at the high school level including by village elders and continuing with the provision of financial support for students through their attainment of a doctoral degree; and

(D) to facilitate cooperative initiatives between two or more Alaska Native serving institutions, or between Alaska Native serving institutions and units of State government or the private sector, to maximize the development and use of resources, such as faculty, facilities, and equipment, to improve food and agricultural sciences teaching programs.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to make grants under this subsection $10,000,000 in fiscal years 2001 through 2006.

''(b) EDUCATION GRANTS PROGRAM FOR NATIVE HAWAIIAN SERVING INSTITUTIONS.—(1) GRANT AUTHORITY.—The Secretary of Agriculture may make competitive grants (or grants without regard to any requirement for competition) to Native Hawaiian serving institutions for the purpose of promoting and strengthening the ability of Native Hawaiian serving institutions to carry out education, applied research, and related community development programs.

(2) USE OF GRANT FUNDS.—Grants made under this section shall be used—

(A) to support the activities of consortia of Native Hawaiian serving institutions to enhance educational equity for under represented students:

(B) to strengthen institutional educational capacities, including libraries, curriculum, faculty, scientific instrumentation, instruction delivery systems, and student recruitment and retention, in order to respond to identified state, regional, national, or international educational needs in the food and agriculture sciences:

(C) to attract and support undergraduate and graduate students from under represented groups in order to prepare them for careers related to the food, agricultural, and natural resource systems of the United States, beginning with the mentoring of students at the high school level and continuing with the provision of financial support for students through their attainment of a doctoral degree; and

(D) to facilitate cooperative initiatives between two or more Native Hawaiian serving institutions, or between Native Hawaiian serving institutions and units of State government or the private sector, to maximize the development and use of resources, such as faculty, facilities, and equipment, to improve food and agricultural sciences teaching programs.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to make grants under this subsection $10,000,000 for each of fiscal years 2001 through 2006.

STEVENS AMENDMENT NO. 1552

Mr. COCHRAN (for Mr. STEVENS) proposed an amendment to the bill, S. 1233, supra as follows:

At the appropriate place in the bill insert the following new section:

''SEC. . SMITH-LEVER ACT ALLOCATIONS IN STATES WITH CONGRESSIONALLY-AUTHORIZED COST OF LIVING ADJUSTMENTS.

Beginning is fiscal year 2001 and thereafter, a state in which federal employees receive a special allowance because of the high cost of living or conditions of environment which differ substantially from conditions in other parts of the country as provided under section 1 of title IV of Public Law 102–141 (105 Stat. 861) shall receive an allotment of no less than $2,000,000 under the Smith Lever Act of 1914, as amended (7 U.S.C. 343).''

STEVENS (AND OTHERS) AMENDMENT N0. 1553

Mr. COCHRAN (for Mr. STEVENS (for himself, Mr. MURKOWSKI, Mr. INOUYE, and Mr. AKAKA)) proposed an amendment to the bill, S. 1233, supra as follows:

At the appropriate place in the bill insert the following new section:

''SEC. . HATCH ACT ALLOCATIONS IN STATES WITH CONGRESSIONALLY-AUTHORIZED COST OF LIVING ADJUSTMENTS.''

Beginning in fiscal year 2001 and thereafter, a state in which federal employees receive a special allowance because of the high cost of living or conditions of environment which differ substantially from conditions in other parts of the country as provided under section 1 of title IV of Public Law 102–141 (105 Stat. 861) shall receive an allotment of no less than $2,000,000 under 7 U.S.C. 361c(c).''

THOMAS (AND OTHERS) AMENDMENT NO. 1554

Mr. COCHRAN (for Mr. THOMAS (for himself, Mr. BURNS, Mr. ALLARD, Mr. ROBERTS, Mr. ENZI, Mr. CRAIG, Mr. HAGEL, and Mr. DASCHLE)) proposed an amendment to the bill, S. 1233, supra as follows:

On page 13, line 16, strike ''$115,075,000 and insert ''$114,825,000''.

On page 14, line 19, strike ''$13,966,000'' and insert ''$14,216,000''

On page 14, line 22, before the period at the end, insert the following: '', of which not less than $250,000 shall be provided to carry out market analysis programs at the Livestock Marketing Information Center in Lakewood, Colorado''.

WELLSTONE AMENDMENT NO. 1555

Mr. KOHL (for Mr. WELLSTONE) proposed an amendment to the bill, S. 1233, supra as follows:

On page 9, line 9, strike ''$2,000,000'' and insert ''$2,500,000''.

On page 9, line 12, after ''tions:'', insert the following: '': *Provided further,* That not more than $500,000 of the amount transferred under the preceding proviso shall be available to conduct, not later than 180 days after the date of enactment of this Act, a study based on all available administrative data and on-site inspections conducted by the Secretary of Agriculture of local food stamp offices in each State, of (1) reasons for the decline in participation in the food stamp program, and (2) any problems that households with eligible children have experienced in obtaining food stamps, and to report the results of the study to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate:''.

EDWARDS AMENDMENT NO. 1556

Mr. KOHL (for Mr. EDWARDS) proposed an amendment to the bill, S. 1233, supra as follows:

On page 13, line 19, strike ''$56,201,000'' and insert ''$56,401,000''.

On page 13, strike on line 13, strike ''$114,825,000'' and insert ''$114,625,000''.

HUTCHISON AMENDMENT NO. 1557

Mr. COCHRAN (for Mrs. HUTCHISON) proposed an amendment to the bill, S. 1233, supra as follows:

At the appropriate place insert the following:

SEC. . It is the sense of the Senate that the Food and Drug Administration, to the maximum extent possible, when conducting an Import Food Survey under the President's Food Safety Initiative, ensure timely testing of produce imports by conducting survey tests at the USDA or FDA laboratory closest to the port of entry. If testing results are not provided within twenty-four hours of collection.

BRYAN (AND REID) AMENDMENT NO. 1558

Mr. KOHL (for Mr. BRYAN (for himself and Mr. REID)) proposed an amendment to the bill, S. 1233, supra as follows:

On page 76, between lines 6 and 7, insert the following:

SEC. 7___. DEREGULATION OF PRODUCER MILK PRICES IN CLARK COUNTY, NEVADA.—Effective October 1, 1999, section 8c(11) of the Agricultural Adjustment Act (7 U.S.C. 608c(11)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by adding at the end the following:

''(D) PRODUCER MILK PRICES IN CLARK COUNTY, NEVADA.—The price of milk received by producers located in Clark County, Nevada—

''(i) shall not be subject to any order issued under this section or any other regulation by the Secretary; and

''(ii) shall solely be regulated by the State of Nevada and the Nevada State Dairy Commission.''.

BAUCUS AMENDMENT NO. 1559

Mr. KOHL (for Mr. BAUCUS) proposed an amendment to the bill, S. 1233, supra as follows:

On page 76, between lines 6 and 7, insert the following:

SEC. . The Senate finds that—

(1) agricultural producers in the United States compete effectively when world markets are not distorted by government intervention;

(2) the elimination of barriers to competition in world markets for agricultural commodities is in the interest of producers and consumers in the United States;

(3) the United States must provide leadership on the opening of the agricultural markets in upcoming multilateral World Trade Organization negotiations;

(4) countries that import agricultural commodities are more likely to liberalize practices if they are confident that their trading partners will not curtail the availability of agricultural commodities on world markets for foreign policy purposes; and

(5) a multilateral commitment to use the open market, rather than government intervention, to guarantee food security would advance the interests of the farm community of the United States.

(b) It is the sense of the Senate that members of the World Trade Organization should undertake multilateral negotiations to eliminate policies and programs that distort world markets for agricultural commodities.

KOHL AMENDMENT NO. 1560

Mr. KOHL proposed an amendment to the bill, S. 1233, supra as follows:

On page 13, line 13, strike ''56,401,000'' and insert in lieu thereof ''56,901,000''.

On page 13, line 16, strike ''114,625,000'' and insert in lieu thereof ''114,125,000''.

HARKIN (AND OTHERS) AMENDMENT NO. 1561

Mr. KOHL (for Mr. HARKIN (for himself, Mr. DASCHLE, and Mr. WELLSTONE)) proposed an amendment to the bill, S. 1233, supra as follows:

Amend page 22, line 26 by increasing the dollar figure by $2,000,000.

Amend page 9, line 8 by reducing the dollar figure by $2,000,000.

Amend page 9, line 15 by striking the line and inserting in lieu thereof the following: ''2225); *Provided further*, That university research shall be reduced below the fiscal year 1999 level by $2,000,000.''

LEGISLATION TO ESTABLISH A NATIONAL CEMETERY FOR VETERANS IN THE ATLANTA, GEORGIA, METROPOLITAN AREA

SPECTER (AND ROCKEFELLER) AMENDMENT NO. 1562

Mr. COCHRAN (for Mr. SPECTER (for himself and Mr. ROCKEFELLER)) proposed an amendment to the bill (S. 695) to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in Atlanta, Georgia, metropolitan area; as follows:

On page 3, between lines 9 and 10, insert the following:

(4) A national cemetery in the Detroit, Michigan, metropolitan area to serve the needs of veterans and their families.

(5) A national cemetery in the Sacramento, California, metropolitan area to serve the needs of veterans and their families.

On page 4, strike lines 3 and 4 and insert the following:

Florida, metropolitan area;

(4) in the case of the national cemetery to be established under paragraph (4) of that subsection, appropriate officials of the State of Michigan and appropriate officials of local governments in the Detroit, Michigan, metropolitan area;

(5) in the case of the national cemetery to be established under paragraph (5) of that subsection, appropriate officials of the State of California and appropriate officials of local governments in the Sacramento, California, metropolitan area; and

(6) appropriate officials of the United States, in—

On page 4, after line 15, add the following:

SEC. 2. USE OF FLAT GRAVE MARKERS.

(a) AUTHORITY TO USE FLAT GRAVE MARKERS AT SANTA FE NATIONAL CEMETERY.—Notwithstanding section 2404(c)(2) of title 38, United States Code, the Secretary of Veterans Affairs may provide for flat grave markers at the Santa Fe National Cemetery, New Mexico.

(b) REPORT COMPARING USE OF FLAT GRAVE MARKERS AND UPRIGHT GRAVE MARKERS.—(1) Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report assessing the advantages and disadvantages of the use by the National Cemetery Administration of flat grave markers and upright grave markers.

(2) The report under paragraph (1) shall set forth the advantages and disadvantages of the use of each type of grave marker referred to in that paragraph, and shall include criteria to be utilizing in determining whether to prefer the use of one such type of grave marker over the other.

In the amendment to the title, strike ''in the Atlanta, Georgia, metropolitan area'' and all that follows through ''metropolitan area'' and insert the following: ''in various locations in the United States, and for other purposes''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY

Mr. COCHRAN. 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 Wednesday August 4, 1999. The purpose of this meeting will be discuss the farm crisis.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, August 4, 1999, at 2.:15 p.m. on fraud against seniors.

The PRESIDING OFFICER. Without objection, it is ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. COCHRAN. Mr. President. I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to meet to mark up S. 1090, the Superfund Program Completion Act of 1999, Wednesday, August 4, 9:00 a.m., Hearing Room (SD–406).

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, August 4, 1999 at 10:30 a.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, August 4, 1999 at 9:30 a.m to conduct a hearing on S. 299, to elevate the Director of the Indian Health Service to an Assistant Secretary for Indian Health within the Department of Health and Human Services; and S. 406, a bill to allow tribes to bill directly for Medicaid and Medicare; To be followed by a business meeting, to consider pending legislation. The hearing/business meeting will be held in room 485, Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it so ordered

COMMITTEE ON THE JUDICIARY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet for a hearing re Department of Justice Nominations, during the session of the Senate on Wednesday, August 4, 1999, at 8:30 a.m., in SD628.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet for a hearing re Pipeline Drugs: Proposed Remedies for Relief in S. 1172, during the session of the Senate on Wednesday, August 4, 1999, at 10:00 a.m., in SD628.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet for a hearing re Annual Refugee Consultation during the session of the Senate on Wednesday, August 4, 1999, at 2:00 p.m., in SD628.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, August 4, 1999, at 9:15 a.m., to receive testimony on committee funding resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, August 4, 1999, at 2:00 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON THE YEAR 2000 TECHNOLOGY PROBLEM

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Special Committee on the Year 2000 Technology Problem be permitted to meet on August 4, 1999, at 9:30 a.m., or the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON INTERNATIONAL ECONOMIC POLICY, EXPORT AND TRADE PROMOTION AND THE SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Subcommittee on International Economic Policy, Export and Trade Promotion and the Subcommittee on East Asian and Pacific Affairs be authorized to meet during the session of the Senate on Wednesday, August 4, 1999, at 2:30 p.m., to hold a joint hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION AND RECREATION

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Subcommittee on National Parks, Historic Preservation and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, August 4, for purposes of conducting a subcommittee hearing which is scheduled to begin at 2:15 p.m. The purpose of this oversight hearing is to review the performance management process under the requirements of the Government Performance and Results Act by the National Park Service.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, RESTRUCTURING AND THE DISTRICT OF COLUMBIA

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Governmental Affairs Committee Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia be permitted to meet on Wednesday, August 4, 1999, at 10:30 a.m., for a hearing on Overlap and Duplication in the Federal Food Safety System.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

OCCUPATIONAL AND ENVIRONMENTAL HEALTH AND SAFETY WEEK

• Mr. SARBANES. Mr. President, during the week of August 30–September 3 we will celebrate Occupational and Environmental Health and Safety Week. As a strong and vigorous supporter of Federal initiatives to strengthen our safety and environmental laws and protect our workers and citizens, I am pleased to take this opportunity to draw my colleagues' attention to this important occasion and to take a few moments to reflect on and bring greater awareness of workplace and community health and safety issues to the public.

Occupational and Environmental Health and Safety Week is sponsored by the American Industrial Hygiene Association. This is the first annual celebration of this event and the goal is to highlight workplace and community health issues. This year's theme, ''Protecting Your Future . . . Today,'' shows the far-reaching nature of occupational and environmental safety's impact on the public.

One of the major issues concerning workplace safety is Ergonomics. Ergonomics is the science of fitting the job to the worker. It is the solution to a host of physical problems brought about by over-exertion or repetitive stress. More than 650,000 Americans suffer serious injuries and illnesses due to work-related musculoskeletal disorders each year, accounting for more than 34 percent of all lost-workday injuries and illnesses, and costing employers $15–20 billion annually in direct workers' compensation costs.

There is sound scientific evidence linking musculoskeletal disorders (MSDs) to work. Last summer, the National Academy of Sciences (NAS) found ''compelling evidence'' that workplace modifications can reduce the risk of injury. A 1997 review of 600 studies by the National Institute of Occupational Safety and Health drew similar conclusions. For the average worker, the back takes the brunt of the injuries. About 4 out of 10 injuries involve strains and sprains, most of them back-related. The Department of Labor recently reported that injuries and illnesses for construction laborers, carpenters, welders and cutters increased by a total of 8,000 cases. Additionally, truck drivers suffer more than their share of injuries, including approximately 145,000 work-related injuries or illnesses each year.

Although many injuries occur in the workplace, our concern does not end there. OEHS Week's second important emphasis is safety in the community and home. Protecting and improving our environment, our parks and wildlife refuges, and natural resources have been among my highest priorities since I was first elected to the Congress. I have fought for, and helped enact, every major piece of legislation to enhance environmental quality—the Clean Water Act, the Clean Air Act, the Endangered Species Act, and Superfund, to name a few. OEHS Week is designed to heighten awareness about several vital community health concerns including carbon monoxide poisoning, indoor air quality, and noise exposure.

In my view, a clean environment is a legacy we leave for future generations. After all, our natural resources—our farmlands and forests, water, air, and our wildlife—are the foundation of our country's present and future well-being and quality of life. We are making progress in the effort to clean up the Chesapeake Bay—our nation's largest and most productive estuary. But much more work needs to be done to revitalize this national treasure and I have introduced legislation to amend the Federal Water Pollution Act to assist in the restoration of the Chesapeake Bay. Additionally, I have introduced a bill to implement pilot projects in Maryland, Virginia, and North Carolina to address problems associated with toxic microorganisms in tidal and non-tidal wetlands and waters.

As we approach over 100 years of celebrating Labor Day, it is appropriate that we focus our attention on the safety of workers while in a workplace environment and on their safety and environmental concerns while away from the job site. This 1st annual Occupational and Environmental Health and Safety Week truly represents a

spotlight on the total quality of life of working Americans.●

25TH ANNIVERSARY OF THE VERMONT HOUSING FINANCE AGENCY

● Mr. JEFFORDS. Mr. President, I am honored to congratulate the Vermont Housing Finance Agency on its 25th Anniversary of providing Vermonters with access to safe, decent and affordable housing.

In 1974, the Vermont Housing Finance Agency, VHFA, was established to ensure that Vermonters of a variety of different backgrounds have access to affordable housing. Over many years of finding innovative ways to finance and stimulate the preservation and development of affordable housing, VHFA has multiplied the number of home ownership opportunities in Vermont many times over. This dedication to aggressively and compassionately provide affordable housing opportunities ensures that today's neediest Vermont families need not go without shelter.

As a Senator one of my highest priorities is to help secure for Vermont's low and moderate income families a home they can afford. We all know that having a home is a critical foundation to achieving success. Every year VHFA helps Vermonters build this foundation by making financing possible for thousands of Vermonters to purchase hundreds of dwellings. Over the years, VHFA has worked with private lenders, real estate professionals, builders, developers and nonprofit organizations throughout the state to get the job done. This dynamic approach to home financing has brought about dozens of healthy and safe Vermont communities where residents thrive and communities grow. The professionalism, reliability, and accomplishments of the staff at VHFA are unsurpassed.

I commend the Vermont Housing Finance Agency for its outstanding contribution and dedication to improving the quality of life for so many Vermonters. VHFA has my sincerest thanks and unending respect for its 25 years of commitment to Vermont and her people. I am both proud and honored to represent such an accomplished group of individuals in Washington as they are a national model for how to provide affordable, quality housing opportunities for those in need. As they celebrate their 25th anniversary at the end of this month in Vermont, the VHFA staff, past and present, should be proud that their leadership and continued perseverance will help ensure that every Vermonter has a place to call home.●

TRIBUTE TO THE EMTER FAMILY

● Mr. DORGAN. Mr. President, I rise today to take note of the superb performances given yesterday by the Emter family of Glen Ullin, North Dakota, on the Capitol lawn and later at the Kennedy Center. The Emters were here in Washington as part of the Millennium Series being sponsored by the Kennedy Center. When the Kennedy Center asked me to make a recommendation of a group from North Dakota that might exhibit some of the cultural heritage of my state, the Emter family was a natural and immediate choice.

One obvious reason was their outstanding musical accomplishment. The Emters are button accordionists. Mr. President, the button accordion is a unique instrument, brought to America by settlers from Austria at the turn of the 20th century. Button accordions have been in this country for nearly 100 years, and have helped make polka one of America's most loved traditional dances. In North Dakota even today you'd be hard pressed to find a wedding reception or barn dance where a polka wasn't played and the entire room doesn't pour onto the dance floor. Accordion music may not have the popular following that it did before the advent of rock and roll, but its lyrical and nostalgic flavor still tugs at the heartstrings of this Senator and many other folks of my generation who grew up watching our parents polka the night away across the American Legion Hall dance floor, at Ted Strand's barn or at Hardmeyer Hall.

The Emter Family—parents Renae and Roger (who met at a polka dance), 18 year old son Adam, and three daughters Angelina, 16; Alida, 15; and Abigail, 13—has performed all over North America, from county fairs, church functions and Oktoberfests to national television and radio appearances. They have taken top honors at a number of international button accordion competitions. They are truly accomplished.

I have to tell you though, Mr. President, that it isn't just for their musical achievement that the Emter Family deserves our recognition and honor today. That's because this is a great family. Their presence on stage tells you this, the way they interact with one another and everyone around them tells you this, the message in their music tell you this. They are good people that exemplify the steadfast, positive attitude of the vast majority of rural America's families. They live in Glen Ullin, in southwestern North Dakota, a part of the state that has seen one of the most significant decrease in population. Times are desperate for many families in this region of my state, along with rural areas in most of our farm states. These people have every reason in the world to lose faith, to have negative attitudes, to let frustration get the best of them and give up. None of us could fault them for that. But, Mr. President, most of these families don't despair. They look forward, they continue to work incredibly hard, they still pack the American Legion Hall to dance the polka once and awhile. The Emters are a symbol of hope in these areas of our country, Mr. President, and I want to thank them for sharing that hope with us yesterday through their music and their presence in Washington.●

JIM BATTIN COURTHOUSE

● Mr. BURNS. Mr. President, today I rise to pay tribute to one of Montana's greatest citizens, the Honorable James F. Battin, Sr. Jim Battin was born in Wichita, Kansas, and at the age of four, moved to Billings, Montana, where he was raised. After graduating from high school, he served for three years in the U.S. Navy during World War II, spending most of that time in the Pacific theater. Following the war, Jim returned home to continue his education, graduating first from Eastern Montana College in Billings and later receiving his J.D. from George Washington University. He continued his career in public service as a city attorney in Billings, and in 1958, he was elected to the Montana state legislature. Only two years later, he successfully ran for a seat in the U.S. House of Representatives, where he was quickly assigned seats on the House Committee on Committees, as well as Ways and Means, two very prestigious seats for a freshman member of Congress. Jim later served on the House Foreign Relations and Judiciary Committees, and was ultimately elected five times by the people of his district, which then covered the eastern half of the state of Montana. During his congressional career, which lasted from 1961 to 1969, Congressman Battin played an instrumental role in a good deal of legislation, including the bill which created Montana's Bob Marshall Wilderness Area, at the time the largest wildlife area in the United States. Jim also served as one of two U.S. Congressional Representatives to the Inter-Governmental Committee on European Migration, which met in Geneva. This group helped individuals who were expelled from behind the Iron Curtain to re-establish businesses in other countries, or to find work in other occupations. In 1968, Congressman Battin was President Nixon's representative to the Platform Committee at the Republican National Committee, and shortly thereafter, in early 1969, he became President Nixon's first judicial appointment. He served as a U.S. district judge for the district of Montana for 27 years, becoming its Chief Judge in 1978. During his time on the bench, Judge Battin issued key rulings affecting the lives of Montana citizens, among them his ruling which preserved access to the Bighorn River for people throughout the state, and his creation of the precedent for the now universally accepted six-man federal jury in civil cases. A dedicated and hard working man, James F. Battin Sr. remained on the bench until his passing in the autumn of 1996.

It was with these facts in mind, Mr. President, that led to my support of H.R. 158, a bill which would designate the United States courthouse located at 316 North 26th Street in Billings,

Montana, as the ''James F. Battin United States Courthouse''. Congress passed H.R. 158 earlier this year, and it was signed into law by the President on April 5th, 1999, as Public Law 106–11. I believe that the renaming of this courthouse, which Judge Battin presided over for so long, is the most fitting tribute that the United States Congress and the people of Montana can pay to this great man, whose outstanding career in public service spanned over 40 years. Come next Monday, when this building is officially rechristened with its new name, I think all of us should take a moment to tip our hats in thanks to Judge Battin for a job well-done. Mr. President, I yield the floor.●

TRIBUTE TO ROBERT TOBIAS

● Mr. ROBB. Mr. President, I rise to pay tribute to Robert Tobias, a man who has shown untiring commitment to the concerns of Federal employees. Recently I had the opportunity to attend one of the receptions in his honor hosted by the many Federal employees he has represented and led so effectively.

Mr. Tobias, who is retiring after four terms as president of the National Treasury Employees Union, NTEU, has proven his dedication to the fair treatment, professional development and quality of life for Federal workers time and time again. During his 31 years of service, the organization has grown to the point that it now represents over 155,000 men and women who serve our Federal Government. For the past 16 years, Mr. Tobias led the NTEU, spearheading initiatives to ensure fair workplace policies for Federal workers and pursuing effective labor-management policies for more efficient service from Federal agencies. But perhaps most importantly, he's championed family friendly policies to help our outstanding Federal workers continue to meet demands and increase productivity. These innovations include implementing alternative work schedules and negotiating child care facilities for busy Federal families.

Because of his outstanding reputation, he's won many awards and appointments, most notably his appointment to the National Partnership Council and the Commission to Restructure the IRS among them. Under his leadership, he's ensured that Federal employees are included in the many decisions to help Federal agencies run more efficiently and that they are publicly recognized for all the hard work they perform.

Robert Tobias leaves an indelible mark on the Federal workplace by the hard work he has done on behalf of NTEU—indeed, the nation—and we are indebted to him for his service. I wish him continued success as he moves on to teaching and writing, knowing we can still rely on his voice and experience when it comes to the critical needs of Federal employees.●

RECOGNITION OF THE FEDERAL WAY SCHOOL DISTRICT'S INTERNET ACADEMY

● Mr. GORTON. Mr. President, when I began my Innovation in Education Award Program earlier this year, I endeavored to find and recognize programs, schools, and individuals whose work in improving education deserves recognition. The Federal Way School District's Internet Academy is just such a program and one which I am proud to present with my Innovation in Education Award.

The Internet Academy is the brain child of recently departed Superintendent Tom Vander Ark, who is widely credited with injecting new life into the Federal Way District. The Academy has a standards-based curriculum that provides a comprehensive course of study designed to meet state guidelines and instructional objectives. What is innovative, however, is the way in which the Academy engages students under the continuous guidance of state accredited teachers. The Academy offers a full range of courses for school credit, via the Internet, for grades K–12. The program was created only 3 years ago as a pilot K–8 program and has expanded significantly since then. In June of 1998 it had 65 enrollees—by June of 1999 it had expanded to over 800.

As our society's use of technology has increased, it is important that our public education system keep abreast of such transformation and provide opportunities using technology to encourage student learning. By offering an interactive curriculum that is accessible 24 hours a day, 365 days a year, the district's Academy is ensuring that students are given maximum opportunity to access a good education.

Today's best instructional technologies can enhance the learning environment by eliminating the time and space boundaries present with the traditional classroom. This alternative learning environment also allows for an increasingly active role for families in the education of our children. It is a common-sense proposition that increased parental involvement promotes a richer educational process. This aspect of learning is especially critical for home-schoolers in search of instruction for specific topics or seeking to tap into the resources of the public education system.

The parent of one home-schooled child noted: ''Home-school can be really challenging sometimes. It is great to have a resource like the Internet Academy for my son.''

Meanwhile, a 10th grade student said: ''I like the Internet Academy because I can work at my own pace. The on-line curriculum gives me a better understanding than what I can get in a classroom with 30 other students. The approach allows me to explore areas that interest me while completing the course work.''

I have heard from many educators that they sometimes struggle to maintain the interest and energy of their students. The Federal Way School District, through its Internet Academy, has shown that creative means to keep students engaged in today's multimedia environment are not only possible but, can be highly successful.

Our economy, powered in large part by a strong hi-tech sector, has achieved an impressive record of growth in recent months and it stands to reason that creatively injecting hi-tech tools into our education system can have equally rewarding results. I applaud the Federal Way School District's vision in establishing the Internet Academy, I endorse their efforts to ensure that students are given every possible opportunity to access and learn from our public education system. I hope my colleagues will join in my recognizing the Internet Academy's innovative work.●

TRIBUTE TO PAT THOMAS

● Mr. JEFFORDS. Mr. President, I rise today to pay tribute to an outstanding Vermonter, Patricia Thomas, formerly the President and Chief Executive Officer of the Visiting Nurse Association (VNA) of Chittenden and Grand Isle Counties. Pat's commitment to improving the health status of Vermonters serves as a model to us all. She is, and will remain, a stunning example of how one person can positively affect so many.

Pat has served Vermont in a variety of capacities. As a teacher and college administrator, as a government official and director of Vermont's largest United Way, and on various boards and commissions, Pat always strived to improve the quality of life here in Vermont. Most recently, she served the people of Vermont at the helm of our State's largest VNA. It is this role that I wish to elaborate upon today before the U.S. Senate.

Throughout Pat's 7-year tenure at the VNA, her leadership was instrumental in sustaining Vermont's unique, nonprofit home health care system, while maintaining its high-quality, cost-effective service. Ironically, when this nationally renowned system was severely challenged by an unintended consequence of the Balanced Budget Act of 1997, Pat's advocacy easily convinced me and other lawmakers that corrective action was essential. With such an impressive track record and with so many Vermonters relying on her agency's care, it was an easy argument to both make and adopt. Certainly, being a key member of my Health Care Advisory Board, there have been numerous occasions when I have relied on Pat's wise counsel, but none was more critical than during the last year's debate. Vermonters were fortunate to have such an advocate and leader in Pat Thomas.

In addition to being an effective advocate on the Federal level, Pat led her VNA through a dynamic and critical

time in its history. During Pat's tenure, her agency more than doubled in size, successfully completed a massive capital campaign, purchased and renovated its current headquarters, and significantly diversified its services. Vermont Respite House, home psychiatric care, specialized home therapies, home infusion, palliative care and wellness programs were all added to the plethora of VNA services on Pat's watch. Other major services include their Adult Day and Hospice Programs and Maternal Child Health Services. Pat knew that these changes were necessary if her agency was to adequately reflect and meet the evolving needs of Vermonters. Her vision and leadership helped her agency do exactly that, with resounding success.

Vermont has much to be grateful for when it comes to Pat's steadfast commitment to improving the quality of life in our small state. Although her tenure at the VNA has ended, we will forever remain the beneficiaries of her expertise, vision and leadership on those issues she has been so ably, and passionately committed to. In her own words, ''our house is in order and the agency is incredibly sound, despite an ever changing and challenging health care environment''. Vermont has Pat Thomas to thank for this. We wish her well.●

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations en bloc: Executive Calendar Nos. 173, 175, 176, 191, 195, 198, 199, 210, 211, 215, 217, 218, 219, and 220. I further ask unanimous consent that the nominations be confirmed en bloc, the motion to reconsider be laid upon the table, any statements relating to the nominations appear at this point in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

Mr. KOHL. I ask unanimous consent that the requests be modified to delete 215, 217, 218, and 219.

Mr. COCHRAN. Mr. President, I am constrained to object at the request of the majority leader. I suggest we pass this item and try to resolve it later.

Mr. KOHL. I object.

The PRESIDING OFFICER. The objection is heard.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. COCHRAN. Mr. President, as in executive session, I ask unanimous consent that at 9:30 tomorrow morning the Senate proceed to executive session to consider Executive Calendar Nos. 135 and 140, en bloc. I further ask consent that there be 30 minutes equally divided in the usual form for debate. I also ask consent that following the expiration or the yielding back of time, the Senate proceed to vote on the nominations en bloc. I further ask consent that immediately following that vote, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. I ask unanimous consent that it be in order to ask for the yeas and nays on the nominations at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COCHRAN. I now ask for the yeas and nays

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AUTHORIZATION OF SENATE REPRESENTATION

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate now proceed en bloc to the immediate consideration of S. Res. 173 and S. Res. 174, submitted earlier by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report the resolutions by title.

The legislative clerk read as follows:

A resolution (S. Res. 173) to authorize representation of the Senate Committee on Armed Services in the case of Philip Tinsley, III v. Senate Committee on Armed Services.

A resolution (S. Res. 174) to authorize representation on the Senate Committee on the Judiciary in the case of Philip Tinsely III v. Senate Committee on the Judiciary.

There being no objection, the Senate proceeded to consider the resolutions.

Mr. LOTT. Mr. President, an individual has filed two pro se civil actions in the United States District Court for the Eastern District of Virginia against two Senate Committees. In the first suit, against the Senate Committee on Armed Services, the plaintiff alleges that he was wrongfully denied a commission in the Navy and documentation of a prior honorable discharge from the Army Reserve. He has sued the Armed Services Committee because, in his view, the Committee failed to take sufficient steps to rectify these errors after he brought them to the Committee's attention.

The second complaint alleges that the Judiciary Committee failed to take appropriate action when the plaintiff, in correspondence with the Committee, accused a federal judge and state and federal law enforcement officers of malfeasance.

These resolutions authorize the Senate Legal Counsel to represent the Committees in these suits to move for their dismissal.

Mr. COCHRAN. I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table, any statements relating to the resolutions appear in the RECORD, with the preceding all occurring en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 173) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 173

Whereas, in the case of *Philip Tinsley III* v, *Senate Committee on Armed Services*, Civil Action No. 99–951–A, pending in the United States District Court for the Eastern District of Virginia, the plaintiff has been used the United States Senate Committee on Armed Services;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Senate committees in civil actions. Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the Senate Committee on Armed Services in the case of *Philip Tinsley III* v. *Senate Committee on Armed Services*.

The resolution (S. Res. 174) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 174

Whereas, in the case of *Philip Tinsley III* v. *Senate Committee on the Judiciary*, Civil Action No. 99–952–A, pending in the United States District Court for the Eastern District of Virginia, the plaintiff has sued the United States Senate Committee on the Judiciary;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Senate committees in civil actions: Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the Senate Committee on the Judiciary in the case of *Philip Tinsely III* v. *Senate Committee on the Judiciary*.

RELIEF OF GLOBAL EXPLORATION AND DEVELOPMENT CORPORATION, KERR-MCGEE CORPORATION, AND KERR-MCGEE CHEMICAL, LLC

Mr. BENNETT. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (S. 606) of the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Kerr-McGee Chemical, LLC (successor to Kerr-McGee Chemical Corporation), and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives.

Resolved, That the bill from the Senate (S. 606) entitled ''An Act for the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Kerr-McGee Chemical, LLC (successor to Kerr-McGee Chemical Corporation), and for other purposes'', do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SATISFACTION OF CLAIMS AGAINST THE UNITED STATES.

(a) PAYMENT OF CLAIMS.—The Secretary of the Treasury shall pay, out of money not otherwise appropriated—

(1) to the Global Exploration and Development Corporation, a Florida corporation incorporated in Delaware, $9,500,000;

(2) to Kerr-McGee Corporation, an Oklahoma corporation incorporated in Delaware, $10,000,000; and

(3) to Kerr-McGee Chemical, LLC, a limited liability company organized under the laws of Delaware, $0.

(b) CONDITION OF PAYMENT.—

(1) GLOBAL EXPLORATION AND DEVELOPMENT CORPORATION.—The payment authorized by subsection (a)(1) is in settlement and compromise of all claims of Global Exploration and Development Corporation, as described in the recommendations of the United States Court of Federal Claims set forth in 36 Fed. Cl. 776.

(2) KERR-MCGEE CORPORATION AND KERR-MCGEE CHEMICAL, LLC.—The payment authorized by subsections (a)(2) and (a)(3) are in settlement and compromise of all claims of Kerr-McGee Corporation and Kerr-McGee Chemical, LLC, as described in the recommendations of the United States Court of Federal Claims set forth in 36 Fed. Cl. 776.

(c) LIMITATION ON FEES.—Not more than 15 percent of the sums authorized to be paid by subsection (a) shall be paid to or received by any agent or attorney for services rendered in connection with the recovery of such sums. Any person violating this subsection shall be fined not more than $1,000.

SEC. 2. CRIMINAL PROHIBITION ON THE DISTRIBUTION OF CERTAIN INFORMATION RELATING TO EXPLOSIVES, DESTRUCTIVE DEVICES, AND WEAPONS OF MASS DESTRUCTION.

(a) UNLAWFUL CONDUCT.—Section 842 of title 18, United States Code, is amended by adding at the end the following:

''(p) DISTRIBUTION OF INFORMATION RELATING TO EXPLOSIVES, DESTRUCTIVE DEVICES, AND WEAPONS OF MASS DESTRUCTION.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'destructive device' has the same meaning as in section 921(a)(4);

''(B) the term 'explosive' has the same meaning as in section 844(j); and

''(C) the term 'weapon of mass destruction' has the same meaning as in section 2332a(c)(2).

''(2) PROHIBITION.—It shall be unlawful for any person—

''(A) to teach or demonstrate the making or use of an explosive, a destructive device, or a weapon of mass destruction, or to distribute by any means information pertaining to, in whole or in part, the manufacture or use of an explosive, destructive device, or weapon of mass destruction, with the intent that the teaching, demonstration, or information be used for, or in furtherance of, an activity that constitutes a Federal crime of violence; or

''(B) to teach or demonstrate to any person the making or use of an explosive, a destructive device, or a weapon of mass destruction, or to distribute to any person, by any means, information pertaining to, in whole or in part, the manufacture or use of an explosive, destructive device, or weapon of mass destruction, knowing that such person intends to use the teaching, demonstration, or information for, or in furtherance of, an activity that constitutes a Federal crime of violence.''.

(b) PENALTIES.—Section 844 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''person who violates any of subsections'' and inserting the following: ''person who—

''(1) violates any of subsections'';

(B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(2) violates subsection (p)(2) of section 842, shall be fined under this title, imprisoned not more than 20 years, or both.''; and

(2) in subsection (j), by inserting ''and section 842(p)'' after ''this section''.

SEC. 3. SETTLEMENT OF CLAIMS OF MENOMINEE INDIAN TRIBE OF WISCONSIN.

(a) PAYMENT.—The Secretary of the Treasury shall pay to the Menominee Indian Tribe of Wisconsin, out of any funds in the Treasury of the United States not otherwise appropriated, $32,052,547 for damages sustained by the Menominee Indian Tribe of Wisconsin by reason of—

(1) the enactment and implementation of the Act entitled ''An Act to provide for a per capita distribution of Menominee tribal funds and authorize the withdrawal of the Menominee Tribe from Federal jurisdiction'', approved June 17, 1954 (68 Stat. 250 et seq., chapter 303); and

(2) the mismanagement by the United States of assets of the Menominee Indian Tribe held in trust by the United States before April 30, 1961, the effective date of termination of Federal supervision of the Menominee Indian Tribe of Wisconsin.

(b) EFFECT OF PAYMENT.—Payment of the amount referred to in subsection (a) shall be in full satisfaction of any claims that the Menominee Indian Tribe of Wisconsin may have against the United States with respect to the damages referred to in that subsection.

(c) REQUIREMENTS FOR PAYMENT.—The payment to the Menominee Indian Tribe of Wisconsin under subsection (a) shall—

(1) have the status of a judgment of the United States Court of Federal Claims for the purposes of the Indian Tribal Judgment Funds Use or Distribution Act (25 U.S.C. 1401 et seq.); and

(2) be made in accordance with the requirements of that Act on the condition that, of the amounts remaining after payment of attorney fees and litigation expenses—

(A) at least 30 percent shall be distributed on a per capita basis; and

(B) the balance shall be set aside and programmed to serve tribal needs, including funding for—

(i) educational, economic development, and health care programs; and

(ii) such other programs as the circumstances of the Menominee Indian Tribe of Wisconsin may justify.

(d) LIMITATION ON FEES.—Not more than 15 percent of the sums authorized to be paid by subsection (a) shall be paid to or received by any agent or attorney for services rendered in connection with the recovery of such sums. Any person violating this subsection shall be fined not more than $1,000.

Mr. COCHRAN. I ask unanimous consent the Senate concur in the amendment of the House.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KOHL. Mr. President, I am pleased that the Senate today approved legislation that gives a Congressional ''stamp of approval'' to a settlement that the Menominee Indian Tribe of Wisconsin has long awaited. In my opinion, in the opinion of the U.S. Court of Claims that approved this settlement last year, and in the opinion of Wisconsin leaders like Governor Tommy Thompson and former Congressman Melvin Laird, this is a settlement that is long overdue.

As part of S. 606, the Menominee Tribal Fairness Act is the final step in a ''Legislative Reference'' that settles a 45-year-old case between the Tribe and the Federal Government once and for all. In the 1950s, the Bureau of Indian Affairs mismanaged the Tribe's assets such as their forests and mills, leaving them ill-prepared to be self-sufficient. However, in the 1960s, Congress terminated the Tribe's federal trust status, and the Tribe plunged into years of service impoverishment and community turmoil.

Then in the 1970s, the Government recognized its mistake in these actions and restored the Menominee Tribe's federal trust status. Clearly, though, the decades of damage could threaten the Tribe for generations to come, so the Tribe went to court seeking compensation for the devastation it had endured.

After winning at trial court, this case was dismissed on technical grounds at the appellate court in 1984. The Tribe then came to Congress for help, and we passed a ''Legislative Reference'' asking the Courts to decide the merits of this case and determine what, if any, compensation was due. Before this case again headed to trial, the Department of Justice settled with the Tribe, agreeing to a sum of $32,052,547. The U.S. Court of Claims endorsed this settlement last summer. Now, as the final step in this process, Congress has approved the payment of this settlement—and from the Treasury Department's already existing ''judgment fund,'' not through a new appropriation—to finally resolve this case after 45 years.

This decades-old case is a perfect example of how the ''Legislative Reference'' procedure should be used: the court examines claims against the United States based on negligence or fault, or based on less than fair and honorable dealings, regardless of ''technical'' defenses that the United States may otherwise assert, especially the statute of limitations.

In other words, this procedure is to be used for precisely the types of circumstances surrounding the Menominee Tribe. The tribe and its members suffered grievous economic loss through legislative termination of its rights and from BIA mismanagement of its resources. Indeed, the Federal governments' actions brought the Menominee Tribe to the brink of economic, social, and cultural disaster. Although the Tribe was restored to Federal recognition and tribal status by action of the Congress, the Tribe and its members have yet to be compensated for the damages they suffered. But thanks to the Senate's actions today, that will change.

I thank my colleagues for supporting this vitally important ''Legislative Reference'' that will bring closure, once and for all, to a settlement that is long overdue. I especially want to thank our House sponsor, MARK GREEN, as well as Congressman SENSENBRENNER, Congressman MCCOLLUM, and Senator NICKLES, for all their hard work.

ESTABLISHMENT OF NATIONAL CEMETERY FOR VETERANS IN ATLANTA, GEORGIA

Mr. COCHRAN. Mr. President, I ask unanimous consent the Senate now proceed to consideration of Calendar No. 221, S. 695.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 695) to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Atlanta, Georgia metropolitan area.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Veterans' Affairs, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. ESTABLISHMENT OF NATIONAL CEMETERIES.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall establish, in accordance with chapter 24 of title 38, United States Code, the following:

(1) A national cemetery in the Atlanta, Georgia, metropolitan area to serve the needs of veterans and their families.

(2) A national cemetery in Southwestern Pennsylvania to serve the needs of veterans and their families.

(3) A national cemetery in the Miami, Florida, metropolitan area to serve the needs of veterans and their families.

(b) CONSULTATION IN SELECTION OF SITES.—Before selecting the sites for the national cemeteries to be established under subsection (a), the Secretary shall consult with—

(1) in the case of the national cemetery to be established under paragraph (1) of that subsection, appropriate officials of the State of Georgia and appropriate officials of local governments in the Atlanta, Georgia, metropolitan area;

(2) in the case of the national cemetery to be established under paragraph (2) of that subsection, appropriate officials of the State of Pennsylvania and appropriate officials of local governments in Southwestern Pennsylvania;

(3) in the case of the national cemetery to be established under paragraph (3) of that subsection, appropriate officials of the State of Florida and appropriate officials of local governments in the Miami, Florida, metropolitan area; and

(4) appropriate officials of the United States, including the Administrator of General Services, with respect to land belonging to the United States that would be suitable as a location for the establishment of each such national cemetery.

(c) REPORT.—As soon as practicable after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the establishment of the national cemeteries under subsection (a). The report shall set forth a schedule for the establishment of each such cemetery and an estimate of the costs associated with the establishment of each such cemetery.

AMENDMENT NO. 1562

(Purpose: To require the establishment of a national cemetery in the Detroit, Michigan, metropolitan area and in the Sacramento, California, metropolitan area, to authorize the use of flat grave markers at Santa Fe National Cemetery, New Mexico, and for other purposes)

Mr. COCHRAN. Mr. President, Senators SPECTER and ROCKEFELLER have 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 Mississippi [Mr. COCHRAN], for Mr. SPECTER, for himself, and Mr. ROCKEFELLER, proposes an amendment numbered 1562.

The amendment is as follows:

On page 3, between lines 9 and 10, insert the following:

(4) A national cemetery in the Detroit, Michigan, metropolitan area to serve the needs of veterans and their families.

(5) A national cemetery in the Sacramento, California, metropolitan area to serve the needs of veterans and their families.

On page 4, strike lines 3 and 4 and insert the following:

Florida, metropolitan area;

(4) in the case of the national cemetery to be established under paragraph (4) of that subsection, appropriate officials of the State of Michigan and appropriate officials of local governments in the Detroit, Michigan, metropolitan area;

(5) in the case of the national cemetery to be established under paragraph (5) of that subsection, appropriate officials of the State of California and appropriate officials of local governments in the Sacramento, California, metropolitan area; and

(6) appropriate officials of the United States, in-

On page 4, after line 15, add the following:

SEC. 2. USE OF FLAT GRAVE MARKERS.

(a) AUTHORITY TO USE FLAT GRAVE MARKERS AT SANTA FE NATIONAL CEMETERY.—Notwithstanding section 2404(c)(2) of title 38, United States Code, the Secretary of Veterans Affairs may provide for flat grave markers at the Santa Fe National Cemetery, New Mexico.

(b) REPORT COMPARING USE OF FLAT GRAVE MARKERS AND UPRIGHT GRAVE MARKERS.—(1) Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report assessing the advantages and disadvantages of the use by the National Cemetery Administration of flat grave markers and upright grave markers.

(2) The report under paragraph (1) shall set forth the advantages and disadvantages of the use of each type of grave marker referred to in that paragraph, and shall include criteria to be utilizing in determining whether to prefer the use of one such type of grave marker over the other.

In the amendment to the title, strike ''in the Atlanta, Georgia, metropolitan area'' and all that follows through ''metropolitan area'' and insert the following: ''in various locations in the United States, and for other purposes''.

Mr. COCHRAN. I ask unanimous consent the amendment be agreed to, the committee amendment be agreed to, the bill be read a third time and passed, the title amendment be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1562) was agreed to.

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

The bill (S. 695), as amended, was read the third time and passed, as follows:

S. 695

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

SECTION 1. ESTABLISHMENT OF NATIONAL CEMETERIES.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall establish, in accordance with chapter 24 of title 38, United States Code, the following:

(1) A national cemetery in the Atlanta, Georgia, metropolitan area to serve the needs of veterans and their families.

(2) A national cemetery in Southwestern Pennsylvania to serve the needs of veterans and their families.

(3) A national cemetery in the Miami, Florida, metropolitan area to serve the needs of veterans and their families.

(4) A national cemetery in the Detroit, Michigan, metropolitan area to serve the needs of veterans and their families.

(5) A national cemetery in the Sacramento, California, metropolitan area to serve the needs of veterans and their families.

(b) CONSULTATION IN SELECTION OF SITES.—Before selecting the sites for the national cemeteries to be established under subsection (a), the Secretary shall consult with—

(1) in the case of the national cemetery to be established under paragraph (1) of that subsection, appropriate officials of the State of Georgia and appropriate officials of local governments in the Atlanta, Georgia, metropolitan area;

(2) in the case of the national cemetery to be established under paragraph (2) of that subsection, appropriate officials of the State of Pennsylvania and appropriate officials of local governments in Southwestern Pennsylvania;

(3) in the case of the national cemetery to be established under paragraph (3) of that subsection, appropriate officials of the State of Florida and appropriate officials of local governments in the Miami, Florida, metropolitan area;

(4) in the case of the national cemetery to be established under paragraph (4) of that subsection, appropriate officials of the State of Michigan and appropriate officials of local governments in the Detroit, Michigan, metropolitan area;

(5) in the case of the national cemetery to be established under paragraph (5) of that subsection, appropriate officials of the State of California and appropriate officials of local governments in the Sacramento, California, metropolitan area; and

(6) appropriate officials of the United States, including the Administrator of General Services, with respect to land belonging to the United States that would be suitable as a location for the establishment of each such national cemetery.

(c) REPORT.—As soon as practicable after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the establishment of the national cemeteries under subsection (a). The report shall set forth a schedule for the establishment of each such cemetery and an estimate of the costs associated with the establishment of each such cemetery.

SEC. 2. USE OF FLAT GRAVE MARKERS.

(a) AUTHORITY TO USE FLAT GRAVE MARKERS AT SANTA FE NATIONAL CEMETERY.—Notwithstanding section 2404(c)(2) of title 38, United States Code, the Secretary of Veterans Affairs may provide for flat grave markers at the Santa Fe National Cemetery, New Mexico.

(b) REPORT COMPARING USE OF FLAT GRAVE MARKERS AND UPRIGHT GRAVE MARKERS.—(1) Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees

on Veterans' Affairs of the Senate and the House of Representatives a report assessing the advantages and disadvantages of the use by the National Cemetery Administration of flat grave markers and upright grave markers.

(2) The report under paragraph (1) shall set forth the advantages and disadvantages of the use of each type of grave marker referred to in that paragraph, and shall include criteria to be utilizing in determining whether to prefer the use of one such type of grave marker over the other.

The title was amended so as to read: ''A bill to require the Secretary of Veterans Affairs to establish a national cemetery for veterans.''

Mr. DOMENICI. Mr. President, it is with great pleasure that I rise today to talk about the Senate passage of a bill I introduced that will extend the useful life of the Santa Fe National Cemetery in New Mexico. I also want to thank Senator SPECTER for his assistance that helped to make passage of this bill possible.

The men and women who have served in the United States Armed Forces have made immeasurable sacrifices for the principles of freedom and liberty that make this Nation unique throughout civilization. The service of veterans has been vital to the history of the Nation, and the sacrifices made by veterans and their families should not be forgotten.

These veterans at the very least deserve every opportunity to be buried at a National Cemetery of their choosing. Unfortunately, projections show the Santa Fe National Cemetery will run out of space to provide casketed burials for our veterans at the conclusion of 2000. However, with Senate passage of this bill we have taken an important step to ensure the continued viability of the Santa Fe National Cemetery.

I believe all New Mexicans can be proud of the Santa Fe National Cemetery that has grown from 39/100 of an acre to its current 77 acres. The cemetery first opened in 1868 and within several years was designated a National Cemetery in April of 1875.

Men and women who have fought in all of our nation's wars hold an honored spot within the hallowed ground of the cemetery. Today the Santa Fe National Cemetery contains almost 27,000 graves that are mostly marked by upright headstones.

The Senate's action today brings us another step closer to ensuring the Santa Fe National Cemetery will not be forced to close. The bill passed today allows the Secretary of Veterans Affairs to provide for the use of flat grave markers that will extend the useful life of the cemetery until 2008.

While I wish the practice of utilizing headstones could continue indefinitely if a veteran chose, my wishes are outweighed by my desire to extend the useful life of the cemetery. I would note that my desire is shared by the New Mexico Chapter of the American Legion, the Albuquerque Chapter of the Retired Officers' Association, and the New Mexico Chapter of the VFW who have all endorsed the use of flat grave markers.

Finally, this is not without precedent because exceptions to the law have been granted on six prior occasions with the most recent action occurring in 1994 when Congress authorized the Secretary of Veterans Affairs to provide for the flat grave markers at the Willamette National Cemetery in Oregon.

Mr. President, I again want to thank Senator SPECTER for his assistance and state how pleased I am with the Senate passage of this important bill.

NOMINATIONS

Executive nominations received by the Senate August 4, 1999:

EXPORT-IMPORT BANK OF THE UNITED STATES

DAN HERMAN RENBERG, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2003, VICE JULIE D. BELAGA, TERM EXPIRED.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

DAVID M. BROWN, 0000
ELWOOD W. HOPKINS, 0000
MARTIN R. STAHL, 0000
DAVID A. TAFT, 0000

To be commander

TOBIAS J. BACANER, 0000
ALICA K. BARTLETT, 0000
KEITH F. BATTS, 0000
RICHARD M. BERGER, 0000
JOHN L. BERLOT, 0000
GREGORY BLACKMAN, 0000
LEWIS E. BROWN, 0000
JACQUELYN L. CALBERT, 0000
ARDEN CHAN, 0000
CYRIL CHAVIS, 0000
JIMMIE N. COLLINS, 0000
LOUIS A. DAMIANO, 0000
DOUGLAS C. DELLINGER, 0000
JEROME V. DILLON, 0000
JONATHAN E. DOMINGUEZ, 0000
BRETT R. FINK, 0000
ALAN P. GEGENHEIMER, 0000
MARJORIE B. GWYNN, 0000
LEROY T. JACKSON, 0000
RICHARD A. JENSEN, 0000
JOHN S. KELLOGG, 0000
HAROLD LAROCHE, 0000
RICHARD W. LOTH, 0000
DENNIS E. MAYER, 0000
ROBERT P. MC CLANAHAN, JR., 0000
KENNETH E. MILEY, 0000
EDUARDO MORALES, 0000
TODD J. MORRIS, 0000
GREGORY F. PAINE, 0000
MICHAEL A. PELINI, 0000
LORING I. PERRY, 0000
MICHAEL M. QUIGLEY, 0000
TERRANCE R. REEVES, 0000
PAUL V. ROCERETO, 0000
PAULA J. SEXTON, 0000
JOHN B. SHAPIRA, 0000
STEVEN J. SHERIS, 0000
JOSEPH B. SLAKEY, 0000
JAMES T. STASIAK, 0000
MICHAEL R. TORRICELLI, 0000
ROBERT VALE, 0000

To be lieutenant commander

BILLY M. APPLETON, 0000
LEE A. AXTELL, 0000
BRUCE M. BICKNELL, 0000
JAMES A. BISHOP, 0000
MARC R. BOISVERT, 0000
JAMES A. BURCH, 0000
CHRISTINE Y. BUZIAK, 0000
ROBERT A. CALLISON, 0000
JOSEPH P. CARLOS, 0000
EDWIN M. CARROLL, 0000
PHILIP S. CHAPMAN, 0000
CARLA S. CHERRY, 0000
JOHN D. CHERRY, 0000
PHILIP B. CREIDER, 0000
PAUL B. CUNNINGHAM, 0000
WILLIAM F. DAVIS, 0000
CHRISTOPHER H. DELLOS, 0000
JOHN D. DENTON, 0000
CONSTANCE A. DORN, 0000
DOUGLAS H. DOUGHTY, JR., 0000
GREGORY D. DUNNE, 0000
TIMOTHY R. EICHLER, 0000
BRYAN K. FINCH, 0000
PHILIP A. FOLLO, 0000
TEHRAN FRAZIER, 0000
MICHAEL J. FRIEL, 0000
HARRY L. GANTEAUME, 0000
JEFFREY W. GILLETTE, 0000
BRICE A. GOODWIN, 0000
GRANT R. HIGHLAND, 0000
ANDREW J. HILL, JR., 0000
JASON V. HOFFMAN, 0000
MICHAEL S. HOGG, 0000
DONNA A. HULSE, 0000
SCOTT L. JOHNSTON, 0000
RONALD KAWCZYNSKI, 0000
ANGELA M. KEITH, 0000
TIMOTHY J. KOESTER, 0000
RONALD G. LEAVER, 0000
GUY M. LEE, 0000
LARRY B. LESLIE, 0000
STEVEN W. LIGLER, 0000
LARRY L. LOOMIS, 0000
MARK W. LOPEZ, 0000
KAREN L. LOTTRIDGE, 0000
ANDREW D. MC IRVIN, 0000
MICHAEL A. MIKSTAY, 0000
RANDALL B. MILLER, 0000
JAMES L. MINTA, 0000
REY R. MOLINA, 0000
ISRAEL NARVAEZ, 0000
ANDREW D. NELKO, 0000
EDWARD C. NORTON, JR., 0000
SCOTT E. ORGAN, 0000
VIVIANNA F. PALOMO, 0000
ANTHONY V. POTTS, 0000
ZITO D. PRINCE, 0000
DAREN L. PURNELL, 0000
JOHN A. RALPH, 0000
KATHLEEN A. RAMSEY, 0000
SHERIDAN A. RENOUF, 0000
JEFFREY S. SCHMIDT, 0000
THOMAS G. SEIDENWAND, 0000
WESLEY B. SLOAT, 0000
JOHN A. SWANSON, 0000
KATHY TRAPPJACKSON, 0000
STEVEN P. UNGER, 0000
DAVID W. WARNER, 0000
JACK H. WATERS, 0000
BENJAMIN M. WEBB, 0000
DALE C. WHITE, 0000
ANDREW R. WILLIAMS, 0000
DIANE M. WILSON, 0000
PATRICIA A. WIRTH, 0000
PAUL W. WITT, 0000

Wednesday, August 4, 1999

Daily Digest

HIGHLIGHTS

Senate passed Agriculture Appropriations bill.

Senate

Chamber Action

Routine Proceedings, pages S10139–S10266

Measures Introduced: Nineteen bills and four resolutions were introduced, as follows: S. 1480–1498, S. Res. 172–174, and S. Con. Res. 50. **Page S10221**

Measures Reported: Reports were made as follows:

S. 832, to extend the commercial space launch damage indemnification provisions of section 70113 of title 49, United States Code. (S. Rept. No. 106–135)

H.R. 1568, to provide technical, financial, and procurement assistance to veteran owned small businesses, with an amendment in the nature of a substitute. (S. Rept. No. 106–136)

S. 800, to promote and enhance public safety through the use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, with amendments. (S. Rept. No. 106–138)

S. 632, to provide assistance for poison prevention and to stabilize the funding of regional poison control centers, with an amendment in the nature of a substitute. **Page S10220**

Measures Passed:

Foreign Operations Appropriations: Pursuant to the order of June 30, 1999, Senate passed H.R. 2606, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, after striking all after the enacting clause and inserting in lieu thereof the text of S. 1234, Senate companion measure, as passed the Senate on June 30, 1999. Senate insisted on its amendment, requested a conference with the House thereon, and the Chair, as authorized, appointed the following conferees on the part of the Senate: Senators McConnell, Specter, Gregg, Shelby, Bennett, Campbell, Bond, Stevens, Leahy, Inouye, Lautenberg, Harkin, Mikulski, Murray, and Byrd. **Page S10214**

Subsequently, passage of S. 1234 was vitiated and then indefinitely postponed. **Page S10214**

Agriculture Appropriations: Senate passed S. 1233, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2000, after taking action on the following amendments proposed thereto: **Pages S10139–99, S10201–14**

Adopted:

Ashcroft Amendment No. 1507 (to Amendment No. 1499), to provide stability in the United States agriculture sector and to promote adequate availability of food and medicine for humanitarian assistance abroad by requiring congressional approval before the imposition of any unilateral agricultural or medical sanction against a foreign country or foreign entity. **Pages S10150–51**

Cochran Modified Amendment No. 1513 (to Amendment No. 1499), of a perfecting nature. **Pages S10168–74**

Ashcroft Modified Amendment No. 1516 (to Amendment No. 1499), to provide stability in the United States agriculture sector and to promote adequate availability of food and medicine abroad by requiring congressional approval before the imposition of any unilateral agricultural or medical sanction against a foreign country or foreign entity, and to provide for guidelines with respect to state sponsors of international terrorism. **Pages S10179–81**

By 89 yeas to 8 nays (Vote No. 257), Lott (for Daschle) Amendment No. 1499, to provide emergency and income loss assistance to agricultural producers. **Pages S10150–83**

Boxer Amendment No. 1521, to express the sense of the Senate regarding the continued use of the fuel additive methyl tertiary butyl ether (MTBE) and its impact on drinking water. **Pages S10183–95**

Thurmond Amendment No. 1523, to prohibit the use of foreign assistance funds to promote the sale or export of alcoholic beverages, including wine.

Pages S10195–96

Cochran (for Abraham) Amendment No. 1524, to provide funding for bovine tuberculosis research.

Page S10197

Cochran (for Abraham) Amendment No. 1525, to prevent the reduction of the Food and Drug Administration capabilities in Detroit, Michigan.

Page S10197

Kohl (for Bingaman) Amendment No. 1526, to provide that not to exceed $12,000,000 shall be for water and waste disposal systems to benefit Federally Recognized Native American Tribes, including grants pursuant to section 306C of such Act, provided that the Federally Recognized Native American Tribe is not eligible for any other rural utilities programs set aside under the Rural Community Advancement Program. **Pages S10197–98**

Cochran (for Bond) Amendment No. 1527, to limit the use of appropriated funds for award of contracts through the HUBZone program.

Pages S10197–99

Cochran (for Burns) Amendment No. 1528, to express the sense of the Senate that the Secretary of Agriculture shall exercise reasonable treatment of producers in order to avoid harmful consequences regarding the inadvertent planting of dry beans on contract acres, up to and including the 1999 crop year. **Pages S10197, S10199**

Kohl (for Byrd) Amendment No. 1529, to designate West Virginia State College in Institute, West Virginia, as a land-grant college and to provide funding for college, with an offset.

Pages S10197, S10199

Kohl (for Cleland/Coverdell) Amendment No. 1530, to redesignate the National School Lunch Act as the ''Richard B. Russell National School Lunch Act''. **Pages S10197, S10201**

Cochran/Kohl Amendment No. 1531, to provide additional funding for the Watershed and Flood Preventions and earmark funds for financial and technical assistance for pilot rehabilitation projects in Mississippi. **Pages S10197, S10201**

Cochran Amendment No. 1532, to increase the fee on guaranteed business and industry loans thereby reducing the subsidy costs. **Pages S10197, S10201**

Cochran Amendment No.1533, to provide at least twenty five percent of the appropriated funds to small minority farmers for cooperatives.

Pages S10197, S10201

Cochran (for Domenici) Amendment No. 1534, to amend the National Drought Policy Act of 1998, to make a technical correction. **Pages S10197, S10201**

Kohl (for Durbin/Kennedy) Amendment No. 1535, to require the expenditure of appropriated funds for certain enforcement activities.

Pages S10197, S10201

Kohl (for Durbin) Amendment No. 1536, expressing the sense of the Senate concerning the United States Action Plan on Food Security.

Pages S10197, S10201–02

Cochran (for Gorton) Amendment No. 1537, to require the Farm Service Agency to review programs that provide assistance to apple farmers and report to Congress. **Pages S10197, S10202**

Kohl (for Graham/Mack) Amendment No. 1538, to provide additional funding for fruit fly exclusion and detection, with an offset. **Pages S10197, S10202**

Kohl (for Kerrey) Amendment No. 1539, providing that of the total amount appropriated, not to exceed $1,500,00 shall be available to the Grassroots project. **Pages S10197, S10202**

Kohl (for Levin) Amendment No. 1540, to provide funding for sustainable agriculture research and a research program on improved fruit practices in the State of Michigan, with an offset.

Pages S10197, S10202

Kohl (for Lincoln) Amendment No. 1541, to add Harry K. Dupree to certain provisions of the Federal Agriculture Improvement and Reform Act of 1996.

Pages S10197, S10202

Cochran (for Mack) Amendment No. 1542, to provide $300,000 for climate change research at the Florida Center for Climate Prediction at Florida State University, the University of Florida and the University of Miami with an offset.

Pages S10197, S10202

Cochran (for McConnell) Amendment No. 1543, to provide that certain cross-country leasing provisions apply to Kentucky and to release and protect the release of tobacco production and marketing information. **Pages S10197, S10202–03**

Cochran (for Nickles) Amendment No. 1544, to limit the use of funds appropriated or otherwise made available by this Act may be used to declare excess or surplus all or part of the lands and facilities owned by the federal government and administered by the Secretary of Agriculture at Fort Reno, Oklahoma, or to transfer or convey such lands or facilities, without the specific authorization of Congress.

Pages S10197, S10203

Kohl (for Reid) Amendment No. 1545, to appropriate $500,000 for the Nevada Arid Rangelands Initiative to develop research and educational programs to manage healthy and productive rangelands, provide abundant renewable natural resources, and support the economic development of the rangelands in a sustainable manner. **Pages S10197, S10203**

Cochran (for Sessions) Amendment No. 1546, to provide for an increase and decrease in certain provisions of the bill. **Pages S10197, S10203**

Cochran (for Smith of New Hampshire) Amendment No. 1547, to provide eligibility to Berlin, New Hampshire for a rural utilities grant or loan under the Rural Community Advancement Program. **Pages S10197, S10203**

Cochran (for Smith of Oregon) Amendment No. 1548, to authorize the Cranberry Marketing Committee to conduct paid advertising for cranberries and cranberry products and to authorize the Secretary of Agriculture and the Committee to collect cranberry inventory data. **Pages S10197, S10203–04**

Cochran (for Stevens) Amendment No. 1549, to authorize Alaska Native tribes for payment of certain administrative costs for the Food Stamp Program. **Pages S10197, S10204**

Cochran (for Stevens) Amendment No. 1550, to require the Secretary review food packages periodically and consider including other nutritious foods under the food package program for Women, Children and Infants. **Pages S10197, S10204**

Cochran (for Stevens) Amendment No. 1551, to provide for education grants to Alaska Native serving institutions and Native Hawaiian serving institutions. **Pages S10197, S10204–05**

Cochran (for Stevens) Amendment No. 1552, to provide a minimum allocation of Smith Lever Act funds to States subject to a special statutory cost of living adjustment. **Pages S10197, S10205**

Cochran (for Stevens) Amendment No. 1553, to provide a minimum allocation of Hatch Act funds to States subject to a special statutory cost of living adjustment. **Pages S10197, S10205**

Cochran (for Thomas) Amendment No. 1554, to set aside certain funds for program and activities of the Livestock Marketing Information Center in Lakewood, Colorado, with an offset. **Pages S10197, S10205**

Cochran (for Wellstone) Amendment No. 1555, to require the use of certain funds transferred to the Economic Research Service to conduct a study of reasons for the decline in participation in the food stamp program and any problems that households with eligible children have experienced in obtaining food stamps. **Pages S10197, S10205**

Kohl (for Edwards) Amendment No. 1556, to provide for an increase and a decrease in the amounts of certain appropriated funds. **Pages S10197, S10205**

Cochran (for Hutchison) Amendment No. 1557, to express the sense of the Senate that the Food and Drug Administration, to the maximum extent possible, when conducting an Import Food Survey under the President's Food Safety Initiative, ensure timely testing of produce imports. **Pages S10197, S10205**

Kohl (for Bryan/Reid) Amendment No. 1558, to provide that the price of milk received by producers in Clark County, Nevada, shall not be subject to any Federal milk marketing order or any other regulation by the Secretary of Agriculture and shall solely be regulated by the State of Nevada and the Nevada State Dairy Commission. **Pages S10197, S10205**

Kohl (for Baucus) Amendment No. 1559, to express the sense of the Senate concerning actions by the World Trade Organization relating to trade in agricultural commodities. **Pages S10197, S10205–06**

Kohl Amendment No. 1560, to provide additional funding to existing research programs. **Pages S10197, S10206**

Kohl (for Harkin) Amendment No. 1561, to provide an additional $2,000,000 for the Grain Inspection, Packers and Stockyards Administration, offset from the Economic Research Service. **Pages S10197, S10206**

Rejected:

Roberts Amendment No. 1509 (to Amendment No. 1499), of a perfecting nature. (By 66 yeas to 33 nays (Vote No. 253), Senate tabled the amendment.) **Pages S10151–55**

McCain/Gregg Modified Amendment No. 1510 (to Amendment No. 1499), to prohibit the use of appropriated funds for the sugar program, other than the marketing assessment. (By 66 yeas to 33 nays (Vote No. 254), Senate tabled the amendment.) **Pages S10155–63**

Dorgan Amendment No. 1514 (to Amendment No. 1499), to provide emergency and income loss assistance to agricultural producers. (By 55 yeas to 44 nays (Vote No. 255), Senate tabled the amendment.) **Pages S10174–76**

Conrad Amendment No. 1517 (to Amendment No. 1499), of a perfecting nature. (By 51 yeas to 48 nays (Vote No. 256), Senate tabled the amendment.) **Pages S10176–79**

Chafee Amendment No. 1522 (to Amendment No. 1521), to express the sense of the Senate that the Committee on Environment and Public Works should review the findings of the EPA Blue Ribbon Panel on MTBE and other relevant scientific studies, hold comprehensive hearings, and report to the Senate at the earliest possible date any legislation necessary to address the recommendations of the Blue Ribbon Panel. (By 51 yeas to 44 nays (Vote No. 258), Senate tabled the amendment.) **Page S10195**

Withdrawn:

Specter Amendment No. 1512 (to Amendment No. 1499), to reauthorize, and modify the conditions for, the consent of Congress to the Northeast Interstate Dairy Compact, to grant the consent of Congress to the Southern Dairy Compact, and to require the Secretary of Agriculture to use certain methods

for pricing milk under consolidated Federal milk marketing orders. **Pages S10163–68**

During consideration of this measure today, Senate also took the following action:

By 53 yeas to 47 nays (Vote No. 252), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected a motion to close further debate on the motion to recommit the bill to the Committee on Appropriations, with instructions to report back forthwith, with a Lott Amendment No. 1501 (to the instructions of the motion to recommit), to restrict the use of certain funds appropriated to the Agricultural Marketing Service. **Pages S10139–50**

Agriculture Appropriations: Committee on Appropriations was discharged from further consideration of H.R. 1906, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2000, and the bill was then passed, after striking all after the enacting clause and inserting in lieu thereof the text of S. 1233, Senate companion measure, as passed by the Senate today. Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees: Senators Cochran, Specter, Bond, Gorton, McConnell, Burns, Stevens, Kohl, Harkin, Dorgan, Feinstein, Durbin, and Byrd. **Page S10214**

Subsequently, passage of S. 1233 was vitiated and then indefinitely postponed. **Page S10214**

Senate Legal Counsel: Senate agreed to S. Res. 173, to authorize representation of the Senate Committee on Armed Services in the case of *Philip Tinsley III* v. *Senate Committee on Armed Services.* **Page S10263**

Senate Legal Counsel: Senate agreed to S. Res. 174, to authorize representation of the Senate Committee on the Judiciary in the case of *Philip Tinsley III* v. *Senate Committee on the Judiciary.* **Page S10263**

Veterans National Cemetery: Senate passed S. 695, to require the Secretary of Veterans Affairs to establish a national cemetery for veterans in various locations in the United States, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S10265–66**

Cochran (for Specter/Rockefeller) Amendment No. 1562, to require the establishment of a national cemetery in the Detroit, Michigan, metro area and in Sacramento, California, and to authorize the use of flat grave markers at Santa Fe National cemetery. **Page S10265**

Nominations—Agreement: A unanimous-consent-time agreement was reached providing for the consideration of Richard Holbrooke, of New York, to be a Representative of the United States to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States to the United Nations, and to be the Representative of the United States to the United Nations with the rank and status of Ambassador, and the Representative of the United States in the Security Council of the United Nations, on Thursday, August 5, 1999, with a vote to occur thereon. **Page S10263**

Interior Appropriations—Agreement: Senate will resume consideration of H.R. 2466, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, on Thursday, August 5, 1999. **Page S10199**

Private Relief: Senate concurred in the amendment of the House to S. 606, for the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Kerr-McGee Chemical, LLC. **Pages S10263–64**

Nominations Received: Senate received the following nominations:

Dan Herman Renberg, of Maryland, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2003.

Routine list in the Navy. **Page S10266**

Messages From the House: **Pages S10217–18**

Measures Referred: **Page S10218**

Enrolled Bills Presented: **Page S10218**

Communications: **Pages S10218–19**

Petitions: **Pages S10219–20**

Executive Reports of Committees: **Pages S10220–21**

Statements on Introduced Bills: **Pages S10221–41**

Additional Cosponsors: **Pages S10241–42**

Amendments Submitted: **Pages S10244–59**

Authority for Committees: **Pages S10259–60**

Additional Statements: **Pages S10260–63**

Record Votes: Seven record votes were taken today. (Total—258) **Pages S10150, S10155, S10163, S10176, S10179, S10183, S10195**

Adjournment: Senate convened at 9 a.m., and adjourned at 9:48 p.m., until 9:30 a.m., on Thursday, August 5, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10199.)

Committee Meetings

(Committees not listed did not meet)

U.S. FARM ECONOMY

Committee on Agriculture, Nutrition, and Forestry: Committee continued hearings on the market and financial performance of the United States agricultural sector, receiving testimony from Tom Buis, National Farmers Union, and Mary Kay Thatcher, American Farm Bureau Federation, both of Washington, D.C.; George Swan, Rogerson, Idaho, on behalf of the National Cattlemen's Beef Association; Mark Birdsall, U.S. Durum Growers Association, Berthold, North Dakota, on behalf of the National Association of Wheat Growers; Ryland Utlaut, Grand Pass, Missouri, on behalf of the National Corn Growers Association; Dennis Everson, First Dakota National Bank, Yankton, South Dakota, on behalf of the American Bankers Association; Jim Caspary, First National Bank of Clifton, Clifton, Illinois, on behalf of the Independent Community Bankers of America; and Daryll E. Ray, University of Tennessee Agricultural Policy Analysis Center, Knoxville.

Hearings continue tomorrow.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nominations of Charles A. Blanchard, of Arizona, to be General Counsel of the Department of the Army, Carol DiBattiste, of Florida, to be Under Secretary of the Air Force, and four military nominations in the Army and Navy.

FRAUD AGAINST SENIORS

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine fraud against seniors, focusing on health care, sweepstakes contests, and financial services, after receiving testimony from Susan Herman, National Center for Victims of Crime, Arlington, Virginia; Tim Barron, Delaware Office of the Attorney General, Wilmington; Lisa Nerenburg, Goldman Institute on Aging, San Francisco, California; Stephen J. Schneider, Oregon Department of Human Resources, Salem; Judy Hallman, Frederick Police Department, and Robert Matthews, both of Frederick, Maryland; Jane C. Schultz, Ridgefield, Connecticut; Jill Thomas, Bay Village, Ohio; John N. Hupalo, Alameda, California; and Deanna Antrim-Spencer, Silver Spring, Maryland.

NATIONAL PARK SERVICE PERFORMANCE MANAGEMENT PROCESS

Committee on Energy and Natural Resources: Subcommittee on National Parks, Historic Preservation, and Recreation concluded oversight hearings to review the National Park Service's performance management process under the requirements of the Government Performance and Results Act, after receiving testimony from Denis P. Galvin, Deputy Director, National Park Service, Department of the Interior.

BUSINESS MEETING

Committee on Environment and Public Works: Committee resumed markup of S. 1090, to reauthorize and amend the Comprehensive Environmental Response, Liability, and Compensation Act of 1980 (Superfund), but did not complete action thereon, and recessed subject to call.

TAIWAN SECURITY ENHANCEMENT

Committee on Foreign Relations: Committee concluded hearings on S. 693, to assist in the enhancement of the security of Taiwan, after receiving testimony from Senator Baucus; Stanley O. Roth, Assistant Secretary of State for East Asian and Pacific Affairs; Kurt Campbell, Deputy Assistant Secretary of Defense for International Security Affairs/Asian and Pacific Affairs; and Richard V. Allen, Allen and Company, David M. Lampton, Johns Hopkins University School of Advanced International Studies, Caspar W. Weinberger, Forbes, Inc., and R. James Woolsey, Shea and Gardner, all of Washington, D.C.

VIETNAM ECONOMIC REFORM AND TRADE

Committee on Foreign Relations: Subcommittee on International Economic Policy, Export and Trade Promotion and Subcommittee on East Asian and Pacific Affairs concluded joint hearings on economic reform and trade opportunities in Vietnam, after receiving testimony from Charlene Barshefsky, United States Trade Representative; Douglas B. Peterson, U.S. Ambassador to Vietnam; J. Michael Stinson, Conoco, Inc., Houston, Texas; Lionel C. Johnson, Citigroup, Inc., Washington, D.C.; and Thomas Vallely, Harvard Institute for International Development, Cambridge, Massachusetts.

FEDERAL FOOD SAFETY SYSTEM

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia concluded hearings to examine the current status of the nations food supply, focusing on overlap and duplication in the Federal Food Safety System, after receiving testimony from Catherine E. Woteki, Under Secretary of Agriculture for Food Safety; Jane E. Henney, Commissioner, Food and Drug Administration, Department of Health and Human Services; Lawrence J. Dyckman, Director, Food and Agriculture Issues, Resources, Community, and Economic Development Division, General Accounting Office; Carol Tucker

Foreman, Consumer Federation of America, Caroline Smith DeWaal, Center for Science in the Public Interest, Rhona Applebaum, National Food Processors Association, and Stacey Zawel, Grocery Manufacturers of America, Inc., all of Washington, D.C.; and Nancy Donley, Safe Tables Our Priority, Chicago, Illinois.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of David W. Ogden, of Virginia, and Robert Raben, of Florida, each to be an Assistant Attorney General, Department of Justice, after the nominees testified and answered questions in their own behalf. Mr. Ogden was introduced by Senator Warner, and Mr. Raben was introduced by Senator Graham and Representatives Hyde and Conyers.

DRUG PATENT TERM RESTORATION REVIEW PROCEDURE

Committee on the Judiciary: Committee concluded hearings on S. 1172, to provide a patent term restoration review procedure for certain drug products, focusing on proposed remedies for relief, relating to pipeline drugs, after receiving testimony from former Senator Howard M. Metzenbaum, on behalf of the Consumer Federation of America; Peter Barton Hutt, Covington and Burling, and Bruce L. Downey, Barr Laboratories, Inc., both of Washington, D.C.; Richard J. Kogan, Schering-Plough Corporation, Madison, New Jersey; Gerald F. Meyer, AAC Consulting Group, Inc., Potomac, Maryland; and Carole S. Goldfine Ben-Maimon, Teva Pharmaceuticals, Inc., Sellersville, Pennsylvania, on behalf of the Generic Pharmaceutical Industry Association and the National Pharmaceutical Alliance.

ANNUAL REFUGEE ADMISSIONS

Committee on the Judiciary: Subcommittee on Immigration concluded hearings to examine the President's proposed annual refugee admissions and allocation for fiscal year 2000, after receiving testimony from Julia V. Taft, Assistant Secretary, Bureau of Population, Refugees, and Migration, Department of State; Mary Kortenhoven, Christian Reformed Church, on behalf of the Church World Service, and Binta Bah, both of Grand Rapids, Michigan; Bishop Nicholas A. DiMarzio, Camden, New Jersey, on behalf of the National Conference of Catholic Bishops; and Ralston H. Deffenbaugh, Jr., Lutheran Immigration and Refugee Service, Washington, D.C., on behalf of the InterAction Committee on Migration and Refugee Affairs.

COMMITTEE FUNDING RESOLUTIONS

Committee on Rules and Administration: Committee concluded hearings after receiving testimony from Senators, as indicated, in support of resolutions requesting funds for operating expenses of their respective committees, as follows:

Committee on Small Business: (S. Res. 142), Senators Bond and Kerry; Select Committee on Intelligence: (S. Res. 139), Senators Shelby and Kerrey;

Committee on Foreign Relations: (S. Res. 148), Senators Helms and Biden;

Committee on Finance: (S. Res. 150), Senators Roth and Moynihan;

Committee on Armed Services: (S. Res. 143), Senators Warner and Levin; and

Special Committee on Aging: (S. Res. 155), Senators Grassley and Breaux.

INDIAN HEALTH CARE

Committee on Indian Affairs: Committee concluded hearings on S. 299, to elevate the position of Director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health, and S. 406, to amend the Indian Health Care Improvement Act to make permanent the demonstration program that allows for direct billing of medicare, medicaid, and other third party payers, and to expand the eligibility under such program to other tribes and tribal organizations, after receiving testimony from Michel E. Lincoln, Deputy Director, Indian Health Service, Department of Health and Human Services; Gregory E. Pyle, Choctaw Nation of Oklahoma, Durant; W. Ron Allen, National Congress of American Indians, Washington, D.C.; and Buford L. Rolin, National Indian Health Board, Denver, Colorado.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: 17 public bills, H.R. 2696–2712; and 2 resolutions, H.J. Res. 64 and H. Con. Res. 172, were introduced. **Page H7025**

Reports Filed: Reports were filed today as follows:

Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2000 (H. Rept. 106–288);

Conference report on H.R. 2488, to amend the Internal Revenue Code of 1986 to reduce individual income tax rates, to provide marriage penalty relief, to reduce taxes on savings and investments, to provide estate and gift tax relief, to provide incentives for education savings and health care (H. Rept. 106–289);

Conference report on H.R. 1905, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000 (H. Rept. 106–290);

H. Res. 274, waiving points of order against the conference report on H.R. 2488, to amend the Internal Revenue Code of 1986 to reduce individual income tax rates, to provide marriage penalty relief, to reduce taxes on savings and investments, to provide estate and gift tax relief, and to provide incentives for education savings and health care (H. Rept. 106–291);

H. Res. 275, providing for consideration of H.R. 2684, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000 (H. Rept. 106–292); and

H. Res. 276, providing for consideration of S. 1467, to extend the funding levels for aviation programs for 60 days (H. Rept. 106–293).

Pages H7024–25, H7027–H7192, H7241–50

Journal Vote: Agreed to the Speaker's approval of the Journal of Tuesday, August 3, by a yea and nay vote of 366 yeas to 56 nays with 1 voting "present", Roll No. 367. **Pages H6967, H6972–73**

Suspension—American Inventors Protection Act: The House agreed to suspend the rules and pass H.R. 1907, amended, to amend title 35, United States Code, to provide enhanced protection for inventors and innovators, protect patent terms, and reduce patent litigation by a yea and nay vote of 376 yeas to 43 nays, Roll No. 368. The House debated the bill on August 3. **Pages H6973–74**

Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations: The House completed general debate and began considering amendments to H.R. 2670, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000.

Pages H6983–H7018, H7193–H7221

Agreed to:

The Serrano amendment that increases funding for the Legal Services Corporation by $109 million (agreed to by a recorded vote of 242 ayes to 178 noes, Roll No. 370); **Pages H7003–18**

The Jackson-Lee of Texas amendment that provides $2 million in funding for grants to develop programs to reduce drug use among juveniles; and **Page H7200**

The Blagojevich amendment that allocates an additional $7.5 million for innovative policing programs under the COPS program. **Page H7204**

Rejected:

The Scott amendment that sought to increase crime prevention and treatment program funding by $137.3 million and decrease the truth in sentencing block grant program accordingly (rejected by a recorded vote of 164 ayes to 263 noes, Roll No. 372); **Pages H7197–H7200, H7219–20**

The DeGette amendment that sought to strike the section that prohibits funding for abortion except where the life of the mother would be endangered or in the case of rape (rejected by a recorded vote of 160 ayes to 268 noes, Roll No. 373); and **Pages H7204–07, H7220–21**

The Coburn amendment that sought to reduce funding by $2.7 billion for the decennial census (rejected by a recorded vote of 171 ayes to 257 noes, Roll No. 374). **Pages H7208–16, H7217–19, H7221**

Withdrawn:

The Jackson-Lee of Texas amendment was offered, but subsequently withdrawn, that sought to increase funding for naturalization adjudication personnel; and **Pages H7195–96**

The Maloney of Connecticut amendment was offered, but subsequently withdrawn, that sought to reallocate funding for Community Oriented Policing Services. **Page H7203**

Points of Order Sustained Against:

The Jackson-Lee of Texas amendment that sought to increase funding for border control agent salaries; and **Pages H7194–95**

The Cook amendment that sought to increase funding for grants to Combat Violence Against Women and Law Enforcement Armor Vests programs. **Pages H7201–02**

Rejected the Obey motion to rise by a recorded vote of 166 ayes to 249 noes, Roll No. 371.

Page H7216

H. Res. 273, the rule that provided for consideration of the bill was agreed to by a yea and nay vote of 221 yeas to 205 nays, Roll No. 369.

Pages H6974–83

Emergency Steel, Oil, and Gas Loan Guarantee Program: The House agreed to the motion to concur in the Senate amendments to H.R. 1664, providing emergency authority for guarantees of loans to qualified steel and iron ore companies and to qualified oil and gas companies, by a recorded vote of 246 ayes to 176 noes with 1 voting "present," Roll No. 375. **Pages H7222–33**

Legislative Branch Appropriations: The Toomey motion to instruct conferees on the Senate amendments to H.R. 1905, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000 to insist upon (1) the House provisions for the funding of the House of Representatives under title I of the bill; (2) the Senate amendment for the funding of the Senate under title I of the bill, including funding provided under the heading "JOINT ITEMS—ARCHITECT OF THE CAPITOL—Capitol Buildings and Grounds—senate office buildings"; (3) the House provisions for the funding of Joint Items under title I of the bill, other than the funding provided under the heading "JOINT ITEMS—ARCHITECT OF THE CAPITOL—Capitol Buildings and Grounds—senate office buildings"; and (4) the House version of title II of the bill was offered and subsequently, proceedings were postponed. **Pages H7233–36**

Recess: The House recessed at 11:44 p.m. and reconvened at 12:38 a.m. on Thursday, August 5.

Page H7241

Senate Messages: Message received from the Senate appears on page H6967.

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on pages H7026–27.

Quorum Calls—Votes: Three yea and nay votes and six recorded votes developed during the proceedings of the House today and appear on pages H6972–73, H6973–74, H6982–83, H7017–18, H7216, H7219–20, H7220–21, H7221, and H7233. There were no quorum calls.

Adjournment: The House met at 10:00 a.m. and adjourned at 12:39 a.m. on Thursday, August 5.

Committee Meetings

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT IMPROVEMENTS

Committee on Commerce: Subcommittee on Finance and Hazardous Materials held a hearing on legislation to Improve the Comprehensive Environmental Response, Compensation, and Liability Act, focusing on several brownfields-related provisions contained in the following bills: H.R. 1300, Recycle America's Land Act of 1999; H.R. 1750, Community Revitalization and Brownfield Cleanup Act of 1999; and H.R. 2580, Land Recycling Act of 1999. Testimony was heard from Tim Fields, Assistant Administrator, Office of Solid Waste and Emergency Response, EPA; Lois Schiffer, Assistant Attorney General, Environmental Protection Division, Department of Justice; and public witnesses.

MEDICARE+CHOICE—PROGRAM EVALUATION

Committee on Commerce: Subcommittee on Health and the Environment held a hearing on Medicare+Choice: An Evaluation of the Program. Testimony was heard from Robert Berenson, M.D., Director, Center for Health Plans and Providers, Health Care Financing Administration, Department of Health and Human Services; and public witnesses.

OFFICE OF GOVERNMENT ETHICS REAUTHORIZATION

Committee on Government Reform: Subcommittee on Civil Service held a hearing on reauthorization of the Office of Government Ethics. Testimony was heard from Stephen D. Potts, Director, Office of Government Ethics; and a public witness.

GUN MANUFACTURERS—HUD'S ROLE IN LITIGATION

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy, and Human Resources held a hearing on What is HUD's Role in Litigation Against Gun Manufacturers? Testimony was heard from Gail Laster, General Counsel, Department of Housing and Urban Development; and public witnesses.

MISCELLANEOUS MEASURES; DECEPTIVE SWEEPSTAKES MAILINGS

Committee on Government Reform: Subcommittee on the Postal Service approved for full Committee action the following bills: H.R. 2319, to make the American Battle Monuments Commission and the World War II Memorial Advisory Board eligible to use

nonprofit standard mail rates of postage; H.R. 642, to redesignate the Federal building located at 701 South Santa Fe Avenue in Compton, California, and known as the Compton Main Post Office, as the ''Mervyn Malcolm Dymally Post Office Building''; H.R. 643, to redesignate the Federal building located at 10301 South Compton Avenue, in Los Angeles, California, and known as the Watts Finance Office, as the ''Augustus F. Hawkins Post Office Building''; H.R. 1666, to designate the facility of the United States Postal Service at 200 East Pinckney Street in Madison, Florida, as the ''Captain Colin P. Kelly, Jr. Post Office''; H.R. 2307, to designate the building of the United States Postal Service located at 5 Cedar Street in Hoskinton, Massachusetts, as the ''Thomas J. Brown Postal Office Building''; and H.R. 2357, to designate the United States Post Office located at 3675 Warrensville Center Road in Shaker Heights, Ohio, as the ''Louise Stokes Post Office''.

The Subcommittee also held a hearing on Deceptive Sweepstakes Mailings. Testimony was heard from Representatives LoBiondo and Rogan; Orson Swindle, Commissioner, FTC; Bernard L. Ungar, Director, Government Business Operations Issues, GAO; Ken Hunter, Chief Postal Inspector, U.S. Postal Service; and public witnesses.

BALKANS—U.S. INTERESTS AND GOALS

Committee on International Relations: Held a hearing on The Balkans: What Are U.S. Interests and the Goals of U.S. Engagement? Testimony was heard from the following officials of the Department of State: E. Anthony Wayne, Principal Deputy Assistant Secretary, Bureau for European and Canadian Affairs; and Ambassador Larry C. Napper, Coordinator, East European Assistance; Ambassador James Pardew, Principal Deputy Special Adviser to the President and the Secretary of State for Kosovo and Dayton Accords Implementation; and public witnesses.

FREEDOM FROM SEXUAL TRAFFICKING ACT

Committee on International Relations: Subcommittee on International Operations and Human Rights approved for full Committee action, amended, H.R. 1356, Freedom From Sexual Trafficking Act of 1999.

OVERSIGHT—HATE CRIMES VIOLENCE

Committee on the Judiciary: Held an oversight hearing on Hate Crimes Violence. Testimony was heard from Eric H. Holder, Deputy Attorney General, Department of Justice; Reuben Greenberg, Chief of Police, Charleston, South Carolina; and public witnesses.

UNBORN VICTIMS OF VIOLENCE ACT

Committee on the Judiciary: Subcommittee on the Constitution approved for full Committee action, amended, H.R. 2436, Unborn Victims of Violence Act of 1999.

SUBPOENA

Committee on the Judiciary: Subcommittee on Immigration and Claims approved a motion to issue a subpoena duces tecum directed to the U.S. Department of Justice regarding criminal aliens released by the Immigration and Naturalization Service who commit additional crimes in the United States after they are released.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported, amended, the following bills: H.R. 795, Chippewa Cree Tribe of the Rocky Boy's Reservation Indian Reserved Water Rights Settlement Act of 1999; H.R. 970, Perkins County Rural Water System Act of 1999; H.R. 1231, to direct the Secretary of Agriculture to convey certain National Forest lands to Elko County, Nevada, for continued use as a cemetery; H.R. 1444, to authorize the Secretary of the Army to develop and implement projects for fish screens, fish passage devices, and other similar measures to mitigate adverse impacts associated with irrigation system water diversions by local governmental entities in the States of Oregon, Washington, Montana, and Idaho; H.R. 1619, Quinebaug and Shetucket Rivers Valley National Heritage Corridor Reauthorization Act of 1999; and H.R. 2435, to expand the boundaries of the Gettysburg National Military Park to include the Wills House.

VA, HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Rules: The Committee granted, by voice vote, an open rule providing one hour of general debate on H.R. 2684, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. 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 on a general appropriations bill), except as specified in the rule. The rule provides that, before consideration of

any other amendment, it shall be in order to consider the amendment printed in the Rules Committee report, which may be offered only by a Member designated in the report, shall be considered as read, may amend portions of the bill not yet read for amendment, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives points of order against the amendment printed in the Rules Committee report 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 allows the Chairman of the Committee of the Whole to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule allows the Chairman of the Committee of the Whole to postpone votes and 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 Walsh, Obey, Edwards, Evans, Filner, Stabenow, and Capuano.

CONFERENCE REPORT—FINANCIAL FREEDOM ACT

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2488, Financial Freedom Act of 1999, and against its consideration. The rule provides that the conference report shall be considered as read. The rule one hour of debate equally divided and controlled between the chairman and ranking minority member of the Committee on Ways and Means. The rule provides that clause 5(b) of rule XXI (requiring a three-fifths vote on any amendment or measure containing a federal income tax rate increase) shall not apply to the question of adoption of the conference report and to any subsequent conference report or to any motion to dispose of an amendment between the houses on the bill. Testimony was heard from Representative Thomas.

AVIATION PROGRAMS FUNDING LEVELS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against consideration of S. 1467, to extend the funding levels for aviation programs for 60 days in the House. The rule makes in order a motion to strike all after the enacting clause of the Senate bill and to insert the text of H.R. 1000 as passed by the House. The rule waives all points of order against the motion to strike. Finally, the rule makes in order a motion to go to conference with the Senate on the bill, as amended. Testimony was heard from Chairman Shuster and Representative Oberstar.

K–12 MATH AND SCIENCE EDUCATION

Committee on Science: Held a hearing on K–12 Math and Science Education-Testing and Licensing Teachers. Testimony was heard from Thomas A. Elliott, Assistant Superintendent, Division of Teacher Education and Licensure, Department of Education, State of Virginia; and public witnesses.

Y2K—COMPUTER SECURITY IMPACT

Committee on Science: Subcommittee on Technology and the Subcommittee on Government Management, Information, and Technology of the Committee on Government Reform held a joint hearing on Computer Security Impact of Y2K: Expanding Risks of Fraud. Testimony was heard from public witnesses.

SMALL BUSINESS COMPETITIVENESS—EFFECTS OF FEDERAL PROCUREMENT POLICY

Committee on Small Business: Held a hearing to investigate the effects of federal procurement policy on small business competitiveness. Testimony was heard from Deidre Lee, Administrator, Office of Federal Procurement Policy, OMB; Robert Neal, Director, Office of Small and Disadvantaged Business Utilization, Office of the Deputy Secretary (International and Commercial Programs, Department of Defense; Richard Hayes, Associate Deputy Administrator, Office of Government Contracting and Minority Business Development, SBA; and public witnesses.

MOTOR CARRIER SAFETY ACT; RAIL PASSENGER DISASTER FAMILY ASSISTANCE ACT

Committee on Transportation and Infrastructure: Subcommittee on Ground Transportation approved for full Committee action the following measures: H. Con. Res. 171, congratulating the American Public Transit Association for 25 years of commendable service to the transit industry and the Nation; H.R. 2679, Motor Carrier Safety Act of 1999; and H.R. 2681, Rail Passenger Disaster Family Assistance Act of 1999.

DISASTER MITIGATION SPENDING—EFFECTIVENESS

Committee on Transportation and Infrastructure: Subcommittee on Oversight, Investigations, and Emergency Management held a hearing on Effectiveness of Disaster Mitigation Spending. Testimony was heard from Stanley Czerwinski, Associate Director, Resources Community, and Economic Development Division, GAO; and Michael Armstrong, Associate Director, Mitigation Directorate, FEMA.

KHOBAR TOWERS UPDATE BRIEFING

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Khobar Towers Update. The Committee was briefed by departmental officials.

Joint Meetings

WATER RESOURCES DEVELOPMENT ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of S. 507, to provide for the conservation and development of water and related resources, and to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States.

COMMITTEE MEETINGS FOR THURSDAY AUGUST 5, 1999

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to continue hearings on farm crisis issues, 9 a.m., SH–216.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing and Transportation, to hold oversight hearings on activities of the Office of Multifamily Housing Assistance Restructuring of the Department of Housing and Urban Development, 9:30 a.m., SD–538.

Full Committee, to hold hearings on the nomination of Harry J. Bowie, of Mississippi, to be a Member of the Board of Directors of the National Consumer Cooperative Bank; the nomination of Armando Falcon, Jr., of Texas, to be Director of the Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development; the nomination of Martin Neil Baily, of Maryland, to be a Member of the Council of Economic Advisers; the nomination of Robert Z. Lawrence, of Massachusetts, to be a Member of the Council of Economic Advisers; and the nomination of Dorian Vanessa Weaver, of Arkansas, to be a Member of the Board of Directors of the Export-Import Bank of the United States, 1:30 p.m., SD–538.

Committee on Foreign Relations: to hold hearings on pending nominations, 2:15 p.m., SD–419.

Committee on the Judiciary: business meeting to consider S. 620, to grant a Federal charter to Korean War Veterans Association, Incorporated; S. 486, to provide for the punishment of methamphetamine laboratory operators, provide additional resources to combat methamphetamine production, trafficking, and abuse in the United States; and the nomination of Mervyn M. Mosbacker, Jr., of Texas, to be United States Attorney for the Southern District of Texas, 10 a.m., SD–628.

House

Committee on Agriculture, Subcommittee on Department Operations, Oversight, Nutrition, and Forestry, hearing to review the operations of the Food Stamp Program, 10 a.m., 1300 Longworth.

Subcommittee on Risk Management, Research, and Specialty Crops, hearing to review regulatory relief for U.S. futures exchanges, 2 p.m., 1302 Longworth.

Committee on Commerce, to mark up the following bills: H.R. 1714, Electronic Signatures in Global and National Commerce; H.R. 1858, Consumer and Investor Access to Information Act of 1999; H.R. 486, Community Broadcasters Protection of 1999; H.R. 2630. NTIA Reauthorization Act of 1999; H.R. 2130, Hillory J. Farias Date-Rape Prevention Drug Act of 1999; and H.R. 2506, Health and Research and Quality Act of 1999, 10 a.m., 2123 Rayburn.

Committee on Government Reform, hearing on ''White House Insider Mark Middleton: His Ties to John Huang, Charlie Trie, and Other Campaign Finance Figures'', 11 a.m., 2154 Rayburn.

Committee on International Relations, to mark up the following bills: H.R. 1883, Iran Nonproliferation Act of 1999; and H.R. 2367. Torture Victims Relief Reauthorization Act of 1999, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Crime, hearing on the following bills: H.R. 2558, Prison Industries Reform Act of 1999; and H.R. 2551, Federal Prison Industries Competition in Contracting Act of 1999, 9:30 a.m., 2141 Rayburn.

Subcommittee on Immigration and Claims, oversight hearing on the H–1B Temporary Professional Worker Visa Program, 1 p.m., 2237 Rayburn.

Committee on Resources, Subcommittee on Energy and Mineral Resources, hearing on H.R. 33, imposing certain restrictions and requirements on the leasing under the Outer Continental Shelf Lands Act of lands offshore Florida, 2 p.m., 1324 Longworth.

Subcommittee on Fisheries Conservation, Wildlife and Oceans, to mark up H.R. 2669, Coastal Community Conservation Act of 1999, 10 a.m., 1334 Longworth.

Subcommittee on National Parks and Public Lands, to mark up the following bills: H.R. 20, Upper Delaware Scenic and Recreational River Mongaup Visitor Center Act of 1999; H.R. 748, to amend the Act that established the Keweenaw National Historical Park to require the Secretary of the Interior to consider nominees of various local interests in appointing members of the Keweenaw National Historical Parks Advisory Commission; H.R. 1615, Lamprey Wild and Scenic River Extension Act; H.R. 1665, to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase or exchange as well as by donation; H.R. 2140, to improve protection and management of the Chattahoochee River National Recreation Area in the State of Georgia; and H.R. 2339, National Discovery Trails Act of 1999, 10 a.m., 1324 Longworth.

Committee on Rules, to consider H.R. 417, Bipartisan Campaign Finance Reform Act of 1999, 1 p.m., H–313 Capitol.

Committee on Science, to mark up the following bills: H.R. 356, to provide for the conveyance of certain property from the United States to Stanislaus County, California; H.R. 1753, Methane Hydrate Research and Development Act of 199; H.R. 2086, Networking and Information Technology Research and Development Act; H.R. 1883, Iran Nonproliferation Act of 1999; H.R. 2607, Commercial Space Transportation Competitiveness Act of 1999; and H.R. 1744, National Institute of Standards and Technology Authorization Act of 1999, 1 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, to mark up the following: 1 lease resolution; 1 repair and alteration resolution; H.R. 2681, Rail Passenger Disaster Family Assistance Act; H.R. 2679, Motor Carrier Safety Act of 1999; H. Con. Res. 171, congratulating the American Public Transit Association for 25 years of commendable service to the transit industry and the Nation; Corps of Engineers Survey resolutions; H.R. 1300, Recycle America's Land Act of 1999; and other pending business, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Trade, hearing on United States Negotiating Objectives for the WTO Seattle Ministerial Meeting, 10 a.m., 1100 Longworth.

Next Meeting of the SENATE

9:30 a.m., Thursday, August 5,

Senate Chamber

Program for Thursday: Senate will consider the nomination of Richard Holbrooke, of New York, to be a Representative of the United States to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States to the United Nations, and to be the Representative of the United States to the United Nations with the rank and status of Ambassador, and the Representative of the United States in the Security Council of the United Nations, with a vote to occur thereon; following which, Senate will resume consideration of H.R. 2466, Department of the Interior Appropriations.

Senate expects to consider the conference report of the Budget Reconciliation/Tax Relief bill (upon receipt from the House).

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, August 5

House Chamber

Program for Thursday: Consideration of the conference report on H.R. 2488, Financial Freedom Act of 1999 Conference Report (rule waiving points of order);

Completed Consideration of H.R. 2670, Commerce, Justice, State, the Judiciary and Related Agencies (open rule);

Consideration of H.R. 2684, Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (rule only); and.

Go to Conference on S. 1467, Extending the Funding Levels for Aviation Programs for 60 Days (rule waiving points of order).

Congressional Record

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